

U.S. Sponsored Projects Administration Bonn - March 2016

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Broad Institute of MIT and Harvard Established 2009



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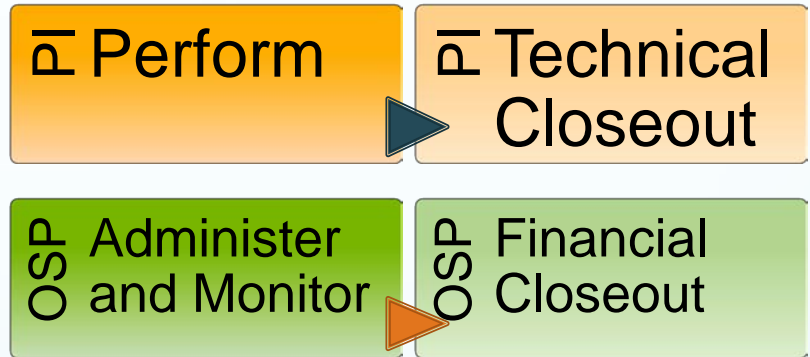
Broad Institute Office for Sponsored Research

- Whether it's mapping the human genome, advancing cancer therapeutics, or paving the way for new discoveries in psychiatric disease, every important research activity requires an administrator to help manage the process.
- Research administrators help make your research possible. Working together, from concept to proposal to award and through all aspects of award management, we will succeed in transforming medicine through cutting-edge research.

Overview of Topics

- ❖ Introduction
- ❖ Terminology
- ❖ Finding funding
- ❖ Proposal Development
- ❖ Negotiation
- ❖ Uniform Guidance
- ❖ Award Management
- ❖ Financial Issues

The Grants Process



Why Sponsored Programs?

- The Institution's Perspective
 - ❖ Attract the best faculty and students
 - ❖ Train future scientists and teachers
 - ❖ Build infrastructure
 - ❖ Develop an educated citizenry
 - ❖ Enhance reputation and rankings
 - ❖ Offer service to society

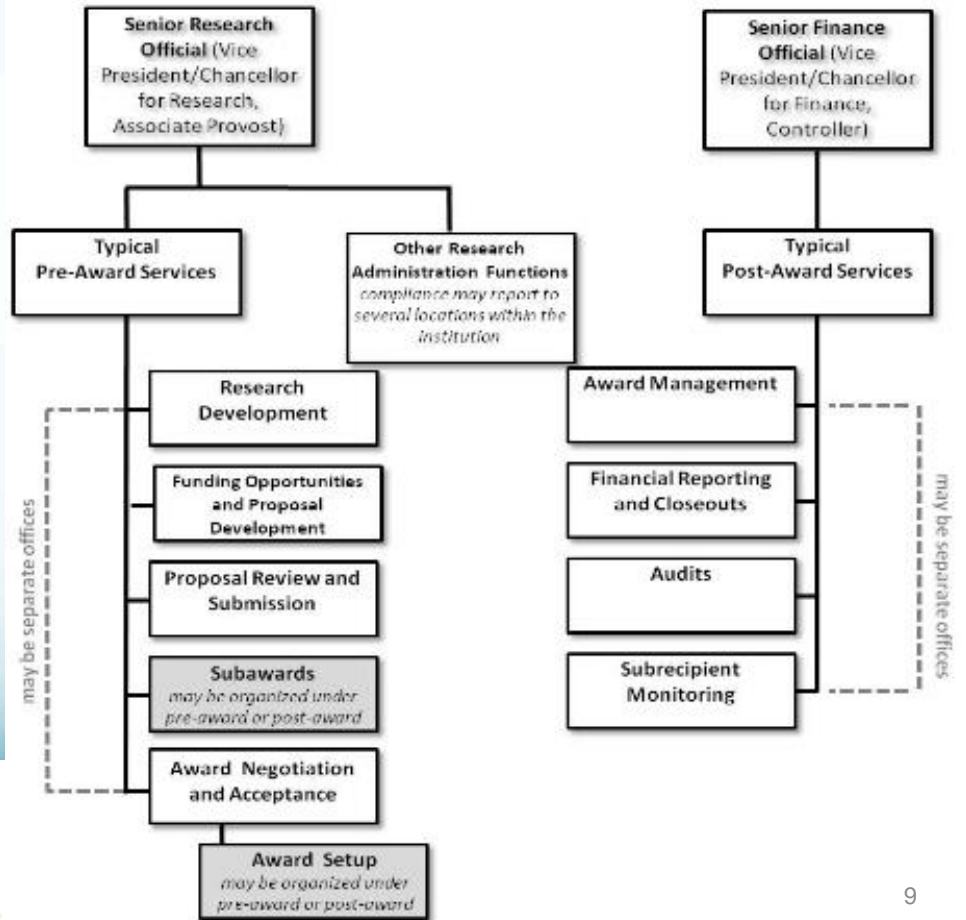
Why Sponsored Programs?

- The Faculty Perspective
 - ❖ Fund projects of personal interest
 - ❖ Stay on cutting edge of discipline
 - ❖ Attract better students
 - ❖ Promotion, tenure, reputation
 - ❖ Control own destiny
 - ❖ Intellectual curiosity

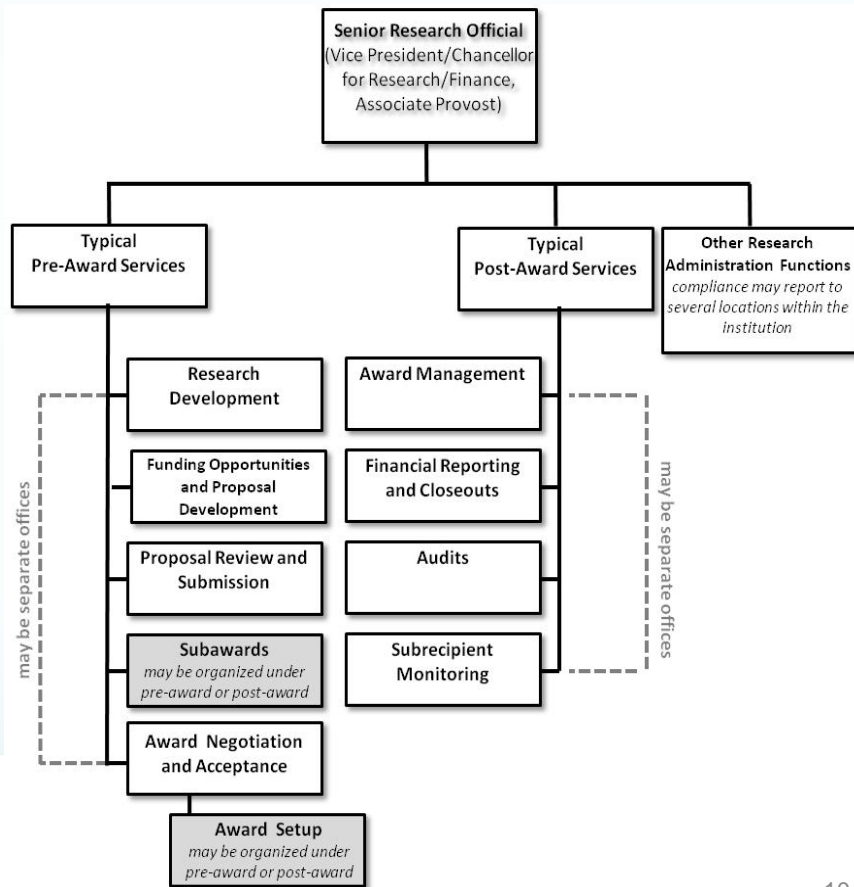
Organizational Structure

- Structure is an expression of intent
 - ❖ Org chart demonstrates emphasis
 - ❖ Reflection of available resources
 - ❖ Highly subject to institutional politics and historical patterns
- Two common structures

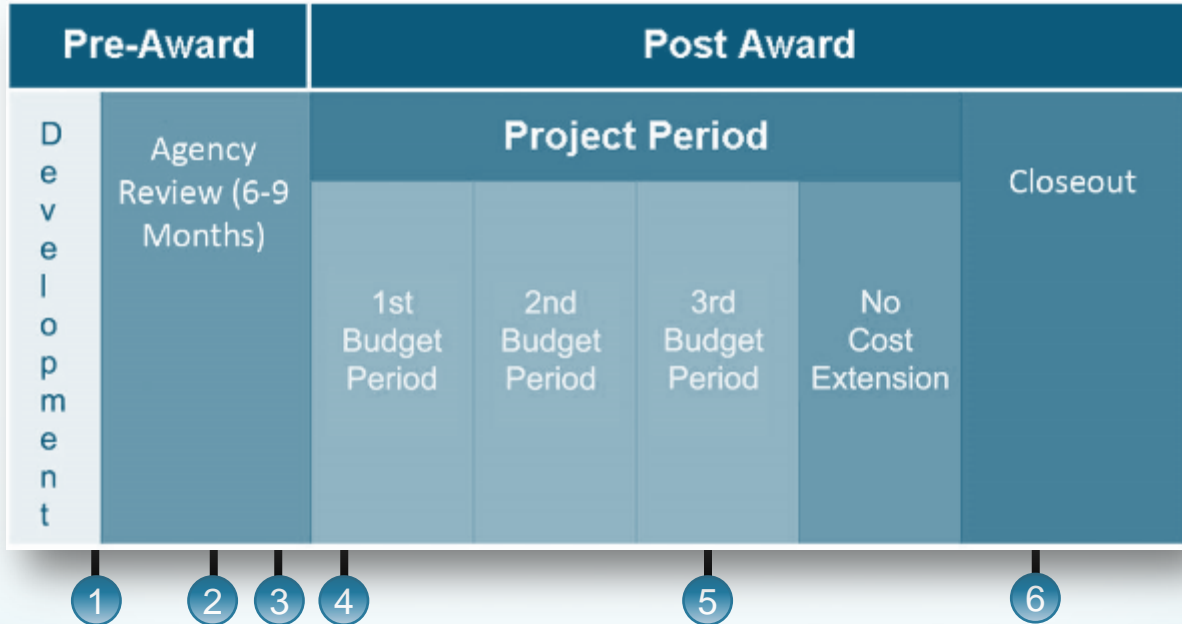
Traditional Structure of Research Administration



Common Unified Model for Research Administration



Lifecycle of a Proposal/Award



1. Submit Proposal
2. Revised Budget
3. Pre-award Costs
4. Award
5. Renewal/Competing
6. Final Reports

Grants Management Terminology

Roles and Responsibilities

- Principal Investigators:
 - ❖ Responsible for science & day-to-day management of project.
 - ❖ Responsible for project's technical, financial, and administrative compliance.
 - ❖ Usually a single individual, although there may be multiple PI's for team science projects.

The Principal Investigator

- PI works with institutional officials to:
 - ❖ Create & maintain award documentation, including technical & administrative reports
 - ❖ Prepare budget and justification
 - ❖ Ensure appropriate acknowledgement of sponsor support in publications, announcements, etc.
 - ❖ Comply with organizational and sponsor requirements.

Grantee Organization

- Recipient of the funds
- Institution not PI
- Responsible and accountable for the use of funds and for the project's technical performance.
- Must possess institutional infrastructure to assure compliance with all applicable policies, Federal statutes and regulations.

Authorized Institutional Official

- Designated representative of grantee organization in all matters related to the award.
- Signature of this official is required for all official correspondence to sponsor.

AOR, SO, AIO...LEAR

- This Official's signature on a grant application or contract proposal
- Certifies applicant institution will comply with all applicable assurances & certifications referenced in the application.
- Assures applicant institution will be accountable for the appropriate use of funds and performance of grant-supported project.
- Attests that all information contained in the application is true, complete & in conformance with sponsor and institutional requirements.

Terms You Should Know

Direct Cost

- Costs that can be identified specifically with a particular sponsored project relatively easily with a high degree of accuracy

F&A (Indirect Cost)

- Costs that are incurred for common or joint objectives and therefore cannot be identified readily and specifically with a particular project

Basic US Grants Terminology

- Indirect Costs/Overhead/F&A
 - ❖ Costs incurred for common or joint objectives that cannot be readily identified with a specific project.
 - ❖ Includes, but is not limited to, building-related expenses, operations and building maintenance, utility costs, library expenses, and general administrative costs

Basic US Grants Terminology

- Key Personnel: Investigators with measurable effort considered to be of primary importance to the successful conduct of the project.
- Other Significant Contributors: Investigators committed to the project with no measurable effort.
- Other Support: All financial resources providing direct support to an Investigator's research endeavors. Includes research grants, contracts, cooperative agreements and institutional awards. Excludes prizes and gifts.
- Notice of Grant Award: NoGA or NGA

Types of Sponsored Projects

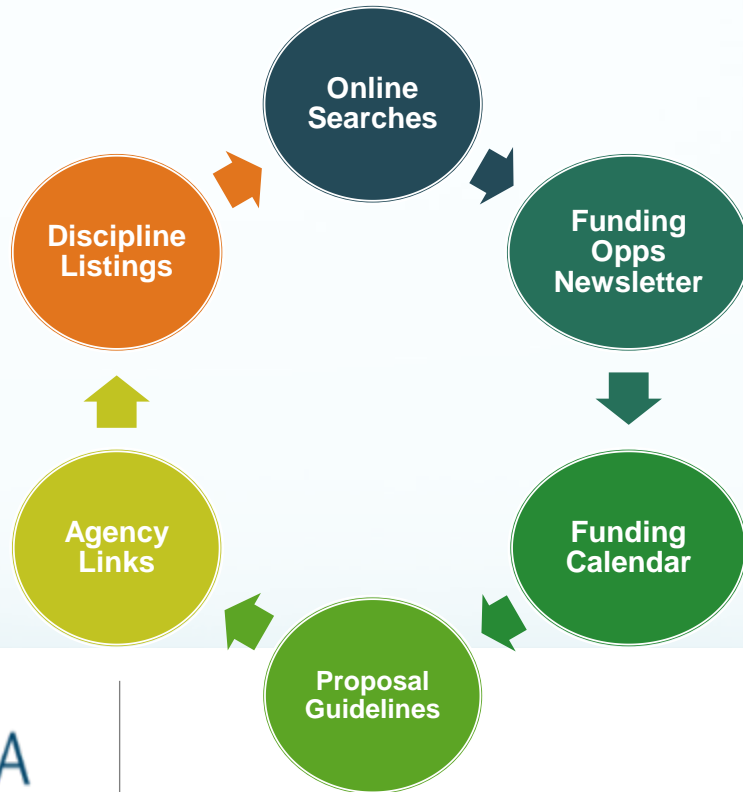
- Grant: a financial assistance mechanism whereby funds or equipment is provided to carry out an approved set of activities.
- Contract: a mechanism for the procurement of a product or service with specific obligations for both sponsor and recipient. They may include restrictive terms, usually specified in the RFP, and require deliverables.
- Cooperative Agreement: similar to grants, but typically involve a significant level of sponsor participation.

