



June 15, 2020

Via Email to OASH-ORI-Public-Comments@hhs.gov

Elisabeth A. Handley
Director, Office of Research Integrity
1101 Wootton Parkway, Suite 240
Rockville, MD 20852

RE: Sequestration RFI

Dear Director Handley:

The Association of Research Integrity Officers (ARIO) is a formal network of research integrity officers (RIOs), who by the nature of our work, are uniquely qualified to respond to the current Request for Information (RFI) concerning sequestration. As President of ARIO, I am writing on behalf of the ARIO Board and its member institutions and appreciate the opportunity to provide input into guidance that will directly affect our institutions and institutional processes.

First, ARIO fully endorses the June 15, 2020 letter submitted in response to the sequestration RFI by the Council on Governmental Relations (COGR), which represents many ARIO member institutions. ARIO strongly agrees with and supports all issues, challenges, and concerns outlined in the COGR letter.

Additionally, ARIO would like to emphasize a few critical points to consider. First, the costs to sequester, analyze and store data, not to mention maintain technical expertise, are already a substantial dedication of available resources for most institutions, regardless of size. Any proposed guidelines that would necessitate additional investment of resources must be carefully considered and cognizant of realistic cost and staff planning considerations. In that regard, consider that the infrequent nature of the need for this type of specialized sequestration makes it difficult to sustain or to even gain appropriate expertise; furthermore, costly consultants are typically not experienced in the skills needed for scientific evidentiary sequestrations. Each case presents unique challenges, new data, software or hardware and it is impossible to predict what sequestration challenges RIOs will face tomorrow.

Most importantly, overly prescriptive guidelines would set up legal challenges for institutions who do not, are unable to, or cannot afford to, comply with the suggested framework. This would inherently compromise institutions' abilities to have independent institutional findings in compliance with the regulations and would jeopardize the stability of these institutional decisions. Respondents and their attorneys could easily use ORI guidelines to contest [divergent] institutional processes, even when those processes are sound and sufficient for findings in accordance with the regulations.

Flexible and non-prescriptive standards that can be implemented by all institutions are critical to ensure compliance and to protect and elevate the integrity of institutional proceedings. Ultimately, however, ARIO believes that the most critical response it can provide to this RFI is to offer the vast experience and knowledge of our members. Whatever guidance is to be provided should be dynamically considered and



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updated in ongoing partnership with the community that administers the requirements. As such, ARIO welcomes the opportunity to identify RIOs to significantly contribute to a working group, ensuring that those who would be directly affected, and have extensive knowledge of the ever-evolving challenges regarding successful sequestration, would be appropriately represented in updating and providing the relevant guidance. Creating guidelines that would be most helpful, nimble, and practical for our community requires community participation beyond this RFI, and ARIO is ready and willing to partner with ORI in this significant endeavor.

Please contact me directly (lhaney@northwestern.edu) to discuss any questions you might have or to initiate a partnership between ORI and ARIO to address best practices for sequestration.

Sincerely,

A handwritten signature in blue ink, appearing to read "Lauran Qualkenbush".

Lauran Qualkenbush, President