



Agency Implementation of Uniform Guidance

What's Changed?

Uniform Guidance Topics

Guide to Issues

Administrative Salaries eCFR [§200.413](#) No more major projects. Administrative salaries must be integral and allocable to project. Include in budget justification.

Closeout eCFR [§200.343](#) Financial closeout within 90 days including all final billings. (120 days for NSF and NIH.)

Computing Devices (under \$5,000) eCFR [§200.453](#) Must be essential and allocable to project. Include in budget justification.

Cost Sharing eCFR [§200.306](#) Not allowed unless in solicitation. Cannot be used during merit review.

Entertainment eCFR [§200.438](#) Must have programmatic purpose to the project. Include in budget justification.

Exchange Rates eCFR [§200.440](#) Agency approval required if additional federal funding or reduction in scope needed.

Goods or Services for Personal Use eCFR [§200.445](#) Must be essential and allocable to project. Include in budget justification.

Participant Support Costs eCFR [§200.75](#), eCFR [§200.456](#) Now on federal-wide basis. No F&A. Include in budget justification.

PI Disengagement eCFR [§200.308](#) Recognizes PI may be away from the campus but not away from the project.

Procurement eCFR [§200.317 - §200.326](#) Include UCSD Procurement early in the process. Uniform Guidance procurement issues will not be implemented until July 1, 2016.

Publication and Printing eCFR [§200.461](#) Allocable publication charges allowed within closeout period.

Rearrangement & Reconversion eCFR [§200.462](#) Must be essential and allocable to project. Include in budget justification.

Records Retention eCFR [§200.333](#), eCFR [§200.335](#) Electronic records require safeguards against altering.

Subawards eCFR [§200.330 - §200.332](#) Request OCGA Subaward Officer review and approval prior to proposal submittal.

Taxes eCFR [§200.470](#) Institutional policy will prevail regarding taxes.

Travel Costs eCFR [§200.474](#) Institutional policy will prevail regarding dependent care costs.

Visas Costs eCFR [§200.463](#) Short-term visas may be allowable under certain circumstances but not long term.

[ELECTRONIC CODE OF FEDERAL REGULATIONS \(eCFR\)](#)

Research Terms & Conditions (RTC)

The Research Terms & Conditions (RTC), which previously applied to research awards from a number of Federal funding agencies, expired with the implementation of the Uniform Guidance on December 26, 2014. A working group headed by representatives from NIH and NSF is developing a revised version of the RTC. In the meantime, several Federal funding agencies have incorporated interim research terms and conditions.

NSF Uniform Guidance

NSF grants, continuing grant increments, and supplemental funding now contain the following:

This grant is awarded pursuant to the authority of the National Science Foundation Act of 1950, as amended (42 U.S.C. 1861-75) and is subject to NSF Grant General Conditions (GC-1), dated December 26, 2014, available at http://www.nsf.gov/awards/managing/general_conditions.jsp.

This award is subject to the Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards (Uniform Guidance). NSF's implementation of the Uniform Guidance is contained in the Grant Conditions referenced in this award.

This institution is a signatory to the Federal Demonstration Partnership (FDP) Phase VI Agreement which requires active institutional participation in new or ongoing FDP demonstrations and pilots.

NSF Grant General Conditions (GC-1) state:

- Grantees may approve pre-award costs incurred within the ninety calendar day period before the start date of the grant.
- Grantees may authorize a one-time extension of the end date of the grant up to 12 months if additional time beyond the established end date is required to assure adequate completion of the original scope of work within the funds already made available. Requests for no-cost extensions beyond the above referenced authority must be approved by NSF.
- Grantees must submit final financial disbursements no later than 120 days after the grant end date in ACM\$.

NSF approval is required for Significant Project Changes:

- Transfer of the project effort
- Change in objective or scope
- Disengagement or change of PI or co-PI
- Change in the amount of approved cost sharing reflected on Line M of the grant budget
- Rearrangement and Reconversion Costs
- Salaries of administrative or clerical staff
- Travel costs for dependents (UCSD policy takes precedent)
- Transfer of funds budgeted for participant support or additional categories of participant support costs.

Contact Ann Dunbar (x-41293) adunbar@ucsd.edu for NSF-related questions or clarification (May 19, 2015).