Types of Sponsored Projects, cont.

- Subaward or Subcontract: a special category of sponsored projects that may be made under a grant, contract or cooperative agreement and refers to work to be carried out at one or more than one institution.
- A subcontract relationship is described in the proposal but not executed until after the award has been made to the organization submitting the primary proposal.

Finding U.S. Funding

Identifying Funding Opportunities



Pre-Award: Cultivate Relationships

Institution Host
Regional
Seminars

Assist
Faculty
Meetings with
Sponsor

Faculty should
Participate in
Professional
Organizations

Invite Sponsor
Reps to
Campus

Encourage
Faculty to
Serve as Peer
Reviewers

Invite Faculty to
Attend Meetings
where Sponsors
will be Present

Inside Philanthropy



Science Philanthropy Alliance

The advertisement for Foundation Maps features a world map with numerous orange circles of varying sizes placed over different geographical locations, representing funding activity. A blue diamond-shaped logo composed of smaller diamonds is positioned to the left of the text. The text "FOUNDATION MAPS" is in a large, bold, blue font, with "a service of Foundation Center" in a smaller blue font below it. Further down, the text "See who is funding what and where around the world" is displayed in a dark blue font. At the bottom, there are two buttons: a blue button with white text that says "Try It Free" and a white button with a blue border and blue text that says "Learn More".

FOUNDATION MAPS
a service of Foundation Center

See who is funding what and where around the world

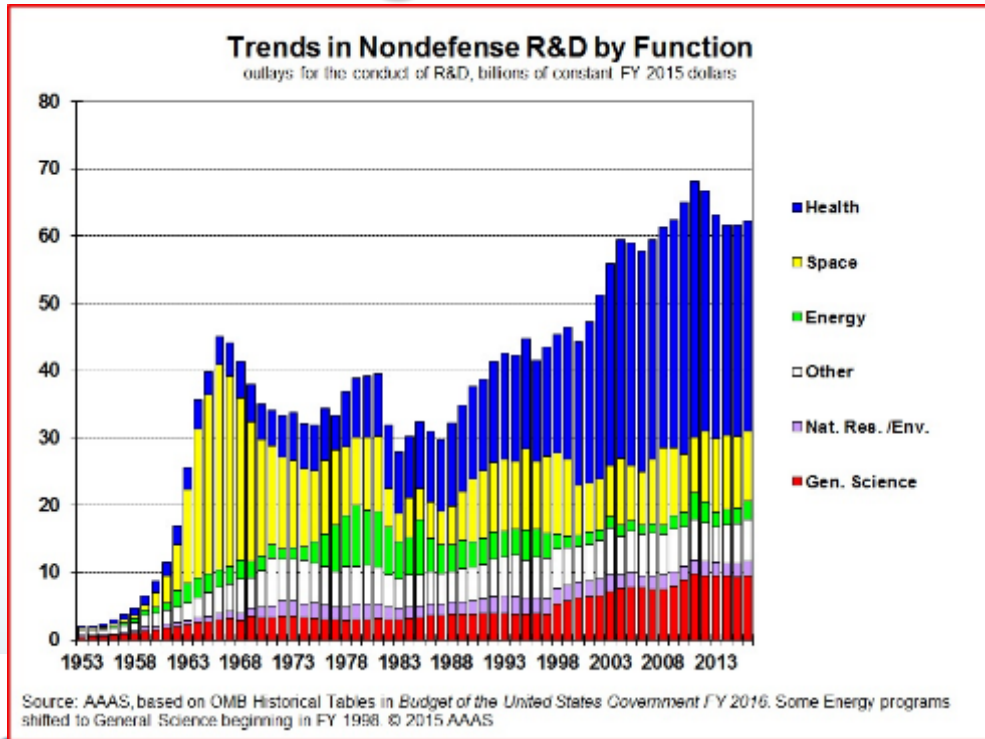
[Try It Free](#) [Learn More](#)

SEARCH!

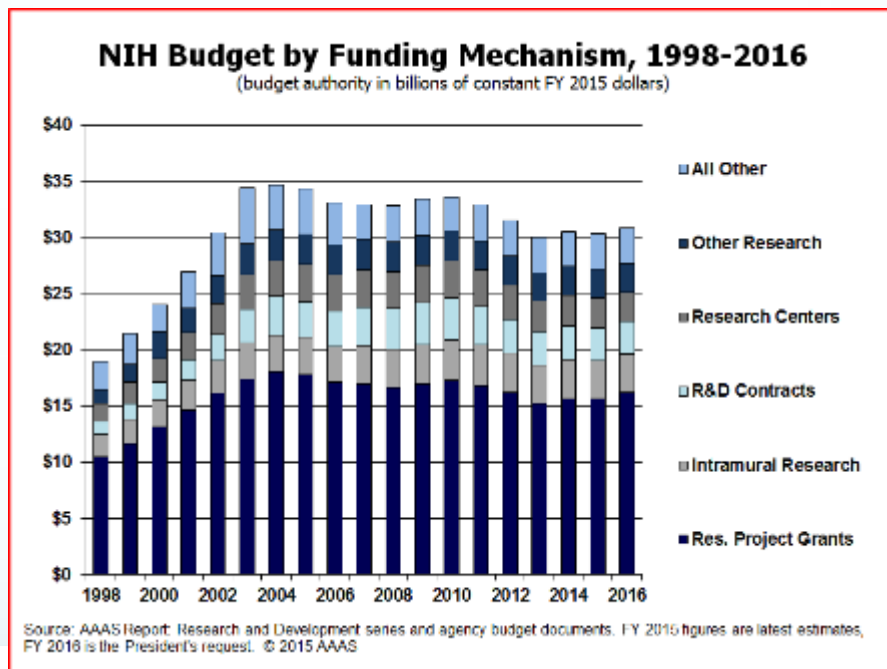


- Search over 3.5 million grants, 38,000 foundations, and 350,000 recipients.
- See more at:
<http://maps.foundationcenter.org/home.php>

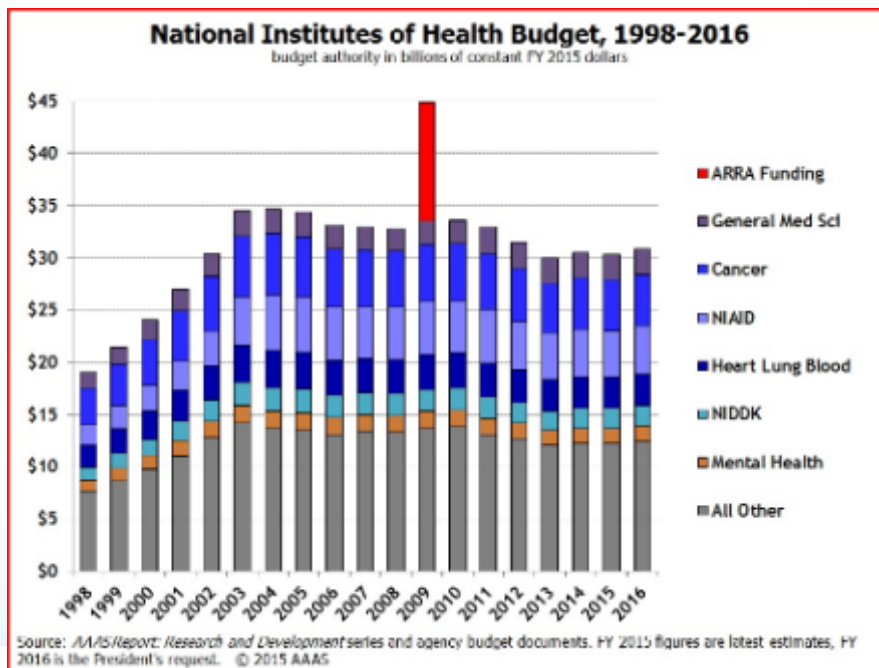
NIH Funding Trends



NIH Budget by Mechanism



NIH Budget by Institute



Funding Mechanisms

ASSISTANCE

•GRANT

- Funding is being provided to the recipient to carry our research or another activity for the public good
- No substantial involvement is anticipated between the government and the recipient
- Project idea usually originated with applicant

•COOPERATIVE AGREEMENT

- Roughly the same as a grant except the idea may or may not originate with the applicant
- Substantial involvement between the government agency and the recipient is expected throughout the activity.
- Both have CFDA numbers

PROCUREMENT

•CONTRACT

- The principal purpose of the agreement is to acquire property or services for the direct benefit of the federal agency
 - Extensive involvement between the agency and the recipient is expected throughout the activity
- No CFDA Number

Finding Funding Opportunities

US/Federal Opportunities:

FED BIZ OPS

<http://www.fedbizopps.gov/>

Grants.gov

http://www.grants.gov/applicants/find_grant_opportunities.jsp

Funding Information On-line

<p>Pivot IRIS SPIN GrantSelect</p>	<ul style="list-style-type: none">◆ Searchable databases of funding opportunities, create profile◆ Institutional subscription◆ Unlimited access◆ Ability to develop individual profile (matches delivered via e-mail)
<p>Grants.gov</p>	<ul style="list-style-type: none">◆ Searchable database of federal funding opportunities◆ E-mail notification of funding opportunities based on profile
<p>FedBizOpps</p>	<ul style="list-style-type: none">◆ Single government point-of-entry for federal government procurement (over \$25K)◆ No subscription fees◆ Unlimited access

Announcements of Opportunities

Sponsor funding announcements for **unsolicited** proposals:

- **PA:**
Program Announcement
- **FOA:**
Funding Opportunity Announcement (*NIH*)
- **RFA:**
Request for Application

• **Where announced:**

- Grants.gov
- Sponsor websites and/or publications
- Federal Register
- Proprietary databases and newsletters

• **Response required:**

- Proposal or application

• **Award mechanism**

- Grant or cooperative agreement

Where do we start?

View Opportunity | GRANTS.GOV - Google Chrome

www.grants.gov/news-opportunity.html?oppid=2004339

Office of the Vice President for Research and Innovation

GRANTS.GOV

SEARCH: Grant Opportunity | Enter Keyword

HOME | ABOUT | AWARD NUMBER | APPLICATION | TRACKING | SYSTEM TO SYSTEM | CONTACT | CUSTOMER SUPPORT

VIEW GRANT OPPORTUNITY

NOAA-OAR-SG-2015-2004339

Fiscal Year 2015 NMFS-Sea Grant Fellowships in Population and Ecosystem Dynamics

Department of Commerce

SYNOPSIS DETAILS | VERSION HISTORY | FULL ANNOUNCEMENT | APPLICATION PACKAGE

The synopsis for this opportunity is displayed below, including the abstract. The synopsis contains all other information that is available to the public. If you would like to receive notifications of changes to the grant opportunity, click [send me change notification emails](#). The only thing you need to provide for us is your email address. No other information is required.

If any inconsistency between the original printed document and the electronic document shall be resolved by giving precedence to the printed document.

General Information

Document Type:	Grant Notice	Posted Date:	Oct 9, 2014
Funding Opportunity Number:	NOAA-OAR-SG-2015-2004339	Creation Date:	Oct 9, 2014
Funding Opportunity Title:	Fiscal Year 2015 NOAA-Sea Grant Fellowships in Population and Ecosystem Dynamics	Original Closing Date for Applications:	Jan 29, 2015
Opportunity Category:	Discretionary	Current Closing Date for Applications:	Jan 29, 2015
Funding Instrument Type:	Cooperative Agreement	Archive Date:	Feb 26, 2015
Categories of Funding Activity:	Sea Grant Marine Research Scientific Technology and other Research and Development	Estimated Total Program Funding:	\$500,000
Category Exclusion:		Award Ceiling:	\$50,000
Peacocks Number of Awards:	0	Award Floor:	\$10,000
CFDA Number(s):	11.417 - Sea Grant Support		
Cost Sharing or Matching Requirement:	Yes		

History

Eligible Applicants: (more jobs will be added. Additional information on eligibility for applicants)

Additional Information on Eligibility: Prospective Fellows must be United States citizens. At the time of application, prospective Population and Ecosystem Dynamics Fellows must be admitted to a PhD degree program in population dynamics, ecosystem dynamics, or related field such as wildlife biology, fisheries, natural resource management, marine biology, sustainability, carbon cycle or biogeochemistry, applied statistics, or simulation modeling and utilization of water resources in the United States or its territories, or submit a top-level letter from the institution indicating preference for a PhD degree program conditions or existing track record in population and ecosystem dynamics. Applications must come from Sea Grant programs and must be submitted through www.Grants.gov.

Additional Information

Agency Name: Department of Commerce

Description: The Fellowship Program awards to states at least one Sea Grant Fellowship in 2015 to students who are interested in careers related to marine ecosystem and population dynamics, with a focus on modeling and managing systems of living marine resources. The stipend will be on the development and implementation of quantitative...

With a funding opportunity!

