

PACE UNIVERSITY
POLICY AND PROCEDURES ON FINANCIAL CONFLICT OF INTEREST
IN RESEARCH

Effective August 16, 2023

I. Policy and General Principles

Pace University (“University”) is committed to promoting objectivity in research and compliance with National Science (NSF) and Public Health Services (PHS) regulations regarding the disclosure of Significant Financial Interests and the management of Financial Conflicts of Interest affecting covered research entities.

The University is also committed to ensuring that Research projects funded by external sources (non-grant sponsored Research) are free from bias resulting from Financial Conflicts of Interest.

This Policy and these procedures apply to all individuals who meet the definition of Investigator as defined herein, including faculty, staff, graduate students, postdoctoral students, external collaborators, and co-investigators from other educational institutions and organizations.

The University has implemented this Policy and the corresponding procedures in order to provide a reasonable expectation that the design, conduct and reporting of research funded by the NSF or PHS, including the National Institute of Health (NIH), will be free from bias resulting from Financial Conflicts of Interest as defined by the regulations. Compliance with these requirements shall be a condition for submitting proposals and accepting awards of Federal financial support from the NSF or PHS for all activities conducted under University auspices.

To the extent that external funding sources are involved, projects need to be governed by a University oversight policy.

This Policy and the associated procedures are intended to supplement existing University policies on Conflict of Commitment and Outside Professional Activities.

II. Scope of Policy

This Policy shall apply to Research projects funded in whole or in part by a grant, cooperative agreement or contract from any component of the PHS (including NIH), and/or the NSF. This Policy shall also apply to any non-grant sponsored Research projects with an external entity, which shall include but not be limited to, any studies, services, and research performed by an agreement or contract with the University involving non-University funds or services. This policy will also apply to all investigators submitting applications to the Institutional Review Board for human subjects research and to members of the Institutional Review Board.

Notwithstanding the preceding sentence, this Policy shall not apply to Small Business Innovative Research (SBIR) and Small Business Technology Transfer (STTR) Phase I awards (the Policy does, however, apply to SBIR/STTR Phase II awards).

III. Disclosure of Financial Interests

Prior to the time a proposal is submitted, each Investigator is responsible for disclosing on the Pre-Submission Grant Proposal Clearance Form (Exhibit I) Significant Financial Interests related to their Institutional Responsibilities. Investigators also have an ongoing duty to update disclosures annually and as new Significant Financial Interests are discovered or obtained throughout the period of the award (see Section VI of this Policy).

The requirement that an Investigator must report a Significant Financial Interest under the terms of this Policy does not in and of itself imply the existence of a Financial Conflict of Interest. The existence of a Financial Conflict of Interest is determined subsequently by the designated University Reviewing Official (URO). If a Financial Conflict of Interest is identified, the URO may require additional steps to manage or eliminate the conflict (see Section VII of this Policy), and disclosure shall be made as and to the extent required by Section VIII of this Policy.

The URO shall have the authority to require the submission by an Investigator of any additional information necessary to determine the existence of, manage and/or eliminate a Financial Conflict of Interest in accordance with this Policy.

IV. Definition

A. University Reviewing Official

The official designated by the University to review completed Significant Financial Interest Disclosure Forms and to determine whether any reported Significant Financial Interest is related to a Research project covered by this Policy and, if so, whether it

constitutes a Financial Conflict of Interest. The URO is currently the University Director for Research and Graduate Education.

B. Investigator

Any individual responsible for the design, conduct, or reporting of the results of work performed or to be performed under a Research project covered by this Policy. This includes the principal investigator, co-investigators, and any other individuals who have responsibility for designing, conducting, or reporting the results of the Research project, which may include faculty, staff, graduate students, postdoctoral students, external collaborators and co-investigators from other institutions or organizations. This term is not intended to include individuals who act solely in an advisory capacity and thus are not in a position to influence design, conduct, or results of the Research.

C. Institutional Responsibilities

This means an Investigator's professional responsibilities on behalf of the University. This includes such activities as teaching, research, research consultation, professional practice, institutional committee memberships, and service on panels such as Institutional Review Boards.

