



FDP
Federal
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FDP Meeting Summary

9-21-2016 - 9-23-2016

DATA Act Summary

Point of Contact

Rick Fenger, Mark Sweet

Activities/Progress to Date

DATA Act working group has been working with the DATA Act Section 5 Pilot Project Management Office to provide input on the various pilot activities associated with the DATA Act. Most notably FDP provided a white paper on a standardized Notice of Grant Award.

Additional opportunities to engage with the DATA Act PMO will be offered in January 2017.

Agenda/Discussion Points

Pending Decisions

Participation

Key Risks/Issues

Meeting Summary

See presentation for notes.



Emerging Research Institutions

Point of Contact	Susan Anderson and David Earwicker
Activities/Progress to Date	Projects to provide more information to ERI members about federal grant programs that are appropriate for our institutions as well as an opportunity for federal agencies to interact with our ERI members. Have held one session (May 2016 FDP meeting) led by NSF guest speaker reviewing NSF Research in Undergraduate Institutions/Research Opportunity Award (RUI/ROA) mechanisms.
Agenda/Discussion Points	
Pending Decisions	Identify additional FDP federal partners to invite as guest speakers (e.g., NASA); Facilitate participation by ERI representatives in active FDP projects and groups using information gathered through ERI survey; Seek ways to develop synergy with other FDP member groups (e.g., Faculty) to enhance outcomes from FDP participation.
Participation	A total of 19 individuals representing 13 institutions of higher education and 3 federal agencies participated in this session.
Key Risks/Issues	We will continue to work toward full ERI representation in FDP projects and further involvement by FDP federal partners with ERI members.
Meeting Summary	The information reviewed by Sam Ashe was made available as a PowerPoint presentation.



NSF PSM Overview

Point of Contact

Bill Daus (NSF) eRA Committee

Activities/Progress to Date

Agenda/Discussion Points

Pending Decisions

Participation

Key Risks/Issues

Meeting Summary

NSF presented two sessions on their Proposal Modernization Efforts (PSM). One was targeted to obtain feedback directly from faculty on various aspects of the possible changes.

Information on the NSF PSM efforts can be found here:
https://www.nsf.gov/bfa/dias/policy/era_forum.jsp



Expanded Clearinghouse

Point of Contact	Lynette Arias, Pamela Webb, Jennifer Barron
Activities/Progress to Date	Cohort 2 launched in August 2016, which brings our number of piloteers to 79, with 127 profiles. Instructions were provided and welcome calls held to ensure all Cohort 2 Pilot members fully understand how to complete and maintain their profile and utilize the centralized clearinghouse. The website continues to be maintained and regularly updated with all key documents relevant to the Pilot. Web development has begun!
Agenda/Discussion Points	
Pending Decisions	
Participation	Session was attended by approximately 100 individuals, many of whom are part of the Pilot and many others who are interested in joining the Pilot in the future.
Key Risks/Issues	Risks moving forward include entities not using the clearinghouse profiles as originally planned, not keeping their profiles current and entities still continuing to use their forms that they are comfortable with. Issues identified include the current highly manual process of maintaining the excel Profiles, the limited resources to increase the size of the pilot and any hurdles that might be encountered when moving toward an online system.
Meeting Summary	An overview and purpose of the Pilot was discussed for anyone that had not yet heard about the Clearinghouse, including description of cohort 1 and 2, timelines for the Pilot and the Pilot websites, entities and current status of the Pilot. Information was shared related to an initial survey that the Pilot Entities recently completed, as well as tracking information. We saw a demonstration of what the web development team has done so far, and what functionality is going to be added. Brief overview of the recommended supporting documents for the Pilot that all are encouraged to review, use and provide feedback on. And finally the next steps in the Pilot were discussed along with how entities can get involved in the future.