NASA Uniform Guidance

NASA grants, continuing grant increments, and supplemental funding now contain the following:

This award is made under the authority of 51 U.S.C. 20113 (e) and is subject to all applicable laws and regulations of the United States in effect on the date of this award, including, but not limited to 2 CFR Part 200 and Part 1800. Unless otherwise specified, the terms and conditions in 2 CFR 1800 to 1800.918 and the requirements in 2 CFR 170, 175, and 182 apply and are incorporated by reference. To view full text of these requirements and terms and conditions go to https://prod.nais.nasa.gov/pub/pub_library/srba/index.html

FDP TERMS AND CONDITIONS AND NASA AGENCY-SPECIFIC REQUIREMENTS APPLY TO THIS GRANT **(This box is no longer checked.)**

§ 1800.209 Pre-award costs. NASA waives the approval requirement for pre-award costs of 90 days or less.

§ 1800.903 Extensions. Recipients may extend the expiration date of a grant if additional time beyond the established expiration date is required to assure adequate completion of the original scope of work within the funds already made available. For this purpose, the recipient may make a one-time no-cost extension, not to exceed 12 months, prior to the established expiration date.

§ 1800.905 Change in Principal Investigator or Scope. The Recipient shall obtain the approval of the NASA Grant Officer for a change of the Principal Investigator, or for a significant absence of the Principal Investigator from the project, defined as a three month absence from the program or a 25 percent reduction in time devoted to the project. Prior written approval is required from NASA if there is to be a significant change in the objective or scope.

§ 1800.906 Financial management. The Recipient shall submit a final SF 425 in electronic or paper form to NASA within 90 calendar days after the expiration date of the grant.

§ 1800.918 Allocation of Risk/Liability/Indemnification. (a) With respect to activities undertaken under this agreement, the Recipient agrees not to make any claim against NASA or the U.S. Government with respect to the injury or death of its employees or its contractors and subcontractor employees, or to the loss of its property or that of its Contractors and subcontractors, whether such injury, death, damage or loss arises through negligence or otherwise, except in the case of willful misconduct. (b) In addition, the Recipient agrees to indemnify and hold the U.S. Government and its Contractors and subcontractors harmless from any third party claim, judgment, or cost arising from the injury to or death of any person, or for damage to or loss of any property, arising as a result of its possession or use of any U.S. Government property. **Does this project involve any NASA real property (land/buildings)?**

(If yes, SIO C&G must be notified before proceeding.)

Restrictions on Funding Activities with China. Pursuant to The Department of Defense and Full-Year Appropriation Act, Public Law 112-10, Section 1340(a); The Consolidated and Further Continuing Appropriation Act of 2012, Public Law 112-55, Section 539; and future-year appropriations (hereinafter, "the Acts"), NASA is restricted from using funds appropriated in the Acts to enter into or fund any grant or cooperative agreement of any kind to participate, collaborate, or coordinate bilaterally with China or any Chinese-owned company, at the prime recipient level or at any subrecipient level, whether the bilateral involvement is funded or performed under a no-exchange of funds arrangement.

The statute does not restrict individual involvement based on citizenship or nationality. Rather individuals are subject to the restriction if they are affiliated with institutions of the People's Republic of China or Chinese-owned companies incorporated under the laws of China. Thus, a team member who is a Chinese citizen may work on a NASA project, but an individual affiliated with an institution of the Chinese state will be subject to the statutory restriction.

Contact Ann Dunbar (x-41293) adunbar@ucsd.edu for NASA-related questions or clarification (May 19, 2015).

NOAA Uniform Guidance

NOAA Award Documents, CD-450 (For New Awards) and CD-451 (For Incremental Funding) now contain the following:

2 CFR Part 200 - Uniform Guidance

This award is subject to and the recipient must comply with the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance), which is codified at 2 C.F.R. Part 200. In effect as of December 26, 2014, this final guidance is a streamlining of the Federal government's guidance on administrative requirements, cost principles, and audit requirements for Federal awards. It supersedes requirements contained in OMB Circulars A-21, A-87, A-102, A-110, A-122, and A-133.

NOAA Awards are being issued with an addendum entitled “Commerce Research and Development Award Condition Dec 2014” which has provides the following clarifications:

From: “Commerce Research and Development Award Condition Dec 2014”

RESEARCH AND DEVELOPMENT AWARD

The project funded under this award involves research, development, or related activities. The Department of Commerce has therefore designated this award as “Research and Development” under 2 C.F.R. § 200.87 for purposes of grants administration.

