

UG Update

June 2016 COGR Meeting
Washington Marriott, Washington DC

June 10, 2016

COGR

Council On Governmental Relations

An association of research universities

UG Open Items;

March 16 COGR Letter to OMB

- 1) **Procurement**. Survey and Letter submitted. To be shared with COGR on June 13. Extend grace period to FY19 and re-open rulemaking?
- 2) **Conflict of Interest**. OMB is interested in reviewing COGR analysis. Some solutions discussed included “harmonizing definitions” and other basic clarifications.
- 3) **1.3% UCA and REUI weighting factor**. CAS and ONR have stated they don’t have engineering background. OMB will work with the Energy. If/when a change is approved, OMB will post the new REUI on their web site.

UG Open Items;

March 16 COGR Letter to OMB

- 4) **DS-2**. OMB is interested in the COGR proposed language (i.e., eliminate the 6 month approval process). OMB and the COFAR are committed to work with the Federal community, including CAS, ONR, and the IGs, to gauge support for such a change.

- 5) **Subrecipient Monitoring and Safe Harbor**. OMB is open to technical corrections and/or FAQs to clarify subrecipient monitoring responsibilities per 200.331(d).

UG Open Items;

March 16 COGR Letter to OMB

6) For-Profits/10% de minimus and Foreign Entity Subrecipients. OMB is open to technical corrections and/or FAQs. They understand the challenge to a for-profit to accept 10% and the challenge to our institutions of having to do rate negotiations. They will take this issue to the COFAR. As to foreign entities and monitoring responsibilities and the expectation of foreign entity compliance with the UG, they are willing to help clarify if we can be very specific as to what our concerns and recommendations are prior to sharing with OMB.

UG Open Items;

March 16 COGR Letter to OMB

7) **Research Terms and Conditions (RTCs) and Uniformity**. OMB is supportive and will promote uniformity when possible. Though OMB stated a uniform 120-day grant close-out model currently is not being considered, we suggested that this could be an ideal Data Act pilot.

8) **Codification of the Preamble and FAQs**. OMB provided a detailed explanation in their May 16 letter. They reiterated in the letter that the FAQs would continue to be incorporated in the annual Single Audit Compliance Supplement.

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9) **Cost Share and F&A deviations.** The problem is when deviations show up in funding announcements and are too late to address. Ombudsman solution? (see next).

10) **OMB Ombudsman.** While the establishment of a specific position is not possible at this time, OMB is committed to being informed of agency deviations. We suggested that OMB establish a “process” where we share specific situations with OMB, OMB follows up with the agency, and then we reconnect at a later date to monitor/confirm action.

Questions

