Background and Context

- NSTC Research Security Subcommittee has been working on development of Common Forms for the Biographical Sketch and Current and Pending (Other Support) for well over a year

- NSF/OSTP worked with OIRA to work through clearance process and use of the Common Format approach

- A notice requesting public comment was posted in the Federal Register on August 31, 2022

Background and Context (Cont'd)

- NSF, on behalf of the National Science and Technology Council's (NSTC) Research Security Subcommittee, solicited public comment on common disclosure forms for the Biographical Sketch and Current and Pending (Other) Support sections of a research application. An excel spreadsheet that summarizes all of the data elements that will be collected in both the Biographical Sketch and Current and Pending (Other) Support, as well as their associated attributes, also was included for public comment.

- The 60-day comment period ended on October 31, 2022.

Background and Context (Cont'd)

- Comments were received from NSTC Research Security Subcommittee members prior to publication in the Federal Register.

- 99 comments were received during the public comment process.

- Submitters included individuals, organizations, professional societies and federal agencies.

Comment Thematic Areas

- General Comments
- The accuracy of the Agency's estimate of the burden of the proposed collection
- Definitions
- Biographical Sketch
- Current and Pending (Other) Support
- In-kind Contributions
- Consulting
- Disclosure Table

Common Form Progress to Date

- Met on multiple occasions to address outstanding issues with the NSTC Research Subcommittee co-Chairs, including the path forward for implementation of the Common Forms.

- All comments were resolved and entered into a comment table that will be used for final OMB/OIRA clearance of the forms.

- Products were delivered to OSTP for further action and implementation.

NSF Disclosure Requirements Update

NSF 23-1 - Implementation Revision of the Biographical Sketch and Current and Pending (Other) Support

- Included a new certification requirement from the National Defense Authorization Act (NDAA) 2021, Section 223 regarding information being accurate, current and complete.

- Implements National Security Presidential Memorandum 33 (NSPM-33) with consistent disclosure requirements for senior personnel and for common formats for both the biographical sketch and current and pending (other) support.

- NSF used the draft Common Forms as models for the Biographical Sketch and Current and Pending (Other) Support

- Encourages the use of ORCID ID.
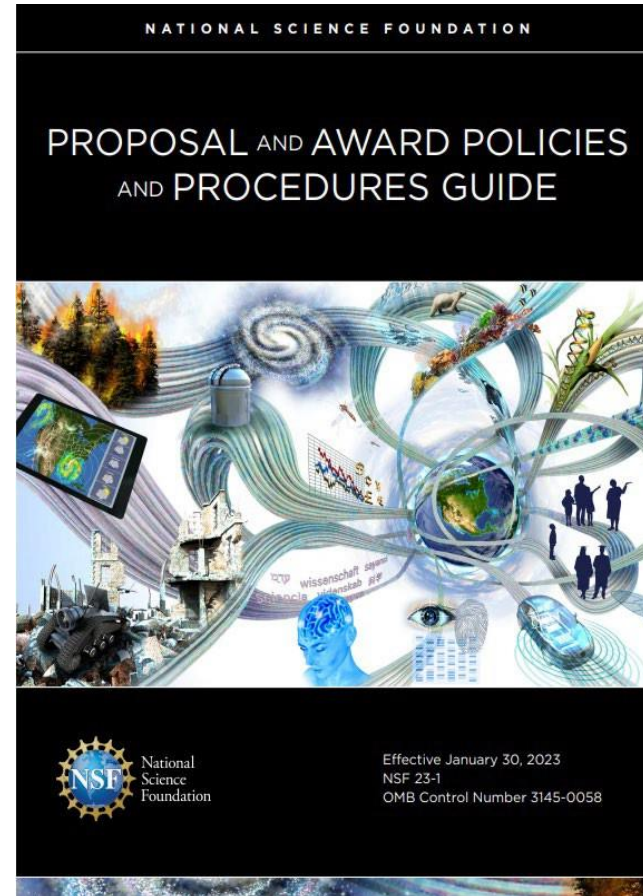
Biographical Sketch and Current and Pending (Other) Support: Certification in SciENcv

- Senior personnel must certify that the information is accurate, current and complete.

