COGR
Council On Governmental Relations
An Association of Research Institutions

June 1, 2018

TO: COGR Membership

FROM: COGR Staff

SUBJECT: June 2018 Update

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The President's Management Agenda (PMA)

In the May 2018 COGR Update, we reported on the President's Management Agenda, released by the Administration in April. In early May, COGR staff met with representatives from the OMB Office of Federal Financial Management and one of the two co-chairs of the steering group (the Department of Education participated in the meeting, HHS was not available). The focus of the meeting was on how COGR and the research community could partner with the federal government to implement parts of the PMA that would be helpful to research by reducing administrative burden and regulatory barriers.

This could be an opportunity for COGR and the research community to actively re-engage with OMB and other stakeholders on important grants administration issues, with a new and fresh lens of perspective. OMB has been invited to speak at the June COGR Meeting and we expect to learn more about next steps around the PMA over the upcoming months.

2018 Compliance Supplement is Available

OMB has released the 2018 Compliance Supplement (CS). This year's edition has been released as a "skinny" CS (251 pages) and includes only significant updates to applicable sections. In effect, auditors will use the 2017 CS and the 2018 CS together to guide their audits.

COGR has engaged in three topics of interest:

Procurement and the Micropurchase Threshold. This has been addressed in the 2018 CS (see the next section below for a recap). Specifically, implementation of the MPT within the context of both the 2017 and the 2018 National Defense Authorization Act (NDAA) have been addressed in the 2018 CS.

Payment and Reimbursement under 2 CFR 200.305. This was not addressed and remains a concern. In response to a request for Public Comments to the 2017 Compliance Supplement, COGR sent a Comment Letter (dated October 20, 2017) to OMB, Gilbert Tran. Some of your institutions also sent letters, either documenting your unique circumstances or simply supporting the COGR letter. As COGR continues to view this as an open item, we encourage you to share feedback so that we can continue to pursue this issue.

Securing Student Information, Department of Education (ED). COGR has worked with several of our Association partners to raise concerns as to how ED has proposed audit objectives related to safeguarding data specific to an institution's information security program (i.e., Safeguards Rule). ED withdrew their initial inclusion of overly-complex audit guidance from the 2017 CS. COGR's position has been that the CS is not the correct vehicle for this guidance. This issue was not addressed in the 2018 CS, but will be revisited in the 2019 CS. We will continue to track this issue.

In the course of reviewing the 2018 CS, please contact David Kennedy at dkennedy@cogr.edu if you identify any issues of concern.

Procurement and the Micropurchase Threshold (MPT): UPDATE

COGR members are preparing for implementation of the Uniform Guidance Procurement Standards, 2 CFR 200.317-326, to become effective on the first day of your new fiscal year. For many, this is July 1, 2018. For several members with a January 1, 2018 fiscal year start, the new standards already apply.

There are two threads COGR is following:

1) **Approval Process for MPTs greater than $10,000.** The process still has not been specified. However, OMB has indicated that the process will be defined in an OMB Memorandum, or another OMB communication vehicle. According to OMB, this communication currently is going through the OMB clearance process.

2) **Impact of the 2018 Compliance Supplement.** As described in the previous section, implementation of the MPT within the context of both the 2017 and the 2018 National Defense Authorization Act (NDAA) have been addressed in the 2018 CS. Below is COGR's analysis on selected language from the 2018 CS.

COGR Analysis:

Per page 3.2.I-4 (page 18 per the CS 2018 PDF Version)