D. Conflict of Commitment: A situation in which an employee engages in an outside professional activity, paid or unpaid, that involves a commitment of time that may interfere, or appear to interfere, with the fulfillment of the employee's obligations to the University, even if the outside activity is valuable to the University or contributes to the employee's professional development and competence. Conflicts of Commitment may also arise when an external entity attempts to impose an obligation to improperly share information with or withhold information from the University.

E. Outside Professional Activities: Means compensated and uncompensated activities undertaken outside of an Investigator's Institutional Responsibilities.

F. Externally Sponsored Projects include studies, services, and research performed by Agreement or Contract with the University involving non-University funds or resources.

G. Significant Financial Interest

A financial interest consisting of one or more of the following interests of the Investigator (and those of the Investigator's spouse and dependent children) that reasonably appears to be related to the Investigator's Institutional Responsibilities:

- With regard to any publicly traded entity, a Significant Financial Interest exists if the value of any remuneration (salary or other payment for services) received

from the entity in the 12 months preceding the disclosure and the value of any equity interest (including any stock, stock option, or other ownership interest, as determined through reference to public prices or other reasonable measures of fair market value) in the entity as of the date of disclosure, when aggregated, exceeds \$5,000.

- With regard to any non-publicly traded entity, a Significant Financial Interest exists if the value of any remuneration (salary or other payment for services) received from the entity in the 12 months preceding the disclosure, when aggregated, exceeds \$5,000, or when the Investigator (or the Investigator's spouse or dependent children) holds any equity interest (including any stock, stock option, or other ownership interest) in the entity.
- Intellectual property rights and interests (e.g. patents, copyrights), upon receipt of income related to such rights and interests.
- The occurrence of any reimbursed or sponsored travel (i.e., that which is paid on behalf of the Investigator and not reimbursed to the Investigator so that the exact monetary value may not be readily available).

Notwithstanding the foregoing, the term Significant Financial Interest does not include:

- Salary, royalties, or other remuneration from the University if the Investigator is then employed or otherwise appointed by the University, including intellectual property rights assigned to the University and agreements to share in royalties related to such rights.
- Income from investment vehicles, such as mutual funds and retirement accounts, as long as the Investigator does not directly control the investment decisions made in these vehicles.
- Income from seminars, lectures, or teaching engagements sponsored by a Federal, state, or local government agency, an institution of higher education as defined at 20 U.S.C. 1001 (a), an academic teaching hospital, a medical center, or a research institute that is affiliated with an institution of higher education.
- Income from service on advisory committees or review panels for a Federal, state, or local government agency, an institution of higher education as defined at 20 U.S.C. 1001 (a), an academic teaching hospital, a medical center, or a research institute that is affiliated with an institution of higher education.
- Travel that is reimbursed or sponsored by a Federal, state, or local government agency, an institution of higher education as defined at 20 U.S.C. 1001(a), an academic teaching hospital, a medical center, or a research institute that is affiliated with an institution of higher education

H. Financial Conflict of Interest

A Financial Conflict of Interest means a Significant Financial Interest that could directly and significantly affect the design, conduct or reporting of a Research project covered by this Policy.

I. Research means any systematic investigation, study or experiment designed to develop or contribute to generalizable knowledge relating broadly to public health, including behavioral and social-sciences research. The term encompasses basic and applied research (e.g., a published article, book or book chapter) and product development (e.g., a diagnostic test or drug).

V. Disclosure Requirement

For each Research project application covered under the terms of this Policy, Investigators must fully disclose all Significant Financial Interests (defined above). The Office of Research and Graduate Education will alert the Principal Investigator if any of the Investigators on the project who are required to disclose Significant Financial Interests under the terms of this Policy have not yet submitted the required disclosure to the Office of Research and Graduate Education. Either the Principal Investigator or the Office of Research and Graduate Education will then contact the Investigator to remind him or her that all required disclosures must be made by the time the proposal is submitted to the prospective funding agency.

VI. Initial Disclosure and Updates to Information

Each Investigator shall make written disclosure, in the form annexed hereto as Exhibit II, to indicate whether the Investigator has a Significant Financial Interest that is related to Institutional Responsibilities, as those terms are defined above. Initially, the disclosure statement must be attached to the Pre-Submission Grant Proposal Clearance Form (Exhibit I). Updated disclosure statements must also be submitted to the Office of Research and Graduate Education on an annual basis. The Office of Research and Graduate Education will send out requests to update the disclosure at the beginning of each calendar year. In addition, throughout the period of a Research Project covered by this Policy, (a) an Investigator who is new to the Research project must file a disclosure statement prior to commencing work on the project, and (b) any Investigator must submit a disclosure statement within 30 days after a new Significant Financial Interest is discovered or obtained that has not previously been disclosed at the time of the initial submission or in an annual update.