- In SciENcv the certification is completed upon download of the document.

- The certification and timestamp are included on the PDF.

Certification

When the individual signs the certification on behalf of themselves, they are certifying that the information is current, accurate, and complete. This includes, but is not limited to, information related to domestic and foreign appointments and positions. Misrepresentations and/or omissions may be subject to prosecution and liability pursuant to, but not limited to, 18 U.S.C. § 287, 1001, 1031 and 31 U.S.C. § 3729-3733 and 3802.

Agree   Cancel

Biographical Sketch and Current and Pending (Other) Support: Certification in the NSF Fillable Format
Note: NSF fillable formats can be used until October 22, 2023

- For the fillable forms, the senior personnel must type their name and date in the form.

- The certification language is printed on the form.

*Certification:

When the individual signs the certification on behalf of themselves, they are certifying that the information is current, accurate, and complete. This includes, but is not limited to, information related to domestic and foreign appointments and positions. Misrepresentations and/or omissions may be subject to prosecution and liability pursuant to, but not limited to, 18 U.S.C. §§287, 1001, 1031 and 31 U.S.C. §§3729-3733 and 3802.

Signature
(Please type out full name):   Date:

Organizational Certification

(vii) Certification Requirement Specified in the *William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021,* Section 223(a)(1) (42 USC 6605(a)(1)): The AOR is required to complete a certification that each individual employed by the organization and identified on the proposal as senior personnel has been made aware of the certification requirements identified in the *William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021,* Section 223(a)(1) (42 USC 6605(a)(1)).

Initial Disclosures and Update/Correction Requirements

- **Proposal Submission**
  - Collaborators and Other Affiliations, Biographical Sketch, and Current and Pending (Other) Support must be submitted.

- **Pre-Award**
  - Updated Current and Pending (Other) Support may be requested by the NSF program officer and must be submitted for senior personnel before an award can be made.

- **Post-Award**
  - If the AOR discovers that a disclosure should have been submitted at the time of proposal submission, but was not, they have 30 days to submit a post-award request to NSF.

- **Project Reports**
  - PIs and co-PIs must specify whether new, active other support has been received in their annual and final project reports. If yes, they must include updated Current and Pending (Other) Support information.

NSF 24-1 (Draft) Disclosure **Proposed Changes**

- **NSF Disclosure Requirements** – This section has been modified to:

  o Revise the section to include two distinct components that separately address preaward and postaward requirements;

  o Highlight the new requirement that senior personnel must certify that they are not a party to a malign foreign talent recruitment program at the time of proposal submission (and annually thereafter for the duration of the award);

  o Incorporate the annual postaward reporting requirements mandated by Section 10339B, *Foreign Financial Support*, of the CHIPS and Science Act of 2022 (42 U.S.C. § 19040); and

  o Break the violations of Pre- and Postaward Disclosure Requirements into a new paragraph.

- **Proposal Certifications Provided by the Organization** – A new certification has been added to implement Section 10632 of the CHIPS and Science Act of 2022 (42 U.S.C. 19232), which requires the Authorized Organizational Representative to certify that all senior personnel associated the proposal have been made aware of and have complied with their responsibility under that Section to certify that they are not a party to a malign foreign talent recruitment program.

NSF 24-1 (Draft) Disclosure **Proposed Changes** (Cont'd)

- **Proposal Certifications for Senior Personnel** – A new certification has been added to implement Section 10632, which states that the individual is not a party to a malign foreign talent recruitment program. As previously stated, these individuals also must certify annually thereafter for the duration of the award.

- **Biographical Sketch** – This section has been modified to:

  o Increase standardization with the Common Biographical Sketch Disclosure Form for the Biographical Sketch that has been developed in compliance with the NSPM-33 Implementation Guidance. Additional changes will be made to the data elements upon final implementation of the Biographical Sketch Common Format by OSTP;

  o Remove the 3-page limitation for the biographical sketch; there would now be no page limitation for this section of the proposal; and

  o Remove Synergistic Activities from the biographical sketch. This information must now be submitted by senior personnel as a new Senior Personnel document.

