January 28, 2020

Chloé Kontos
Executive Director
National Science and Technology Council
Office of Science and Technology Policy
The White House
Eisenhower Executive Office Building
1650 Pennsylvania Avenue NW
Washington, DC 20502

Dear Director Kontos,

On behalf of the Council of Graduate Schools, I want to thank you for the opportunity to respond to the Request for Information (RFI) on the American Research Environment (Docket No. 2019-27165) published by the Office of Science and Technology Policy (OSTP) in the *Federal Register* on December 17, 2019. For almost six decades, CGS has served as the national organization dedicated to advancing graduate education and research. Our membership includes nearly 500 institutions of higher education in the United States, Canada, and abroad. Collectively, our members grant 87 percent of all U.S. doctorates and the majority of U.S. master's degrees. In Academic Year 2018-2019, our member schools enrolled more than 1.8 million graduate students, a significant portion of whom conduct federally-funded research alongside faculty.

CGS was pleased to participate in the OSTP Joint Committee on the Research Environment (JCORE) summit on November 5, 2019, that convened stakeholders from academia, industry, federal agencies, professional societies, and non-profits. We commend the continued efforts of JCORE to examine the current research environment as it relates to issues that the community ought to be addressing. We also appreciate JCORE's willingness to do so through thoughtful dialogue and for incorporating broad representation of the U.S. research enterprise in these discussions. Graduate schools have a vested interest in ensuring that policies bolster the rigor and integrity of U.S. research, improve coordination between federal agencies and institutions, uphold national security, and support safe and inclusive research environments. Therefore, we offer the following comments, organized according to the four major themes outlined in the RFI.

Research Rigor and Integrity

Research rigor, reproducibility, replicability, and integrity are at the forefront of research conducted at CGS member institutions. A shared responsibility exists between multiple stakeholders, including institutions and federal agencies to uphold these tenets.

> *Question 2: How can Federal agencies best work with the academic community, professional societies, and the private sector to enhance research quality, reproducibility, and replicability? What are current impediments and how can institutions, other stakeholders, and Federal agencies collaboratively address them?*

Federal agencies can and should continue to work with stakeholders in the academic and professional society communities to enhance quality, reproducibility, and replicability. CGS is embarking on a joint collaboration with the American Educational Research Association to advance academic support for open science.[1] The National Science Foundation (NSF) has provided a grant award for this work, which will convene higher education leaders, education researchers, and related scientists at a multi-day conference this summer. The initiative will foster deeper consideration of measures of scholarly productivity in the institutions where the next generation of scientists are being trained, where science is organized, and where open science products are produced. Additionally, the project will address what counts as open science productivity and quality in non-traditional research projects (e.g., data sharing, replication studies, registered reports). The findings from this project are ones that federal agencies will likley find valuable in assessing how to include academic partners in these endeavors.

Question 3: How do we ensure that researchers, including students, are aware of the ethical principles of integrity that are fundamental to research?

CGS has conducted collaborative research and action projects with its member universities to support research integrity and the responsible conduct of research (RCR). Resulting products from these projects include resources on how to prepare graduate students for the ethical challenges and responsibilities of scholarship and research, and to discuss the reliability of the product of research itself.[2] For example, a series of projects supported by NSF and the Office of Research Integrity (ORI) sought to integrate RCR into the core of graduate training, rather than treating ethics as an "add-on" or box to be checked for compliance requirements. Currently, CGS is funded by ORI to build on this work to explore emerging challenges in research integrity and RCR in in research that uses large databases and big data analytic tools. As the scientific enterprise evolves, presenting new opportunities and needs, agencies should continue to prioritize grants that support organizations to evaluate, develop sustainable resources, and implement best practices on the ethical principles of integrity.

Coordinating Administrative Requirements for Research

The administration of federally-funded research grants to universities should be aimed at promoting transparency and streamlining processes, but not at the expense of additional burdensome reporting requirements and regulations. These present a multitude of challenges for institutions and the broader community, particularly when considering resource allocation and the ability to execute research in a timely manner. Academic institutions strive to be good actors in these administrative efforts; however, it should be acknowledged that it is often the case that adhering to current federal reporting requirements and regulations, or even just attempting to comprehend and navigate compliance, can seriously diminish time and resources that could be otherwise allocated toward other facets of the research process.

