Comments from the Chair of COGR's Board

Jeffrey Silber, *Senior Director, Sponsored Financial Services, Cornell University*

Wendy Streitz, *COGR President*

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Welcome to COGR's New Members!
(since October 2022)

- Dana-Farber Cancer Institute

- Stevens Institute of Technology

- Sanford Burnham Prebys Medical Discovery Institute

- Colorado School of Mines

- Rush University

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Reminders

- **March 10, 2023: COGR Board Nominations Due (link in the chat)**

- **June 8-9, 2023: COGR's Next In-Person Meeting in Washington D.C.**

- **October 26-27, 2023: COGR's 75th Anniversary Celebration – Save the Date!**
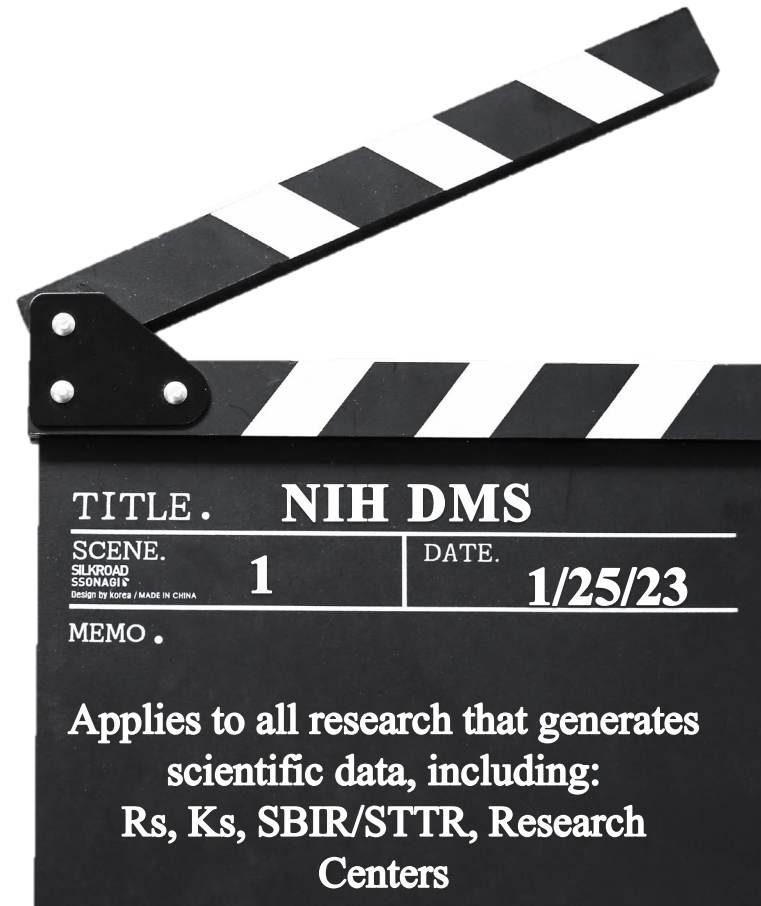
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NIH Data Management and Sharing (DMS)

David Kennedy, *Director, Costing & Financial Compliance (CFC)*

Krystal Toups, *Director, Contracts & Grants Administration (CGA)*

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NIH DMS To-Date

- Engagements & Partnerships: NIH, COGR membership/workgroups/partners, ARL, FDP

- Various Webinars

- Comment Letters

- COGR Readiness Guide
  - Ch. 4 Part II - Project-Based and Institutional Cost Considerations

- Cost Impact DMS Survey

- FDP Pilot

TITLE. **NIH DMS**

SCENE. SILKROAD SSONAGI Design by korea / MADE IN CHINA **1** | DATE. **1/25/23**

MEMO.

Applies to all research that generates scientific data, including: Rs, Ks, SBIR/STTR, Research Centers

We Want to Hear from You!!!

Questions contact Krystal and Dave

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Survey Question #1

How is NIH DMS going at your institution?

A.   Fabulous, no issues at all (business as usual)!

B.   Not too bad! Still have some training to do but expect it to level out once everyone is familiar with the new requirement—no significant questions or concerns.

C.   We've received lots of questions and still trying to figure this out.

D.   Very difficult! We have many concerns and questions.

E.   Not applicable to me.

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Survey Question #2

What is the most significant issue at your institution related to NIH DMS? (Select your top 3 challenges)

    A.   Single line-item budget issue.

    B.   Ensuring proposals address and capture DMS costs appropriately (not all $0 budgets).

    C.   Drafting DMS plan.

    D.   Selecting repositories (including repositories for large data sets).

    E.   Concern with DMS costs required to preserve and share beyond the award period.

    F.   Clarifying for researchers what data is expected to be shared.

    G.   Addressing researcher's concerns with scooping (sharing unpublished data).

    H.   DMS data derived from human participants.

    I.   Other items…put in chat.

    J.   Not applicable to me.

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Survey Question #3

How significant of an issue is the single line-item budget for your institution?