- **Current and Pending (Other) Support –** This section has been modified to:

  o Increase standardization with the Common Disclosure Form for the Current and Pending (Other) Support that has been developed in compliance with NSPM-33 Implementation Guidance. Additional changes will be made to the data elements upon final implementation of the Current and Pending (Other) Support Common Format; and

  o Incorporate the term, "Conflicts of Commitment" as defined in the NSPM-33 Implementation Guidance.

NSF 24-1 (Draft) Disclosure **Proposed Changes** (Cont'd)

- **Foreign Gifts and Contracts Disclosures** – A new section has been added to incorporate the new disclosure requirements mandated by Section 10339B of the CHIPS and Science Act of 2022 (<u>42 U.S.C. § 19040</u>). Each "recipient institution of higher education" must annually report all "current financial support, the value of which is $50,000 or more, including gifts and contracts, received directly or indirectly from a foreign source" which is "associated with a foreign country of concern," as defined in the PAPPG Introduction, Section D. Per section 10339B(a) (42 U.S.C. 19040(a)), the report also must include covered financial support received by "a foundation of the institution, and related entities such as any educational, cultural, or language entity." Also, covered financial support received from or contracts with an "agent" of a foreign source associated with a foreign country of concern are reportable.

- The reporting requirements are largely based on existing statutory reporting requirements managed by the Department of Education.

For Questions about NSF?

- Contact the DIAS/Policy Office regarding proposal and award policy and procedural questions, including disclosure:

  - policy@nsf.gov

- PAPPG FAQs

  - https://www.nsf.gov/bfa/dias/policy/papp/pappg23_1/faqs23_1.pdf

- For award specific questions, contact the cognizant Grants and Agreements Officer in the Division of Grants and Agreements or Division of Acquisition and Cooperative Support

NIH DISCLOSURE UPDATE

Michelle G. Bulls, Director

NIH Office of Policy for Extramural Research Administration

NIH Implementation Activities

- Updating NIH Grants Policy Statement to implement NSPM-33 definitions and requirements.

- Conducting a detailed analysis of the interagency form (IAF) and instructions, alongside existing NIH forms.

- Updating NIH forms and instructions for Biosketch and Current/Pending (Other Support) to align with the IAF, with agency-specific instructions as needed.

- Working closely with SciENcv to develop templates for both forms, which will capture the electronic certification.

- Working with HHS to coordinate engagement with other Operating Divisions.

Upcoming Changes – NIH Grants Policy Statement (NIHGPS)

- Definitions will be added/updated to align with NSPM-33
  - Academic appointments and positions
  - Conflict of Commitment
  - Foreign government-sponsored talent recruitment program
  - Institutional appointments and positions
  - Malign foreign talent recruitment program
  - Professional appointments

Upcoming Changes – NIH Grants Policy Statement (NIHGPS)

- CHIPS and Science Act requires certification from individuals and institutions (Sec. 10632)

    - Each individual must certify in the application that they are not a party to a malign foreign talent recruitment party, and annually thereafter (e.g., RPPR).

    - Each institution applying for an award must certify that covered individuals employed by the institution have been made aware of the requirements and complied with the requirements.

- Individual certifications will be captured in the IAF

- NIH along with other agencies are working with OMB to identify how best to capture institutional certifications.

Biosketch Form/Instructions

- NIH received OMB approval for the following changes, which we are working with SciENcv to implement in the NIH template:
  - *optional* Persistent Identifier (For NIH: ORCID ID)
    - eRA Commons ID remains required for Senior/Key personnel. NIH strongly recommends linking to ORCID in the eRA Commons Profile
  - electronic signature/certification requirement to align with Current/Pending (Other) Support
  - updated certification language
- Additional changes planned:
  - NIH will align NIH with the interagency form, once approved.