> Institutions of higher education, or related or affiliated nonprofit entities, nonprofit research organizations or independent research institutes, which had established micro-purchase thresholds up to the $10,000 prior to the enactment of the NDAA 2017, are allowed to continue the use of the same threshold as documented in their internal procurement policies.
>
> *COGR: An institution can continue using $10,000 if $10,000 has been their standard. If an institution increased to $10,000 based on the NDAA of 2017, see sections below.*
>
> Note that the exception for the $10,000 micro-purchase threshold is not available to ALL auditees; however when implemented by an eligible auditee, the exception would apply to procurements purchased under ALL federal grants.
>
> *COGR: Eligible auditees are institutions of higher education, or related or affiliated nonprofit entities, nonprofit research organizations or independent research institutes. The threshold is applicable to ALL federal grants, regardless of funding agency. Also note, applicability to "contracts" is silent throughout this section and needs to be further reviewed.*
>
> Institutions of higher education, or related or affiliated nonprofit entities, nonprofit research organizations or independent research institutes may request micro-purchase threshold higher than $10,000, but it requires a formal approval from an appropriate executive agency. Once approved, the non-Federal entity must document this decision in its internal procurement policies.
>
> *COGR: Institutions cannot yet use the NDAA of 2017 to increase their threshold above $10,000. However, those institutions that historically had a threshold above $10,000 are allowed to continue using it through the end of the applicable fiscal year (June 30, 2018 for many). Going forward, use of thresholds greater than $10,000 will be available in a "to-be-determined" OMB-specified approval process.*
>
> The NDAA of 2018, Sections 805 (41 USC 134) and 806 (41 USC. 1902 (a) (1)), increased the simplified acquisition threshold to $250,000 and the micro-purchase threshold to $10,000, respectively for ALL auditees for ALL Federal grants. These changes effectively redefine the level for the simplified acquisition threshold (section 200.88 of the Uniform Guidance) and the micro-purchase threshold (section 200.67 of the Uniform Guidance). These changes will become effective when they are formally codified in the

Federal Acquisition Regulations at 48 CFR Subpart 2.1 (Definitions). Early implementation is not permissible.

COGR: An institution can continue using $10,000 if $10,000 has been their standard. An institution cannot use the NDAA of 2018 as the basis for increasing its MPT to $10,000, nor increasing its simplified acquisition threshold to $250,000. However, if an institution increased its MPT to $10,000 based on the NDAA of 2017, see sections below.

Per page 8-7 A-2 (page 251 per the CS 2018 PDF Version)

Although the NDAA of 2017 was enacted on December 23, 2016, it has not been codified by Federal agencies and an official memorandum establishing an effective date for the micro purchase threshold provisions has not been issued by OMB. There is some confusion as to whether the NDAA of 2017 was effective on December 23, 2016, or whether it is only effective once the NDAA of 2017 is codified in the Federal Acquisition Regulation. Therefore, auditors are not expected to develop audit findings for covered entities that implemented increased micro-purchase threshold provisions after December 23, 2016, as long as the entity documented the decision in their internal procurement policies.

COGR: If an institution increased its MPT to $10,000 based on the NDAA of 2017, auditors are not expected to develop audit findings. Therefore, institutions must document in their internal policies that the basis for increasing their MPT was the NDAA of 2017.

The provisions of the NDAA of 2018 will not be effective until they are codified in the Federal Acquisition Regulation. If auditors determine auditees have early implemented the provisions of the NDAA of 2018 for the increased simplified acquisition and micro-purchase thresholds, they are expected to develop audit findings for noncompliance caused by this early implementation.

COGR: The NDAA of 2018 expanded the $10,000 MPT to all auditees. The NDAA of 2017, in fact, had made the $10,000 MPT available only to institutions of higher education, or related or affiliated nonprofit entities, nonprofit research organizations or independent research institutes. If an institution increased its MPT to $10,000 based on the NDAA of 2017, auditors are not expected to develop audit findings. Therefore, institutions must document in their internal policies that the basis for increasing their MPT was the NDAA of 2017, not the NDAA of 2018. Also note, since the provision of the NDAA of 2018 cannot be enacted at this time, no institution is eligible to implement the $250,000 simplified acquisition threshold.

The COGR Analysis is COGR's perspective on the language in the 2018 Compliance Supplement. We expect there to be additional analysis from other stakeholders, and if appropriate, we will update the COGR perspective.

Costing Policies Committee: Other Issues and Areas of Interest

Below is a summary of other issues in which the Costing Policies Committee is engaged, and/or topics that might be of interest. As appropriate, we will continue to follow each throughout 2018.

F&A Update. While it appears as though F&A no longer is being specifically targeted by the Administration, COGR continues its participation in the Associations F&A Working Group, comprised of

COGR, the Association of American Universities (AAU), the Association of American Medical Colleges (AAMC), the Association of Public Land-grant Universities (APLU), the Association of Independent

Research Institutes (AIRI), the American Council on Education (ACE), the National Association of College and University Business Officers (NACUBO). And as we have previously reported, the COGR Costing

Committee, with assistance from the RCA Committee, has organized around the development of an F&A White Paper to address many of the themes related to transparency, alternative models, education and myths. We are making significant process on the White Paper and will provide an update to the Membership at the June COGR Meeting.