Each of the required disclosure statements must:

- a. Indicate whether the Investigator has any Significant Financial Interests related to his/her Institutional Responsibilities;

- b. Provide the name of each entity in or with which the Investigator has a Significant Financial Interest and the type of the financial interest (e.g., remuneration, equity, intellectual property, or reimbursed travel);
- c. Indicate, for remuneration interests and equity interests, the aggregate value of such interests; and
- d. Indicate, for reimbursed travel, the purpose of the trip, the identity of the sponsor, the destination, and the duration.

VII. Review of Disclosures

Each disclosure shall be reviewed by the URO to determine whether

- a. any reported Significant Financial Interests are related to the Research project (for purposes of this Policy, a Significant Financial Interest is related to Research if the URO reasonably determines that the Significant Financial Interest could be affected by the Research or is in an entity whose financial interest could be affected by the Research) and,
- b. if related, determine whether any reported Significant Financial Interests create a Financial Conflict of Interest.

If the URO determines that there is no reasonable basis on which to conclude that a reported Significant Financial Interest is related to a Research project or is related but does not constitute a Financial Conflict of Interest, the URO will make a record of this finding, following which the project can proceed.

In the event that either the Investigator or the URO concludes that a reported Significant Financial Interest is related to a Research project and constitutes a Financial Conflict of Interest, the URO shall consult with University Counsel and other appropriate University officials. The URO may (but shall not be required to) also convene and consult with an ad hoc committee comprised of faculty members and other appropriate University officials as the URO shall determine. Before the URO reaches a final determination as to whether a Financial Conflict of Interest exists, the affected person shall be given the opportunity to provide information to the URO and the ad hoc committee, if one is appointed, with respect to the Significant Financial Interest (including its relation to the Research project and whether it constitutes a Financial Conflict of Interest). The URO and/or the ad hoc committee may also meet with other individuals whom the URO believes may have relevant information.

When an Investigator has a Financial Conflict of Interest, the URO may determine that the Research project may not proceed. Alternatively, the URO may impose special conditions or restrictions to manage or eliminate the Financial Conflict of Interest. Investigators may also be asked to make recommendations about how to manage or eliminate the Financial Conflict

of Interest. Conditions or restrictions that may be imposed to manage or eliminate Financial Conflicts of Interest include, but are not limited to:

- a. Public disclosure of the Significant Financial Interest(s) (e.g., disclosure of the interest in connection with publications or presentations arising from the Research project);
- b. For Research projects involving human subjects, disclosure of the Significant Financial Interest(s) directly to participants;
- c. Monitoring of the Research project by independent reviewers;
- d. Modification of the Research or project plan;
- e. Change of personnel or personnel responsibilities, or disqualification from participation in all or a portion of the Research project;
- f. Divestiture of the Significant Financial Interest(s); and/or
- g. Severance of relationships that create the Financial Conflict of Interest.

The review of the initial disclosure(s) and adoption of conditions or restrictions to manage or eliminate any Financial Conflict of Interest disclosed therein must be completed prior to the University's expenditure of any award funds.

In the event that during the course of an ongoing Research project, an Investigator who is new to a Research project discloses a Significant Financial Interest, or an existing Investigator discloses a new Significant Financial Interest, the URO, within 60 days, will review the Significant Financial Interest, determine whether it is related to the Research project, determine whether a Financial Conflict of Interest exists, and if so, implement a management plan, at least on an interim basis, to manage or eliminate the Financial Conflict of Interest.

In the event the University identifies a Significant Financial Interest that was not disclosed timely by an Investigator or, for whatever reason, was not previously reviewed in accordance with this Policy, the URO shall, within 60 days, review the Significant Financial Interest, determine whether it is related to the Research project, determine whether a Financial Conflict of Interest exists, and if so, implement a management plan, at least on an interim basis, to manage or eliminate the Financial Conflict of Interest. In addition, whenever a Financial Conflict of Interest is not identified or managed by the University in a timely manner (including failure by an Investigator to disclose a Significant Financial Interest that is determined by the University to constitute a Financial Conflict of Interest, failure by the University to manage such a Financial Conflict of Interest, or failure by an Investigator to comply with a Financial Conflict of Interest management plan), the University shall, within 120 days after its determination of noncompliance, complete a retrospective review of the Investigator's activities and the Research project to determine whether the Research was (in whole or in part) biased in design, conduct or reporting.