Contracts

Point of Contact	Alexandra McKeown
Activities/Progress to Date	Dr. Patrick Viscuso, Associate Director, Controlled Unclassified Information, Information Security Oversight Office of the National Archives and Records Administration came to speak about CUI and the upcoming FAR clause that will implement protection of information using the new NIST SP 800-171.
Agenda/Discussion Points	
Pending Decisions	The Contracts group of FDP will collect thoughts and send to NARA regarding certain questions that will be addressed in the FAR clause, including who in the government makes the determination that information is CUI; how the government might oversee compliance; what would be appropriate milestones for completing a compliance/implementation plan; who would judge if "equivalent measures" are appropriate; and how will contractual liability be addressed?
Participation	A call for input will be sent to FDP Contracts Listserve. Feedback will be collated and submitted to NARA. The FAR clause will likely not be released for close to a year. However, the Final Rule applies and we can expect to see these requirements appearing in RFPs and federal contracts.
Key Risks/Issues	The NIST rule and subsequent FAR clause is going to require significant university resources to comply. Clarity in the FAR clause regarding whether the contract in question is subject to the enhanced protections will be key in assuring universities are put on notice that such measures of protection are required.
Meeting Summary	See PowerPoint.



Open Government – DATA Act

Point of Contact	Richard Fenger, Mark Sweet
Activities/Progress to Date	<p>Continuing to monitor progress of the DATA Act Section 5 Pilot and the implementation of the DATA Act while identifying opportunities for continued participation in shaping the Act's implementation intent on ensuring burden reduction.</p> <p>No workgroup activities were required since the May meeting while the DATA Act Pilot Program office (DAP) has been working with volunteer institutions directly to execute specific test models. The DAP has also attended various conferences and is working with their membership to execute test models and provide status.</p>
Agenda/Discussion Points	
Pending Decisions	none
Participation	The September meeting was a general attendance meeting with a status share out from the DATA Act Pilot Program Office along with a presentation from the DATA Coalition on data advocacy and opinion on the progress of the implementation of the Act.
Key Risks/Issues	The DATA Act Pilot Program Office will continue to execute on test models with specific volunteers through FDP's January meeting. Treasury and OMB will continue to work on the USA Spending Beta and the implementation of the Data Broker. We will continue to monitor progress with our Agency and Federal partners at the DAP and continue surface ways to remain engaged and participate. This may include contacting the standing workgroup members.
Meeting Summary	<p>Christopher Zeleznik presented a status update on the Pilot, noting that the DATA Act is the next step in a line of historical efforts to standardize reporting.</p> <ul style="list-style-type: none"> o He emphasized that the CDER Library 1, Notice of Award – Proof of Concept (NOA – POC), and Learn Grants Test Models are good opportunities to ask questions, “get your hands dirty,” provide feedback to Congress, and impact tools that grant recipients use every day, namely the CDER Library, given that HHS owns this tool and can adjust it as needed. He also requested participation in the Single Audit Test Model and walked through the Pilot timeline. ?? Hudson Hollister presented on the purpose, benefits, and challenges of the DATA Act. o He noted some of the benefits for grant recipients, including the following: <ul style="list-style-type: none"> ?? In the short-term, better data can improve market research. ?? In the medium-term, the DATA Act can lead to automated compliance with grant reporting requirements. Additionally, life-cycle spending transparency can improve predictability. ?? In the long-term, the DATA Act can lead to automated reporting through standardized data fields. o Challenges include:



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?? OMB is accustomed to approving forms and documents rather than data fields. The CDER Library is a step toward a data-centric environment, which will be an adjustment.
?? Grant recipients are required to use a DUNS number, but this information is not publically accessible, as individuals have to pay to see it. The Data Coalition is advocating to replace the usage of the DUNS number.

DAP KPMG Support

o Hudson Hollister noted that the Data Foundation is cohosting an annual conference, Data Transparency 2016, with the White House on September 28, 2016. They expect approximately 1,000 attendees.

o On September 29, 2016, Data Foundation is hosting a DATA Act Training Day.