NIH Salary Cap for 2018. Two NIH Notices published on May 16, 2018; NOT-OD-18-180 and NOT-OD-18-181, implement NIH fiscal policies and legislative mandates for FY2018. As published on the website of the Office of Personnel Management (OPM), Salary Table No. 2018-EX shows the Executive Schedule salary rates, effective January 2018. Per the Executive Schedule, the NIH salary cap (Executive Level II) increases from $187,000 to $189,600. The two NIH Notices further confirm the March 7, 2018 NIH guidance; NIH Notice Number: NOT-OD-18-137, Guidance on Salary Limitation for Grants and Cooperative Agreements FY2018.

HHS/NIH Policy Update: Financial Reporting. In the February Meeting Report we shared a summary of COGR's meeting with Andrea Brandon, Deputy Assistant Secretary from the Office of the Assistant Secretary for Financial Resources (ASFR), Department of Health and Human Services (HHS), and with Michelle Bulls, Director of the Office of Policy for Extramural Research Administration (OPERA), NIH. We believe there is an opportunity to pursue issues including: Facilitating and/or eliminating the quarterly Federal Cash Transactions Report (FCTR, SF-272); consistent grantee close-out requirement of 120 days applicable to all HHS operating divisions; and addressing weaknesses in the Payment Management System (PMS). We will keep the Membership posted on all developments.

NIH pooled accounts in the Payment Management System. As the conversion to subaccounting almost is complete, some institutions are sharing with COGR discrepancies between the amount that PMS indicates as available in the pooled account versus the remaining awarded/authorized funds recorded in the institution's financial system. It is not clear how these discrepancies are to be resolved, but as appropriate, COGR will engage with federal officials.

NRSA Stipend Levels and Regional Cost of Living Differences. Stipend levels under the Ruth L. Kirschstein National Research Service Awards (NRSA) program are published annually by NIH. While the level may increase on an annual basis, there is no recognition of regional cost of living differences. COGR informally is surveying the Membership to determine if this is an issue of broad concern.

American Association for the Advancement of Science (AAAS) Research Budget Website, https://www.aaas.org/program/rd-budget-and-policy-program. As presented at the February COGR Meeting, this website is recommended as a resource for institutions interested in tracking the status of the Federal research budget.

Federal IG Audit Website, https://www.oversight.gov. As presented at the February COGR Meeting, this website is recommended as a resource for institutions interested in mining pubic reports from Federal Inspectors General who are members of the Council of the Inspectors General on Integrity and Efficiency (CIGIE). Note: DOJ settlements, including a recent DOJ settlement related to time and effort reporting, are not captured on this website.

We will keep the Membership posted on all developments related to the above issues. We encourage you to raise issues not covered to the COGR staff or to members of the Costing Committee.

COGR Comments on Draft DOD SSP and NIST Security Requirements Guidance

On May 30 COGR submitted comments to DOD on the draft guidance for reviewing System Security Plans (SSPs) and the NIST SP 800-171 Security Requirements (83 *Fed Reg* 17807; 4/24 18). We did not comment on the guidance itself, but instead expressed concerns about the confusion over the compliance implications of the DFARS 252.204—7012 clause which the SSPs implement. While we had not planned to comment (see May Update), COGR members have expressed substantial concerns about 7012 clause compliance requirements. A copy of the comment letter is posted on the COGR website.

Legislation Targets Foreign Threats at Universities

The May Update discussed a number of bills that have been introduced in Congress targeted at foreign threats to universities. Legislative activities in this area continue. These include an amendment (S 2098) to the Foreign Investment Risk Review Modernization Act that would establish an ongoing process to identify emerging and foundational technologies essential to U.S. national security and give Commerce authority to control their export. Sec. 25 would give DARPA the authority to limit access by any foreign person to technology funded by DARPA grants or contracts. Another proposed amendment (H.R. 5515) to the NDAA would require certification by applicants for DOD funding that funds would not be made available to any individual who participates or who has participated in a foreign talent or expert recruitment program of four named countries. Other bills (H.R. 5336; S. 2583) that we discussed previously would broaden existing disclosure requirements to require annual disclosures of any gifts or contracts of $50,000 or more with a foreign source or a combined value of $250,000 or more. We are monitoring these legislative activities in coordination with the other higher ed. associations. COGR also has been invited to participate in a roundtable forum on June 6 with the House Science Committee to discuss foreign threats targeting U.S. universities and our responses.