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[1] Council of Graduate Schools and the American Educational Research Association. (2019). AERA and CGS awarded NSF grant to advance academic support for open science. Retrieved from: https://cgsnet.org/aera-and-cgs-awarded-nsf-grant-advance-academic-support-open-science.

[2] Council of Graduate Schools. Scholarly Integrity and Responsible Conduct. https://cgsnet.org/scholarly-integrity-and-responsible-conduct-research-rcr.

A 2016 Government Accountability Office (GAO) report[3] highlights findings and considerations with respect to this issue. Notably, GAO found that variation among different agencies' administrative requirements creates additional layers of complexity for institutions. Universities may need to hire additional infrastructure or staff to ensure they are in compliance.

> *Question 1: What actions can the Federal government take to reduce administrative work associated with FCOI requirements for researchers, institutions, and Federal agency staff?*

> CGS recommends that JCORE should consider efforts to streamline and standardize federal agency forms. This includes the financial conflict of interest (FCOI) disclosure. It would be a worthy endeavor to consider creating an FCOI form that could crosswalk several federal agencies that is consistent in its definitions and ensuring clear, concise, and consistent communication from federal agencies regarding the form process.

Research Security

Research collaborations between domestic institutions and institutions abroad not only generate ground-breaking discoveries, but also foster international collegiality, shared objectives, and opportunities to learn from one another, all of which are critical to promoting diplomacy. Universities are also responsible for ensuring our nation's security remains a top priority in federal research endeavors, and several have generated initiatives both independently and in collaboration with federal stakeholders to examine the research security environment and to offer recommendations to improve upon it.

Foreign entities that attempt to infiltrate into U.S. research efforts pose a security threat, and institutions must be provided transparent information and ample guidance from federal agencies in order to adequately address these concerns. In doing so, they will be able to mitigate threats while ensuring that international research collaborations are still successful, and that the U.S. remains a welcoming environment for top talent to follow research pursuits at American institutions. In this vein, generally speaking, CGS believes that policies related to the regulation of temporary visas and employer training impacting international students, faculty, and researchers should not unnecessarily deter these individuals from contributing their expertise to the U.S. research enterprise. According to CGS data, there were nearly 85,000 first-time enrolled international graduate students at U.S. institutions.[4]

> *Question 1c: What information can the government provide to organizations that perform research to help them assess risks to research security and integrity?*
> and,
> *Question 2b: How can the U.S. government best partner across the research enterprise to enhance research security? Please consider: Discovery of and communication of information regarding activities that threaten the security and integrity of the research enterprise.*

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[3] Government Accountability Office. (2016). Federal Research Grants: Opportunities Remain for Agencies to Streamline Administrative Requirements. Retrieved from: https://www.gao.gov/products/GAO-16-573.

[4] Okahana, H., & Zhou, E. (2019). *International graduate applications and enrollment: Fall 2018*. Washington, DC: Council of Graduate Schools.

As was raised by some university representatives at the November 2019 JCORE Summit, academic institutions would benefit from greater information-sharing from agencies about perceived and actual security risks. Institutions could take this into account when making decisions about potential partnerships/collaborations and when trying to understand what risk factors may preclude a research agency from granting funding to an applicant. That said, we believe a balanced approach to disseminating this information is necessary in order to prevent unwarranted prejudice against colleagues abroad, which would undoubtedly have detrimental effects on both long-standing and potential collaborations.

Question 2a: [What are] Appropriate roles and responsibilities for government agencies, institutions, and individuals?

We would like to note that when it comes to institutions' responsibility for reporting foreign gift requirements as promulgated by the Department of Education, we have concerns with the Department's recent actions to expand/redefine Section 117 of the Higher Education Act ("Disclosures of Foreign Gifts"). More specifically, interpreting the Department's new rules has created confusion at the institutional level as to what would be required to be reported and when. Again, while institutions by and large aim to be compliant, requiring them to submit such a burdensome amount of information about their relationships with foreign individuals and entities may hinder the enthusiasm of foreign entities to partner with U.S. institutions.

Safe and Inclusive Research Environments

CGS strongly agrees that research environments should promote safe and inclusive cultures, devoid of harassment in any form. We agree with the RFI's language that states "The aim is to foster an American research enterprise, which epitomizes our values and those of research itself, namely, where researchers feel welcome and are encouraged to join, wish to remain, and subsequently thrive. To achieve this, leaders must create a research environment that welcomes all individuals, values their ideas, treats individuals as equals, and promotes bold thinking, rigorous and civil debate, and collegiality."[5] Our institutions are committed to ensuring safe environments by addressing known complaints of harassment and preventing future occurrences.