Unless otherwise specified in a Special Award Condition, the following provisions apply to this award.

a. Research award provisions. The policies and requirements in 2. C.F.R. Part 200 that apply to “research” awards apply to this award.

b. Continuation of research award administrative interpretations. Federal-wide grants administration policies at 2 C.F.R. Part 200 adopted by the Department of Commerce on December 26, 2014 continue many policies for research award administration that the Department had previously implemented in Federal-wide Research Terms and Conditions. To maintain continuity in research award administration to the extent practicable the Department will interpret provisions in this award consistent with the June 2011 version of the Federal-wide Research Terms and Conditions. This specifically includes previously identified waiver of prior approvals under cost principles:

From: the June 2011 version of the Federal-wide Research Terms and Conditions:

(c) All prior approvals required in OMB Circulars A-21 and A-122, except those waived in subparagraphs (1) – (5) of this Article. The recipient is authorized to do any one or more of the following:

- (1) Incur pre-award costs 90 calendar days prior to award**
- (2) Initiate a one-time extension of the expiration date of the award of up to 12 months**
- (3) Carry forward unobligated balances to subsequent funding periods.**
- (4) Transfer amounts budgeted for indirect costs to absorb increases in direct costs, or vice versa.**
- (5) Transfer funds allotted for training allowances (direct payment to trainees) to other categories of expense.**

And the additional provision from the addendum titles: **Commerce Research and Development Award Condition Dec 2014:**

Exempt property (not Federally-owned). The Department supplements 2 C.F.R § 313(a) and § 200.314, regarding title to equipment and supplies for nonprofit institutions of higher education whose principal purpose is conducting scientific research. The Department **vests title in tangible personal property acquired to conduct basic or applied research under this award to such non-Federal entities without further obligation to the United States Government.**

Contact William Park III wparkiii@ucsd.edu for NOAA-related questions or clarifications

Department of Energy Uniform Guidance

Existing DOE awards to remain under OMB Circulars unless noted in DOE Assistance Agreements.

To date SIO has not received funded continuation amendments which are under 2 CFR 200.

Unless notified by the agency existing DOE awards remain under the June 2011 version of the Federal-wide Research Terms and Conditions. These terms and conditions include the following:

10% Rebudget authority between approved Cost Categories.

The following prior approvals are waived:

- (1) Incur pre-award costs 90 calendar days prior to award
- (2) Initiate a one-time extension of the expiration date of the award of up to 12 months
- (3) Carry forward unobligated balances to subsequent funding periods.
- (4) Transfer amounts budgeted for indirect costs to absorb increases in direct costs, or vice versa.
- (5) Transfer funds allotted for training allowances (direct payment to trainees) to other categories of expense.

New DOE awards will be issued under Uniform Guidance

2 CFR Part 200 - Uniform Guidance

This award is subject to and the recipient must comply with the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance), which is codified at 2 C.F.R. Part 200. In effect as of December 26, 2014, this final guidance is a streamlining of the Federal government's guidance on administrative requirements, cost principles, and audit requirements for Federal awards. It supersedes requirements contained in OMB Circulars A-21, A-87, A-102, A-110, A-122, and A-133.

At this time it is not clear which if any of the Prior Approvals will be waived on DOE Awards under 2 CFR Part 200. New awards will hopefully include language that clarifies this point.

Contact William Park III wparkiii@ucsd.edu for DOE-related questions or clarifications

Department of Defense Grants and Cooperative Agreements Uniform Guidance

Existing DOD awards to remain under OMB Circulars(funding increments).

New DOD awards will be issued under Uniform Guidance.

As of December 26, 2014, the Office of Naval Research(ONR) will use the agency-specific terms and conditions for all New, Renewal and Expansion awards for domestic research grants subject to 2 CFR part 200.

Office of Naval Research Research Grant Agency Specific Requirements Interim Terms and Conditions: This award is governed by the guidance in 2 Code of Federal Regulations (CFR) part 200, Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards, "as modified and supplemented by the DOD interim implementation found at 2 CFR part 1103, "Interim Grants and Cooperative Agreements Implementation of Guidance in 2 CFR part 200".

See link:

<http://www.onr.navy.mil/Contracts-Grants/submit-proposal/grants-proposal/~media/Files/Contracts-Grants/Grants-Terms/2015/Research-Grant.aspx>

Only change from ONR Research Core Agency Specific Requirements(2011) is the Revised Budget Requirements:

Revised budgets, when required, must be submitted on the SF 424 Research and Related Budgets.

Questions on DOD or ONR contact Melanie David mdavid@ucsd.edu