FBI Seeks Meetings with Higher Ed. Associations to Discuss Foreign Threats

The FBI Office of Private Sector (which includes institutions of higher education) has reached out to the higher ed. associations to establish an ongoing dialogue about foreign threats involving thefts of IP and other economic espionage. A preliminary meeting was held on May 23 with ACE, AAU, APLU, AAMC and COGR representatives. Two COGR committees (CIP and RRR) along with representatives of the AAU CFR will be meeting with FBI representatives at the June meeting. The FBI also plans to meet with the AAU and APLU Presidents to discuss these matters.

Controlled Unclassified Information

COGR has been advised that the draft FAR clause still has not been completed. A draft to the CAAC originally was due last June 14.

COGR Participates in Meeting with USPTO Director

COGR and other higher ed. association representatives met with newly-appointed USPTO Director Andrei Iancu on May 15. A large number of other USPTO senior staff also attended. The meeting was very cordial

and constructive. We mentioned the importance of the Bayh-Dole Act, and our plans to respond to the NIST ROI. We also discussed proposals to improve IPR practices and the Patent Trial and Appeal Board, and our support for the STRONGER Patents Act. Mr. Iancu indicated his priorities as Director are to improve patent reliability and predictability, clarify patent subject matter eligibility, improve the application process, clarify the appropriateness of prior art considerations in patent litigation, and improve the general public's understanding of patents and the patent process. On the latter point, he suggested campus forums as one possibility.

COGR Participates in Webinar on Bayh-Dole Regulation Changes

As discussed in the May Update, NIST has issued revised implementing regulations for the Bayh-Dole Act. On May 8 COGR participated in an AUTM webinar on the changes. 673 people attended the webinar; a record for AUTM webinars. While the new regulatory requirement for written assignments of inventions may facilitate compliance, the time period changes also may add to compliance burdens.

Advocates Urge Overriding Patents to Treat Opioid Addiction

Consumer groups and the City of Baltimore have asked the Administration to use the 28 USC 1498 patent "eminent domain" statute to override patents for treatment of opioid addiction. Last year COGR met with several of the representatives involved in this letter to discuss a similar request to HHS by the state of Louisiana for hepatitis C treatments (see May 2017 Update). As we noted there are a number of challenges associated with use of the authority, such as determining "reasonable compensation" for the patent holders. Use of this authority does not involve Bayh-Dole; the statutory provision applies to all patents, not just those that are federally funded. There are precedents for government use of this authority but it does have the potential of weakening patents.

NSF PAPPG for Comment

NSF has released for public comment in the Federal Register , a draft of the Proposal and Award Policies and Procedures Guide (PAPPG). As with past notices, significant proposed changes to the text are highlighted in yellow with explanatory comments for each change. Comments are due July 18th. COGR will be responding. Please submit your comments to jbendall@cogr.edu.

COGR Submits Joint Association Letter in Response to NSF Federal Register Notice, "Reporting Requirements Regarding Findings of Sexual Harassment, Other Forms of Harassment, or Sexual Assault"

As reported in COGR's update earlier this month, we informed the membership that COGR would respond to the request for public comments. COGR, along with six other associations, submitted their joint response on May 4, 2018. For more information, click here to read.

Of particular interest, was the teams request to encourage NSF's Office of Diversity and Inclusion and the newly formed cross-agency task force on sexual harassment to thoroughly review and consider from the higher education and scientific communities before taking any action to implement these new reporting requirements. We also encouraged NSF to consider convening a small roundtable discussion with key stakeholders from the

university and scientific communities to discuss the new reporting requirements before NSF implements the new requirements. Our request for this roundtable has been approved. COGR and the other associations will join NSF at its campus in Alexandria VA in July to facilitate the roundtable and will report back any new information to the membership.

COGR Committee on Hemp and Cannabis

The Adhoc Committee continues to explore strategies to educate and proliferate concerns regarding DEA's interpretation of cannabis under the Controlled Substances Act. Recent actions of the committee have focused more narrowly on hemp under the Farm Bill. Click here to read COGR's latest letter.

