As the House returned to session this week, both chambers of Congress are now in session this week and next week with time to make a deal on raising the debt ceiling continuing to dwindle ahead of the earliest potential default date of June 1. President Biden met with Democratic and Republican leaders of the House and Senate Tuesday on the topic, but reports coming out of the meeting indicated the two sides remain far apart on a deal. The same group will meet again next week to discuss the topic and remain optimistic they will come together on a long-term deal before default and potential financial catastrophe. President Biden also met with a group of House and Senate Agriculture Committee members as well as Agriculture Secretary Tom Vilsack on Thursday to discuss the reauthorization of the Farm Bill, which needs to be passed into law or temporarily extended before the end of the fiscal year on September 30. Lawmakers are hopeful they will be able to release a draft version of the bill sometime during the summer.

The University of Minnesota Washington Update provides intelligence and analysis on recent federal activities. Contact Jackson Clark, Lewis-Burke Associates LLC, at jackson@lewis-burke.com with any questions or comments related to the Update’s content.

**Policy, Agency Updates and Funding, Engagement Opportunities**

**Policy Update: DEA and SAMHSA Issue Temporary Rule to Extend Pandemic Telehealth Prescribing Flexibilities**

The Drug Enforcement Agency (DEA) and Substance Abuse and Mental Health Services Administration (SAMHSA) issued a temporary rule that extends exceptions to regulations enacted because of the COVID-19 public health emergency (PHE). The rule allows providers to continue caring for patients without disruption caused by the end of the PHE on May 11.

Under this temporary rule, all telehealth flexibilities for prescribing controlled substances that were in place during the COVID-19 PHE will remain through November 11, 2023. In addition, for practitioner-patient relationships that were established through telehealth on or before November 11, 2023, “the full set of
telemedicine flexibilities regarding prescription of controlled medications as were in place during the COVID–19 PHE will continue to be permitted via a one-year grace period through November 11, 2024."

The extension is necessary given the number of comments the DEA and SAMHSA received on two proposed rules issued on March 1. The first rule focused on the prescription of controlled substances when the practitioner and patient have not had a prior in-person visit, and the second focused on the expansion of patient access to controlled substances, primarily the prescription of buprenorphine for treating opioid use disorder (OUD), via telehealth.

The temporary rule reiterates the statute governing the method of prescribing controlled substances through telehealth as audio and video equipment permitting two-way, real-time interactive communication or, for prescriptions to treat a mental health disorder, “which include, but are not limited to, prescriptions for buprenorphine for opioid use disorder—a two-way, real-time audio-only communication if the distant site physician or practitioner is technically capable of using an interactive audio video telecommunications system, but the patient is not capable of, or does not consent to, the use of video technology.”

DEA and SAMHSA anticipate issuing final rules extending certain telemedicine flexibilities on a permanent basis. According to this temporary rule, DEA does not believe it would be consistent with diversion efforts to grant a longer extension beyond six months. The agencies also believe a six-month cut off would disincentivize the creation of telehealth companies that may attempt to engage in unlawful prescribing practices.

This temporary rule will be in effect starting May 11, 2023, and end on November 11, 2024.

Sources:

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Agency Update: DOD Releases 2023 National Defense Science and Technology Strategy (NDSTS)
On May 9, the Department of Defense (DOD) released its long awaited 2023 National Defense Science and Technology Strategy (NDSTS). The strategy emphasizes the 14 critical technology areas originally designated by the Under Secretary of Defense for Research & Engineering, Heidi Shyu, last year while underscoring the importance of proactive engagements with partners in academia, research centers, laboratories, non-profit entities, commercial industry, and other government departments and agencies. To achieve the Department’s broader innovation and technology development objectives, the strategy outlines three lines of effort it intends to employ:

1. “Focus on the Joint Mission: Invest in information systems and establish processes for rigorous, threat informed analysis that will better enable the Department to make informed choices in its science and technology investments.
2. Create and field capabilities at speed and scale: Foster a more vibrant defense innovation ecosystem, accelerate the transition of new technology into the field, and communicate effectively inside and outside the Department.
3. **Ensure the foundations for research and development:** Recruit, retain, and cultivate talent; revitalize our physical infrastructure; upgrade our digital infrastructure; and nurture stronger collaboration across all stakeholders.”