Uniform Guidance Update: Discussion of Open Items

Point of Contact	Dan Evon, Joe Gindhart, Edwin Bommel, Doug Backman
Activities/Progress to Date	<p>The Administrative Costs Working Group has been analyzing the Uniform Guidance for the past three years and has held regular sessions at FDP to present status, progress and open issues regarding the Uniform Guidance.</p> <p>The Uniform Guidance Procurement Working Group has analyzed the impact of the procurement section of the Uniform Guidance, held regular sessions at FDP to present status, progress and open issues, sponsored a brain storming session, gathered data from 55 member institutions and presented the data to the Office of Management and Budget.</p> <p>The Administrative Costs Working Group and the Uniform Guidance Procurement Working Group have worked with Federal agencies and OMB to analyze the Uniform Guidance and to inform areas that need reform. Representatives of the Federal agencies have participated in many of the presentations and panel discussions over the past two - three years.</p>
Agenda/Discussion Points	
Pending Decisions	OMB is expected to issue further information on the Procurement Standards in the near term. Additional OMB/COFAR Uniform Guidance FAQs may also be issued in the near term. There are still outstanding issues as described in the presentation slides.
Participation	Federal and University representatives and session presenters.
Key Risks/Issues	Lack of attention to the open Uniform Guidance open issues will create additional administrative burden for institutes of higher education and Federal agencies. The issues are identified in the Agenda/Discussion Points section above.
Meeting Summary	The Administrative Costs Working Group and the Uniform Guidance Procurement Working Group presented the key open items within the Uniform Guidance. The presentation slides list and describe the topics and key issues. Recommended resolution was also discussed. University representatives attending the session acknowledged that implementation of the UG is coming to an end, however several open issues like the micro-purchase threshold, account closeout, DS2 revisions and cost sharing still need some work. The Working Groups will continue to seek clarity/uniformity from the Federal Agencies during the last months of the current administration.



Subawards

Point of Contact

Amanda Humphrey, Stephanie Scott, Amanda Hamaker

Activities/Progress to Date

Template Updates/Compliance Terms - Compliance terms have been finalized. Templates have been updated to a great extent.

Guidance Group - New Compliance Terms FAQs and Additions/Revisions to main set of FAQs. Launch of FFATA workgroup.

Foreign Templates - Ready for comment. Will be refined to be consistent with other templates.

Fixed Price Clinical Trial Subaward Sample - Release September 15, 2016.

Continuing Assessment Tool (CAT) - Has been reviewed versus the 2016 Compliance Supplement with no changes needed.

Agenda/Discussion Points

Pending Decisions

Foreign Templates - sent out after the meeting for comment. Comments Due October 12th.

Carryforward - Extensive discussion to try and come to a consensus among FDP membership on key items related to carryforward. A group will be formed to continue the discussion on this topic.

Participation

Template Updates/Compliance Terms - Attachment 2 demo received much applause. Also, discussed Unilateral Mod and request to change the passive approval to 21 days from 14 days. How often is it happening that we hear people won't accept the mod? Usually they only come back when it's a clerical error (example: \$50K versus \$500K). Most aren't waiting for the 14 days to pass to just move on. Discussion over where these mods are being sent. One school noted only 30% of their admin contacts identified a central email. The rest are all going to an individual. The reality is we are going to fix it if there's an issue regardless of 14 or 21 days. Some issue a mod to the unilateral others fix it and reissue. Vote was to stay at 14 days.

Carryforward - extensive discussion among the membership attendees on this topic and the questions posed in the slide. Summary – It seems there isn't an acceptable reason to require prior approval. Preferred method is to handle issues within amendments.

Key Risks/Issues

Template Updates - Future goal is one single template download with separate 3Bs maintained outside the single template. Future updates will be released once a year in



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September unless there is an urgent need to change something.

RAQ/CAT - Connecting with the Clearinghouse pilot to ensure consistency. Development of the Financial Questionnaire for non-FDP members.

Working groups continue - Foreign/Guidance

New working group for subcontract template forming

Forming an annual template update group.