In addition to the recent posting of the Cannabis Research FAQ's on COGR's website, interest sparked by the committee include the need for a White Paper for the purposes of expanding research access to conduct cannabis work, and to help inform public policy. COGR will limit its advocacy for research purposes only and will begin to draft a white paper in the coming weeks. Stay tuned for additional updates.

Environmental Protection Agency seeks comments on Federal Register Notice

On April 18, 2018 the EPA released for public comment federal register notice entitled "Strengthening Transparency in Regulatory Science". The notice drew negative attention from hundreds of respondents including that of its own agency personnel. The controversial statement to allow only studies that are publicly available, thereby limiting important studies tied to privacy and confidentiality, resonated with dissent across the research community. The EPA originally set the comment period due date for thirty (30) days after issuance of notice. COGR and other associations asked for a minimum of sixty (60) additional days to respond.

EPA has since granted an extension to the comment period to August 16, 2018. Click here for the federal register notice. COGR will be responding. Please send your comments to jbendall@cogr.edu.

Research Regulatory Reform

Report on Reducing Federal Administrative and Regulatory Burdens on Research

The Research Business Models (RBM) Working Group of the Committee on Science, National Science and Technology Council, issued the report *Reducing Federal Administrative and Regulatory Burdens on Research* on May 25, 2018 in response to provisions of the American Innovation and Competitiveness Act (AICA). This is the first of three annual reports to Congress. As indicated in the report, section 201 of the Act directs OMB, in coordination with OSTP, to establish an interagency working group to reduce administrative burdens on federally funded researchers. The RBM was reconvened to execute the working group responsibilities required under the AICA.

The report describes progress to date on four areas identified in the AICA for reducing research regulatory burden:

- Establishment of a centralized government-wide annual standard set of assurances for grant applicants and recipients that would be managed by the GSA;

- Piloting ways to manage research profile data, including:
    - The ORCID Reducing Burden and Improving Impact Tracking (ORBIT) pilot project which would create a real-time link between eRA Commons and ORCID, a non-profit organization that assigns unique identifiers to researchers, and expand the ORCID model to include additional information from researcher's curriculum vitae;
    - A pilot with CrossRef to create a universal funding identifier;
    - The pilots with ORCID and CrossRef can provide researcher data to SciENcv, further simplifying the development of biosketches through bilateral data exchange and could eventually populate sections of grants such as current and pending support.
    - Linking every part of the research ecosystem through persistent identifiers; auto-population and updates of forms and profiles. Funders can also use the data to better evaluate the impact of the federal government's investment in research.
- Development of a simplified and uniform grant application format and associated processes to streamline grant application and review:
    - Consistent with the Data Act Section 5 Pilot, continuing to standardize data elements to eliminate unnecessary duplication in reporting
    - The report discusses 2003 efforts to create a standard grant-application form, the SF424RR
    - "RBM will devise recommendations for how best to proceed with regard to streamlined grant applications and review."
- Simplification of mandatory progress reports for agency review, with an emphasis on performance outcomes:
    - The report describes the development and implementation of the existing Research Performance Progress Report which has been implemented at a number of federal agencies.

The report indicates that in addition to these four areas the working group will examine options for reducing burden by clarifying responsibilities for monitoring subrecipients and improving grantee financial conflict of interest regulations. Regarding subrecipient monitoring, the report suggests that the Uniform Guidance allows pass-through entities to take a risk-based approach, auditing subrecipients subject to single audit and in good standing less, but that these entities "feel they are responsible for separately auditing sub-recipients who are subject to the single audit or resolving cross cutting audit findings that do not pertain to their specific sub-award. Thus, they are still undertaking additional responsibilities that are not required." The report indicates that RBM will "investigate the factors that have inhibited the intended effect of the UG language on sub-recipient monitoring" and "offer recommendations about what can be done to clarify the intent."

Regarding financial conflict of interest, the report notes that "there is no single Federal policy for what constitutes a financial conflict of interest" and that "agencies have adopted differing and, in some cases,

inconsistent FCOI reporting requirements, forcing researchers and their sponsored programs offices to maintain awareness of a range of requirements and to develop systems to accommodate all of them." The report indicates that the RBM working group will examine the effectiveness of FCOI policies and associated burdens and consider ways to harmonize requirements across agencies.