For more information, please visit the U.S. Department of Defense news release [here](http://example.com). An unclassified version of the NDSTS can be found by visiting the following link: [2023 National Defense Science and Technology Strategy (NDSTS)](http://example.com).

**Funding Opportunity: ACL Releases Innovation Lab Solicitation**

The Administration for Community Living’s (ACL) Administration on Aging (AoA) has released a solicitation for a single entity to establish an ACL Innovation Lab to conduct research and evaluations on falls prevention for older adults both with and without disabilities. The awardee will be responsible for developing a taxonomy for falls prevention research; building a data and evidence system to house research results; developing relevant research questions and methods in collaboration with ACL; funding sub-awardees to pilot new interventions and providing technical assistance; and disseminating findings; among other responsibilities.

ACL states that applicants must have the capacity and expertise to collaborate with the Aging Network and other partners, and must be able to make and manage competitive sub-awards. ACL expects the awardee to make up to 15 sub-awards to community-based aging and disability-focused entities. The sub-awardees will use core components and community-based participatory research methods to investigate the efficacy of new and existing interventions.

ACL will host an informational conference call on May 15, 2023 at 1:00pm for interested applicants:
- Call-in number: 800-369-1885
- Passcode: 9207819

**Eligibility:** Eligible applicants include institutions of higher education, hospitals, community-based organizations, and other domestic public or private non-profit entities.

**Award Information:** Applicants may request a cooperative agreement of up to $4.79 million over the three-year project period, of which the applicant may retain up to 40 percent for administrative costs and technical assistance. The rest will be allocated to sub-awards. ACL anticipates awarding approximately $1 million for the first year of the project, $3.29 million for the second year, and $500,000 for the final year. Cost matching is allowed but not required.

**Deadlines:** Applications are due July 4, 2023. Letters of intent are encouraged but not required, and are due May 22, 2023.

**Sources and Additional Information:**
Funding Opportunity: NSF Releases Solicitation for New BioFoundries Infrastructure Program

The National Science Foundation (NSF) released a solicitation for a major new program called BioFoundries to Enable Access to Infrastructure and Resources for Advancing Modern Biology and Biotechnology (BioFoundries). This program represents NSF’s latest contribution to broader federal efforts to support biotechnology and the bioeconomy, and is aligned with the objectives and priorities highlighted in the Biden Administration’s September 2022 Executive Order and March 2023 report on advancing the U.S. bioeconomy. NSF envisions that the BioFoundries will both facilitate transformative new discoveries in biotechnology and leverage the agency’s prior investments across Directorates in programs focused on biological sciences, chemical biology, and bioengineering.

BioFoundries will serve a dual role as user facilities and innovation hubs for multidisciplinary bioscience research, with an emphasis on providing broad access to the tools, systems, and training necessary to address one or more pressing grand challenges in biology at speed and scale. They should support in-house and external user-initiated research efforts that apply technologies like automation, high throughput measurement, integrated data acquisition and analysis, and artificial intelligence (AI) and machine learning to life science discoveries. Each BioFoundry should function as its own scientific ecosystem, either in a centralized, distributed, or consortium model, and should focus on:

- Providing access to resources and tools for investigators at a wide range of institutions, especially those at non-R1, primarily undergraduate, and minority-serving institutions, and institutions in EPSCoR states;
- Developing, deploying and refining research tools and technologies to build the BioFoundry’s experimental and computational capacity, including software, instrumentation, and AI-based approaches;
- Creating a culture of and platform for broad knowledge sharing;
- Providing opportunities for education and training the next generation of researchers that align with the BioFoundry’s overall scientific goals; and
- Fostering partnerships with industry and other non-academic users and enabling translation of fundamental discoveries into applications.

