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## Federal Guidance on Current and Pending Support/Other Support

## July 6, 2023

- Federal agencies require grant proposals to include information on "Current and Pending Support" or "Other Support" provided to individual researchers named in a grant application.
- The requirement is to disclose the researcher's current projects as well as those under consideration or in development (pending). These projects can be funded or unfunded. Projects completed at the time of application do not need to be disclosed.
- Agencies use this information for multiple purposes, including but not limited to, assessing the capacity of the individual to carry out the research as proposed; assessing potential overlap/duplication with the project being proposed; and identifying potential conflicts of interest and commitment.
- Each Federal sponsor has their own unique guidance, requirements, and formats related to the disclosure of current and pending/other support and there is no standard definition of "project." As such, the <u>National Security Presidential Memorandum 33</u> (NSPM-33) and <u>related guidance</u> issued by the National Science and Technology Council in 2022 moved towards standardizing current and pending disclosure forms and terms across the various federal research agencies.
- Principal Investigator(s) must take into consideration the below NSPM-33 definitions and guidance, as well as the relevant agency specific guidance, when preparing their current and pending support/other support information for proposal submissions. This includes reviewing current and pending support/other support lists prepared by College pre-award staff and adding and editing content as necessary to ensure all required information is included. If any of the information changes at any time following proposal submission through close-out of an ensuing award, the Principal Investigator(s) is required to contact OSP to update the information.
- The NSPM-33, *defines* "Current and pending research support" as:

(a) All resources made available, or expected to be made available, to an individual in support of the individual's research and development efforts, regardless of (i) whether the source is foreign or domestic; (ii) whether the resource is made available through the entity applying for a research and development award or directly to the individual; or (iii) whether the resource has monetary value; and

(b) includes in-kind contributions, requiring or not requiring a commitment of time and directly supporting the individual's research and development efforts, such as the provision of office or laboratory space, equipment, supplies, employees, or students.

This term has the same meaning as the term Other Support as applied to researchers in NSPM-33: As articulated in NSPM-33, Other Support includes all resources made available to a researcher in support of and/or related to all of their professional R&D efforts, including resources provided directly to the individual rather than through the research organization, and regardless of whether or not they have monetary value (e.g., even if the support received is only in-kind, such as office/laboratory space, equipment, supplies, services, or employees). This includes resource and/or financial support from all foreign and domestic entities, including but not limited to, gifts provided with terms or conditions, financial support for laboratory personnel, and participation of student and visiting researchers supported by other sources of funding.

- Under NSPM-33, all federal sponsors must require certification by the individual making the disclosure that the information is accurate, current, and complete.
- NSPM-33 further identifies the information that should be included in current and pending disclosures as follows:
  - All R&D projects currently under consideration from whatever source, and all ongoing projects, irrespective of whether support is provided through the proposing organization, another organization, or directly to the individual, and regardless of whether the support is direct monetary contribution or in-kind contribution (e.g., office/laboratory space, equipment, supplies, or employees)
  - Current or pending participation in, or applications to, programs sponsored by foreign governments, instrumentalities, or entities, including foreign government-sponsored talent recruitment programs
  - o In-kind contributions not intended for use on the project/proposal being proposed
  - Visiting scholars funded by an entity other than own institution
  - o Students and postdoctoral researchers funded by an entity other than own institution
  - Travel supported/paid by an entity other than own institution to perform research activities with an associated time commitment
- NSPM-33 distinguishes between compensation and gifts. Compensation or consideration that are provided with terms and conditions and in support of R&D activities are not considered gifts and must be disclosed by researchers as current and pending support. Gifts are resources provided with no expectation of anything in return (e.g., time, services, specific research activities, money), and do not require disclosure except when required by Section 117 of the Higher Education Act of 1965, as amended.

## Agency Specific Current and Pending/Other Support Guidance For Reference:

NASA- Proposer's Guide

NIH - Other Support

NSF - Current and Pending (Other) Support and Proposal & Award Policies and Procedures Guide

National Science and Technology Council -<u>NSPM-33 Guidance</u>

NOAA - Application and Submission Information - Current and Pending Federal Support

- DOE\_DOE Current and Pending Support Disclosure Requirements
- DOD DOD Research Protection Memo (includes current and pending requirements)