> ### *IAF Certification Statement*
>
> I certify that the information provided is current, accurate, and complete. This includes but is not limited to information related to domestic and foreign appointments and positions.
>
> I also certify that, at the time of application submission, I am not a party to a **malign foreign talent recruitment program.**"
>
> Misrepresentations and/or omissions may be subject to prosecution and liability pursuant to, but not limited to, 18 U.S.C. §§ 287, 1001, 1031 and 31 U.S.C. §§ 3729-3733 and 3802.

Biosketch – NIH Specific Considerations

- NIH will adopt the IAF in whole, and will determine how to best address NIH-specific considerations.

  - Personal Statement

  - Changes to 'Contributions to Science'

  - Hyperlink policy

Current/Pending (Other) Support Form/Instructions

- OMB approval received:
  - Include *optional* Persistent Identifier (For NIH: ORCID ID)
  - Updated certification language (for the individual)
- Additional changes planned:
  - Align NIH forms with the IAF
- NIH-specific areas under consideration for IAF:
  - Requirements for Other Significant Contributors – because there is no measurable effort, no Other Support required, in line with NSPM-33
  - Methods for submitting supporting documentation, e.g. integration with SciENcv

SciENcv Templates

- NIH anticipates adopting the Interagency Forms by FY 2024.

  - If the IAF is not available in that timeframe, NIH will proceed with issuing an updated NIH form until the IAF is available.

- Electronic versions of the new forms are anticipated to be made available in SciENcv in FY 2024. Continuing to work with National Library of Medicine on implementation.

- Electronic signature/certification will be captured via SciENcv for Biosketch and Current/Pending (Other Support).

- NIH is exploring options for how best to include supporting documentation in SciENcv generated Other Support document.

Questions for NIH?

- Contact OPERA at our central mailbox for disclosure questions:
  - nihosbiosketch@nih.gov
- Visit our OER Websites for policies, forms, and FAQs
  - Other Support
  - Biosketch

INSTITUTIONAL APPROACHES

Policy changes

- Creation or revision of institutional policy
- Incorporate law, regulation, or sponsor policy
- Clarify expectations and applicability

Example: [Disclosure of Other Support Policy](#) (UW-Madison)

Example: [Conflict of Commitment Policy](#) (UW-Madison)

Procedural & guidance updates

- Implementation of policy changes

- Outline expectations by role

Procedural & guidance update: Example

[Other Support Review](#) (Michigan)

Other Support Review

U-M Review Process

As a U-M investigator, many of the **outside activities, relationships, or interests** ("outside activities") you disclose to the University in **M-Inform** should also be reported to federal sponsors in sponsor documentation (e.g., **Biosketch, Other Support, Current & Pending, and Facilities, Equipment, or Other Resources**). See the **Disclosure Matrix** for details.

The U-M COI Offices assist U-M investigators with both outside activity disclosures and sponsor reporting obligations for international engagements by **reviewing**:

- Outside activity disclosures in M-Inform, including those involving an institution, government, or company located outside the U.S.

- Supporting documentation uploaded into M-Inform with a disclosure of an outside activity with a non-US entity (U-M disclosure requirement as of July 2021).

  Examples of **supporting documentation** include, but are not limited to, original and English translations of contracts, grants, appointment/acknowledgement letters, statements of work, emails detailing the outside activity, and any other agreements with a non-US entity.

- Sponsor documentation at Just-In-Time (JIT) for NIH or at the time of award initiation for other federal agencies to ensure that all the required international outside activity information is appropriately disclosed to U-M and reported to the sponsor.

As part of this review, the COI Offices may **advise investigators** as to which:

- Outside activities should be included in their sponsor documentation, and how to meet federal agency requirements.

- Supporting documentation also should be included in their Other Support for NIH.

Procedural & guidance update: Example

[NIH Formatting](#) (Univ. of Washington)

NIH Formatting Attachments, PDFs, and Electronic Signatures

Formatting Attachments

NIH provides guidance on a variety of formatting topics. Their guidance addresses items such as PDFs, electronic signatures, hyperlinks or URLs, and more... Review these highlights from the NIH guidance along with UW specific information.

