

Complying with DOD Policy when Completing Grant Applications Current, as of December 15, 2021

All new DoD solicitations require Form 4040-0001. Title 2 of the Code of Federal Regulations (2 CFR) Section (§) 200.206, as implemented by the DoD through 2 CFR § 1103.100, requires the DoD to only collect information in grant applications using information collection forms approved by the Office of Management and Budget (OMB). OMB has approved the use of Standard Form (SF) 424 Research and Related (R&R) OMB number 4040-00 I as the grant application information collection vehicle. DoD policy is to use this suite of forms for proposals submitted in response to DoD research funding opportunities. Components have the ability to select the "optional forms." One of the optional forms in this approved suite of forms is the "Senior/Key Person Profile (Expanded)" form that includes a section for agencies to collect Current and Pending Support efforts for identified persons. DoD components shall use this optional form to collect the information directed above.

[Complying with Department of Defense Policy when Completing Grant Applications](#)

(NEW) DARPA has established a new [Countering Foreign Influence Program](#) (CFIP).

As part of CFIP, after a technical review has been completed and a proposal (including projects deemed fundamental research) has been selected for funding, a risk assessment of all proposed senior/key personnel associated with the proposed project will be conducted by DARPA. DARPA program officers will review the biographical sketch and other proposal disclosures to assess the risk level of the project/project personnel across four criteria:

- 1) participation in a foreign talent program
- 2) collaborations with entities on the "Denied Entity Lists"
- 3) other funding sources
- 4) other involvement with international entities.

The new CFIP [risk rubric](#) includes several qualitative factors, resulting in a project rating from low to very high. Importantly, DARPA has stated that the risk level of a person is not related to the person's nationality, but rather their activities and research collaborators.

Under the new CFIP program, DARPA will give the potential recipient (e.g., Caltech) an opportunity to address identified risks through a mitigation plan for projects rated high or very high risk. Mitigation can range from additional reporting requirements to the removal of an investigator. If an institution chooses not to mitigate the risk, DARPA could still issue the award if the DARPA Deputy Director agrees to accept the risk for DARPA.

Checklist and Guidance for Complying with DOD Policy when Reporting Current and Pending Support v.2 (12/15/2021). Thank you to the University of California, Santa Barbara for their very helpful website on these requirements.

How to comply at the proposal stage:

All senior/key personnel must follow the disclosure requirements included in the solicitation, including complete and accurate biosketches and current and pending support information (see the DARPA solicitation for detailed guidance).

Report all planned collaborations with international entities in the proposal, which may be considered a DARPA Foreign Component, defined as “Performance of any significant scientific element or segment of a program or project outside of the U.S., either by the University or by a researcher employed by a foreign organization, whether or not U.S. government funds are expended.

- *Activities that would meet this definition include, but are not limited to:*
- *Involvement of human subjects or animals;*
- *Extensive foreign travel by University research program or project staff for the purpose of data collection, surveying, sampling, and similar activities;*
- *Collaborations with investigators at a foreign site anticipated to result in co-authorship;*
- *Use of facilities or instrumentation at a foreign site;*
- *Receipt of financial support or resources from a foreign entity; or*
- *Any activity of the University that may have an impact on U.S. foreign policy through involvement in the affairs or environment of a foreign country.*
- *Foreign travel is not considered a Foreign Component.*

DARPA is particularly focused on collaborations with specific “strategic competitors” and has provided information about how these competitors may be determined in Question 19 of the [FAQ](#).

19. Q: Where can we find a list of strategic competitors or countries with a history of targeting U.S. technology for unauthorized transfer?

A: DARPA leverages several unclassified and publicly available issuances such as the 2019 National Defense Authorization Act (NDAA), the 2020 NDAA, the Director of National Intelligence report “Annual Threat Assessment of the U.S. Intelligence Community,” and the Defense Counterintelligence and Security Agency report “Targeting U.S. Technologies. A Report of Foreign Targeting of Cleared Industry.” These documents provide good foundational information to help our performer base understand the threat, where that threat is originating from, and even some of the tactics, techniques, and procedures that could be used to gain access to our technology

[How to comply at the award stage:](#)

DARPA will contact Caltech if a project has been selected for an award and if risk mitigation, as described above, is required. At that time, the PI and OSR will discuss and resolve any issues related to project risks and discuss any new award terms and conditions. Caltech reserves the right to withdraw the project should the risk mitigation strategy require the removal of an investigator for any reason.

PIs should be aware that new terms in awards require due diligence, and they should be aware of these new requirements. For an overview see the [December presentation to the Committee on International Collaboration](#).

Beginning October 1, 2020

The information below is intended to guide users to complete the DOD Current & Pending Support, Biosketches and Facilities, Equipment and Other Resources, beginning October 1, 2020.

Note that in addition to the traditional forms of support, some Institutional resources must also be disclosed.

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Current & Pending Support, Biosketches and Facilities, Equipment and Other Resources

Current and Pending Support and Biosketches must be provided for all senior personnel and faculty associates. The term "senior personnel" includes:

(Co)Principal Investigator(s) - the individual(s) designated by the grantee and approved by NSF who will be responsible for the project's scientific or technical direction. If more than one, the first one listed will have primary responsibility for the project and the submission of reports.

Faculty Associate (faculty member) - an individual other than the Principal Investigator(s) considered by the performing institution to be a member of its faculty or who holds an appointment as a faculty member at another institution and who will participate in the project.

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Current & Pending Support	<p>On March 20, 2019, the Department of Defense issued a memorandum that established new current and pending support requirements for Notices of Funding Opportunities for research and research-related educational activities. These requirements were implemented for the following purposes:</p> <ol style="list-style-type: none">1. To support the protection of intellectual property, controlled information, key personnel, and information about critical technologies relevant to national security; and2. To limit undue influence, including through foreign talent programs, by countries aiming to exploit United States technology involving the Department of Defense research, science and technology, and innovation enterprise. <p>As of April 20, 2019, all key personnel must submit current and pending support documentation that includes the following:</p> <ul style="list-style-type: none">• A list of all current projects the individual is working on, in addition to any future support the individual has applied to receive, regardless of the source.• Title and objectives of the other research projects.• The percentage per year to be devoted to the other projects.• The total amount of support the individual receives in connection to each of the other research projects or will receive if other proposals are awarded.• Name and address of the agencies and/or other parties supporting the other research projects.• Period of performance for the other research projects. <p>This information is required for all key personnel, regardless of whether their efforts under the project are to be funded by the DOD.</p>
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	<p>Failure to submit this information may cause a proposal to be returned without further review. Additionally, the DOD has stated that it reserves the right to request further details from a proposer before deciding on funding the project.</p> <p>Note that a particular program solicitation may include additional or differing requirements for current support documentation and should be reviewed closely.</p> <p>DOD references: DOD March 20, 2019 Memo</p>
<p>Biosketch</p>	<p>Full disclosure of academic/professional affiliations, positions, and appointments, including domestic and foreign positions, is required.</p> <p>Refer to program solicitation instructions for further detail and/or additional requirements.</p> <p>Review the solicitation carefully for program-specific requirements.</p>

Complying with DOD Policy when
 Updating Information for Award
 Current as of April 15, 2021

<p>Any form –Current & Pending, Biosketch, Facilities</p>	<p>If the Proposal Update seeks information regarding the biosketch or current and pending support, ensure that any new or previously unreported required information is included.</p>
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