Meeting Summary

The September 2016 meeting was packed full of information at the Subawards session. Highlights included the updated templates and the unveiling of the new and improved Attachment 2, lengthy discussion over carryforward, member feedback request on Unilateral modification timing, and news and updates related to the guidance group and foreign template. Volunteers were requested for numerous workgroups. Reminder: Templates created to make things easier – don't change them! Let us know if you get one with changes, we'll contact the institution.



Conflict of Interest Subcommittee

Point of Contact	Clint Schmidt
Activities/Progress to Date	<p>The group began working a year ago on three different projects aimed at compiling best practices in COI management related to start-up companies, SBIR/STTR, and subcontracting to/from faculty-owned companies; risk analysis; and case studies;</p> <p>The group decided last January to administer a survey to the national FDP membership, targeted at COI administrators, to get a broader view of best practices. The group has since been working on questions/survey design.</p>
Agenda/Discussion Points	
Pending Decisions	<ul style="list-style-type: none">-Must finalize questions;-Develop format, introductory language;-Work with D. Wright on specific survey software, distribution.
Participation	About 30 - 35 individuals attended the session.
Key Risks/Issues	<ul style="list-style-type: none">-The group needs a good way to identify the broadest group of stakeholders in COI management, to whom the survey can be sent.-Survey questions must be designed so that data analysis is not overly complex (e.g., multiple choice questions as opposed to free-form text).
Meeting Summary	



NIH Single IRB Policy

Point of Contact	Ann Hardy
Activities/Progress to Date	Not applicable
Agenda/Discussion Points	
Pending Decisions	Not Applicable
Participation	<p>This session provided an overview of the new NIH Single IRB policy, highlighted key implementation guidance (such as what to put in the application and budgeting), and provided information on options for reliance agreements and other resources for NIH applicants and awardees.</p> <p>It was attended by FDP members and also allowed time for Questions and Answers</p>
Key Risks/Issues	<p>FDP member institutions should use these resources to get more information about implementing this policy:</p> <p>Mailbox for questions: SingleIRBPolicy@mail.nih.gov</p> <p>Webpage for links to resources: http://osp.od.nih.gov/office-clinical-research-and-bioethics-policy/clinical-research-policy/models-irb-review</p>
Meeting Summary	<p>The new NIH Single IRB policy goes is effective for applications and proposals received on or after May 2017. The policy applies to domestic sites in multi-site studies conducting the same research protocol. NIH has published guidance on cost issue associated with single IRB review. Additional implementation information will be posted prior to the effective date. In addition the National Center for Advancing Translational Sciences (NCATS) has resources for reliance agreements in their SMART IRB Platform</p>



Faculty Pipelines

Point of Contact	Michele Masucci
Activities/Progress to Date	<p>The pipeline group of FDP is concerned with (a) advancing progress towards broadening participation in science, technology, engineering, and math (STEM) fields of study through study, reporting and implementing demonstrations and (b) addressing issues that impact on individuals or groups of individuals who are in the student to professional pipeline in STEM through study, reporting and implementing demonstrations. There are two main activities the group is currently involved in: (a) Development of a report based on the survey of best practices at FDP institutions with respect to work-life balance policies, and (b) identification of a potential demonstration project related to a focus on burden to faculty connected with administering STEM pipeline funding programs. This meeting focused on completion of the report that has been in development related to work life balance.</p>
Agenda/Discussion Points	
Pending Decisions	<ol style="list-style-type: none">1. Circulation of report prior to next FDP meetings2. Pursuit of discussions with key stakeholders about how we might approach the pursuit of funding with respect to surveying member institutions on work-life balance policies and outcomes
Participation	Approximately 20 FDP participants attended the session.
Key Risks/Issues	The group discussed the strategy for disseminating the report as well as pursuing funds for conducting a survey as a next step once the report is published.
Meeting Summary	<p>The meeting was a working discussion of roles and responsibilities for completing the report related to work life balance and for amplifying attention to the solutions described in the report. Next steps include seeking more information about the release of the information in the report, continuing to identify resources to conduct a full survey or other assessment of institutional information related to work life balance, pursuing discussions with federal sponsors related to partnerships on such research activities and pursuing the possibility of a day-long retreat or working meeting to draft a research plan that could be pursued among members of FDP with respect to learning more about how institutions implement and assess work life balance opportunities.</p>