Electronic Signatures

The NIH FAQ about electronic signatures states that they do not require specific software, however, they do require some type of esignature software when most signatures are required. Letters of Support do not require esignatures.

> "Recipients and applicants may use the electronic signature software of their choice, and in alignment with their institutional practices."

UW-IT provides support for electronic signatures using Docusign at no cost to departments for research, education, or administration purposes. UW-IT requires units to complete their esignature onboarding and training to use this service.

Flatten Your PDFs

Flatten your PDFs before upload to eRA Commons, otherwise they will result in a submission error.

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System updates

- Solicit and store information

- Means of reminding PIs and senior/key personnel of obligations

System updates: Examples

Additional questions & information in outside activities reporting system, e.g.:

- Do you have an ongoing relationship with a foreign research institute or foreign entity?

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System updates: Examples

Additional statements, etc., in proposal/agreement routing system, e.g.:

- Attesting that information provided is current, accurate, and complete

- Do you have any current or pending collaborations with a foreign government, quasi-government, institution, or other entity?

- Has a foreign entity provided you with any non-monetary resources (e.g., equipment, materials, personnel) that support or are related to any of your current research endeavors?

Communications/outreach

- Spreading the word about requirements, policies, procedures, guidance, etc.

- Targeted outreach by email

- Discussions and training sessions

- Webpage resources

Example: [Other Support Information](#) (UW-Madison)

Communications/outreach: Example

[Using SciENcv to Prepare NSF Formats](#) (The George Washington University)

Using SciENcv to Prepare NSF Formats

SciENcv will produce approved formats for the NSF Biographical Sketch and Current and Pending Support. The Office of Sponsored Projects (OSP) encourages researchers (faculty or staff) to consult with a GW Librarian for assistance with using SciENcv.

GW librarians can:

- assist researchers with setting up an ORCID (Open Researcher and Contributor Identifier) account. ORCID accounts simplify the process of entering and updating publications in one place, and importing the publication records into SciENcv.
- assist with navigating SciENcv to create and maintain approved formats for NSF.

Request for Online Consultation with a GW Gelman Librarian

Communications/outreach: Example

[Other Support/Current and Pending Support](#) (Penn State)

Communications/outreach: Example

[Other Support/Current and Pending Support](#) (Penn State)

National Institutes of Health (NIH)

NIH modified its guidance for completing Other Support Forms on March 12, 2021 ([NOT-OD-21-073](#)). Prior guidance can be found at [NOT-OD-19-114](#). Research administrators should ask all key personnel to **review** [this questionnaire](#) to facilitate completion of NIH Other Support forms.

What is Other Support?

Definition of "Other Support" according to [NIH Grants Policy Statement Section 2.5.1](#):

> [...]includes all resources made available to a researcher in support of and/or related to all of their research endeavors, regardless of whether or not they have monetary value and regardless of whether they are based at the institution the researcher identifies for the current grant.

Who Must Disclose?

- All individuals designated in an application as [senior/key personnel](#)—those devoting measurable effort to a project.
- Information on Other Support is **not** specifically requested for Program Directors, training faculty, and other individuals involved in the oversight of training grants since applicable information

What to Disclose

Disclose all resources and/or financial support from all foreign and domestic entities, including but not limited to:

- Financial support for laboratory personnel
- Provision of high-value materials that are not freely available (e.g., biologics, chemical, model systems, technology, etc.).

