

FEDERAL GRANTS NEWS

for Colleges and Universities

In This Issue

- 2 Grants.gov Is in Your Future: Tips for Getting Ready
- 3 Addressing the DOE Cost Sharing Requirements
- 4 NIH Multiple PI Web Site

Supreme Court Upholds Solomon Amendment

As this issue went to press, the U.S. Supreme Court unanimously ruled that the federal government may withhold federal funds from colleges and universities if they refuse to allow military recruiters on campus or restrict recruiters' access. The decision upholds the 1994 Solomon amendment, which had imposed this funding condition. *Federal Grants News* will review the statute, requirements, and impact in its next issue. For a copy of the decision in *Rumsfeld v. Forum for Academic and Institutional Rights*, go to www.supremecourtus.gov and click on "Recent Decisions."

NIH, Universities Prepare to Implement Federalwide Policy on Multiple PIs

In early February, the National Institutes of Health (NIH) became the first federal agency without a multiple PI policy to formally announce that it will implement the federalwide policy to allow more than one principal investigator (PI) on NIH awards. Emphasizing that this policy will supplement, not replace, the single investigator model, the NIH goal is to encourage collaboration among equals addressing a scientific problem.

The federal policy was the result of an initiative of the Research Business Models (RBM) subcommittee of the Committee on Science, itself a committee of the National Science and Technology Council of the Office of Science and Technology Policy (OSTP). Throughout a series of public meetings, the RBM heard a common theme — many science projects now involve more than one investigator, and federal agencies should allow for credit of multiple PIs. As a result, on Jan. 4, 2005, Dr. John Marburger, OSTP director, issued a memorandum to all federal agency research heads directing them to accommodate the recognition of two or more PIs on research projects. On July 18, 2005, in a *Federal Register* announcement, OSTP posed a series of

continued on p. 3

NSF Reveals Policy Changes, Discusses Grants.gov Implementation

The National Science Foundation (NSF) met with representatives of the Council on Governmental Relations (COGR) in early February to discuss NSF policy changes and its evolving implementation plans for Grants.gov.

Consulting Rate. For years, NSF has been required by statute to maintain a rate of pay for consultants that did not exceed the current maximum rate paid to an Executive Schedule Level IV federal employee (\$537 in 2005). However, this requirement was finally rescinded in the NSF's latest appropriation law, and NSF will issue an announcement soon, removing the limitation on consultant compensation. The new NSF policy will allow applicants to request a "reasonable" rate of compensation that is consistent with the expertise of the consultant and prevailing rates in the consultant's particular discipline.

continued

Editor

Jane A. Youngers
University of Texas
Health Science Center
at San Antonio

Contributing Editors

Jerry G. Fife
Vanderbilt University
Gunta Lidars
University of Rochester

Managing Editor

Frances Fernald



Reporting Tracking. NSF also plans to implement a new report tracking system in the fall. The NSF Inspector General has criticized NSF for the volume of late or missing annual and final technical reports. While NSF requires an annual progress report, lack of receipt has no impact on future committed-year funding. This has left NSF without an effective means of addressing missing or delinquent annual reports. Among the measures NSF will take to address the problem is implementation of a system that will prevent submission of a final progress report until all of the annual reports have been received by the agency. To assist institutions in monitoring these submissions, NSF plans to create an accessible tracking system. In addition, NSF is considering an "amnesty" program for those long-overdue final reports associated with investigators who have left the institution. A general announcement will be made once these policies and systems are ready for implementation and use.

Grants.gov. The NSF announced its Grants.gov implementation strategy in January 2006 (see www.nsf.gov/bfa/dias/policy/docs/grantsgovadvisory06.pdf). Like the NIH implementation, once an NSF proposal is submitted to Grants.gov, it will be picked up by NSF's own system, FastLane, where it will reside; unlike the NIH implementation,

any required corrections, revisions, or modifications to the proposal will be done on FastLane. The NSF stressed that it will reject any proposal submitted through Grants.gov if the attachments are not in pdf format. Collaborative proposals (involving more than one institution) submitted through Grants.gov also will be rejected without review until further notice. The NSF is open to developing a test funding announcement that would allow investigators and institutions to make mock submissions as a way of assisting them in understanding the entire Grants.gov / FastLane proposal process.

Just a note: The multiple PI initiative discussed in the p. 1 story is not an issue for the National Science Foundation. The agency always has allowed multiple investigators on applications and recognizes each named PI in award documents. Officials from NSF have stated that they do not intend to change the current policy. ✧

Grants.gov Is in Your Future: Tips for Getting Ready

For many institutions, submission of proposals through Grants.gov has not yet become a standard practice, and while the extension of the NIH R01 Grants.gov deadline is a reprieve for many institutions, this does not mean that sponsored programs offices can put their Grants.gov implementation plan on the back burner. Some institutions already have had a great deal of experience in Grants.gov submissions, and those who need to catch up can learn from these institutions with respect to "getting ready" tips. Some common-sense recommendations follow.