VIII. Reporting

Prior to the University's expenditure of any funds from an award in support of a Research Project subject to this Policy, the University shall provide the funding agency with an initial Financial Conflict of Interest report ("FCOI Report"), in such form and substance as required by the funding agency, containing details of each Financial Conflict of Interest that has not been eliminated.

If, during the course of a Research project, the University identifies a Financial Conflict of Interest for existing or newly participating Investigators, a FCOI Report confirming implementation of a management plan must be filed with the funding agency within 60 days. In addition, where the FCOI Report involves a Significant Financial Interest that was not disclosed timely by an Investigator or, for whatever reason, was not previously reviewed in accordance with this Policy, and if bias is found to have occurred based upon the retrospective review conducted pursuant to Section VII, the University shall notify the funding agency promptly following completion of the retrospective review, and shall submit a mitigation report including a description of the impact of the bias on the Research project, the University's actions taken to eliminate or mitigate the effect of the bias, the extent of harm done, and an analysis of whether the Research project is salvageable.

For so long as a Research project is ongoing, the University shall update its FCOI Reports with respect to the project on an annual basis, in the time and manner specified by the funding agency, to address the status of the reported Financial Conflict(s) of Interest and to disclose any changes to the management plan implemented by the University.

Details of each existing Financial Conflict of Interest of Senior/Key Personnel shall be made available to the public by posting on a publicly accessible Web site or provided on a per-request basis to requestors within five business days. Information made available pursuant to the preceding sentence shall include, at a minimum: the Investigator's name; the Investigator's title and role with respect to the Research project; the name of the entity in or with which the Investigator has the Significant Financial Interest constituting a Financial Conflict of Interest; the nature of the Significant Financial Interest; and the approximate dollar value of the Significant Financial Interest (if readily determinable). For purposes of the preceding sentence, "Senior/Key Personnel" include the project director or principal Investigator, and any other person identified as senior/key personnel by the University in the application, progress report, or any other report submitted to the funding agency.

IX. Investigator Training

Prior to beginning work on a Research project subject to this Policy, an Investigator will complete training with respect to this Policy, his/her obligations to disclose Significant

Financial Interests, and applicable federal regulatory requirements, and inform the URO of the date the training was completed. Training must be updated at least every 4 years and if any of the following occurs:

- The University revises this Policy in a manner that affects Investigator obligations; or
- The University finds that the Investigator is not in compliance with this Policy or a management plan implemented hereunder.

X. Sanctions

Federal regulations may require that violations of this Policy be reported to federal sponsors. A sponsor may suspend or terminate the award and/or debar an Investigator from receiving future awards in the event of failure to comply with applicable federal regulations on disclosure, review and management of Significant Financial Interests related to federally sponsored projects. In addition, violators of this Policy may be subject to University sanctions.

XI. Subrecipient Compliance

If the University carries out research subject to this Policy through a subrecipient (e.g., a subcontractor or consortium member), the University shall incorporate as part of a written agreement with the subrecipient terms that establish whether this Policy or the financial conflicts of interest policy of the subrecipient will apply to the subrecipient's Investigators. If the subrecipient's Investigators must comply with the subrecipient's financial conflicts of interest policy, the subrecipient shall certify as part of the agreement that its policy complies with applicable federal regulatory requirements (including without limitation 42 CFR Part 50 and 45 CFR Part 94). If the subrecipient cannot provide such certification, the agreement shall state that subrecipient Investigators are subject to this Policy. Additionally, the agreement shall specify time period(s) for the subrecipient to report all identified Financial Conflicts of Interest (whether identified pursuant to this Policy or the subrecipient's policy), which time frames shall be sufficient to enable the University to provide timely FCOI Reports in accordance with this Policy.