NSF notes that the BioFoundries should aim to support open collaboration among scientists and improved reproducibility of results. Proposals must also “clearly articulate specific steps, both in the short term and long term” to demonstrate the BioFoundry’s commitments to diversity, equity, inclusion, and accessibility. The BioFoundries program will not support projects that are eligible for support through another existing core, center, or infrastructure program funded elsewhere at NSF, although proposals can complement investments funded through the Mid-Scale Research Infrastructure Programs or Materials Innovation Programs.

Award Information: NSF intends to make two to four awards via cooperative agreement through this program, each totaling $15 million to $24 million over a six-year period. Approximately 50 percent of awarded funds should be dedicated to user facility activities. Pending availability of funds, NSF anticipates dedicating $37 million to this program in fiscal year (FY) 2024.

Eligibility: Institutions of Higher Education and not-for-profit, non-degree-granting domestic U.S. organizations are eligible to apply. Organizations can serve as the lead institution for a single proposal and individuals can only be listed as Senior Personnel on one proposal.
Deadlines: Letters of intent are required and are due August 1, 2023. Full proposals are due October 2, 2023.

Sources and Additional Information:
- The BioFoundries program page can be found at https://new.nsf.gov/funding/opportunities/biofoundries-enable-access-infrastructure.
- A summary of NSF’s efforts in biotechnology and bioeconomy research is available at https://www.nsf.gov/bio/bioeconomy.jsp.

Funding and Engagement Opportunities: NSF Releases Multiple Opportunities in Support of AI Research, Education, and Workforce Development

The National Science Foundation (NSF) recently released three funding and engagement opportunities in support of artificial intelligence (AI) research, education, and workforce development. This uptick in agency efforts to support AI is in line with the Biden Administration’s growing interest in the field of AI and its implications for society. Opportunities announced by NSF this week include a Dear Colleague Letter (DCL) inviting proposals to the Rapid Response Research (RAPID) program focused on research on the use and teaching of AI in K-12 education, a Request for Information (RFI) on the capacity of institutes of higher education to produce graduates with expertise in AI, and an RFI focused on the opportunities and challenges of creating science, technology, engineering and math (STEM) pathways in emerging technology areas. Additional information on each of the funding and engagement opportunities is included below.

The NSF Directorate for STEM Education (EDU) released the DCL inviting researchers to submit a RAPID proposal for research on the teaching of AI and the use of AI in K-12 formal and informal educational settings. NSF is interested in funding RAPID proposals on the following topics:

- "Developing AI tools and environments to advance age-appropriate equitable learning and inclusive teaching;
- Supporting learning about and interest in AI;
- Using AI to teach AI; and
- Integrating generative AI in education in an ethical, responsible, and effective way."

RAPID proposals must include data-driven research methods. NSF is encouraging proposals that advance diversity, equity, and inclusion in STEM education research and will have an impact on underserved schools. Applicants are required to submit a one-page concept outline detailing their proposed research by email to RAPID-DRL-AI@nsf.gov. NSF program managers will respond to submitted concept outlines and advise on whether a full RAPID proposal should be submitted. Proposals will be reviewed on a rolling basis and there is no deadline to submit. Applicants may request up to $200,000 for a one-year project period.

In addition to the RAPID funding opportunity related to research on the teaching and use of AI in K-12 educational settings, NSF released two RFIs related to workforce development in AI and other emerging technology areas. RFIs do not have any potential funding attached to them and instead serve as a mechanism to inform NSF activities and potential investments related to AI.
NSF EDU released the first RFI calling for responses related to the “Capacity of Institutions of Higher Education to Produce Graduates with Degrees, Certifications, and Relevant Skills Related to Artificial Intelligence.” This RFI is specifically seeking information from institutions of higher education (IHEs) related to their current AI programs, AI-related courses, faculty expertise in AI, current AI research areas of focus, factors impacting an IHE’s capacity to increase AI education and workforce development, and information on what can be done to increase the number of graduates with expertise in AI. This RFI is a requirement from the CHIPS and Science Act of 2022. Responses will be incorporated into an AI Scholarship for Service Initiative Report to Congress evaluating the feasibility and need of a scholarship for service program focused on developing the AI workforce. Those interested in responding can do so by utilizing NSF’s online platform.