Key Elements of FOA's

- Funding Opportunity Announcements
 - ❖ Purpose
 - ❖ Deadline
 - ❖ Research Objectives
 - ❖ Award mechanism
 - ❖ Funds available
 - ❖ Institutional &/or PI eligibility
 - ❖ Application requirements
 - ❖ Review criteria
 - ❖ Possible limit of applications from institution
 - ❖ Special terms and conditions

Types of FOA's

- NIH Program Announcement (PA)
- A special announcement to stimulate applications in a high priority or special area
 - ❖ Applications treated as unsolicited
 - ❖ Follow common receipt dates
 - ❖ Follow standard review procedures

Types of FOA's

- Request for Applications (RFA): targeted solicitation in a well-defined area.
 - ❖ One time competition
 - ❖ Specific & possibly unique application requirements.
 - ❖ Different deadlines
- Request for Proposals (RFP): solicitation for a specific contract opportunity in a well-defined area.
 - ❖ Includes terms and conditions applicable to the award, proposal format, deliverables, contract type, etc.

Types of FOA's

- Broad Agency Announcement (BAA):
 - ❖ An announcement of a Federal agency's general research interests that invites proposals and specifies the general terms and conditions under which an award may be made.
 - ❖ Not considered a formal solicitation.

Proposal Development

Basic Application Components

- Cover sheet
- Abstract or project summary
- Statement of work
- Budget
- Budget Justification

Basic Application Components, cont.

- Biosketch
- Current & Pending Support
- Required Approvals
- Resources
- Checklist

Statement of Work

- Specific Aims: should answer questions about the research being proposed.
- **Why** is this research being studied?
- **Who** will be studied?
- **What** will be studied?
- **How** will it be studied?
- **When** will it be studied?
- **Where** will it be studied?

Statement of Work 2

- Background and Significance:
 - ❖ Describes state of existing knowledge, including literature and data.
 - ❖ Identifies what the project will accomplish that is missing in the existing knowledge.

Statement of Work 3

- Preliminary Studies:
 - ❖ Describes prior work of the PI and collaborators relevant to the proposal and the preliminary data, experience, and capabilities of the Investigators.
- Research Design and Methods:
 - ❖ Overview of the study plan - Hypothesis -Methods -Phases - Measurement

Proposal:

Planning, Developing, Submitting

Encourage preparation of preliminary proposals

Facilitate contact with potential Sponsors

Provide proposal preparation guides and tools

Offer targeted workshops

Interpret proposal guidelines

Assist with proposal submission

Preliminary Proposals

Concept Paper
White Paper
Letter of Inquiry
Letter of Intent to Propose

Typical Length: 3-5 Pages
Typical Format:
Cover Letter and
Proposal

- Research topic/area
- Need and purpose statement
- Anticipated results
- Unique Qualifications and Abilities
- Facilities and Resources
- Cost estimate
- Request of a response / Offer to meet

Formal Proposal Components

- Title/cover page
- Abstract
- Narrative
 - Needs/Significance
 - Literature Review
 - Methodology
 - Evaluation
- Personnel Vitae
- Detailed budget with justification

- Facilities/resources available
- Appendices

Formal proposals are constructed according to sponsor guidelines.

Proposal and Budget Development

Who are our Sponsors?

Federal Government

State Government

Foundations

Other Non-Profit Organizations

Industry / For Profit Organizations

Third Party Agreements

Subaward

- Written agreement with third party to obtain substantive programmatic effort under sponsored award
- Sub responsible for programmatic decision making, provision of research/research services, measurable performance and compliance requirements
- *When you issue a subaward, you become the awarding agency*

Purchase Order/Vendor Agreement

- Legally binding agreement
- Engaging external vendor
- Acquisition of goods or services
 - Usually, commercially available
- Normally, handled through Purchasing Department

Consulting Agreement

- Vendor agreement
- Services too urgent, temporary, specialized, or highly technical
- Not issued to obtain substantive programmatic work
- Independent contractor without close supervision
- Usually participate on a work for hire basis
- NOT an employee

Consultant vs. Subrecipient

Questions to ask the PI to distinguish between a consultant or subawardee relationship:

- Did the individual/organization help develop the Scope of Work (SOW)?
- Will the individual/organization independently be responsible for carrying out a portion of the SOW?
- Will the individual/organization likely be a co-author on publications?
- Will the individual/organization own the intellectual property it develops?
- *The more “yes” answers to these questions, the more likely the relationship is that of a subawardee. Likewise, the more “no” answers, the more likely the relationship is that of a consultant or vendor.*

Vendor vs. Subrecipient

Factors to consider in making a determination

- Vendor
 - Provides goods and services within normal business operations
 - Provides similar goods and services to many different purchasers
 - Operates in a competitive environment
 - Provides goods or services that are ancillary to the operation of the Federal program
 - Is not subject to compliance requirements of the Federal program
- Subrecipient (Subaward)
 - Has its performance measured against whether the objectives of the federal program are met
 - Has responsibility for programmatic decision-making
 - Has responsibility for adherence to applicable federal program compliance responsibilities
 - Uses the federal funds to carry out a program of the organization as compared to providing goods and services for a program of the pass-through entity

Subaward Process Requirements

Formal Proposal Stage

- Letter of intent from proposed subrecipient signed by authorized organizational representative (AOR)
 - Statement of work
 - Period of performance
 - Budget and justification of costs
 - Certifications/assurances
- May or may not be incorporated into final proposal

Issuing Subawards

Standard Template Works for Most Grants

- Approved by Office of Science and Technology Policy (OSTP) and Office of Management and Budget (OMB)
- Use of Government-wide core set of administrative requirements
- Meets all requirements of A-110
- Simplifies negotiations
- Improves consistency of terms and conditions
- sites.nationalacademies.org/pga/fdp/pga_063626

Other Considerations

- Flow down special terms and conditions
- Subs under contracts include flow down of FARs
- Clear Statement of Work
- Special deliverables/reports required?
- What do you know about your subrecipient?
- Should you get info about how they do things?

Standard Direct Cost Elements

- Salaries and wages
- Fringe benefits
- Equipment
- Expendable supplies and materials
- Travel

- Subcontracts
- Consultants

- Other
 - Contractual services
 - Tuition Remission

Budget Construction and Review

Salaries and Wages/Fringe Benefits

- Faculty investigators: follow institutional policy on academic year and summer salary
- Postdoctoral Fellows
- Undergraduate and graduate students
- Technical and clerical support, as justified
- Use percent of effort or person-months, not hourly wage
- Fringe Benefits
 - Use correct rates (adjust for annual changes)
 - **Include cost of living, merit, and promotion adjustments*

Budget Construction and Review

Travel

- Adhere to institutional policy and agency guidelines
- Distinguish between domestic and foreign travel
- If foreign travel is sponsored by the federal government, use federal international per diem rates

Equipment

- Be aware of sponsor and institutional differences in definition of equipment (capitalization threshold)
- Be aware of fabrication costs

Other Direct Costs

- Materials and Supplies
- Participant Support Costs
- Other....

Subawards and Consultants

- Subawards / Subcontracts:
 - Proposed costs should be reasonable and allowable
 - Authorized sub representative should sign the sub proposal
- Consultants should sign a letter of confirmation
 - Consultant should sign a confirmatory letter

ASK QUESTIONS to ensure you understand the PI's needs.
Excluding needed costs or mis-categorizing costs can cause problems post award.

Special Budget Considerations for NIH: Salary Limits

NIH salary cap on grants, contracts and cooperative agreements is part of NIH's annual appropriation from Congress

Effective 1/1/15 limitation: \$183,300 per year for 100% effort (tied to Federal Executive Schedule, Level II)

Consultants are exempt, but payments must meet the test of reasonableness

Could be imposed by other sponsors as well

Institutional salary may be supplemented with non-federal funds

NIH Salary Limits

**Proposals reflect actual institutional base salary:
Example**

	Gross	With Cap
Salary	\$225,000	\$185,100
Effort	50%	50%
Requested	\$112,500	\$ 92,550
Benefits (25%)	\$ 28,125	\$ 23,138
F&A (47%)	<u>\$ 66,094</u>	<u>\$ 54,373</u>
Total	\$206,719	\$170,061

Special Budget Considerations for NIH: Modular Grants

Applies to most types of individual awards

Projects cannot request more than \$250K in direct costs in any year

Budget requests are in lump-sum multiples of \$25K (i.e., \$25K, \$50K...\$250K)

Budget presented as total direct costs plus F&A, without detail

NIH web site for Modular Grants:
grants.nih.gov/grants/funding/modular

NIH Modular Grants: Recommended Procedure

Plan budget for direct costs for all years

- Include cost escalation
- Estimate subawards to nearest \$1,000

Divide total by number of years, then round up/down to nearest \$25K

In general, same number of modules should be requested for each year

- Explain variations in number of modules requested (e.g., purchasing equipment in first year)

Budget: Summary of General Points

Include both direct and F&A costs

Should be detailed (at least in first year)

Include only allowable costs

As required, include matching or cost-sharing (if cost-sharing is proposed it should be proportional between direct and F&A)

Certifications, Representations, & Assurances

Other public policy requirements include:

- Lobbying
- Debarment and Suspension
- Delinquent Federal-Debt
- Drug-Free Workplace
- Drug and Alcohol Free Schools
- Trafficking in Persons
- Plus individual agency requirements

Additional Certifications required for contracts

- Procurement Integrity
- Equal Employment Opportunity
- Utilization of Small and Small Disadvantaged Business Concerns
 - >\$650,000 – small business contracting plan required prior to contract award
- Certificate of Current Cost and Pricing Data
- Submit with best and final offer



Certification Signatures

Authorizing Official: Chief Executive or those delegated authority

Supported by internal approvals and signatures: PI, department, dean, business officers

Signature indicates acceptance of requirements

Program guides/forms provide more info on regulatory requirements (including PI responsibilities)

Internal Review Form: Typical Areas Addressed

Intellectual property

Space needs

Renovation requirements

Cost sharing/matching

Human use review and approval

Animal use review and approval

Recombinant DNA review and approval

Conflict of interest

Debarment/suspension

Lobbying

Export control and foreign national restrictions

Checklist for Proposal Review

Page limitations
Type size limitation
All elements of proposal included
Correct rates used
Budget correct
Signatures
Subcontractor commitment letter
All certifications included

If RFP, is exception letter needed?
If foundation/corporation, is it on "restricted" list?
Requirement for state review ascertained
Correct number of copies, deadline date, mailing address
Method of transmittal, packaging instructions
Limitation on number of proposals from institution

Electronic Proposal Submission

Grants.gov

- Currently lists all federal financial assistance opportunities
- Intended to be a common face to the government for submission of financial assistance applications
- Eventually all federal financial assistance applications will be submitted via Grants.gov

NSF FastLane

- Proposal Review
- Proposal Preparation & Submission
- Checking Proposal Status

NIH eRA
Commons

- Electronic Streamlined Noncompeting Award Process (RPPR)

Post-Proposal Submission: Follow Up

Document that proposal has been received and accepted

If requested, check on the status of the proposal

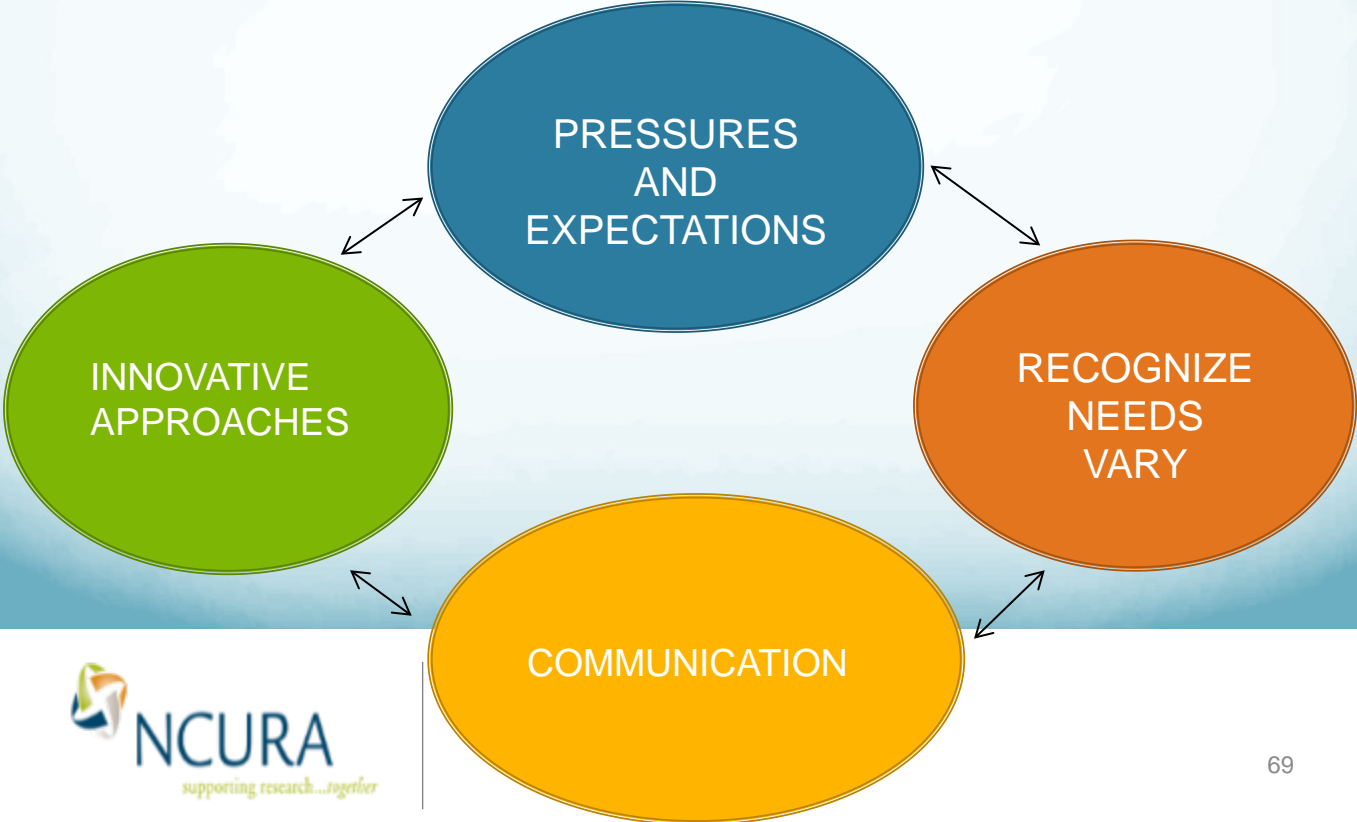
If necessary, prepare a revised budget

If necessary, provide “just-in-time” documentation

If successful, congratulate the Principal Investigator

If not successful, offer to review proposal and reviewers comments

Summary of Proposal Development Services



Peer Review

Primary basis for most funding decisions

- Peer review (often federal)
- In house (often private foundation)

Peer review panels may be

- Either ad hoc or pre-defined
- Mail review or panel review
- Role of program official is a variable

Some contract procurements may be based on a combination of merit and proposed cost

Typical Peer Review

Peer Review Criteria

- Conformity to goals of sponsor
- Quality of proposal
- Soundness of proposal
 - budget
 - program
 - space, resources, personnel

Peer Review Outcomes

- Probability of accomplishment
- Evaluations are anonymous, and given in summary form to applicant on request
- Reviews usually assign scores, rankings, or categories
- Funding decisions are based on available funds
- Amount of award may be unilateral, or may be negotiated
- See program guides or solicitation for details about review

Site Visits

Purpose: To provide the sponsor an opportunity for a thorough and equitable review for scientific and technical merit, and administrative and management capacity

- Two Types
 - Single project/grant applications – involve few, short duration, facility review, proposal review, etc.
 - Complex projects and center applications – involve many, more than 1 day, more detailed admin. review, etc.

