



OFFICE OF THE VICE PRESIDENT — RESEARCH & GRADUATE STUDIES

RESEARCH POLICY ANALYSIS & COORDINATION
1111 Franklin Street, 11th Floor
Oakland, California 94607-5200
Web Site: <http://www.ucop.edu/research/rpac/>
Tel: (510) 587-6031
Fax: (510) 987-9456

July 29, 2019

Suzanne H. Plimpton
Reports Clearance Officer
National Science Foundation
2415 Eisenhower Avenue, Suite W18200
Alexandria, VA 22314

RE: National Science Foundation Proposal/Award Information – NSF Proposal and Award Policies and Procedures Guide

Dear Ms. Plimpton:

I write on behalf of the University of California (UC) system with regard to the proposed revisions to the National Science Foundation (NSF) Proposal and Award Policies and Procedures Guide (PAPPG), published in the *Federal Register* on May 29, 2019.

The UC system is comprised of ten research-intensive campuses, six medical schools, and is involved in the management of three U.S. Department of Energy national laboratories. As a system, UC received almost \$500 million in NSF funding in Fiscal Year 2018, representing more than half the total funding for California institutions. UC welcomes and appreciates the opportunity to comment on the proposed revisions in the draft 2020 NSF PAPPG. Additionally, UC supports and endorses comments provided separately to NSF by the Council on Governmental Relations (COGR).

UC supports the majority of the proposed PAPPG changes; however, proposed changes to the Current & Pending Support and Biosketch expand current requirements (or minimally, standard practices), increasing grantee costs and administrative burdens.

In recent months, several federal government agencies have issued policy clarification on Other Support/Current & Pending Support and biosketch requirements, most notably the National Institutes of Health. However, there is no consistency across agencies – each has its own form and asks for different information. The diversity in requirements and forms across agencies causes unnecessary administrative burden, especially as agencies increase the type and amount of information requested. Compliance is increasingly more difficult and potentially results in an increased risk of errors and misreporting.

White House Office of Science and Technology Policy (OSTP) Director Kelvin Droegemeier has repeatedly called on a reduction of “research administrative burden.” In an April 30, 2019 interview in *Nature*, he noted “the lack of harmonization in things like the forms that faculty fill out when they apply for grants, or the curriculum vitae information they submit. The fact that there are different forms and structures across agencies means that they spend a lot of time reformatting something.”¹

Therefore, UC strongly recommends that *before* implementing significant changes to its Current and Pending Support and Biosketch requirements, NSF consider the administrative burden of these proposed changes and work with other federal agencies to develop a common data collection methodology so that grantees can consistently collect and maintain these essential data, regardless of funding agency. Further, UC suggests the establishment of a single federal portal or clearinghouse for the submission of Current & Pending Support/Other Support and Biosketches (and indeed, any information that is applicable across agencies), so that grantees can easily upload and update their information, and federal grant-making agencies can easily access consistent, current and accurate information.

With regard to the specific revisions contained in the draft PAPPG, UC has the following concerns with the Current and Pending Support instructions (PAPPG, I.II.C.2h):

- The instructions state that all projects and activities “that require a time commitment” must be reported. However, it is unclear whether this means only those projects that require a *formal quantified commitment of time* (to a funding sponsor, for example); or more broadly any project that takes some portion of an individual’s professional time to complete, whether or not a formal commitment of such is made. The instructions further state that the number of person-months to be devoted to the project in question must be listed, which seems to indicate that the intent is to capture only those projects for which a formal time commitment has been made. However, some projects (including consulting arrangements, which are now included in the Current and Pending requirements) do not require a defined time commitment and are largely completed on an as-needed basis. Therefore, there is ambiguity on which projects should be reported given the lack of clarity on the definition of “time commitment”.
- The revised language states that all ongoing or proposed “projects” must be reported, and that “all projects *or activities*” must be reported. “Activities” could be interpreted to mean an individual’s duties, including those outside of the research endeavor – for example, teaching or clinical work (for which an individual most likely receives internal in-kind support, e.g., in the form of office space and support for graduate students. Must these activities then be reported? Or is NSF’s intent only to capture projects related to the individual’s *research* expertise?
- If effort for activities conducted outside an individual’s institutional appointment must be reported, UC is concerned that such effort will now be counted against the individual’s maximum total effort (e.g., 12 months). We note that institutions (including UC) have policies and procedures in place to ensure that employees’ outside activities do not conflict with their institutional efforts or responsibilities. Therefore, NSF should clarify that such effort on outside

¹ *Nature* **569**, 169-170 (2019)

activities will not be counted against the maximum total effort available for *institutional* responsibilities, including extramurally funded research projects.