A. Not an issue.

B. Low

C. Moderate (we have significant concerns but can work through them for now)

D. High (we have significant concerns this needs immediate attention from NIH)

E. Not applicable to me

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Survey Question #4

How did your institution approach budgeting DMS costs in a single line item for this round of applications?

A. Budget costs within standard budgeting practices (not a single line item). Costs for personnel=personnel, costs for subawards=subawards, and DMS specific costs (ex. Repository fees) included in ODC.

B. Majority of our budgets included $0 for DMS costs.

C. Mixed bag (some were a single line item, others did not, and others had $0 for DMS costs).

D. Budgeted all costs in a single line item (including personnel, subcontract, equipment) in F. Other Direct Costs – Data Management and Sharing.

E. Not applicable to me.

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Survey Question #5

The FDP will soon begin a one-year pilot project, which we understand will include gathering data on how PIs/Institutions manage single line-item budget issues. We hope the pilot will yield helpful outcomes that address concerns about the single line-item budget issue. How would you characterize your hope as to how the pilot addresses the single line-item budget issue?

A.   I am comfortable if solutions are provided at the end of the one-year pilot.

B.   I would like to see some solutions within the next six months.

C.   I would like to see some solutions sooner, for example, within two to three months.

D.   I am uncomfortable waiting for the pilot; we need some solutions now.

E.   Not applicable to me.

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Committee Report& Hot Topics
Research Ethics & Compliance (REC) Committee

- **Naomi Schrag, (Chair), Columbia University**

- **Lynette Arias, University of Washington**

- **Kristin Bittinger, Harvard University***

- **Theresa Colecchia, Johns Hopkins University**

- **Grace Fisher-Adams, California Institute of Technology***

- **Karen Hartman, Mayo Clinic***

- **J.R. Haywood, Michigan State University***

- **Jennifer Lassner, University of Iowa**

- **Deborah Motton, University of California**

- **Brian Smith, University of California, San Francisco***

- **Geeta Swamy, Duke University***

- **Ara Tahmassian, Harvard University***

- **Debra Thurley, Pennsylvania State University***

- **Kristin West (COGR Staff)**

* At-large members

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Research Ethics & Compliance (REC) – Hot Topics & Priorities

- **Conflict of Interest and Conflict of Commitment**
  - **Concerns:**
    - Inter-agency inconsistency
    - Conflation of Conflict of Interest and Conflict of Commitment concepts and terminology

  - **Activities**
    - Joint AAU, APLU, COGR response to NASA NPRM on Conflict of Interest and Conflict of Commitment Policy -- emphasizes the need for cross-agency consistency
    - Upcoming publication *Analyzing Personal Financial and Other Conflicts of Interest in Research Contexts –* Updates *Recognizing and Managing Personal Financial Conflicts of Interest* (2002)
      - Includes discussion of COI in the foreign influence arena
      - Complements *Principles for Evaluating Conflict of Commitment Concerns in Academic Research (Sept. 2021)*
    - Continuing efforts to gain additional information on NSF changes to Significant Financial Interest definition

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Research Ethics & Compliance (REC) – Updates & Emerging Issues

- **Research Integrity --** New Director for the HHS Office of Research Integrity Sheila Garrity will meet with REC later in March
- **Research Security**
  - Awaiting disclosure forms and research security program principles
  - Joint project with RSIP on effective practices
- **Animal Research**
  - Issuance of [USDA's Final Rule for Birds](#) -- Excludes birds that are "bred in captivity and used for research, teaching, testing, or experimentation purposes"
  - COGR Response to [USDA ANPRM](#) on Enrichment Plans for all Act Species
  - In Progress – Response to [OLAW RFI on Reporting Non-Compliance](#)
- **Other Recent and Upcoming COGR Responses to Proposed Regulations/RFIs**
  - [Response](#) to OSTP [RFI on Clinical Research Infrastructure and Emergency Clinical Trials](#)
  - [Response](#) to HHS OCR [NPRM Confidentiality of Substance Use Disorder (SUD) Patient Records](#) – Better aligns 42 CFR Part 2 regulations with HIPAA regulations
  - In Progress – REC will coordinate with CGA on response to [Request for Information on the NIH Plan to Enhance Public Access to the Results of NIH-Supported Research](#)

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Committee Reports & Hot Topics
Research Security & Intellectual Property (RSIP) Committee