Create an implementation schedule or calendar.

Know which Grants.gov deadlines will impact the institution and be ready when these hit. Laying out tasks, objectives, and requirements on a monthly time line will ensure that the institution is on track.

Recruit an advisory committee. Sponsored programs offices will need to solicit help in order to effectively implement Grants.gov. An advisory committee should consist of academic leaders who will help provide support from the top and promote faculty interests, IT staff who will provide guidance on institutional technological capabilities and education, departmental or unit administrators who will assist the faculty in proposal submission, and central sponsored programs administrative staff. An institution shouldn't forget to include staff that will be setting up Web sites and providing education and training.

Assess the requirements for non-Windows users. Due to the current limitations of Grants.gov for non-

FEDERAL GRANTS NEWS for Colleges And Universities is published monthly (10 times a year with combined issues in July/August and December/January) as a part of **A Guide to MANAGING FEDERAL GRANTS for Colleges and Universities**. The newsletter may be filed at the "FEDERAL GRANTS NEWS" tab in the Guide.

Copyright © 2006 by Atlantic Information Services, Inc.; National Association of College and University Business Officers; and National Council of University Research Administrators. All rights reserved. Reproduction by any means — including photocopying and transmittal by FAX — is a violation of federal copyright law, punishable by fines of up to \$100,000 per violation.

Editor, Jane Youngers; Managing Editor, Frances Fernald; Contributing Editors, Jerry G. Fife, Gunta Lidars; Desktop Publishing Specialist, Shanara L. McKinnon; Marketing Director, Donna Lawton; Circulation Manager, Laura Baida.

Annual subscriptions include the looseleaf or CD-ROM version of **A Guide to MANAGING FEDERAL GRANTS for Colleges and Universities**, quarterly looseleaf updates, and ten issues of **FEDERAL GRANTS NEWS for Colleges and Universities**.

Annual subscriptions for NCURA and NACUBO members for the looseleaf or CD-ROM version of the **Guide** are \$387 (a \$100 discount off the \$487 nonmember rate). All orders must be prepaid or accompanied by a purchase order.

To order or to change your address, call 1-800-521-4323 (in D.C., 202-775-9008), mail this form to Atlantic Information Services, Inc., 1100 17th St., NW, Ste. 300, Washington, D.C. 20036, or fax to 202-331-9542. Major credit cards accepted.

Does your college or university need an additional subscription to A Guide to MANAGING FEDERAL GRANTS? Please complete and mail the information above or call 1-800-521-4323 (202-775-9008 in D.C.).

Addressing the DOE Cost Sharing Requirements

Since the enactment last August of Pub. L. 109-58, Energy Policy Act of 2005, a number of universities report that research awards funded under Department of Energy (DOE) programs established by this law have come with cost sharing requirements.

A reading of the statute's applicable provisions shows that, in most cases, universities should not be required to cost share, and in cases involving applied research, DOE has the authority to reduce or waive the cost sharing requirement.

The specific provision is section 988 of the law (42 USC 16352). It reads as follows:

SEC. 988. COST SHARING

(a) **APPLICABILITY.** — Notwithstanding any other provision of law, in carrying out a research, development, demonstration, or commercial application program or activity that is initiated after the date of enactment of this section, the Secretary shall require cost sharing in accordance with this section.

(b) **RESEARCH AND DEVELOPMENT** —

(1) **IN GENERAL.** — Except as provided in paragraphs (2) and (3) and subsection (f) [specific program exclusions], the Secretary shall require not less than 20 percent of the cost of a research or development activity described in subsection (a) to be provided by a non-Federal source.

(2) **EXCLUSION.** — Paragraph (1) shall not apply to a research or development activity described in subsection (a) that is of a basic or fundamental nature, as determined by the appropriate officer of the Department.

(3) **REDUCTION.** — The Secretary may reduce or eliminate the requirement of paragraph (1) for a research and development activity of an applied nature if the Secretary determines that the reduction is necessary and appropriate.

Thus, the statute excludes cost sharing for any basic or fundamental research. For applied research, paragraph (b)(3) offers institutions and their principal investigators an opportunity to negotiate the elimination or reduction of any cost sharing requirement that a DOE grant or contract negotiator may try to impose in the award. Universities should cite these provisions to program officers. This option presents a solid solution to the DOE cost sharing dilemma.

Windows users, institutions will need to decide whether the Grants.gov Citrix solution is robust enough for its investigators. Many institutions can leverage existing institutional Citrix servers for Grants.gov submissions; others will want to invest in the technology. Remember to include use of Citrix in Grants.gov training.

