

June 13, 2022

Suzanne H. Plimpton
Reports Clearance Officer
Office of the General Counsel
National Science Foundation
2415 Eisenhower Avenue
Alexandria, VA 22314

Dear Ms. Plimpton:

The University of Arizona appreciates the opportunity to comment on the April 2022 draft version of the National Science Foundation's Proposal and Award Policies and Procedures Guide 23-1 (PAPPG). Since the January 2022 release of the Office of Science and Technology Policy Guidance for Implementing NSPM-33, we have eagerly awaited federal agency guidance and clues to next steps. We are grateful that the draft PAPPG addresses the core principle from the OSTP document that policies and consequences must be applied without discrimination. While the PAPPG has always referenced non-discrimination, the **Section M in Chapter II** reinforces the point.

We appreciate the addition of **Section B. NSF Disclosure Requirements to Chapter II: Proposal Preparation Instructions**. Creating an additional section for this information is very useful to sponsored projects officers and departmental research administrators assisting faculty with proposal preparation, Just-In-Time, and Project Reporting. We think it is critical that the National Science Foundation use the listed factors (page 34) in determining consequences, as many in the grantee community are concerned about simple mistakes of timing, intent, and human error and how those mistakes can be corrected without creating the need for formal investigation.

In addition, we have comments on the following sections:

Chapter II.D.1.d.&e. Proposal Certifications Provided by the Organization and Certification Provided by Senior Personnel

- The separation of proposal certifications into two pieces is a great solution to issues raised since the comment period for NSF PAPPG 20-1. There will always be a limit to the information an awardee institution can certify on behalf of their investigators and senior personnel. It is important to have a certification at the level of senior personnel and distinguish it from the institution-level certifications that are needed on behalf of the grantee. Authorized Organizational Representatives (AORs) certify the institution's abilities to support the proposed project, and compliance with several regulatory items. Information in the biographical sketch and current & pending support documents is only partially held in AOR institutional systems, even the most comprehensive ones. Senior Personnel must bear responsibility for accurate and truthful disclosures of their activities.

Chapter II.D.2.h. Senior Personnel Documents

- **SciENcv:** We are encouraged by the move to use SciENcv for both the biographical sketch and current and pending support forms. We hope this step will encourage other federal agencies to do the same. SciENcv must be enhanced with more testing and user experience work that includes faculty to ensure it can support them. While having an ORCID record makes the SciENcv process easier, work should be done to ensure that adding items that may not be in the ORCID record (Synergistic Activities, for instance) is seamless. The faculty and their delegates must be able to move back and forth between the two systems easily.
- **ORCID:** We strongly support the use of ORCID in reducing administrative burden. As noted above, work on faculty-centric user experience in SciENcv will be critical in ORCID adoption and proving the reduced burden. While we understand that not all NSF grantees will need/want an ORCID, we hope that NSF systems and forms will be updated to collect the ORCID in a prominent (even if optional) way, which can be perceived as a soft requirement.
- **Current And Pending Support / NSPM-33 Implementation Guidance Table 2a:** Some items listed in Table 2a for Current and Pending Support create confusion in reporting on the Current and Pending Support form. This confusion creates conditions for non-compliance in disclosure reporting. The required report format does not fit with all the scenarios that must be reported on the support forms. The forms should be updated to be flexible in accommodating situations where things like dollar amounts or measurable levels of effort will not apply. This should be relevant for all requests for this information at the proposal stage, Just-In-Time, postaward, and project reporting. Some examples:
 - **Support in the form of Visiting Scholars or Students/Postdoctoral Researcher funded by other entities:** While these relationships have a clear monetary value, many researchers will not be able to assign a level of effort to these interactions. If they are the scholar's/student's/postdoc's direct supervisor, they will certainly have a level of effort in managing them, but the Current and Pending Support forms do not ask the researcher to articulate the person-months devoted to team management or supervisory responsibilities. Requiring a separate reporting item of effort here is inconsistent with the way the rest of their management duties are treated. If they are not the direct supervisor of these individuals, they may not have effort at all for this interaction. Guidance should also clarify the treatment of visiting scholars/students who are funded via NSF mechanisms, such as Research Experience for Teachers/Undergraduate Students (RET/REU).
 - **In-Kind Contributions both intended/not intended for the current proposal:** The NSPM-33 guidance directly addresses that In-Kind contributions may not have monetary value, so the current and pending support forms should not require a value if one cannot be determined. In-Kind contributions also may not require the commitment of any effort above the effort already listed on the current proposal. Gifts, additional funds to meet cost sharing requirements,

institutional start-up funds, and similar items do not automatically create a need for more of the researcher's effort. We would appreciate more clarification and examples for items more appropriately reported as Facilities, Equipment, and Other Resources vs. Current and Pending Support.

It would be very helpful if the forms allowed for the selection of value ranges, including \$0 or 0% when addressing overlap of funding or effort for items that do not have a measurable amount for either.

Chapter IX: Addition of "venture or other capital financing" to Significant Financial Interest (SFI) Definition:

- Improper venture or other capital financing can create financial conflicts of interests as well as other research security risks, regardless of monetary value. In fact, placing a monetary value on this SFI would likely lead to financing caps that are designed to avoid disclosure. The minimum disclosure requirement for venture and other capital financing should be the full name and address of the individual(s) and/or entity(ies) that provided the financing, regardless of the amount of the financing. This will provide institutions with the initial information they need to conduct their due diligence in determining whether the venture or other capital financing creates a financial conflict of interest or could otherwise improperly influence research or create a research security risk.
- We would like additional clarity on
 - How confidential financing information will be protected when it is disclosed. This information could be considered a competitive advantage when in the wrong hands, and researchers may (understandably) be unwilling to disclose it for that reason.
 - How awardee entities are expected to report this to the National Science Foundation.

Chapter IX: Addition of Section C: Research Security

- All previous comments on disclosure of activities in current and pending support pages apply to Postaward and Annual and Final Project Reports. The listed factors (page 34) in determining consequences are as critical here as they are for proposal preparation.

We appreciate the National Science Foundation's work with the Federal Demonstration Partnership (FDP) on research security. Thank you for the opportunity to comment. The University of Arizona values how open, available, and collaborative the NSF Policy Office has always been.

If you have any questions about our comments, please contact Lori Schultz at lschultz@arizona.edu.

Sincerely,



Lori Ann M. Schultz
Assistant Vice President, Research Intelligence