XII. Responsibilities and Administration

The University Director for Research and Graduate Education, or his/her designee, shall be responsible for implementing this Policy and monitoring compliance in consultation with the Provost. The Provost, University Director for Research and Graduate Education, Director for Sponsored Research, Executive Vice President and Chief Financial Officer and Treasurer, and the Director for Grant Compliance and Reporting, within their respective areas of responsibility, may issue guidelines, implementing procedures, and supplementary forms, as appropriate, consistent with this Policy and applicable sponsor regulations.

Records regarding disclosures, the URO's determinations, ad hoc committee's recommendations, and University actions regarding management of a Financial Conflict of Interest must be retained in the SRED office until the later of (a) three years beyond the termination or completion of an award in support of a Research project covered by this Policy, (b) resolution of any action by the funding agency involving the Research project(s) to which the records pertain, (c) conclusion of any litigation, claim, financial management review, or audit with respect to the Research project(s) to which the records pertain, or (d) the date otherwise provided by University policy.

Copies of guidelines, procedures, and forms shall be provided by the University Director for Research and Graduate Education.

PROPOSAL CLEARANCE FORM

DR. SONIA SUCHDAY, UNIVERSITY DIRECTOR FOR RESEARCH AND GRADUATE EDUCATION

PHONE: (212) 346-1092 ♦ EMAIL: SSUCHDAY@PACE.EDU

EMAIL: SponsoredResearch@pace.edu

INSTRUCTIONS

- The Proposal Clearance Form is used to obtain approval for a Principal Investigator (PI) to conduct externally funded research/projects at Pace University. The Proposal Clearance Form must be signed by the Chair, Dean and University Director for Research and Graduate Education prior to any proposal submission to an external agency or foundation.
- In addition, submissions to NIH, NSF, DoD, USDA, other PHS agencies, and some private funders/sponsors require the [financial conflict of interest form](#) to be filled out, [CITI COI Certification](#), and/or [CITI Research Security Training Certification](#).
- Please send your completed Proposal Clearance Form, along with the project description/abstract, budget, and, if required, any required certification(s), to Elina Bloch (ebloch@pace.edu) and Eric Torres (etorres@pace.edu).

PRINCIPAL INVESTIGATOR (PI) INFORMATION, CO-PI, or SR. KEY PERSONNEL

	NAME	ROLE	DEPARTMENT	SCHOOL	PHONE/CELL	EMAIL
1.		PI				
2.						
3.						
4.						
5.						
6.						
7.						

PROPOSAL INFORMATION

Title	
Funding Agency	
Submission Deadline (Date and Time)	
Program Announcement Webpage/URL	

TYPE OF APPLICATION	<input type="checkbox"/> Letter of Intent/Inquiry	<input type="checkbox"/> Preliminary Proposal/Concept Paper
	<input type="checkbox"/> Proposal	<input type="checkbox"/> Resubmission

PRIOR COMMUNICATION	<input type="checkbox"/> Funder Invited Submission	<input type="checkbox"/> Outreach to Program Officer
	<input type="checkbox"/> Not Applicable	<input type="checkbox"/> Other:

PROJECT DATES	Start Date		End Date	
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PURPOSE	<input type="checkbox"/> Research	<input type="checkbox"/> Training	<input type="checkbox"/> Fellowship
	<input type="checkbox"/> Instruction	<input type="checkbox"/> Program Development	<input type="checkbox"/> Conference
	<input type="checkbox"/> Equipment	<input type="checkbox"/> Other:	

MECHANISM	<input type="checkbox"/> Grant	<input type="checkbox"/> Contract	<input type="checkbox"/> Subcontract	<input type="checkbox"/> Cooperative Agreement
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<i>Please be sure to attach the detailed budget.</i>		Year 1 Budget ONLY		Total Budget (All Years)
	Total Direct Costs	\$		\$
	Indirect Costs	\$		\$
	Total Project Costs	\$		\$

	<input type="checkbox"/> Pace University On-Campus Rate	<input type="checkbox"/> Pace University Off-Campus Rate
	<input type="checkbox"/> Granting Agency does not allow indirect costs.	
	<input type="checkbox"/> Granting Agency Capped Indirect rate to :	

COST SHARING INCLUDED	<input type="checkbox"/> Yes		<input type="checkbox"/> No (if no skip to next section)	
COST SHARING AMOUNT			COST SHARING TYPE	<input type="checkbox"/> Voluntary
				<input type="checkbox"/> Mandatory
SOURCE OF COST SHARING	<input type="checkbox"/> In-Kind Match	<input type="checkbox"/> Matching from partner/collaborator		
	<input type="checkbox"/>	Matching Funds. If so, which Index:		
COST SHARING COMMENTS OR DETAILS				