NSF's Intergovernmental Personnel Act Program

Point of Contact	Joanne Tornow, National Science Foundation
Activities/Progress to Date	N/A
Agenda/Discussion Points	
Pending Decisions	N/A
Participation	Session was attended by approximately 20 university faculty members and administration officials, as well as five representatives from the National Science Foundation.
Key Risks/Issues	N/A
Meeting Summary	<p>Dr. Joanne Tornow, Chief Human Capital Office and Head, Office of Information and Resource Management of the National Science Foundation, led a discussion of the NSF Intergovernmental Personnel Act (IPA) program. ☐</p> <ul style="list-style-type: none">•The IPA program provides significant value to NSF. IPAs bring fresh perspectives and deep expertise that keep NSF nimble. Combining IPAs with experienced federal employees creates the synergy required to support fundamental research at the frontiers of science. And IPAs enable a close connection with the community, building and nurturing trust, and serve as ambassadors.•Performance and Accountability: There is Congressional and NSF Office of Inspector General interest in NSF's use of IPAs. In response, NSF has put in place IPA performance plans and assessments, as well as training and development activities.•In April, 2016, NSF created a Steering Committee for Policy and Oversight of the IPA Program. The steering committee has given NSF the opportunity to articulate its overall use of IPAs within a strategic workforce framework. The steering committee also provides NSF with the opportunity to identify potential cost savings in the context of NSF mission accomplishment and recruitment/retention of IPAs.•In FY 2015, NSF had 176 IPAs on board, constituting ~12% of the NSF workforce and ~28% of NSF scientific staff. During that time period, NSF's IPA agreement costs totaled \$41.4 million (mostly salary reimbursement, but also fringe benefit reimbursement, per diem and lost consulting). NSF requests that institutions continue to pay 15% of the IPAs' salaries and fringe benefit costs while they are assigned to NSF; the actual amount institutions continue to pay is 5% of those costs. Interestingly, smaller institutions have been more willing to pay some of these costs than larger institutions.•Discussion questions:<ol style="list-style-type: none">1)What are your views of the IPA program, including the value to the IPA and back to the IPA's institution?2)What issues would arise if NSF took a firmer stance on cost-share?3)How does availability of per diem affect the length of time of an IPA appointment at NSF?



• Feedback from audience members:

1) Institutions' Continued Payment of Part of Salary and Fringe Benefits While IPA is at NSF
o Time allotted to Institutional Research and Development (IR/D) (and student mentoring) could be seen as "non-NSF" time (which institutions could be expected to pay for)
o One approach wouldn't fit all IPAs, as some want to invest fulltime in their IPA duties
o Universities might be open to paying a set percentage of the IPAs' salaries and benefits, if it was required; standard policies can typically be accommodated
o Required funding of part of IPA salary/benefits could have an impact on state universities with fixed funds - might result in fewer IPAs from those universities
o NSF's use of the term "cost sharing" in reference to the funding of part of IPA salary/benefits is confusing

2) Per Diem Payments

o Receiving per diem as an IPA is a critical benefit, given the cost of living in the Washington, D.C., area, especially if the IPA is maintaining two households
o One participant stated that he was at NSF before 2008 and stayed a third year without per diem

3) Other Comments

o NSF is seen as one of the most transparent and accessible institutions relating to funding policies and procedures
o IPAs keep NSF from becoming overly bureaucratic
o There are many immeasurable benefits to being an IPA at NSF
o Serving as an IPA can be a solid path to a job transition
o Service at NSF is part of the definition of service at some universities; it contributes to gaining national recognition