The report also acknowledges the Research Policy Board required under the 21st Century Cures Act, suggesting that the RPB "would include a representative from RBM to ensure constructive coordination between these two bodies." This is noteworthy because there has been little progress on establishing the RPB of late and we understand that activities related to the establishment of the RPB may have been at least temporarily suspended.

Theresa Grancorvitz, Deputy Office Head, Office of Budget, Finance and Award Management and Co-Chair of the RBM, and RBM members Jean Feldman, Head, Policy Office, Division of Institution and Award Support, NSF, and Michelle Bulls, Director of the Office of Policy for Extramural Research Administration, will discuss the report in a session at the June COGR meeting and seek feedback from COGR members on how the RBM working group might reduce research regulatory burden.

Guest Speaker Neomi Rao, Administrator of the Office of Information and Regulatory Affairs

OIRA Administrator Neomi Rao is scheduled to speak at the COGR meeting on Thursday, June 7th. OIRA oversees the review of federal regulations and approval of information collections, as well as the regulatory reform process. Administrator Rao leads the President's efforts to streamline, simplify, and reform the federal government's regulations and regulatory process, and will discuss these efforts.

Human Subjects Research

Common Rule

COGR and other associations submitted comments on the Common Rule NPRM on May 16. In the letter the associations indicate support for the proposal to delay the general compliance date of the revised Common Rule until January 21, 2019 and the proposal to allow the voluntary adoption of three "burden reducing" provisions in the 2018 requirements during the six-month delay period. The associations also underscored the urgent need for prompt issuance of guidance.

HHS Office for Human Research Protections (OHRP) Guidance

OHRP and the FDA issued final joint guidance on May 17, 2018 titled, "Institutional Review Board (IRB) Written Procedures: Guidance for Institutions and IRBs." OHRP also released guidance on May 14 titled, "Effects of Disasters on Human Research Protections Programs Guidance" that is intended to inform the community about OHRP's general policies related to disasters.

Research with Animals

NIH OLAW Request for Comments

We previously reported that NIH published a request for comments, Laboratory Animal Welfare: Coordination and Harmonization of Regulations and Policies, in the Federal Register on March 14. Per the notice the agency

is "seeking information to improve the coordination of regulations and policies with respect to research with laboratory animals as required by the 21st Century Cures Act" in coordination with USDA and FDA to reduce administrative burden. Comments must be received by June 12. COGR will distribute comments to members once available.

Senate Hearing on the NIH FY19 Budget Request

The Senate Appropriations Committee Subcommittee on Labor, Health and Human Services, Education, and Related Agencies held a hearing on May 17 to review the FY2019 Budget Request for the National Institutes of Health. Senator Blunt noted that the administration has proposed cuts but that Congress has maintained an upward momentum in funding for NIH, a $7 billion increase over the last three years. Senator Murray noted that President Trump's budget proposal for FY19 would cut NIH funding to $100 million below FY17 levels and is out of step with the sentiments of Congress and the country, noting the need for sustained investment in medical research. Senator Murray also suggested that she was troubled that the budget proposal would "slash" researcher salaries by 20% and suggested that this was a gimmick that should not be taken seriously. The President's FY19 Budget Proposal proposed several restrictions on researcher salaries.

Opioids, including non-addictive pain strategies and treatment, Alzheimer's disease, and Ebola were issues repeatedly raised during the hearing and Senators underscored the need to adequately fund them. Senators noted a study published this year that found that NIH funding contributed to published research associated with all of the 210 drugs approved by the FDA from 2010 – 2016.
There were questions about how NIH will manage data going forward and discussion on NIH's draft strategic plan and recent posting for a Chief Data Strategist. Dr. Collins indicated that the agency is working to make data sharing more effective.

Senator Blunt noted that NIH had decided not to partner with Pharma as had been requested by NIH and authorized by Congress and had done so without consulting the subcommittee. Dr. Collins indicated that the partnership is moving forward and that the agency is simply not taking funding from pharmaceutical companies. NIH is working with 33 companies, sharing data and assets and repurposing compounds, but given that lawsuits have been filed against several of the companies in relation to opioids NIH thought there could be a reputational risk associated with accepting funding from industry in this instance. The decision was made in response to the strong recommendations of an expert group convened by NIH to consider the arrangement and recent controversy over an alcohol study was a consideration. Asked if their might be additional instances of controversial funding Dr. Collins indicated that he is worried that this could be the tip of a larger iceberg.