Rejections

If a proposal is rejected, the PI should obtain the reviews from the sponsor and resubmit

- Sponsored projects administrators should:
 - convey an offer to PI that they are willing to help the PI resubmit and/or find other potential sponsors
 - identify faculty colleagues who may serve as mentors
 - assure faculty that rejection is “normal” and resubmission is best strategy for long-term success

Award Negotiation

Basic Steps

- Create a process for managing negotiations:
 - ❖ What is negotiable
 - ❖ What is not negotiable
 - ❖ What doesn't matter

Factors to Consider

- Every negotiation will be affected by several factors:
 - ❖ Institutional culture
 - ❖ Scope of work
 - ❖ Sponsor type
 - ❖ Agreement type
 - ❖ Involved investigators

Scope of Work

- What is the nature of the work?
 - ❖ Research?
 - ❖ Testing?
 - ❖ Education?
 - ❖ Public service or outreach?

Sponsor Type

- Government
 - ❖ Often standard Terms and Conditions
- Private Foundations and Not-for-profit organizations
 - ❖ May be willing to negotiate some terms
- Corporations
 - ❖ Negotiation is possible, necessary

GRANT

Funds provided in support of a common goal or public purpose

- PI defines the scope of work with research objectives
- Sponsor retains right to revoke the award with unused funds reverting to the sponsor
- Project scope is cited in award
- Award is generally cost-reimbursable
- Period of performance is defined
- Reports are normally on an annual basis
- Supports further knowledge in a particular subject area
- Intellectual property retained by university
- Publications are unrestricted
- Benefit is generally to further the particular field of science or program
- May qualify as charitable contribution depending on source of funds

CONTRACT

A procurement mechanism to purchase a service or product

- University provides expertise or knowledge to solve a sponsor specific problem
- Joint or sponsor defined Scope of Work
- Sponsor retains the right to stop work or terminate the contract for performance
- Contract may be cost-reimbursable or firm fixed price
- Reports typically are required more frequently than annually
- Publications may require a proprietary review or sponsor approval
- Benefit is normally to the sponsor with an economic benefit as a result of the sponsored activity
- University is generally required to produce a work product or deliverable on a specific date
- Sponsor may exert some control or supervision over expenditures or deliverables
- Payment may be incumbent upon receipt of a deliverable

Involved Investigators

- Some researchers are savvy and can assist with a negotiation
- Others want to secure the funding no matter the terms of the award



Common Types of Contracts

- Research
- Fee-for-service
- Clinical trials
- Non-monetary
 - ❖ Material Transfer Agreements
 - ❖ Confidentiality Agreements
 - ❖ Others

Cost Reimbursement Contracts

- Provides for payment of allowable incurred costs, to the extent prescribed in the contract
- Establishes an estimate of total costs for the purpose of obligating funds
- Establishes a ceiling that the contractor may not exceed, except as his own risk
- Cost reimbursement contracts place the least cost and performance risk on the contractor
- Cost-reimbursement contracts are suitable for use when uncertainties involved in contract performance do not permit costs to be estimated with sufficient accuracy to use and type of fixed price contract
- Used for research and development contracts

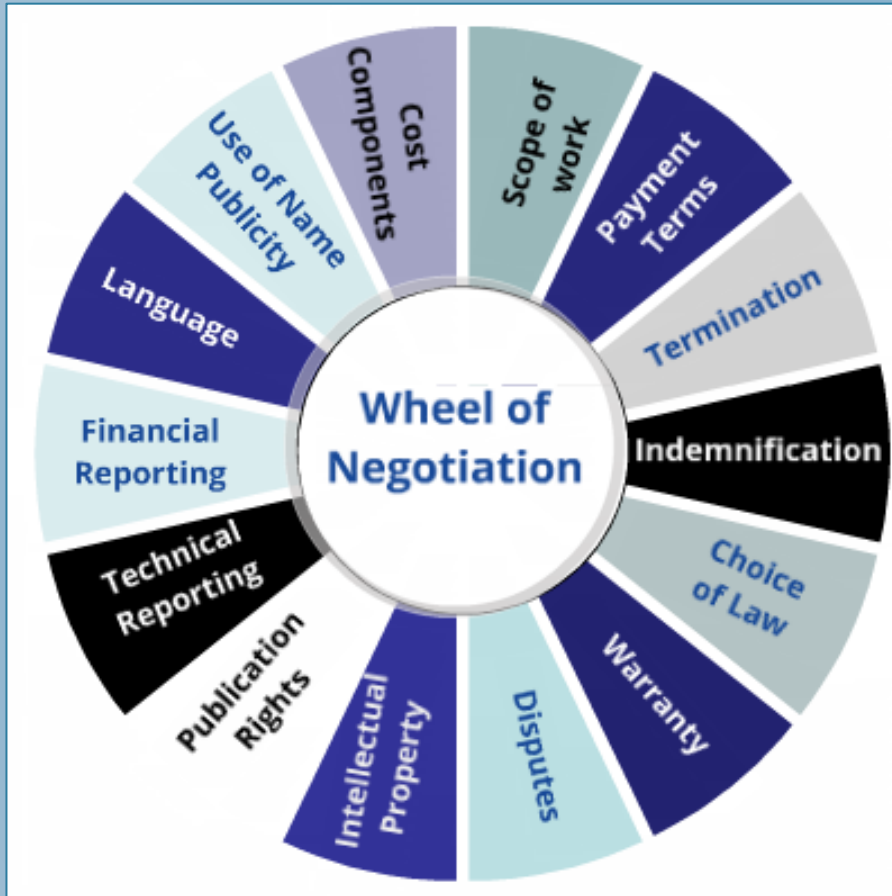
Fixed Price Contracts

- A price that is not subject to any adjustments.
- Places upon the contractor maximum risk and full responsibility for all costs and resulting profit.
- It provides maximum incentive for the contractor to control costs and perform effectively.
- Firm Fixed Price contracts are the preferred method of contracting from the government's perspective. Used when sealed bid is involved. Used for acquiring supplies and services and/or for acquiring commercial items.

Basic Risk Assessment

- Critical factors
 - ❖ Amount of the award
 - ❖ History with the sponsor
 - Any problems with prompt payment of invoices
 - ❖ Capacity of the investigator
 - ❖ Administrative capacity to manage the specific award

Common Negotiation Issues



Start with Scope

- Scope of work
 - ❖ The investigators must review the scope to be sure it aligns with the budget, sponsor expectations, and institutional practices
- Payment Terms
 - ❖ In what currency will you be paid?
 - ❖ Will payments be in advance, cost reimbursement, or determined by the progress of the work?

Termination and Indemnification

■ Termination

❖ Is there a termination clause?

- Is it for cause, for convenience, or both?
- Is the termination one-way or two-way?

■ Indemnification

❖ Liability for injury to persons or property

❖ Liability for use of research results

❖ Negligent acts or omissions are usually exempted

Law and Warranty

- Choice of Law
 - ❖ Whose laws will govern the agreement?
 - Many entities will negotiate for the governing law of their own country
- Warranty
 - ❖ A guarantee that the goods or services will be delivered as represented or promised
 - ❖ Sponsor may demand correction at no cost, even after the end of award
- How can research ever be warrantied?

Instead of Warranty

- Preferred language is:
 - ❖ Institution makes no representations or warranties, expressed or implied, regarding its performance under this Agreement, including but not limited to the marketability, use or fitness for any particular purpose of the results developed under this Agreement.

Disputes

- If a dispute arises, how will it be resolved:
 - ❖ Arbitration or mediation (binding or non-binding)?
 - ❖ Under whose roles will arbitration or mediation occur?
 - ❖ What happens if a dispute cannot be resolved?
 - ❖ Does the dispute resolution impose limits on any other recourse you may have?

Intellectual Property

- Intellectual property (IP) means creations of the mind (WIPO)
 - ❖ Inventions
 - ❖ Literary and artistic works
 - ❖ Designs
 - ❖ Symbols, names and images used in commerce
- IP is protected in law by, for example, patents, copyrights, and trademarks

Intellectual Property (IP)

- Major challenge to negotiate, especially with for-profit corporations
- What is the likelihood that IP will result from the project?
 - ❖ If not likely, then you may accept terms that you would not otherwise
 - ❖ If you make an exception, be wary of setting a precedent with a particular sponsor

Publication Rights

- The freedom to publish the results of the research is critical to the future of scientific discovery
- Limitations on publication rights
 - ❖ Proprietary information owned by either party

Reports

- Technical Reporting
 - ❖ Normally the only deliverable that the institution can guarantee the sponsor
 - ❖ Be careful about frequency
 - Annual and Final reports are standard
 - Be sure the PI is comfortable with frequency
- Financial Reporting
 - ❖ Institutional, not PI, responsibility
 - ❖ Consider the administrative burden of complying with onerous reporting
 - ❖ Smaller agencies may want frequent reports

Language and Publicity

- Language
 - ❖ In what language will reports need to be submitted?
 - ❖ Will translation services be required?
- Publicity: Use of Name
 - ❖ Most institutions carefully protect their name and reputation
 - ❖ Contract should prohibit a sponsor from making claims of endorsement without specific permission

Cost Components

- What is allowable to charge to the project?
 - ❖ Usually known at time of proposal
 - ❖ Sponsors may negotiate restrictions on items such as equipment, consulting, or effort of key personnel
 - ❖ Consult with investigator before accepting cost restrictions

Subawards

- Reasons to sub
- Uniform Guidance
 - ❖ Risk Assessment
 - ❖ Contractor Determination
 - ❖ Prompt payments
 - ❖ F&A rate
 - ❖ Monitoring and audit

The Uniform Guidance

2 CFR PART 200 – UNIFORM ADMINISTRATIVE
REQUIREMENTS, COST PRINCIPLES, AND AUDIT
REQUIREMENTS FOR FEDERAL AWARDS

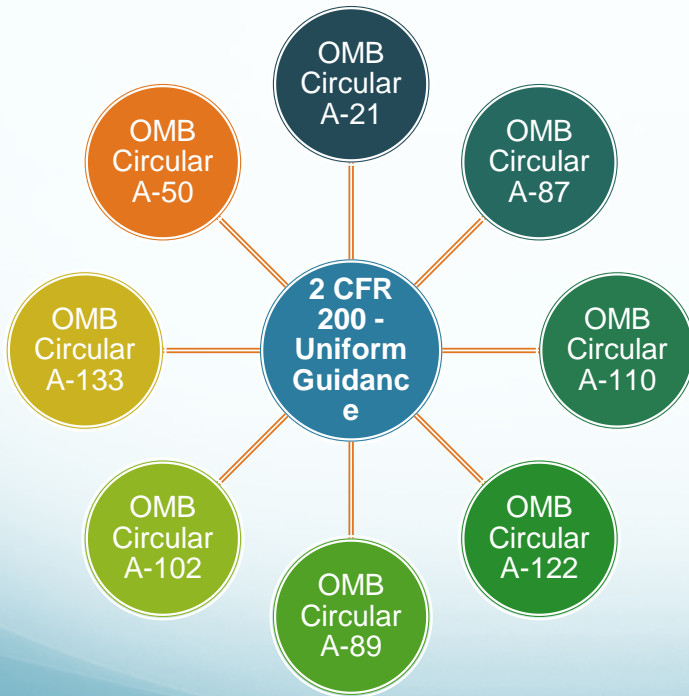
Kim Moreland

What is the Uniform Guidance (UG!)?

- OMB's consolidation of circulars for costing, administration and audit of Federal awards
 - ❖ 2 CFR 200 replaces 8 circulars and applies to universities, state and local governments, nonprofits, native tribes
 - ❖ Issued on December 26, 2013
 - ❖ Effective largely on December 26, 2014
- Biggest change in Federal regulations in 50 years
- Some good news, some new administrative burdens
- Each Federal agency will implement a slightly different version of the UG
- UG is **still being interpreted and clarified**

Uniform Guidance (UG):

Combined Version of 8 Circulars



Sections of the Guidance

▶ **Subpart A:**

- Acronyms and Definitions

▶ **Subpart B:**

- General Provisions

▶ **Subpart C:**

- Pre-Award Requirements

▶ **Subpart D:**

- Post Award Requirements

▶ **Subpart E:**

- Cost Principles

▶ **Subpart F:**

- Audit Requirements

▶ **Appendices**

- Funding opps, F&A, etc.