Assess institutional limitations on e-mailing Grants.gov proposal files. Many institutions have file size limitations on e-mail attachments, such as 10–20 megabytes. Large proposals can easily run 30–40 megabytes. Thus, institutions will need to consider requiring investigators to submit proposals to a shared drive or a central server or advising investigators to deliver proposal files to the central sponsored programs office on a CD-ROM. If an institution decides that a file transfer protocol (FTP) to a shared server is the optimal solution, then the institution should develop a naming protocol for proposal submissions and standard operating procedures for central sponsored programs offices to retrieve these proposals. This naming protocol should also be included in any Grants.gov training.

Develop a Grants.gov Web site. A Grants.gov Web site will be critical to provide the institution with updated information, links to agency implementation packages of Grants.gov, institutional instructions and tips, as well as training tools and schedules.

Watch for more Grants.gov implementation tips in forthcoming newsletters! ♦

NIH Multiple PI Plan

continued from p. 1

questions to elicit information on how to implement the multiple PI initiative; NIH also requested information (NOT-OD-05-055) on a plan to recognize multiple principal investigators.

Implementation Will Be Incremental

The NIH policy will be implemented in small steps beginning with a selected number of program announcements and requests for applications that carry May or June 2006 deadline dates. More programs will be added later, and NIH anticipates that the multiple PI option will be available for most investigator initiative projects with a receipt date of January 2007 and later.

NIH has established a Web site with information on its multiple PI initiative (see box, p. 4). Some of the details of the its implementation plan, although subject to change, are as follows:

(1) NIH will change its grant application forms (both paper and electronic) to include sections for more than

one PI. (What the implication of this change will be for Grants.gov and for institutions implementing their own system-to-system interfaces remains unclear.)

(2) PIs will be expected to share responsibility for directing the project or activity.

(3) The institution will be asked to designate a "Contact PI" at the time of application.

(4) The contact PI will be responsible for communication between all of the PIs and NIH.

(5) NIH will identify each PI in its databases and official reports.

Institution Must Submit Leadership Plan

At the time of proposal submission, NIH will require the institution to present a leadership plan addressing the roles and areas of responsibility of the named PIs, as well as the process for making decisions on scientific direction, resource allocation, and dispute resolution. NIH will consider this plan as part of the merit review process.

Awards with more than one institution will be handled as they are now. Either one institution will receive a single award and issue a subaward to the other, or NIH will issue separate linked awards to each institution.

Institutions to Review Internal Policies

As the NIH and, in time, other federal agencies, make the multiple PI option available, institutions need to consider how their own policies and procedures will accommodate multiple PIs. Some points to consider include the following:

Internal Credit. For administrators, internal credit on reports will be a major issue. How will the institution recognize each PI in its reports and on what basis will that credit be given? One method could be double-counting; that is, each investigator would be credited in the institution's reports with the full amount of the award. Another might be allocation; here, each investigator would be allocated a portion of the award. That allocation could be made on the basis of projected expenditures or on intellectual contribution. NIH suggests that intellectual allocation may be more realistic. If intellectual contribution serves as the basis for the allocation, the timing of that allocation is important—the institution may require allocation at the time of proposal submission, as opposed to award time, because it is often easier to get agreement for the future than the present.

Allocation of Funds. How would funding be allocated in the institution's financial system? Any decisions made by the institution about internal credit

NIH Multiple PI Web Site

NIH has established a Web site with information on its multiple PI initiative, accessible at http://grants2.nih.gov/grants/multi_pi/index.htm.

The Web site provides background information on the initiative and posts an informative set of frequently asked questions (FAQs).

must consider how the award will be treated in the financial system. Will separate accounts be established? Or will the institution establish only one account but use percentage allocations on its reports? Does the financial system have the ability to track those percentage allocations? Section C of the FAQs on the NIH Web site states that the PIs and the grantee institution may choose whether to use the allocation method. If they do, the allocation will be noted as a footnote to the grant award with the institution retaining the right to rebudget among allocations as necessary.

Other Institutional Considerations. Any consideration of policies and procedures for multiple PIs must factor in the potential uses of allocation methods and credit. How will this data be used in the promotion and tenure process? Is the data necessary for space allocation, and how will it be used in that process?

Leadership Plan. Because NIH will require institutions to develop leadership plans, institutions should consider establishing standards for the plans. Section D of the NIH FAQs suggests that the plan should "contain the roles and areas of responsibilities of the named PIs, the process for making decisions on scientific direction, allocation of resources, publications, intellectual property issues, procedures for resolving conflicts, and other information related to the management of the proposed team science project."

Reports. Reports are another consideration. While NIH suggests that each of the multiple PIs are equal and that the designation of a lead PI is only for communication purposes, the institution should decide whether one individual will be responsible for the finalization and completion of any required reports and address this issue in the leadership plan.

While NIH is the first of the federal agencies to address multiple PIs, it will not be the last. Because of the importance of this issue to faculty, sponsored program administrators would be wise to put institutional policy development for this important area on their agenda. ✧