Nonprofit Funder – Research Institution Partnership Workshop

COGR, the Health Research Alliance, and Faster Cures led a day-long workshop on May 16 to discuss guiding principles and beneficial practices to build and foster effective relationships between non-profit research-funding organizations and research-performing institutions. Over 100 participants attended the workshop which was convened by the Government-University-Industry Research Roundtable of the National Academies of Sciences, Engineering, and Medicine.

Workshop sessions explored the history of the partnership, ongoing initiatives, and meeting objectives and perceived challenges regarding outcomes and an ongoing partnership. In-depth discussions were held on

intellectual property and technology transfer, streamlining administrative requirements, and research operating (or facilities and administrative) costs. Participants viewed the meeting as a success and GUIRR has offered its support for a second meeting later this year. Meeting materials, including an archived webcast, and additional details on a follow-up meeting will be made available.

NIH Council of Councils Meeting

The NIH Council of Councils held a meeting on May 18. The meeting largely focused on NIDA and addiction research but included discussion of a report on Assessing the Safety of Relocating At-Risk Chimpanzees. The full agenda can be found here. The archived webcast can be found here.

National Science Board Meeting

The National Science Board met May 2-3. The meeting agenda is available here and archived webcasts can be found here. The NSB announced a new Chair and Vice Chair on May 3. Diane Souvaine, Professor of computer science and Adjunct Professor of mathematics at Tufts University will serve as the NSB Chair and Ellen Ochoa, Director of the Lyndon B. Johnson Space Center as Vice Chair for a two-year term.

European Union (EU) General Data Protection Regulations

The EU's General Data Protection Regulations, which will be enforced as of May 25, 2018, have significant implications for U.S. institutions and researchers. Mark Barnes, Partner at Ropes and Gray LLP, will lead a discussion on the implications of and compliance strategies for the GDPR requirements at the COGR meeting on June 7th. The panel will include Lois Brako, Assistant Vice President for Research, University of Michigan; Mike Ludwig, Associate Vice President for Research Administration, University of Chicago; Mary Mitchell, Corporate Director of Research Compliance, Partners Healthcare; and Ara Tahmassian, Chief Research Compliance Officer, Harvard University and discussion on their institutions' approach to implementation.

Audit

NSF OIG

NSF IG Allison Lerner provided a brief overview of the OIG's Semiannual Report to Congress at the National Science Board's May 2 Committee on Oversight Meeting. The report, which covers the period from October 1, 2017 to March 31, 2018, includes audits of NSF awardees and notes that the OIG "will continue to use and improve our data analytics process to identify high-risk awardees, as well as explore the root causes of why questionable costs were charged to NSF awards." The report also notes the OIG's desk reviews of 41 single audit reporting packages for which NSF is the cognizant or oversight agency for audit, 66% of which fully met federal reporting requirements. Others were not submitted in a "timely manner," did not include all required elements, or contained inaccuracies. The report also includes updates on a number of investigations.

Other audit reports include a report on a performance audit of incurred costs at a university with $49,192 in questioned costs on "unsupported" expenses, "unallowable" salary and airfare expenses, and "inappropriately allocated" expenses and indirect costs that went unchallenged by the institution, and reports on quality control

reviews of single audits at two institutions conducted by Price Waterhouse Coopers which received a "pass" rating and KPMG which received a rating of "Pass with Deficiencies." The report indicates that "KPMG did not adequately evaluate the Schedule of Expenditures of Federal Awards…evaluate internal controls over several

compliance requirements" or "adequately document the work performed during the audits" and that the audit documentation was therefore "not sufficient to allow for an experienced auditor with no ties to the audit to understand the work performed and reach the same conclusions as the audit team."

OIG Session on the FDP Payroll Certification Pilots and Alternatives to Effort Reporting

Laura Rainey, Audit Manager and National Single Audit Coordinator and Marie Maguire, Director, Performance Audit, NSF Office of Inspector General will join Lori Pilcher, Regional Inspector General for Audit Services, Atlanta, HHS OIG, for a discussion on the Federal Demonstration Partnership Payroll Certification Pilots and alternatives to effort reporting under the Uniform Guidance. Lisa Mosley, Executive Director, Office of Sponsored Projects, Yale University, and Co-Chair of the University Cohort on Alternatives to Effort Reporting will serve as moderator.