Implementation

- Applicability of the UG
 - ❖ New awards issued after 12/26/14
 - ❖ New award increments after 12/26/14
 - ❖ May be applicable to other awards depending upon agency decisions
 - ❖ Read award notice for applicability
- Policy reviews are underway
- Operating in a “grace period” on the Procurement section
- Watch Agency Implementations carefully

Federal Goals for Uniform Guidance

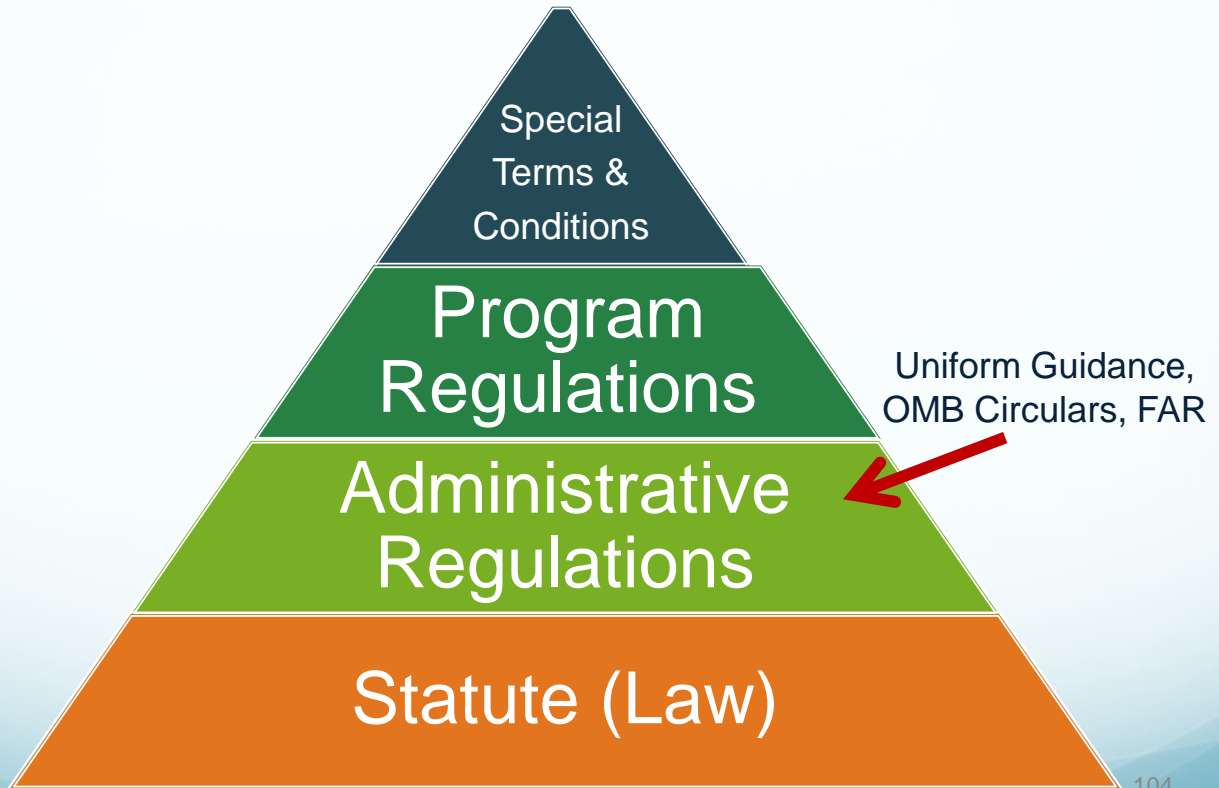
Streamline guidance for Federal awards to ease administrative burden

Strengthen oversight over Federal funds to reduce risks of fraud, waste, and abuse

Improve performance over compliance for accountability

Encouraging efficient use of information technology and shared services

Order of Precedence



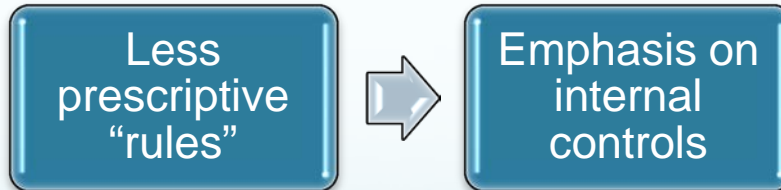
Internal Controls: New Emphasis

- 200.303 – Strong emphasis on internal controls
 - ❖ Requires recipients to have strong internal controls in compliance with ... COSO or the Federal “Green Book” standards



Internal Controls

- What are we doing now?
 - ❖ Our internal controls are already being evaluated for adequacy and effectiveness – A-133 audits (Single audits)
 - ❖ Focus on Internal Controls when revising policies and procedures



Other Uniform Guidance Resources

- Columbia University: <http://spa.columbia.edu/uniform-guidance>
- Emory University: <http://www.ogca.emory.edu/ugep/index.html>
- Harvard :<http://osp.fad.harvard.edu/content/new-omb-uniform-guidance>
- MIT: <http://osp.mit.edu/grant-and-contract-administration/sponsored-programs-basics/ombs-uniform-guidance>
- Michigan State University:
<https://www.cga.msu.edu/PL/Portal/DocumentViewer.aspx?cga=aQBkAD0AMgA5ADkA>
- University of Maryland College Park:
<http://www.ora.umd.edu/resources/federal/uniform-guidance>
- University of Michigan: <http://orsp.umich.edu/policies/federal/omb-guidance/>
- University of Minnesota:
<http://www.ospa.umn.edu/documents/UG.html>
- University of Pennsylvania:
<http://www.upenn.edu/researchservices/OMB%20Announcement.html>
- University of Wisconsin: <https://www.rsp.wisc.edu/UG/>

UG Top 10 List for International Partners

1. Notice of funding opportunities (200.203(b))
2. Subrecipient monitoring and management (200.330-200.331)
3. Indirect costs (200.414)
4. Fixed amount subawards (200.332)
5. Closeout (200.331(a)(6) and 200.343)
6. Exchange rates (200.440)
7. Taxes (200.470(c))
8. Recruiting costs (visas) (200.463(d))
9. Allowable Costs (Subpart E – Cost Principles)
10. Prior approvals (200.308 and 200.407)

1. Funding Opportunities

- 200.202/203 – Funding Opportunities
 - ❖ Provides standards for information needed in each funding opportunity – not new
 - ❖ Agencies must generally post opportunities at last 60 calendar days prior to due date, but no opportunities should be available for less than 30 calendar days
 - ❖ Shorter time frames can lead to weaker proposals



2. Subrecipient Monitoring

- 2 CFR 200.330
- Significant new administrative burdens
- Process can delay the issuance of subawards
- Additional emphasis on monitoring



Contractor Determination

- Non-Federal entity (the prime recipient) classifies the subrecipient or contractor
- Subrecipient characteristics:
 - ❖ Eligibility determined by the pass-through
 - ❖ Performance measured by program objectives
 - ❖ Responsible for programmatic activities
 - ❖ Adheres to Federal program requirements
 - ❖ Uses the funds for a public purpose, not to provide goods or services for the benefit of the pass-through entity

Subrecipient and Contractor

- Contractor characteristics:
 - ❖ Provides the good/services within normal business operations
 - ❖ Provides good/services to many purchasers
 - ❖ Operates in a competitive environment
 - ❖ Provides goods/services that are ancillary to the operations of the Federal program
 - ❖ Is not subject to compliance requirements of the Federal program as a result of the agreement

200.331 Pass-through Entities

- Required to pass through multiple data elements to subrecipient, including:

- ❖ Federal award ID
- ❖ Subrecipient name – match with DUNS
- ❖ FAIN number
- ❖ Period of performance
- ❖ Federal Award project description (FFATA)
- ❖ Total amount of the Federal award
- ❖ CFDA number and name
- ❖ Identification of award as R&D or not
- ❖ Indirect cost rate or de minimis rate
- ❖ See new FDP template



http://sites.nationalacademies.org/PGA/fdp/PGA_063626#P44_3572

FDP Cost Reimbursement Foreign Research Subaward Agreement

Pass-Through Entity (PTE): <input type="checkbox"/>		Subrecipient: <input type="checkbox"/>	
PTE Principal Investigator (PI): <input type="checkbox"/>		Subrecipient Principal Investigator: <input type="checkbox"/>	
PTE Federal Award No.: <input type="checkbox"/>	FAIN: <input type="checkbox"/>	Federal Awarding Agency: <input type="checkbox"/>	
Federal Award Issue Date: <input type="checkbox"/>	Total Amount of Federal Award to PTE: <input type="checkbox"/>	CFDA No.: <input type="checkbox"/>	CFDA Title: <input type="checkbox"/>
Project Title: <input type="checkbox"/>			
Subaward Period of Performance:		Amount Funded this Action	Subaward No.
Start: <input type="checkbox"/>	End: <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Estimated Project Period (if incrementally funded):		Incrementally Funded	Is this award R&D:
Start: <input type="checkbox"/>	End: <input type="checkbox"/>	Total: \$ <input type="checkbox"/>	<input type="checkbox"/> Yes or <input type="checkbox"/> No
Check all that apply: <input type="checkbox"/> Reporting Requirements(Attachment 4) <input type="checkbox"/> Subject to FFATA (Attachment 3B) <input type="checkbox"/> Cost Sharing (Attachment 5)			

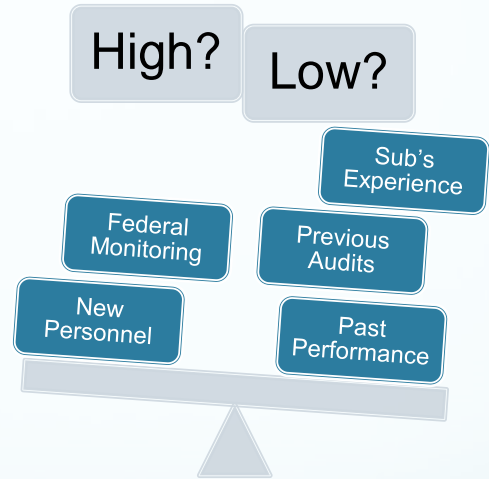
Terms and Conditions

- 1) PTE hereby awards a cost reimbursable subaward, as described above, to Subrecipient. The statement of work and budget for this subaward are (check one) as specified in Subrecipient's proposal dated or as shown in Attachment 5. In its performance of subaward work, Subrecipient shall be an independent entity and not an employee or agent of PTE.
- 2) PTE shall reimburse Subrecipient not more often than monthly for allowable costs. All invoices shall be submitted using Subrecipient's standard invoice, but at a minimum shall include current and cumulative costs (including cost sharing), subaward number, and certification, as required in 2 CFR 200.415 (a). Invoices that do not reference PTE Subaward number shall be returned to Subrecipient. Invoices and questions concerning invoice receipt or payments should be directed to the appropriate party's Contact, as shown in Attachments 3A. Expenditures of Subrecipient shall conform to budget in Attachment 5. All payments will be in U.S. dollars. Questions concerning payments should be directed to the appropriate party's Financial Contact, as shown in Attachment 3.

http://sites.nationalacademies.org/PGA/fdp/PGA_063626#P44_3572

200.331 **New** Risk Assessment

- Pass-through entities must:
 - ❖ Evaluate the subrecipient's risk of noncompliance with Federal regulations
 - ❖ Risk factors may include:
 - Prior experience with similar subawards
 - Results of previous audits
 - New personnel or new or changed systems
 - Extent and results of Federal agency monitoring of direct Federal awards



200.331 Subrecipient Monitoring

- Monitoring ***must*** include:
 - ❖ Review of financial & **programmatic** reports
 - ❖ Follow-up with deficiencies detected through audits, on-site reviews, and other means
 - ❖ Issue a management decision for audit findings related to the Federal award
 - ❖ Use additional monitoring tools if necessary
 - Training and technical assistance
 - On site review
 - Agreed-upon-procedures engagements



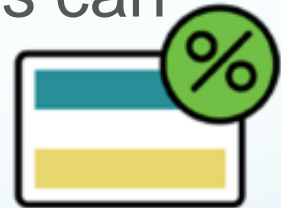
Subrecipient Monitoring



- 200.305(b)(3)
Payments to subrecipients within 30 calendar days of receipt of billing, unless the request is improper
 - ❖ Or there are questions about the invoice or work performed

3. Subrecipient F&A Rates

- 200.331 – The Pass-through Entity
 - ❖ Must use subawardee’s negotiated F&A rate or, absent a negotiated rate:
 - Negotiate a rate or
 - Provide 10% “de minimis” rate
- However, Federal agencies can make other restrictions



NIH F&A for Foreign Organizations

- *With the exception of American University of Beirut and the World Health Organization, full F&A costs will not be allowed.*
- *However, NIH provides limited F&A costs (8 percent of modified total direct costs, less only equipment) to foreign organizations and international organizations.*
- *NIH will not support the acquisition of, or provide for depreciation on, any capital expenditures, or support the normal, general operations of foreign and international organizations. These expenses should not be requested as a Direct Cost budget expense. Note the reference to "capital expenditures" for the purposes of allowable F&A costs do not include purchases of equipment. Equipment is still allowable as a direct cost. Note: other items normally considered an F&A cost can be requested as a direct cost, e.g. rent.*

4. Fixed Amount Subawards

- 200.332 New limitations on FP Subs
 - ❖ Require **prior written approval** from the Federal agency
 - ❖ Fixed Price subawards only up to the Simplified Acquisition Threshold (\$150,000)
 - ❖ Subawards meet the requirements of 200.201
 - Project scope is specific
 - Cost or unit pricing data is available
 - Non-Federal entity will realize no increment above actual cost
 - Cannot be used if there is mandatory cost sharing

5. Closeouts 200.343

- No stated change for recipient, but...
 - ❖ All reports due “no later than 90 calendar days after the end date of the period of performance”
 - ❖ Closeouts v. Cash Draws
 - ❖ PI Final Reports
 - ❖ Variance among agencies
 - NIH allows 120 days for all reports



6. Exchange Rates 200.440

- Exchange rates

- ❖ (a) *Cost increases for fluctuations in exchange rates are allowable costs subject to the availability of funding. Prior approval of exchange rate fluctuations is required only when the change results in the need for additional Federal funding, or the increased costs result in the need to significantly reduce the scope of the project. The Federal awarding agency must however ensure that adequate funds are available to cover currency fluctuations in order to avoid a violation of the Anti-Deficiency Act.*



7. Taxes 200.470(c)

- Value Added Tax (VAT)
- Foreign taxes charged for the purchase of goods or services that a non-Federal entity is legally required to pay in country is an allowable expense under Federal awards. Foreign tax refunds or applicable credits under Federal awards refer to receipts, or reduction of expenditures, which operate to offset or reduce expense items that are allocable to Federal awards as direct or indirect costs. To the extent that such credits accrued or received by the non-Federal entity relate to allowable cost, these costs must be credited to the Federal awarding agency either as costs or cash refunds.
- If the costs are credited back to the Federal award, the non-Federal entity may reduce the Federal share of costs by the amount of the foreign tax reimbursement, or where Federal award has not expired, use the foreign government tax refund for approved activities under the Federal award with prior approval of the Federal awarding agency.