Regarding inclusivity, CGS recently released its updated "Building a Diverse, Equitable, Accessible, and Inclusive Graduate Community: A Statement of Principles" reaffirming our member institutions' commitment to excellence.[6] Understanding that diversity and inclusion in graduate education is both an economic and moral imperative, the statement articulates that "Graduate programs, graduate schools, and universities of which they are a part must closely examine evidence of what is measured, valued, and rewarded. Along with funders of graduate education, they must also invest time and resources in better understanding the policies and practices that favor diversity and inclusion." This is applicable to the relationships and environments in which both domestic and

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[5] Federal Register. (2019). Request for information on the American research environment. Retrieved from: https://www.federalregister.gov/documents/2019/12/17/2019-27165/request-for-information-on-the-american-research-environment#p-47.

[6] Council of Graduate Schools. (2019). Building a diverse, equitable, accessible, and inclusive graduate community: a statement of principles. Retrieved from: https://cgsnet.org/building-diverse-equitable-accessible-and-inclusive-graduate-community-statement-principles?utm_source=CGS+News+Network&utm_campaign=c8199b10ce-CGS_News_Network_1_22_2020&utm_medium=email&utm_term=0_5fa324a391-c8199b10ce-88947125.

international graduate students, faculty, visiting scholars, and graduate education leaders execute their research.

Question 1: What policies and practices are most beneficial in fostering a culture of safe and inclusive research environments?

Fostering a culture of safety requires that campus leadership, including that within graduate schools and programs, continues to set a clear and consistent example about which behaviors are tolerated and those that are not. CGS members believe that setting clear expectations for codes of conduct, training graduate students to be advocates for themselves, setting and communicating clear policies and procedures to address bullying, and vetting buy-in from all constituents−which can be done in part by soliciting feedback through climate surveys−are practices that campuses can and do implement.

Regarding sexual harassment, broadly speaking, when a victim does come forward with a claim of harassment, institutions are responsible for adhering to reporting requirements set by their own campus policies and may also be subject to Title IX regulations. If the accused is a principal investigator (PI) or co-PI on a federal research grant, institutions may be required to report claims of misconduct to the respective agency administering the grant. At this juncture, it is critical that institutional and agency policies align so that the victim is protected (i.e., not subjected to retaliation from the accused); that the accused, if found to be in violation of conduct, is appropriately removed from the situation; and the accused, if found not in violation, is not unintentionally subjected to negative consequences.

An inclusive research environment where individuals are welcome, regardless of race, ethnicity, country of origin, gender, sexual orientation, and religious affiliation, among a host of other demographic and self-identified characteristics, can be further fostered by effective mentoring. Several federal agencies prioritize mentoring as a requirement in their research grant applications with the goal of developing graduate students and postdoctoral fellows into the next generation of scientists. We support the goal of emphasizing mentoring as a method for helping students feel they are a part of the research community and that the community is invested in their academic, personal, and professional success.

Question 3: Are Federal agency policies on harassment complimentary or conflicting with regard to state or organization policies?

CGS commends the fact that several agencies and organizations have been proactive in setting forth recommendations and reporting requirements when concerns about inappropriate behavior are made known.[7,8,9] We urge agencies to continue including institutions in these conversations, particularly given that any policies resulting from these

[7] National Institutes of Health. (2019). Update on NIH's efforts to address sexual harassment in science. Retrieved from: https://www.nih.gov/about-nih/who-we-are/nih-director/statements/update-nihs-efforts-address-sexual-harassment-science.

[8] National Science Foundation. (2019). NSF announces new measures to protect research community from harassment. Retrieved from: https://www.nsf.gov/news/news_summ.jsp?cntn_id=296610.

[9] National Academies of Science, Engineering, and Mathematics. (2018). *Sexual harassment of women: climate, culture, and consequences in academic sciences, engineering, and mathematics*. Washington, DC: The National Academies Press.

discussions have the potential to add complexities to the reporting and handling of misconduct to other entities at the campus, state, and federal levels.

We thank OSTP and JCORE for their continued efforts to address the research environment, and for providing opportunities to engage with stakeholders. If you have any questions, or if CGS can be of assistance, please do not hesitate to contact our Vice President of Public Policy and Government Affairs, Lauren Inouye, at Linouye@cgs.nche.edu.

Sincerely,

Suzanne T. Ortega
President