NSF EDU and the Directorate for Technology, Innovation, and Partnerships (TIP) co-released the final RFI, focused on “Future Topics for Workforce Development in Emerging Technology Career Pathways.” This RFI is requesting responses from a wide range of stakeholders, including IHEs, K-12 schools, career and technical education providers, industry, non-profits, and philanthropy, among others. Through this RFI, NSF hopes to better understand the challenges and opportunities related to creating robust, flexible, and seamless pathways to STEM careers in emerging technology areas. NSF is also interested in understanding what can be done to make STEM careers in these fields more accessible, especially to traditionally underrepresented groups and non-traditional STEM learners. For this RFI, NSF included the following as examples of emerging technology fields: AI, advanced manufacturing, advanced wireless, biotechnology, semiconductors, microelectronics, and quantum information science.

The RFI includes six questions for respondents to address focusing on opportunities/challenges to creating affordable and flexible training programs, effective strategies to removing barriers to support a diverse STEM workforce, best practices for facilitating transitions between STEM pathways, ways to attract more domestic undergraduate and graduate STEM students, and strategies to leverage resources across sectors. Responses to all six questions are not required. NSF intends to use responses to this RFI to inform new programs, funding opportunities, and initiatives. Individuals and organizations interested in responding can do so by utilizing NSF’s online platform.

The deadline to respond to both RFIs is June 21, 2023.

Sources and Additional Information:
- The DCL calling for RAPID proposals on research on AI in K-12 education is available at https://www.nsf.gov/pubs/2023/nsf23097/nsf23097.jsp.
- The RFI requesting responses related to the capacity of institutions of higher education to produce graduates with experience in AI is available at https://www.nsf.gov/pubs/2023/nsf23099/nsf23099.jsp.
- Additional information regarding NSF’s investments in research on AI is available at https://www.nsf.gov/cise/ai.jsp.
- Guidance on submitting a RAPID proposal is available in Chapter II.F.2 of the NSF Proposal & Award Policies & Procedures Guide (PAPPG), which can be found at https://www.nsf.gov/publications/pub_summ.jsp?ods_key=pappg.

The National Science Foundation (NSF) released a Dear Colleague Letter requesting stakeholder input on the development of a Research Security and Integrity Information Sharing Analysis Organization (RSI-ISAO). The RSI-ISAO, mandated by the CHIPS and Science Act, will serve as a central resource, empowering research institutions with information, tools, and services to support informed decision-making in addressing research security risks. NSF is in the early stages of scoping and structuring the RSI-ISAO and plans to stand it up in phases to ensure capabilities are aligned with the needs and expectations of the research community.

The CHIPS and Science Act frames the duties of the RSI-ISAO, which include:

1. Serve as a clearinghouse for information to help enable the members and other entities in the research community to understand the context of their research and identify improper or illegal efforts by foreign entities to obtain research results, know how, materials, and intellectual property.
2. Develop a standard set of frameworks and best practices, relevant to the research community, to assess research security risks in different contexts.
3. Share information concerning security threats and lessons learned from protection and response efforts through forums and other forms of communication.
4. Provide timely reports on research security risks to provide situational awareness tailored to the research and STEM education community.
5. Provide training and support, including through webinars, for relevant faculty and staff employed by institutions of higher education on topics relevant to research security risks and response.
6. Enable standardized information gathering and data compilation, storage, and analysis for compiled incident reports.
7. Support analysis of patterns of risk and identification of bad actors and enhance the ability of members to prevent and respond to research security risks; and
8. Take other appropriate steps to enhance research security.

In the Dear Colleague letter, NSF makes a point to clarify that the RSI-ISAO is not charged with handling classified information, conducting investigations, or providing official recommendations and/or determinations and will not assume liability for how its products and services are used.