When to Disclose

- Most NIH proposals require completion of Other Support forms at the [Just-in-Time stage](#) (prior to issuance of an award)
- Other Support forms also must be updated when submitting annual Research Performance Progress Reports (RPPRs)

Tools and templates

- Documents that are easy to access and understand

- Facilitate compliance with requirements

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Tools and templates: Example

[Other Support](#) page (Yale)

ACTIVITY	BIOSKETCH	OTHER SUPPORT	RPPR	FACILITIES, OTHER RESOURCES, EQUIPMENT
Professional preparation (e.g., educational degrees)	✓			
Organizational Affiliations and Appointments	✓			
Academic, professional or institutional appointments, whether or not remuneration is received, and whether full-time, part-time, or voluntary	✓			
All **projects currently under consideration** from whatever source, and all **ongoing projects**, irrespective of whether support is provided through the proposing organization, another organization or *directly* to the individual, and regardless of whether or not they have monetary value (e.g., even if the support received is in-kind such as office/laboratory space, equipment, supplies, or employees)		✓	✓	

Tools and templates: Example

[External Activities Questionnaire](#) (Stanford)

EAQ Responses to Sponsor Disclosures

	Biosketch / Sciencv	Other Support / Current & Pending	Facilities, Equipment & Other Resources
1. Any **visiting postdoctoral fellows, visiting students, or visiting scholars** involved in research in your lab who are paid directly, in full or in part, by any non-Stanford organization, institution, company or government ("Entity")	NIH (3) ↗ NSF (2) ↗	NSF (2) ↗	
2. Any **Stanford registered postdoctoral fellows or students** involved in research for your lab supported in full or in part by any non-Stanford organization, institution, company, or government ("Entity") including fellowships	NIH (3) ↗ NSF (2) ↗	NSF (2) ↗	
3. Access to **"in-kind" resources** in support of your research endeavors that are obtained through a collaboration, appointment, or relationship with an outside institution, organization, or company ("Entity")	NIH ↗ NSF(2) ↗	NIH (4) ↗ NSF(2) ↗	

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Tools and templates: Example

Disclosure Matrix (Michigan)

Activity, Relationship, or Interest to be Disclosed	Location for Disclosure of Information					
	U.S. Federal Agencies			U-M		
	Biosketch	Other Support/ Current & Pending	Facilities, Equipment, or Other Resources	eRPM "Sign PAF" or "Sign Award Record" Activity if Non-U.S.	M-Inform System	Neither
Active & Pending awards received and managed by U-M		Y				
Active & Pending awards provided or managed by **external entities** (including non-U.S. entities)		Y*		Y	Y	
Unpaid research conducted outside your U-M role		Y*		Y	Y	
Other **non-U-M** monetary resources (including external employment start-up packages)		Y*		Y	Y	
Appointments/Affiliations/Employment **outside** U-M that are related to your U-M area of expertise (includes full-time, part-time, voluntary, adjunct, visiting, honorary, labeled as "guest", paid or unpaid, domestic or outside the U.S., and appointments/affiliations likely to be cited in publications)	Y	Y, if related to a specific project, proposal, and/or in-kind support* Note appointment in the relevant entry in Other Support document		Y	Y	

Tools and templates: Example

[NIH OS template w/guidance](#) (UW-Madison)

Name of Individual: (Name of PD/PI)
Commons ID: (NIH Commons ID)

Other Support – Project/Proposal

ACTIVE

Title: (project title)

Major Goals: (provide major goals)

Status of Support: Active

Project Number: (Agency/Sponsor Grant # assigned)

Name of PD/PI: (Name of PI....if a subaward, name prime PI...if a subproject, name contact PI)

Source of Support: (Sponsor name)

Primary Place of Performance: (University of Wisconsin OR other primary place)

Project/Proposal Start and End Date: (MM/YYYY) (if available): (Start-End of entire project or subaward or subproject)

Total Award Amount (including Indirect Costs): (Total amount of entire project or subaward or subproject)

Person Months (Calendar/Academic/Summer) per budget period. In the Year column, enter the year during which the budget period ends. In the Person Months column, enter the number of months the individual plans to spend during the budget period.

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Tips

- Beware last minute changes to title, budget, and/or project period. New signatures will be needed.
- Include in-kind and pending; if none, state "None."
- Be conscious of using zero effort; may or may not be appropriate or allowable.
- **Err on the side of disclosure. If in doubt, disclose.**