WILL YOUR PROJECT INCLUDE ANY OF THE FOLLOWING	<input type="checkbox"/> Human Subjects	<input type="checkbox"/> Animals	<input type="checkbox"/> Biohazards
	<input type="checkbox"/> Subcontracts	<input type="checkbox"/> New Academic Programs	<input type="checkbox"/> New or Renovated Facilities
	<input type="checkbox"/> Equipment Purchase (requiring installation and/or maintenance costs)		

DOES THE PROJECT INVOLVE HIRING PERSONNEL?	<input type="checkbox"/> Undergraduate	<input type="checkbox"/> Graduate
	<input type="checkbox"/> Post-Doc (number of students and hours per week):	
	<input type="checkbox"/> Other Personnel / Professional:	

TIME & EFFORT INFORMATION (Funded & Matched Only)

NAME	IS THIS FUNDED OR MATCHED	FACULTY ACADEMIC YEAR % TIME / # MONTHS	FACULTY SUMMER % TIME / # MONTHS	STAFF EXTERNAL FUNDING % TIME / # MONTHS

SIGNATURES

Please leave the signature fields empty. (All signatures will be obtained via Adobe Sign). Provide the name of your chair and dean in the appropriate name field below so that we may send this form out for signatures.

» PRINCIPAL INVESTIGATOR CERTIFICATION

Name: _____ Signature: _____ Date: _____

Name: _____ Signature: _____ Date: _____

Name: _____ Signature: _____ Date: _____

Name: _____ Signature: _____ Date: _____

Name: _____ Signature: _____ Date: _____

Name: _____ Signature: _____ Date: _____

Name: _____ Signature: _____ Date: _____

Principal Investigator (PI), Co-PI, or Sr. Key Personnel

As Principal Investigator (PI) / Co-PI, or Sr. Key Personnel, I certify that the information provided in this form is accurate. I will not be devoting more than 100% of my regular contractual time to the total of my teaching, sponsored research/training, and administrative duties. I understand that sponsored research/training is subject to Pace's Intellectual Property/Copyright Policy and Lobbying Policy. In accordance with Section 10632 of the CHIPS and Science Act of 2022 (42 U.S.C. § 19232), as a senior/key person I certify that I am not a party to a malign foreign talent recruitment program.

» **DEPARTMENT CHAIR / SUPERVISOR**

Name: _____ Signature: _____ Date: _____

Name: _____ Signature: _____ Date: _____

Name: _____ Signature: _____ Date: _____

Name: _____ Signature: _____ Date: _____

Name: _____ Signature: _____ Date: _____

Name: _____ Signature: _____ Date: _____

Name: _____ Signature: _____ Date: _____

Department Chair / Supervisor

As Department Chair, I certify that this proposal is not in conflict with assigned duties of the Principal Investigator (PI), Co-PI, or Sr. Key Personnel and commits department resources as outlined above.

» **DEAN or DEANS EQUIVALENT (e.g. EVP,VP, or AVP or designated sign-off)**

Name: _____ Signature: _____ Date: _____

Name: _____ Signature: _____ Date: _____

Name: _____ Signature: _____ Date: _____

Name: _____ Signature: _____ Date: _____

Name: _____ Signature: _____ Date: _____

Name: _____ Signature: _____ Date: _____

Name: _____ Signature: _____ Date: _____

Dean or Deans Equivalent

As Dean, I certify that this proposal is consistent with College goals and commits college resources as outlined above.

» **UNIVERSITY DIRECTOR FOR RESEARCH AND GRADUATE EDUCATION**

Signature: _____ Date: _____

Sonia Suchday, Ph.D.

University Director for Research and Graduate Education

Authorized Organizational Representative (AOR)

As AOR, I certify that this proposal is consistent with University policy and procedures and in accordance with Section 10632 of the CHIPS and Science Act of 2022 (42 U.S.C. § 19232), I certify that all individuals identified as senior/key personnel have been made aware of and have complied with their responsibility under that section to certify that the individual is not a party to a malign foreign talent recruitment program.