- **Jennifer Ponting (Chair), University of Chicago**

- **Alexandra Albinak, Johns Hopkins University***

- **Hannah Carbone, California Institute of Technology***

- **Allen DiPalma, University of Pittsburgh**

- **Sophia Herbert – Peterson, Georgia Institute of Technology**

- **Michael Moore, Augusta University***

- **Bruce Morgan, University of California Irvine***

- **Dan Nordquist, Washington State University***

- **Elizabeth Peloso, University of Pennsylvania***

- **Kenneth Porter, University of Maryland***

- **John Ritter, Princeton University***

- **Todd Sherer, Emory University***

- **Robert Hardy (COGR Staff)**

*At-large members

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Research Security & Intellectual Property (RSIP)

- **Research Security Planning:** Info for the community from polling during the NSPM-33 Session will be shared broadly. Thanks for participating!!!
- **Section 117 Update:** COGR joined ACE and other associations to comment on the the newest proposed Information Collection Request issued by DoEd in 12/2002
- **TIP Directorate:** Accelerating Research Translation (ART)
  - ✓ February Webinar available on ART Website
  - ✓ March Webinar schedule for 3/16/2023
    https://beta.nsf.gov/events/webinar-accelerating-research-translation-art/2023-03-16
- **IP Alert:** Draft Executive Order addressing Domestic Manufacturing could have impacts on Bayh-Dole.
- **Controlled Unclassified Information (CUI):** The good, the bad, the ugly.

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Committee Reports & Hot Topics
Contracts & Grants Administration (CGA) Committee

- **Jeff Friedland, (Chair), University of Delaware**

- **Stephanie Endy, Brown University**

- **Michael Glasgow, University of Connecticut***

- **Walter Goldschmidts, Cold Spring Harbor Laboratory***

- **Stephanie Gray, University of Florida***

- **Charles Greer, University of California, Riverside**

- **Vivian Holmes, Massachusetts Institute of Technology***

- **Lisa Mosely, Yale University**

- **Twila Reighley, Michigan State University**

- **Craig Reynolds, Van Andel Institute**

- **Jennifer Rodis, University of Wisconsin-Madison**

- **Pamela Webb, University of Minnesota***

- **Krystal Toups (COGR Staff)**

* At-large members

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Contracts & Grants Administration (CGA)
Updates & Emerging Issues

- Data Management and Sharing

- NIH Expanded Use of Other Transactional Authority (OTA)

- NIH Modular Grant Application and Award Process

- Request for Information to NSPM-33 Common Forms for Biographical Sketch and Current and Pending (Other) Support

- OSTP Public Access

- Research Environment (NSF Off-Site Research Plans, DEI)

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Contracts & Grants Administration (CGA)
Hot Topics & Priorities

1) UG RFI

- Comments due 3/13/23

- UEI/SAM, FFATA, UG Admin Principles

2) Data Management and Sharing

- Cont. Engagement with NIH on Single Line-Item Issue

- Readiness guidance (Ch. 5-10)

3) NIH RFI Public Access Plan

- Comments due 4/24/23

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Committee Reports & Hot Topics
Costing and Financial Compliance (CFC) Committee

- Sarah Axelrod (Chair), Harvard University

- Jeremy Forsberg, University of Texas at Arlington

- MC Gaisbauer, University of California San Francisco*

- Joseph Gindhart, Washington University at St. Louis*

- Michael Legrand, University of California Davis*

- Nate Martinez-Wayman, Duke University*

- Gerald Mauck , University of Denver

- Julie Schwindt, University of Mississippi Medical Center*

- Marcia Smith, University of California, Los Angeles*

- Maria Soliman, University of Iowa*

- Renotta Young, Columbia University*

- David Kennedy (COGR Staff)

* At-large members

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Costing & Financial Compliance (CFC)
Updates & Emerging Issues

- Hot Topics – from Wednesday's session

  - NSF HERD survey

  - 2023 COGR F&A survey

  - OMB's RFI: 2 CFR 200, Uniform Guidance

- Changes in leadership at OMB

- Compliance Supplement - Cash Management

- HHS OIG - *We will determine whether NIH closed its grants in accordance with Federal requirements …*