- The requirement to report “in-kind support” such as office/laboratory space, employees, students, and equipment does not fit within the Current and Pending Support data elements. For this kind of support, there are typically no start and end dates, project titles, person-month commitments, or quantifiable “award” amounts. Information regarding this kind of support is typically provided elsewhere in a proposal – for example, in the Facilities, Equipment and Other Resources section. Therefore, UC believes it is unnecessary and inappropriate to include this information in Current and Pending Support, unless such support is provided by a third party via a grant or contract for a specific scope of work.
- While UC appreciates the intent of including support provided directly to the individual on the Current and Pending Support form (including, for example, approved outside professional activities such as consulting), it would be difficult for the institution to guarantee that such information provided by the individual is complete and accurate. Often the institution does not have records of *all* such projects – only those that are required to be reported by the individual (usually above a certain threshold). Even if the individual did not intentionally omit such a project, it is of course possible for errors and omissions to occur, particularly when individuals are engaged in many concurrent activities, both at the institution and on a personal level. While UC does have robust conflict of interest/commitment procedures that are helpful in evaluating specific situations elevated for review, we are concerned that the revised Current and Pending policies may place UC in the position of essentially policing private (and frequently confidential) agreements between an employee and a third party outside of the scope of their employment.
- On a similar note, UC is concerned that NSF may hold the institution accountable for omissions and errors (whether deliberate or not) by individuals on their Current and Pending Support information, even in those cases where there could be no reasonable expectation for the institution to be aware of such omitted or incorrect information. It is also not clear how much due diligence NSF expects from the institution in its review of Current and Pending support, especially with regard to projects not processed by the institution. The PAPPG states (II.C.1.d) that the institutional Authorized Organizational Representative (AOR) certifies the correctness of the information contained in the proposal. However, under the new Current and Pending Support instructions, this information may include data (external consulting agreements, for example) that the AOR may not be able to verify independently. Therefore, UC believes that responsibility for the completeness and accuracy of the information in the Current and Pending Support should lie with the investigator, not the institution. Institutional responsibility should be limited to ensuring that investigators are fully aware of and understand the requirements.

Secondly, while UC also appreciates NSF’s intent to collect complete information regarding an individual’s appointments on the Biosketch form, we have similar concerns on the revised language in the draft PAPPG (I.II.C.2f(i)(b)) as those discussed above for Current and Pending Support.

- The PAPPG now states that all “titled academic, professional, or institutional” appointments, whether paid or not, should be included in the Appointments section of the Biosketch. These could include appointments of which the individual’s institution has no knowledge, even after reasonable due diligence.

If, the NSF moves forward with the PAPPG changes, we would ask that the following be considered:

- Additional time be provided beyond January 2020 for implementation, as institutional systems and procedures will likely need to be updated and investigators trained appropriately.
- To the extent possible, submission of Current and Pending Support and updated Biosketch information be required when a project is selected for funding based on its scientific merit, not at the time of proposal (comparable to the Just-in-Time process employed by the National Institutes of Health). This would reduce administrative burden, and ensure that NSF has the most current information at the time of award.
- Coordination and harmonization with other federal agencies around these modified requests for Current and Pending Support and Biosketch sections and creation of a common portal for investigators to directly submit and update their Current and Pending Support information and Biosketches.
- A clear statement from NSF that individuals (not institutions) would be held liable for omissions in the Current and Pending Support and Biosketch sections with regard to support and appointments outside of the scope of an individual’s institutional employment.

We appreciate the opportunity to provide feedback and hope that NSF will consider our comments and questions as it moves forward with finalizing the new version of the Guide.

Sincerely,



Lourdes G. DeMattos

Associate Director

Research Policy Analysis & Coordination