8. Recruiting Costs

- Visa Costs – Recruitment 200.463
 - ❖ Short-term, travel visa costs (as opposed to longer-term, immigration visas) ... are issued for a specific period and purpose, they can be clearly identified as directly connected to work performed on a Federal award; must be “critical”, “allowable”, consistently charged to all sponsors, meet the definition of “direct cost”



Visas – Sample Policy

- VISA Applications – Standard Processing Fee
- The Standard Processing Fee for an H-1B visa application may be an allowable cost to a sponsored project, if certain conditions are met:
 - ❖ The fee results from a recruitment directly related to the project being charged.
 - ❖ University policy is to treat the cost consistently as a direct cost (as opposed to a cost captured in our F&A recovery).
 - ❖ Agency guidelines do not include specific prohibitions on such fees or recruiting costs.
 - ❖ If, within 12 months after hire, the newly hired employee resigns for reasons within his/her control, the institution will be required to refund or credit such costs to the Federal or Non-Federal sponsor.
 - ❖ Short-term visas, issued for a specific period and purpose, that are clearly identified as directly connected to work performed on an award, may also be allowable as a direct charge to a sponsored project.



9. Allowable Costs

- Subpart E – Cost Principles
 - ❖ Allowable
 - ❖ Allocable
 - ❖ Reasonable
- General Provisions for Selected Items of Cost, 200.420

Computing Devices



- *Computing devices* means machines used to acquire, store, analyze, process, and publish data and other information electronically, including accessories (or “peripherals”) for printing, transmitting and receiving, or storing electronic information. (200.20)
- In the specific case of computing devices, charging as direct costs is allowable for devices that are essential and allocable, but not solely dedicated, to the performance of a Federal award. (200.453)

Clerical & Admin Salaries

- *The salaries of administrative and clerical staff should normally be treated as indirect (F&A) costs. Direct charging of these costs may be appropriate only if all of the following conditions are met:*
 1. *Administrative or clerical services are **integral** to a project or activity;*
 2. *Individuals involved can be specifically identified with the project or activity;*
 3. *Such costs are explicitly included in the budget or have the prior written approval of the Federal awarding agency; and*
 4. *The costs are not also recovered as indirect costs.*
- Recognition of administrative workload – “allowable activities” in 200.430

10. Prior Approvals

- Research Terms & Conditions (RTC)
- RTC = Federal-wide Research Terms & Conditions
- Originally the FDP Terms & Conditions
- Provided consistency across major agencies in waiving certain requirements of A-21 and A-110
- RTCs disintegrated with the implementation of the UG

POOF!

Highlights: Old RTCs

- The following changes, *with some agency exceptions*, do not need agency prior approval:
 - ❖ Rebudgeting between most direct cost categories and between direct and indirect costs;
 - ❖ Carry-forward of unexpended balances to subsequent non-competitive funding periods;
 - ❖ Time extensions (one-time only), without additional funds, for up to twelve months;
 - ❖ Equipment purchases of \$25,000 or more that were not included in the sponsor-approved budget;
 - ❖ Space alteration and/or renovation costing less than \$25,000.
 - ❖ Pre-Award costs for up to 90 days prior to the effective date of the award.

What's missing?



- Without the RTC, we rely on separate agency implementations of the UG
 - ❖ Many variations among agencies
- Institutions have created temporary plans to fill the gap
- Each institution is left trying to create its own matrix of agency prior approvals

Federal Prior Approval and Other Requirements Matrix -- Updated July 28, 2015**

- 1) For use on UW-Madison awards subject to the Uniform Guidance until new Research Terms and Conditions are available.
- 2) If agency is not listed, the award should be managed in accordance with the terms and conditions of the award and the Uniform Guidance.
- 3) A post-award prior approval request should be routed through the Dean's or Director's office to the RSP accountant, who will submit it to the Federal agency.
- 4) All information is subject to change as agency implementations and policies are released.

* Any of the waivers noted on this chart may be over-riden by a special term or condition of the award.

	Uniform Guidance Citation(s)	Uniform Guidance determination	EPA	NIH	NSF	ONR	NASA	DOE (Energy)	DOC	Co
General Requirements										
Change in Scope	200.308(c)(1) & 200.308(g)(1)	R	R	R	R	R	R	R	R	
Disengagement or Change of PI	200.308(c)(2) & 200.201(b)(5)	R	R	R	R	R	R	R	R	Dis 25' cor
Change in key persons specified in the award	200.308(c)(2)	R	R	R	R	R	R	R	R	
Change in key persons specified in the application	200.308(c)(2)	R	R	W	R	R	R	R	R	
Need for Additional Funding	200.308(c)(8) & 200.308(g)(2)	R	R	R	R	R	R	R	R	
New subawards not already approved in awarded budget	200.308(c)(6)	R	Required per State of WI							
Transferring of scope of work	200.308(c)(6)	R	R	R	R	R	R	R	R	
Issuing fixed amount subawards up to Simplified Acquisition Threshold	200.308(c)(6) & 200.308(c)(2)	R	R	W	R	R	R	R	R	
Pre-award costs (90 days)	200.308(c)(1), 200.308(d)(4), & 200.458	W	W	W	W	W	W	W	W	
Pre-award costs (more than 90 days)	200.308(d)(1)	R	R	R	R	R	R	R	R	
Initial no-cost extension of up to 12 months (per competitive segment)	200.308(d)(2) & 200.308(d)(4)	W	W	W	W	R	W	W	R	
Subsequent no-cost extension or extension of more than 12 months	200.308(d)(2) & 200.77	R	R	R	R	R	R	R	R	
Carry-forward of unexpended balances to subsequent periods of performance	200.308(d)(3) & 200.308(d)(4)	W	W	W	W	W	W	W	W	
Cost-related Requirements										
Rebudgeting among budget categories	200.308(e)	May be required	UG	W	W	UG	UG	UG	R	Fo
Rebudgeting between direct and F&A costs	200.308(e)	May be required	UG	W	W	UG	UG	W	R	Fo
Rebudgeting of funds allotted for training allowances (direct payment to trainees) and participant support costs to other categories of expense.	200.308(c)(5) & 200.458	R	R	R	R	R	R	R	R	
Special Purpose Equipment not in approved budget	200.438(b)(2)	R	UG	W	UG	UG	R	UG	R	
Direct charging of salaries of administrative or clerical staff	200.413(c)	R	UG	W***	R	UG	UG	UG	R	
Rearrangement and reconversion (Alteration & renovation) costs	200.462	R	UG	R	W***	UG	UG	UG	R	
Foreign Travel		Silent	R	W	W	R	R	R	R	
Faculty internal consulting compensation that exceeds base salary	200.430(h)	R**	R	W***	R	R	R	R	R	
Restrictions on costs not explicitly unallowable under Cost Principles	200.407		If unclear, contact agency							

R - Prior approval required. "Prior approval" means prior written approval from the sponsor. Prior approval can take the form of the sponsor's acceptance of the proposal and/or proposal budget and subsequent incorporation into the award, or written approval of a separate request submitted by the recipient.

W - Prior approval requirement waived.

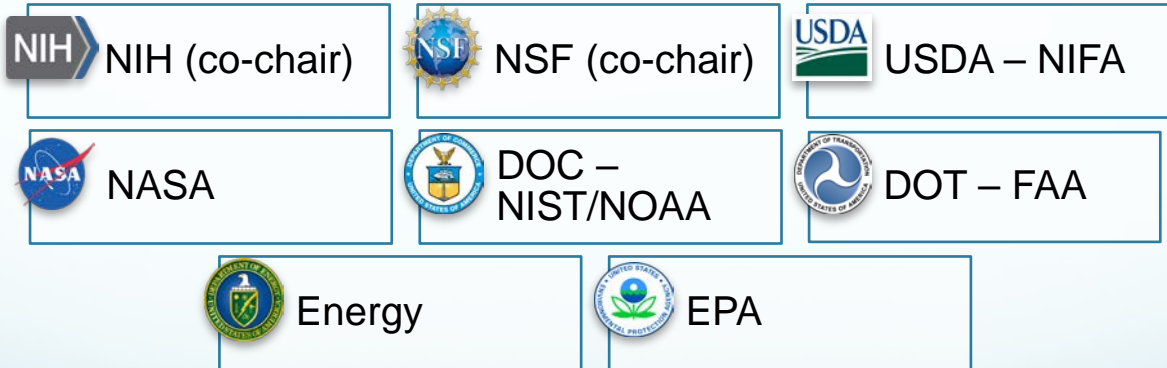
UG - In the absence of specific guidance from the agency, the Uniform Guidance applies.

** Also see guidance in UW-Madison Effort Reporting Guidelines on institutional base salary (<https://www.rsp.wisc.edu/effort/ectraining/GuidelinesForEffortReporting.pdf>), policy on overloads (<http://www.ohr.wisc.edu/polproceed/UPPP/1101.htm>), and guidance on outside consulting (<https://kb.wisc.edu/gsdadmin/kb/page.php?id=34636>).

***Indicates that certain conditions must be met in order for the prior approval to be waived.

What's the status?

- NSF and NIH leading the efforts – Jean Feldman and Michelle Bulls
- Eight participating Agencies



RTCs: What We Might See – or Not

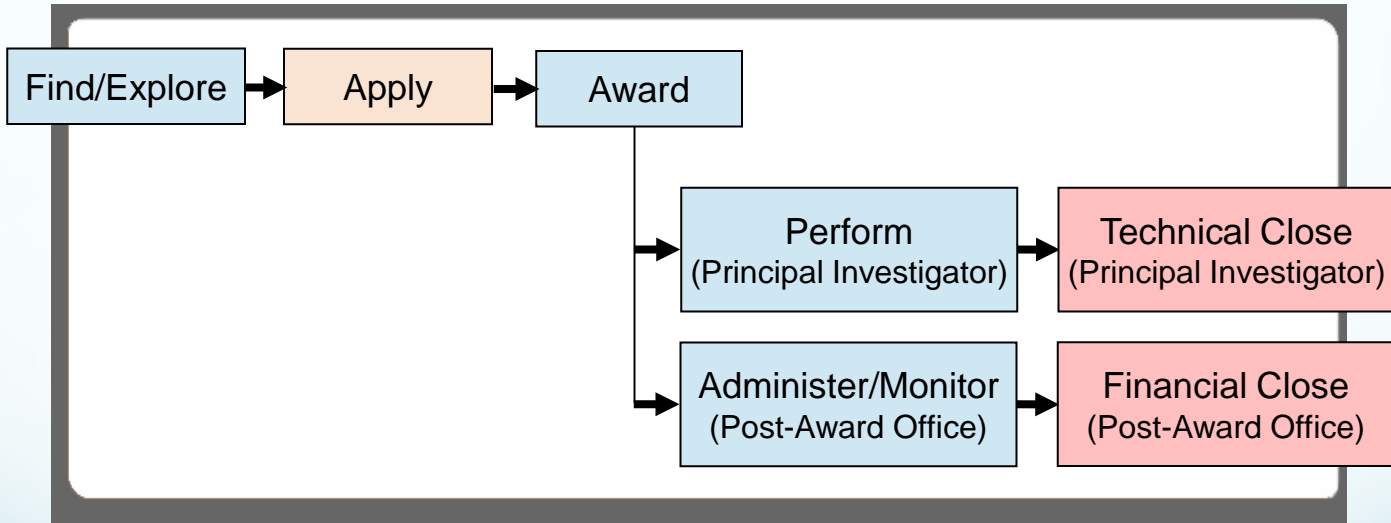
- Financial, performance, other reports due 120 days after the end date
- Generally, no prior approval required for:
 - ❖ Using unrecovered F&A as cost sharing
 - ❖ Pre-award costs of 90 days
 - ❖ One-time extension of 12 months
 - ❖ Fixed price subs up to simplified acquisition threshold (\$150,000)
 - ❖ Purchase of general purpose equipment
 - ❖ Purchase of special purpose equipment >\$5,000
- Be sure to follow each agency's rules until the RTC's are released



Award Management



The Grant Process



Types of Award Actions

New
Award/Competing
Award

- New research or project idea funded competitively for the first time

Continuation
Award/Non-
Competing Award

- Incremental funding of a previously approved project period (such as annual funding on a multi-year project)
- Usually based on reasonable progress reported by investigator

Renewal/Competing
Continuation

- Continuing project funded competitively for a new project period

Supplemental Award

- Additional funding provided by the sponsor during a previously approved budget period (such as an REU - Research Experiences for Undergraduates - supplement to an NSF award)

And More Award Actions

Modification/
Amendment

- Budget modification
- Change in scope of work or significant change in research plan
- Change in key personnel or level of effort on the project
- Administrative changes (e.g., change in reporting requirements)
- Termination of agreement

No-Cost
Extension

- Extension of agreement end date without additional funding from the sponsor

Typical Elements of an Award Notice

Awarding entity and authority

Sponsor award number

Catalog of Federal Domestic Assistance Number (CFDA)

Recipient/Awardee name (institution)

Name of Principal Investigator/Project Director

Reference to proposal or project title

Award period (start and end dates)