- ARPA-H F&A language

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< **Back**

DMS Poll #1

Poll | 1 question | 150 of 242 (61%) participated

1. How is NIH DMS going at your institution? (Single Choice)

150/150 (100%) answered

Fabulous, no issues at all (business as usual)! (4/150) 3%

Not too bad! Still have some training to do but expect it ... (73/150) 49%

We've received lots of questions and still trying to figure... (45/150) 30%

Very difficult! We have many concerns and questions. (5/150) 3%

Not applicable to me. (23/150) 15%

Stop Sharing

DMS Poll #2

2:28 | 1 question | 134 of 245 (54%) participated

1. What is the most significant issue at your institution related to NIH DMS? (Select your top 3 challenges) (Multiple Choice)
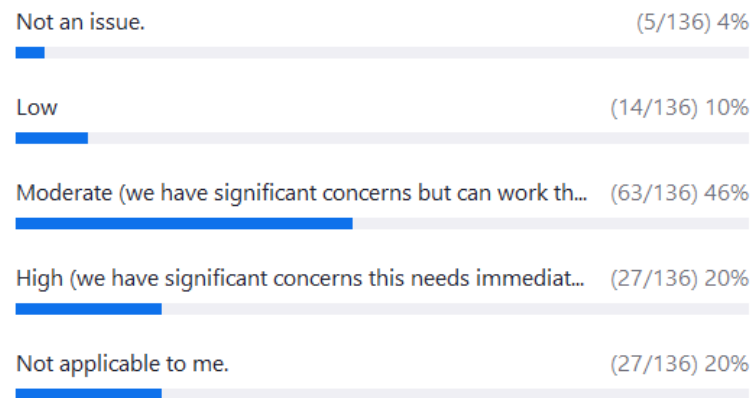
134/134 (100%) answered

Single line-item budget issue. (42/134) 31%

Ensuring proposals address and capture DMS costs appropriately (not all $0 budgets). (72/134) 54%

Drafting DMS plans. (46/134) 34%

Selecting repositories (including repositories for large data sets). (29/134) 22%

Concern with DMS costs required to preserve and share beyond the award period. (66/134) 49%

Clarifying for researchers what data is expected to be shared. (45/134) 34%

Addressing researcher's concerns with scooping (sharing data yet to be published). (28/134) 21%

DMS data derived from human participants. (23/134) 17%

Other items (tell us in the chat!) (8/134) 6%

Not applicable to me. (6/134) 4%

DMS Poll #3

Poll ended | 1 question | 136 of 247 (55%) participated

1. How significant of an issue is the single line-item budget for your institution? (Single Choice)

136/136 (100%) answered

Not an issue.   (5/136) 4%

Low   (14/136) 10%

Moderate (we have significant concerns but can work th...   (63/136) 46%

High (we have significant concerns this needs immediat...   (27/136) 20%

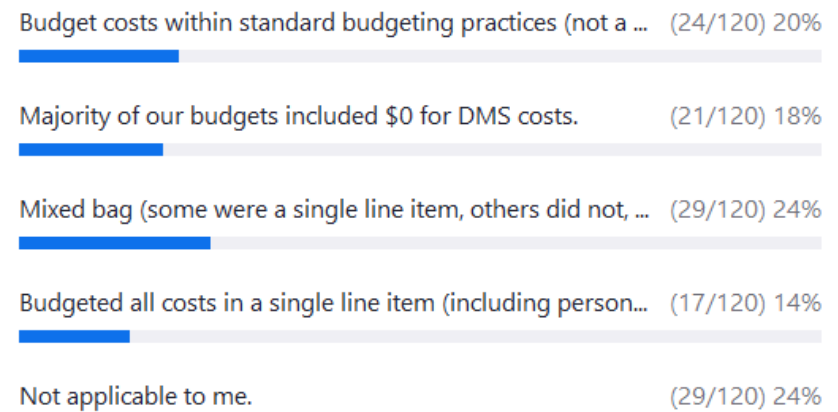Not applicable to me.   (27/136) 20%

DMS Poll #4

Poll | 1 question | 120 of 248 (48%) participated

1. How did your institution approach budgeting DMS costs in a single line item for this round of applications? (Single Choice)

120/120 (100%) answered

Budget costs within standard budgeting practices (not a ...   (24/120) 20%

Majority of our budgets included $0 for DMS costs.   (21/120) 18%

Mixed bag (some were a single line item, others did not, ...   (29/120) 24%

Budgeted all costs in a single line item (including person...   (17/120) 14%

Not applicable to me.   (29/120) 24%

DMS Poll #5

1. The FDP will soon begin a one-year pilot project, which we understand will include gathering data on how PIs/Institutions manage single line-item budget issues. We hope the pilot will yield helpful outcomes that address concerns about the single line-item budget issue. How would you characterize your hope as to how the pilot addresses the single line-item budget issue?   (Single Choice)

131/131 (100%) answered

I am comfortable if solutions are provided at the end o...   (28/131) 21%

I would like to see some solutions within the next six m...   (30/131) 23%

I would like to see some solutions sooner, for example,...   (29/131) 22%

I am uncomfortable waiting for the pilot; we need som...   (18/131) 14%

Not applicable to me.   (26/131) 20%