To best position the RSI-ISAO to meet the needs of the research community, NSF requests input on any topic of interest, with a particular focus on six specific thematic areas:

1. Current research and integrity issues – What research security and integrity issues do you encounter and what challenges does your organization’s structure pose to addressing them?
2. Informational resources – What resources do you need to inform decision-making, management, and mitigation of research security and integrity risks?
3. Prioritization of the RSI-ISAO’s duties – How would you rank the Congressionally mandated duties (listed above)? Are there other duties you think the RSI-ISAO should take on?
4. Integration – Based on your identified priority duties from question #3, how would you envision RSI-ISAO resources integrating into your decision-making process?
5. Benefits based on position – Given your position in your institution or organization (e.g., faculty member, post-doc, research administrator, compliance officer), how would RSI-ISAO resources benefit you? In what ways would they make research security and integrity risk-related decision-making easier?
6. Liaison role – Should the RSI-ISAO have a role in connecting research institutions with one another and with government officials to enhance awareness and sharing of best practices?
Timeline:
- **June 30, 2023** - White papers (2-3 pages) should be submitted to RSI-ISAO@nsf.gov.
- **May 18, 2023** from 12:00-2:00 p.m. EDT – Webinar to learn more about the RSI-ISAO.
- **May 24, 2023** from 1:00-3:00 p.m. EDT – Webinar to learn more about the RSI-ISAO.

Sources and Additional Information:
- Congressional direction to stand up the RSI-ISAO can be found in Section 10338 of the CHIPS and Science Act.
- The NSF Research Security website contains updates on research security activities conducted by the Office of the Chief of Research Security Strategy and Policy (CRSSP), summaries of issues relevant to research security and integrity risk mitigation, and additional resources.

**Engagement Opportunity: NSF Issues RFI on Updates to the Proposal and Award Policies and Procedures Guide**

The National Science Foundation (NSF) issued a Request for Information (RFI) on a draft update to the Proposal and Award Policies and Procedures Guide (PAPPG), anticipated to take effect January 2024. This new iteration of the PAPPG includes a suite of new requirements pursuant to the CHIPS and Science Act that research offices should be aware of. Below is information on new requirements in PAPPG that organizations may wish to comment on through the RFI.

**Research Security**
- Malign Foreign Talent Recruitment Program Prohibition
  - Individuals party to malign foreign talent recruitment programs (MFTRPs), as defined in the CHIPS and Science Act, are added to the list of individuals who are ineligible to submit proposals to NSF.
    - See Part I Chapter I.E Who May Submit Proposals
  - Requirement for senior personnel to certify prior to proposal submission, and annually thereafter during the award duration, that they are not party to a MFTRP.
    - See Part I Chapter II.B.1 Pre-award Disclosures
    - See Part I Chapter II.D.1.e(ii) Malign Foreign Talent Recruitment Programs
    - See Part I Chapter II.D.2.h(i)(a) Biographical Sketch
    - See Part I Chapter II.D.2.h(ii)(g) Current and Pending Support
  - Requirement for institutions to certify that all senior personnel associated with the proposal have been made aware of and complied with the MFTRP prohibition and certification requirement.
    - See Part I Chapter II.D.1.d(ix) Certification Regarding Malign Foreign Talent Recruitment Programs
- Disclosures
  - Requirement for senior personnel to disclose in their Biographical Sketch and Current and Pending Support participation in (non-malign) foreign talent recruitment programs as defined in National Security Presidential Memorandum-33 (NSPM-33).
▪ See Part I Chapter II.D.2.h(i)(a) Senior Personnel
  ○ Language modification to incorporate the term “conflict of commitment” as defined in National Security Presidential Memorandum-33 (NSPM-33).
  ▪ See Part I Chapter II.D.2.h(ii)(a) Current and Pending Support

• Reporting
  ○ Requirement for institutions to report annually all foreign gifts and contracts in excess of $50,000 and to retain relevant records for review by NSF upon request.
    ▪ See Part II Chapter II.B.2 Postaward Disclosures
    ▪ See Part II Chapter VII.D.3.a Foreign Gifts and Contracts Disclosures