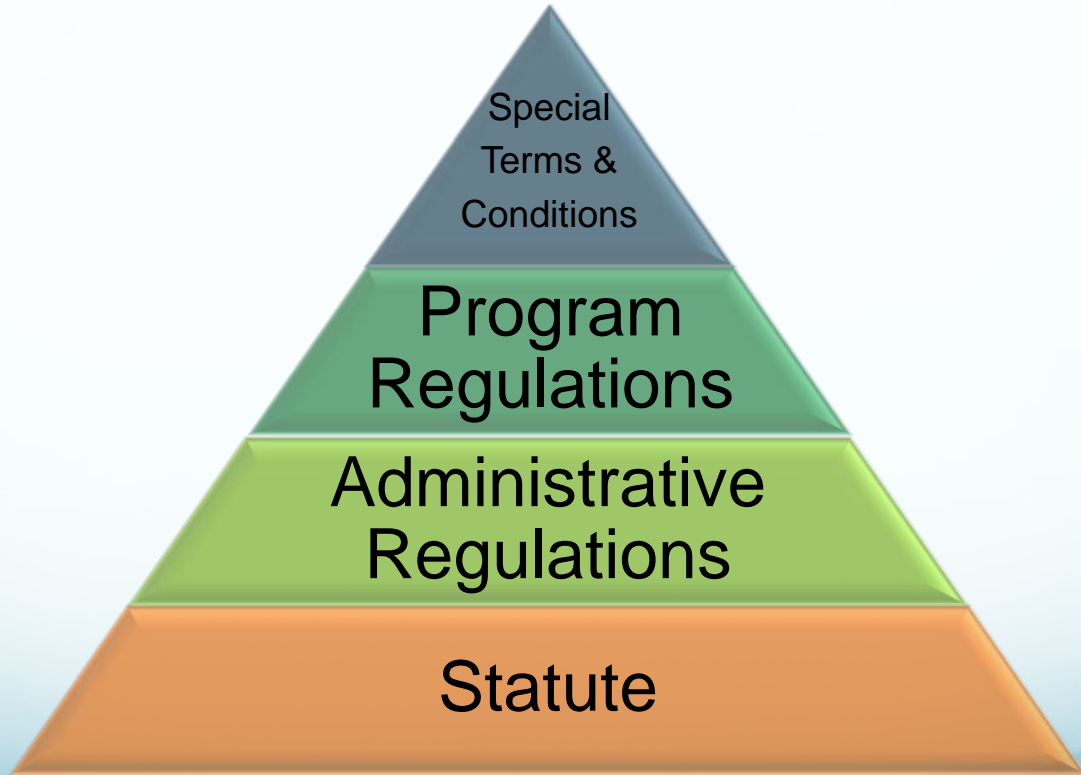
Funding (total, incremental)

Invoicing/payment

Reports/deliverables

Terms and conditions (in text, attached, or incorporated by reference)

Order of Precedence



Cost of sponsored agreement

Is comprised of:

- allowable direct costs incident to its performance
- allocable portion of the allowable F&A costs of the institution....”

Direct Costs

Direct costs can be identified specifically with a particular sponsored project, an instructional activity, or any other institutional activity; or can be directly assigned to such activities relatively easily with a high degree of accuracy

- Examples of Direct Costs:
 - Salary of researcher
 - Laboratory supplies purchased for project
 - Technician
 - Associate fringe benefits costs on salaries and wages

Facilities and Administrative (F&A or Indirect) Costs

Costs that are incurred for common or joint objectives, and, therefore, ***cannot be identified readily and specifically with a particular sponsored project***, an instructional activity, or any other institutional activity

- Examples of F&A Costs:
 - Salary of department administrator
 - Building utility and maintenance costs
 - President, Provost, CFOs offices and Sponsored Research offices

Total Project Costs

Direct Costs

(Directly benefit a specific sponsored project)

**+
F&A Costs**

(Cannot be attributed to a specific project)

= Total Project Costs

Selected Items of Cost

Allowable Cost

- An allowable cost is one that is eligible for reimbursement from federal government (as defined in the OMB A-21/Uniform Guidance) either as a direct or an indirect cost.

Unallowable Cost

- An unallowable cost is one that is not eligible for reimbursement from the federal government (as defined in the OMB A-21/Uniform Guidance) either as a direct or indirect cost.

Unallowable Cost

Costs that are not eligible for reimbursement by Federal sponsor (i.e., unallowable costs) may still be permissible charges against department or institution funds e.g., wine at a reception to entertain potential donors

Care should be taken to specifically categorize such costs (usually by specific object code or expenditure type) so that while it may still be reimbursed by the institution it will not be passed on to the Federal government through the F&A rate

Examples of Unallowable Activities

(Direct or Indirect)

- Organized fund raising
- Lobbying
- Commencement and convocation
- General public relations and alumni activities
- Student activities
- Student housing
- Campus bookstore
- Athletics
- Prosecuting claims against the federal government
- Managing investments solely to enhance income

Can these be essential institutional activities?

YES!

Can your institution pay for them?

YES!

Can you charge these activities to the Federal Government?

NO!

What Is An “Allowable” Cost?

Before a cost can be defined as allowable, three additional cost principles need to be applied. The cost must be:

- **Reasonable:** A prudent business person would have purchased this item and paid this price.
- **Allocable:** It can be assigned to the activity on some reasonable basis.
- **Consistently Treated:** Like costs must be treated the same in like circumstances, as either direct or F&A costs.
- **Conform to:** OMB A-21/Uniform Guidance or the Sponsored Agreement.

Cost must meet all four standards to be considered allowable!

What Does “Reasonable” Mean?

A cost is reasonable if ...

The nature of the good or service and the amount involved reflect the action of a prudent person.

- Considerations in determining reasonableness:
 - Necessary for the performance of the sponsored agreement;
 - Determined by arm’s length bargaining of a prudent person;
 - In accordance with the sponsored agreement terms and conditions;
 - Consistent with established institutional policies and practices

The Front Page of the Newspaper Test

Contemplating any business act, an employee should ask himself whether he would be willing to see it immediately described by an informed and critical reporter on the front page of his local paper, there to be read by his spouse, children, and friends.”
--- Warren E. Buffet

Allocability

A cost can be allocable as a direct or an indirect cost

- A cost is allocable as a direct cost if the goods or services provided are assignable in accordance with the relative benefits received....
- It is incurred solely to advance the work under the sponsored agreement
- It benefits both the work under the sponsored agreement and other work of the institution in proportions that can be approximated

Allocate costs based on benefit to projects

Allocating Direct Costs

Proportional benefit

- Cost benefits two or more projects in proportions that can be determined without undue effort or cost

Any reasonable basis

- Proportional benefit between projects cannot be determined because of the interrelationship of the work involved; allocate costs between projects on any reasonable basis

Who determines reasonable basis?

Costs May Not Be Allocated ...

- to meet deficiencies caused by overruns,
- to avoid restrictions imposed by law or terms of the sponsored agreement,
- for other reasons of convenience, or
- the big “No No...*Because one project has more funds!*”

Fringe Benefits

Institutions may have multiple benefit rates for different classes of employees, e.g. full-time employees, part-time employees, Post-doc's, student workers, etc.

Some institutions charge actual fringe expenses

Fringe Benefits

Fringe Benefit (FB) costs are aggregated (“pooled”) and compared to total employee salaries and wages (S&W). A rate is developed to uniformly distribute FB costs to salary costs for all sponsored agreements (and non-sponsored activities)

- **Example**

- Total Fringe Benefits Costs = \$12,000,000
- Total Salaries & Wages = \$52,100,000
- Rate = 23%

Financial Issues

Effort Certification – What is it?

What is Effort?

- Effort vs. payroll charges
- Proposed vs. actual effort

Who can Certify?

- Effort reports will be signed (certified) by the employee, principal investigator, or responsible official(s) using suitable means of verification that the work was performed.
- What is “suitable means of verification”

Effort Certification

Why Should We Care?

- Recent settlements
- Office of Inspector General reports

Complicated Effort Reporting Areas

- NIH K-Awards
- VA appointments
- Clinical practice payments
- NIH salary cap
- Cost shared effort

Facilities and Administrative Costs

Real costs incurred by the institution

Cannot be easily identified to a specific project or activity

Infrastructure costs to maintain a research university

Calculated as a % of a Base

Made up of both “Facilities” and “Administrative” costs

Other F&A Rates

Non-Research Sponsored Programs

- Institutions with large amounts of non-research sponsored projects may negotiate a separate rate for these projects, e.g., Educational Services Rate, Sponsored Instruction, Other Sponsored Activities

Rates for Specific Facilities

- The costs of certain programs/facilities may be unique enough to warrant a separate F&A rate
- Examples:
 - Agricultural Experiment Station
 - University Medical Center (Hospitals)
 - Animal Care Facility

F&A Considerations

F&A costs are real costs!

- F&A cost recovery is the reimbursement for actual costs incurred by the institution in support of sponsored projects
- F&A costs are incurred on all institutional activities, not just sponsored research
- A significant portion of F&A costs are not recovered

Factors that can affect the rate

- The F&A rate tends to go UP when there is investment in new research facilities or when facilities costs are increasing at a faster rate than research funding
- The F&A rate tends to go DOWN when research expenditures are increasing at a faster pace than infrastructure costs
- For institutions over the cap, increases in the F&A rate are not the result of increased administrative costs (a common misconception often held by faculty!)

Additional F&A Issues

When an external sponsor pays less than the full F&A rate, the unrecovered F&A costs must be absorbed by the institution (it's an institutional decision)

F&A cost recovery is normally unrestricted income to the institution

F&A recovery may be returned to departments or retained centrally

Principal Investigator Transfer

Options during the term of an award

- If both institutions and the sponsor agree, the award may be transferred to the new institution
- Institution may nominate replacement PI, subject to sponsor approval
 - May subcontract portion of work to PI's new organization
- Request termination of award

Project Closeout

Office of Sponsored Programs
is usually responsible for overseeing the close-out of awards.

Report	Responsible Person/Office
Technical	Principal Investigator
Equipment	Central Property Control Office
Patent/Invention	OSP in collaboration with PI and technology transfer office
Fiscal	Accounting office
Subrecipients	OSP in collaboration with PI and accounting office

Reports from subrecipients needed in advance in order to incorporate into reports to sponsor

Tips for Effective Project Closeout

- Start early – send notification to department 60-90 days prior to end date of award
- Determine if a No Cost Extension will be requested
- Review budget justification again to reduce asking same questions on allowable costs at set-up
- Within 30 days of end date do a preliminary review of costs and contact department
- Close award within 30-60 days, do not wait to final 10-15 days

Subrecipient Monitoring

Acting in the role of a Sponsor, institutions are responsible for performance (programmatic) and financial monitoring.

Central Office

- Performs capability & performance assessment (e.g., risk assessment) prior to project set-up
- Monitors subrecipient's internal controls via audit reports and findings
- Monitors programmatic and technical progress
- Communicates frequently with subrecipient
- Approves and signs all invoices prior to payment to ensure technical progress matches financial outlay.

Department

- Assists with invoice review and approval

Subrecipient Risk Assessment

Risk assessment

- Some level of monitoring is always expected but a higher risk subawardee = increased monitoring
- Is subawardee subject to A-133 audit
- International subs
- New subawardee (to your PI and / or Institution)
- Prior issues with this sub
- High percentage of flow through funds
- High absolute dollar value of flow through funds
- Problematic Federal audit findings

Subrecipient Invoice Review

Compare invoice to budget

Invoice should include current and cumulative costs

Dollar value of invoice compared to technical progress made (PI determination)

If subawardee is participating in cost sharing, is cost share incurred to date reported on the invoice?

Costs within the period of performance

Subrecipient Closeout Procedures

Subrecipient required by terms and conditions to submit:

- Technical Report
- Fiscal Report
- Equipment Report
- Patent/Invention Report
- Subrecipient Release Forms
- Any other reports required by special conditions in the prime agreement and passed on to the subrecipient, e.g., small and small disadvantaged subcontracting report or second-tier subcontracts

Retention of Documents

When does the clock start?

- Awards – Date of submission of the final expenditure report or, for awards that are renewed quarterly or annually, from the date of the submission of the quarterly or annual financial report;
- F&A Costs – Date of submission of a proposal for negotiation; the end of the fiscal year if not submitted for negotiation.

After Closeout – Audit Tips

Anticipate that you will be audited and document, document, document

Remember “you won’t remember three years from now” rule

Get all audit requests in writing

Schedule entrance conference with all appropriate departments/individuals

Talk to departments involved about the audit and what to expect during it

Through exit conference discuss details of problem areas and findings

Respond to all findings and implement plan to correct problem areas

Close out audit report with agency/sponsor

Only answer the questions asked of you and answer them honestly

Regulatory Issues

Reps & Certs

Certifications, Representations, & Assurances for Proposals

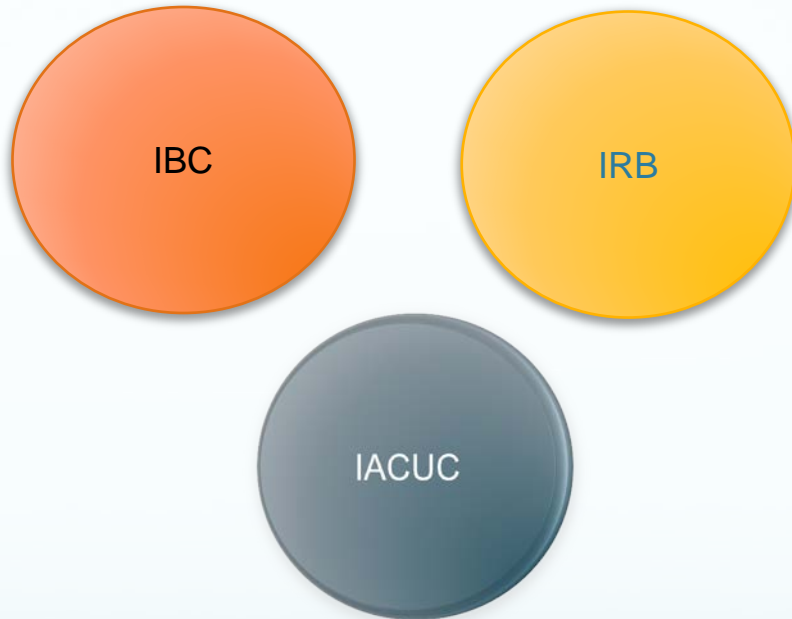
Required by statute or regulation

Included in SAM institutional certification

Standard Form 424 assurance includes:

- Antidiscrimination
 - Civil Rights, Disability, Wages, Hours, etc.
- Privacy
 - HIPAA, Privacy Act, Freedom of Information Act, etc.
- Protection of Living Things
 - Human Subjects, Animal Welfare, DNA, Stem Cell, etc.
- Audit

Research Oversight Committees: Overview



IBCs (Biosafety), IRBs (Human Subjects) and IACUCs (Animal Subjects) have joint purview over a number of types of research, and ideally collaborate in the review of such research.