**Postdoc and Graduate Student Mentoring**

• Mentoring Plan
  ○ Postdoctoral mentoring plan requirement expanded to include both postdoctoral researchers and graduate students.
    ▪ See Part I Chapter II.D.2.i(i) Special Information and Supplementary Documentation

• Individual Development Plan
  ○ Requirement for PIs to certify that each graduate student or postdoctoral scholar receiving significant (at least one person month) support from the award has developed and annually updated an individual development plan.
    ▪ See Part II Chapter VII.D.1.b(iv) Certification Requirements for Annual and Final Annual Reports

**Sexual Harassment**

• Notification of findings and/or administrative action.
  ○ Additional language to clarify the information institutions should include in notifications to NSF.
    ▪ See Part II Chapter XI.A.1.g NSF Policy on Sexual Harassment, Other Forms of Harassment, or Sexual Assault

• Off-Campus or Off-Site Research
  ○ New requirement for institutions to indicate on the Cover Sheet whether the proposal involves off-campus or off-site research.
    ▪ See Part I Chapter II.E.3.b Collaborative Proposals
    ▪ See Part I Chapter II.E.9.d Safe and Inclusive Working Environments for Off-Campus or Off-Site Research

**Other Transaction Authority**

• Addition of “other transactions” to the list of possible award types funded in response to Broad Agency Announcements.
  ▪ See Part I Chapter I.C.4 Broad Agency Announcements

**Impact on Tribal Nations**

• New requirement to indicate on the Cover Sheet whether the proposed activity has potential impacts on Tribal Nations and instructions for PIs to seek guidance and obtain permission from relevant Tribal Nations to carry out proposed activity prior to submission.
  ▪ See Part I Chapter II.E.3.b Collaborative Proposals
Undergraduate Research Capacity

- Two new proposal types added to the list of Other Types of Proposals
  - Research in Undergraduate Institutions (RUI) is a type of proposal that supports research by faculty members at predominantly undergraduate institutions with the goal of engaging the faculty in their professional field, building research capacity at their home institution, and integrating undergraduate research and education.
  - Research Opportunity Awards for Predominantly Undergraduate Institutions (ROA-PUI) support faculty in pursuing research as a visiting scientist at another NSF-supported institution with the goal of increasing the faculty member’s research capability, improving researching and teaching at the PUI, and enhancing the impacts of NSF-funded research at the collaborating institution.

Timeline: Comments on this RFI are due **June 12, 2023**, and can be sent to splimpto@nsf.gov.

Sources and Additional Information:

Engagement Opportunity: CDC Seeking Nominations for the Advisory Committee to the Director

The Centers for Disease Control and Prevention (CDC) is seeking nominations for membership on the Advisory Committee to the Director (ACD). The ACD consists of up to 15 individuals with expertise in areas pertinent to the CDC’s mission, such as public health, global health, health disparities, biomedical research, and other fields.

Members on the ACD will be tasked with:
- Making recommendations to the Director regarding ways to prioritize the activities of the agency in alignment with the CDC Strategic Plan;
- Creating ways to achieve or improve performance metrics in relation to the CDC Strategic Plan, and other relevant metrics;
- Providing advice and recommendations on the development of the Strategic Plan, and any subsequent updates;
- Advising on grants, cooperative agreements, contracts, or other transactions;
- Providing other advice to the Director, as requested; and
- Appointing subcommittees.
Candidates should submit a one-half to one-page cover letter that includes their understanding of, and commitment to, the time and work required, one to two sentences on their background and experience, and one to two sentences on the skills/perspective they would bring to the ACD. Candidates will also be required to provide a current curriculum vitae highlighting the experience and work history relevant to the ACD.

Nominations may be submitted by the interested candidate, another individual, or an organization wishing to recommend the candidate. Nominations should be emailed to ACDirector@cdc.gov with the subject line: “Nomination for CDC ACD” no later than June 5, 2023.

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