Research Involving Human Subjects

Research to be conducted must be ethically responsible, scientifically worthy, and conducted in accordance with applicable law.

Human Subject Ethical and Regulatory Guidance

Belmont Principles

Regulations: 45 CFR Part 46 – “Common Rule”
DHHS 21 CFR Part 50, 56 – FDA

Office of Human Research Protection (OHRP) - Health and
Human Services

Food and Drug Administration (FDA)

Basic Regulatory Requirements

Institutional assurance approved by DHHS

Review of research by an Institutional Review Board (IRB)

Informed consent of subject

Education/training

Research Involving Humans Defined

Research: a systematic investigation designed to contribute to generalizable knowledge

AND

Human Subjects: a living individual; about whom, investigator obtains (1) data through intervention or (2) identifiable private information

- direct activities or intervention (interview, blood draw)
- indirect activities (review of medical records)

Additional Considerations – Human Subjects Research

Data Safety Monitoring Board (DSMB)

- NIH requires DSMBs for multicenter clinical research
- Provides for safety review in addition to IRB review

Health Insurance Portability and Accountability Act of 1996 (HIPAA)

- Limits the use and disclosure of Protected Health Information (PHI) and establishes requirements for written authorization for researchers to access records

Animals in Research, Teaching, & Testing

Research

Teaching

Testing

To provide for the humane care and use of live vertebrate animals in biomedical and behavioral research, teaching or testing.

Legal Framework

U. S.
Department of
Agriculture

- Public Law 89-544 - The Animal Welfare Act

NIH Office of
Laboratory
Animal Welfare
(OLAW)

- Public Law 99-158 - The Health Research Extension Act
“Animals in Research” (1985)

Regulatory Requirements

USDA

- Animals = live or dead
- Registration
- IACUC
 - 3 Members
 - Review program
 - Inspect facilities
 - Approve all activity using animals
 - Authorized to suspend activity
- Annual inspection by agency

DHHS

- Animals = live vertebrates
- Assurance – Condition of funding
- IACUC
 - 5 members
 - Review program
 - Inspect facilities
 - Approve all activity using animals
- Agency inspections are mainly “for cause”

Research Involving Recombinant DNA Molecules

NIH Guidelines apply to rDNA research that is:

- Funded by the NIH—term and condition of NIH funding
- Performed at or sponsored by an institution that receives any NIH funding for recombinant DNA research

Research Involving Recombinant DNA Molecules - NIH Guidelines

- Specify practices for constructing and handling:
 - Recombinant DNA molecules
 - Organisms and viruses containing recombinant DNA molecules
- Definition
 - Constructed outside living cells by joining natural or synthetic DNA segments to DNA molecules that can replicate in a living cell
 - Molecules resulting from the replication of those described above

Institutional Responsibilities under the *NIH Guidelines*

Establish and implement policies for the safe conduct of recombinant DNA research

Establish an Institutional Biosafety Committee

Assist and ensure compliance with the NIH Guidelines by investigators

Ensure appropriate training for IBC members and staff, PIs, laboratory staff

Determine necessity for health surveillance of personnel

Report any significant problems or violations to Office of Biotechnology Activities within 30 days

Compliance Issues

Most everything we do is compliance

But, there are some major areas:

- Responsible conduct of research
- Research misconduct
- Conflict of Interest
- Human subject use
- Use of animals in research
- rDNA
- Export Controls



"How long do we have to get in compliance?"

Why is Compliance Important?

Public Trust

The conduct of research is a privilege granted by society

The granting of the privilege is based on the public's trust that research will be conducted responsibly

Erosion of that trust can result in the public's withdrawal of the privilege

Public trust is maintained through ethical action, and institutional and individual accountability

Responsible Conduct of Research


NSF, USDA NIFA and NIH have some form of RCR training requirements dependent on type of award/participant in the following areas:

- Data acquisition, management, sharing, and ownership
- Mentor/trainee responsibilities
- Publication practices and responsible authorship
- Peer review
- Collaborative science
- Human subjects
- Research involving animals
- Research misconduct
- Conflict of interest and commitment

Institution determines content, length, format, and who is covered

Research Misconduct

Fabrication, falsification, or plagiarism in proposing, performing, or reviewing research, or in reporting research results



does not include honest error or honest differences in interpretations or judgments of data.

Federal Scientific Misconduct Definitions

Fabrication is making up data or results

Falsification is manipulating, changing, or omitting data or results

Plagiarism is taking another person's ideas, processes, or words without giving appropriate credit

65 FR 22286 (12/6/2000)

Research Misconduct

Institutions must develop policies and procedures for allegations of misconduct:

- Definitions
- Written policy – assurance of confidentiality
- Description of inquiry and investigational phases
- Process for protection of whistleblowers
- Protection of research subjects
- Reporting to agency (process/timing)
- Retention of records
- Certification requirements

DHHS requires Assurance Annual Report on Possible Misconduct

What Is Conflict of Interest?

1. Institutional Interest/Duty

- Research integrity
- Education
- Patient welfare



Judgment



Possible Adverse Outcome

2. Outside Interest

- Financial gain
- Recognition



Undue Influence



Potential Conflicts of Interest

Ownership and equity

Outside management positions

Paid consulting

Honoraria

Recruitment bonuses/incentives

“Finders fees”

Federal Policy Requirements

■ Federal Mandates

- ❖ Maintain an appropriate written and enforced policy and procedures
- ❖ Designate an institutional official

■ Federal Disclosures

- ❖ Require disclosure of the related financial interests of each individual, including those of spouse and dependent children, prior to submission of application for funding
- ❖ Required for all NSF and PHS funding applications
- ❖ Applies to those involved with the design, conduct, or reporting of research
- ❖ Significant financial interests must be disclosed
- ❖ Financial interest defined as greater than \$5,000 annual income and/or equity in an entity that reasonably appears to be related to the PI's institutional responsibilities

FCOI – Elevated Reporting Requirements

- This regulation promotes objectivity in research by establishing standards that provide a reasonable expectation that the design, conduct, and reporting of research funded under NIH grants or cooperative agreements will be free from bias resulting from Investigator financial conflicts of interest.
- Significant Financial Interest (SFI): A financial interest . . . 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.
- SFI -- \$5,000 threshold for reporting

New Requirements

- Investigators must disclose 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 directly)
- Requires that subrecipients follow the same rules – either through their own policies or by training and disclosing through the prime recipients' system.

Financial Conflict of Interest

- Specific criteria for review will be at institution's discretion
- Conflicts must be managed
- Applications must contain certifications
- Institutional records are subject to federal review

Bottom line – At a minimum, institutions must have written policies and procedures in compliance with federal regulation/policy.

Export Control Regulations

U.S. export control laws and regulations are intended to serve various objectives and interests

- Restrict the export of goods and technologies that could contribute to the military or economic potential of U.S. adversaries – “dual use” technologies
- Prevent the proliferation of nuclear, chemical and biological weapons
- Prevent terrorism and other illicit activities (e.g. drug trafficking)
- Increased focus on enforcement since 9/11/2001

U.S. Export Control Authorities

Treasury Department	Commerce Department	State Department
Office of Foreign Assets Control (OFAC)	Bureau of Industry and Security (BIS)	Directorate of Defense Trade Controls (DDTC)
Foreign Assets Control Regulations	Export Administration Regulations (EAR)	International Traffic in Arms Regulations (ITAR)
Sanction Programs	Commerce Control List (CCL)	United States Munitions List (USML)
Prohibits transactions with countries, entities and persons subject to boycotts, trade sanctions and embargoes	Exports and re-exports of dual-use commodities, software, equipment and technology	Transfers of defense articles and provision of defense services; inherently military technologies

Licensing and Exclusions

An export license may be required before a controlled item or technical data about a controlled item may be exported.

If a license is required and denied, export or deemed export is prohibited.

Most university research and teaching qualifies for regulatory exclusions or license exemptions.

Implications of Export Laws

No effect on vast majority of university research

But potential impact on:

- Ability of foreign students to participate in research involving a controlled technology (mostly under ITAR)
- Ability to provide services (including training in the use of controlled equipment) to foreign nationals (ITAR, EAR, OFAC)
- Ability to send controlled equipment to foreign countries (ITAR, EAR, and OFAC)

University Strategy

Protect fundamental research exclusion by eliminating contractual clauses that destroy our ability to claim the exclusion

Designate office, function to manage export control and matters

Purchasing and Travel Requirements

Buy American Act

- All contracts for acquisition of supplies or services furnishing supplies
- Each product must be considered to have been substantially mined, produced, or manufactured in the U.S.

Fly American Act

- All awards and flow-down to subrecipients
- Required that American-flag carriers be used except under limited prescribed circumstances – cost not an issue
- Good reference: NSF Proposal and Award Policy and Procedures (PAPP) Guide:
http://www.nsf.gov/publications/pub_summ.jsp?ods_key=nsf14001&org=NSF

Purchasing and Travel Requirements

Open Skies Agreements

- Allows federally-supported travelers (grantees and contractors) to use non-US carriers *in some cases*
- Provisions do not apply:
 - To DOD-supported activities
 - If a City Pairs agreement exists

Four Open Skies Agreements

- European Union, Australia, Switzerland, and Japan
- So far, only NSF has formally published open skies rules for their grantees

Federal Travel Regulations

- Per diem rates for U.S. and foreign travel aoprals.state.gov
- Use of rates not required by law (Uniform Guidance and OMB A-21 says use your own policies), but must be consistent

Debarment and Suspension Compliance

Small Disadvantaged Businesses

Debarment and Suspension

- Must certify that your organization has not been debarred or suspended from doing business with the federal government
- Assure that subawardees, vendors, etc. have also not been debarred
- Can accept self-certification or
- Use Excluded Parties List Federal: www.sam.gov
- State: www.gsaig.gov

Utilization of Small Disadvantaged Business Concerns

- Reasonable efforts for contracts in excess of \$150,000 with flow down to subs
- If contract over \$650,000, subcontracting plan and reporting requirements will apply
- “Subcontracting” means procurement of goods and services AND research/development subcontracting
- Subcontracting plan compliance/reporting can be handled by either purchasing, research administration or by project administrator

Lobbying

Defined:

- Using federally appropriated funds to pay a person to influence or attempt to influence a federal official or employee in connection with a specific award

Applicability:

- All federal agreements
- Flow-down to subcontractors required
- Certification required the federal contract, grant, or cooperative agreement over \$100,000

Aspects Of Compliance:

- Lobbying costs may not be paid from federal funds
- “Federal funds” interpreted to mean direct costs only
- Disclosure of lobbying expenses required in certain instances
- Faculty involvement in lobbying may be an Issue
- Does not apply when individual is asked to meet or testify

Public Access Policy

- Began with NIH in 2008
- All investigators funded by the NIH must submit an electronic version of their final, peer reviewed manuscripts upon acceptance for publication
- Repository is at the National Library of Medicine's PubMed Central

Additional Agencies

- 24 federal agencies and additional private funders will require public access compliance in the next 12-18 months for publications and also for digital scientific data
- Public access compliance requirement for federal agencies includes both publications and data
- Each federal agency has different public access policy plans and details, i.e. timelines, compliance monitoring, submission mechanisms, publication repositories, data repositories and more.
- Data public access requirements may generate concerns over HIPAA, FERPA, technology transfer, intellectual property, etc.

Implementation Plans

AGENCY	IMPLEMENTATION TIMELINE	COMPLIANCE MONITORING	ARTICLE REPOSITORY
AHRQ, Agency for Healthcare Research and Quality	February 2015 (A); October 2015 (D)	Review of grant applications & annual reports for compliance	PubMed Central
ASPR, Office of the Asst Secretary for Preparedness & Response	October 2014	Manual check of proposals & applications for PMCID	PubMed Central
CDC, Centers for Disease Control and Prevention	July 15, 2015 (A); October 2016 (D)	Extramural compliance will be monitored through RPPRs.	Stacks / PubMed Central
DOD, Department of Defense	End of calendar year 2015	Multiple approaches for compliance	Defense Technical Information Center (DTIC)
DOE, Department of Energy	October 2014 (A & D)	Review by DOE matching Submissions to FundRef infor	PAGES to Index (Publisher, Local Repository, OSTI)
DOT, Department of Transportation	January 2014 (A)	Not reported	National Transportation Library
FDA, Food & Drug Administration	October 2015	Periodic reporting to contracting officer reps and program officers	PubMed Central
NASA, National Aeronautics & Space Administration	October 2015 (A,D)	Annual and final reporting requirements for awardees	NASA portal of PubMed Central
NIH, National Institutes of Health	April 2008	Extramural compliance monitored through annual reporting	PubMed Central
NIST, National Institute of Standards and Technology	October 2015 (A,D)	Multiple approaches for compliance	PubMed Central
NSF, National Science Foundation	January 2016 (A)	Review by Cognizant Program Officers in annual & final reports	PAGES
USDA, United States Department of Agriculture	January 2016	"Failure to comply will negatively influence funding opportunities."	PubAg
USAID, United States Agency for International Development	October 2014 (D)	Not reported	Development Data Library
USGS, United States Geological Survey	February 2015 (D)	Not reported	Not reported
VA, United States Department of Veterans Affairs	October 2015 (A)	Monitoring through the PubTracker system	PubMed Central

