Office of Research
Forum

September 23, 2015

Randi Jenkins
Sponsored Programs Office
Agenda

1. National Dialogue
2. F&A costs in State agreements
3. Data Act
4. FISMA
National Dialogue

• In May 2015, the Obama Administration launched the *National Dialogue and Pilot to Reduce Reporting Compliance Costs for Federal Contractors and Grantees*

• The Office of Management & Budget (OMB) is collecting feedback from universities about regulatory burden associated with federal grants and contracts.

• The Association of American Universities (AAU), the Council on Government Relations (COGR), and the Association of Public and Land Grant Universities (APLU) submitted comments to the National Dialogue website.
National Dialogue:
Improving Federal Procurement and Grants Processes.

National Dialogue and Pilot to reduce reporting compliance costs for Federal contractors and grantees.
Click here to get started:

REPORTING AND DATA ACT DIALOGUE

We are looking for ideas on how to reduce the costs (compliance and other) associated with obtaining and managing tax dollars awarded through Federal contracts, grants, or associated subawards. Please remember to check back frequently to comment on or share thoughts on emerging ideas and identify those you believe to be most impactful. This dialogue and pilot will be open for the next 24 months with suggestions and ideas being used to iterate potential solutions throughout that process.
The Association of American Universities (AAU), the Council on Government Relations (COGR), and the Association of Public and Land Grant Universities (APLU) submitted comments to the National Dialogue website.

UCOP conducting gap analysis re: whether existing comments address UC’s concerns/ideas. (We do not want to dilute the vote.)

UCOP will release guidance promoting ideas that best benefit UC’s academic community. (These ideas may already be registered on the website by COGR, AAU or APLU.)
National Dialogue

• Votes are individual; not limited by institution. We will share UCOP’s preferences broadly and encourage you, your friends and your family to vote for ideas that can streamline research administration at our campus.

• To vote, you must create an account with your email address. We will circulate instructions.
To participate in the dialogue, you can submit a new idea by clicking "Submit New Idea" to the right, or you can vote and comment on existing ideas below.

**Grants practices and processes**

*Key Participants: grantees, cooperative agreement holders, subgrantees*

**Question:** If you could change one thing that would ease your reporting burden associated with your grants or subgrants, what would it be (e.g., time, cost, resource burden)?

**Question:** If you have reporting requirements to the Federal government, how are those met? (feel free to be specific about what is reported to whom and through what mechanism)

**Question:** If you could create a central reporting portal into which you could submit all required reports, what capabilities/functions would you include?
Require Agencies to Adopt Common Research Terms and Conditions

AAU, COGR and APLU recommend that OMB require Federal agencies to adopt common research terms and conditions. We believe NSF, NIH, USDA NIFA, NIST, NOAA, DOE, FAA, EPA and NASA are creating common RTCs, but other agencies have opted out. Clear and consistent data definitions are also needed. Not all federal agencies are signing on to federal-wide research terms and conditions for federal awards under the Uniform Guidance ...

Submitted by Community Member 24 days ago | Add your comment

Common Federal proposal and award management system

AAU, COGR and APLU recommend a common federal portal for grants submission, invoicing/cash draw downs, and final reporting (e.g., progress, financial, equipment) with a single set of rules, forms and due dates (potentially using NSF policy and guidelines as a model). A common portal would significantly ease reporting burden. - Consolidate federal proposal and award management systems, including payment systems, optimally ...

Submitted by Community Member 24 days ago | 2 comments

Eliminate Quarterly Financial Reports

AAU, COGR and APLU recommend that agencies eliminate quarterly financial reports once they have transitioned to subaccounts. Institutions draw down cash by award accounts on a regular basis, typically monthly. This provides agencies with up-to-date financial information and renders additional financial reports unnecessary. Agencies should also consider whether there is a need for annual and final financial reports and ...

Submitted by Community Member 24 days ago | 3 comments
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Federal agencies must use our federally negotiated F&A rate unless federal statute, regulation or agency director says otherwise!
State Awards must identify federal funding (typically done by CFDA #)

§200.331 Requirements for pass-through entities.

All pass-through entities must:
(a) Ensure that every subaward is clearly identified to the subrecipient as a subaward and includes the following information at the time of the subaward and if any of these data elements change, include the changes in subsequent subaward modification. When some of this information is not available, the pass-through entity must provide the best information available to describe the Federal award and subaward. Required information includes:

(1) Federal Award Identification.

(xii) CFDA Number and Name; the pass-through entity must identify the dollar amount made available under each Federal award and the CFDA number at time of disbursement;
If federal funding is passing through State to UC, full F&A rate is required.

State agencies are not exempt. Uniform Guidance applies to “All pass-through entities.”

State agencies must pay full F&A rate when flowing down federal funds.
If federal funding is passing through State to UC, full F&A rate is required.

- UC Office of the President (UCOP) granted an exception to the UC policy requiring full recovery of direct and indirect expenses associated with a project for State sponsors. The exception to policy permitted a 25% MTDC indirect cost rate for State-sponsored activities. This exception to policy does not apply when the State is acting as a pass-through entity of federal funds.

- Exception! Federal block funding may still have a limited IDC based on statute.
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The Data Act – What is it?

Digital Accountability and Transparency Act of 2014 is a law that requires a comprehensive approach to making federal spending data more transparent. OMB and Treasury are tasked with implementing the legislation.

The DATA Act will be implemented in stages, beginning with guidance to be issued by the OMB in 2015. After a pilot program that runs through 2017, agencies and award recipients will be required to adhere to the new data sharing standards starting as early as 2018.
## Data Act Timeline

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
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<tr>
<td>May 9, 2014</td>
<td>DATA Act signed into law (Public Law 113-101)</td>
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<tr>
<td>May 9, 2015</td>
<td>OMB and Treasury finalize government-wide financial standards, including common data elements, unique award identifiers, and fields. [Sec 4, (c)(1)] Begin pilot program on recipient reporting based on common data elements defined by OMB and Treasury [Sec 5, (b)(1)]</td>
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<td>May 9, 2017</td>
<td>Pilot program terminates [Sec 5, (b)(5)]</td>
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<td>90 days after 5/9/17</td>
<td>Report to Congress 90 days after the completion of the Pilot [Sec 5, (b)(6)]</td>
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<td>May 9, 2018 + 90 days</td>
<td>Recipient reporting begins on all Federal funds based on common data elements defined by OMB and Treasury. This is 1 year after the Report to Congress [Sec 5, (b)(7)] Agency reporting begins on spending from each appropriations account</td>
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What is FISMA?

The **Federal Information Security Management Act (FISMA)** is United States legislation that defines a comprehensive framework to protect government information, operations and assets against natural or man-made threats. **FISMA** was signed into law part of the Electronic Government Act of 2002.

FISMA assigns responsibilities to various agencies to ensure the security of data in the federal government. The act requires program officials, and the head of each agency, to conduct annual reviews of information security programs, with the intent of keeping risks at or below specified acceptable levels in a cost-effective, timely and efficient manner. The National Institute of Standards and Technology (NIST) provides guidance to federal agencies and grantees about how to comply with FISMA.
University of Florida

$2M investment
“Server within a server”
13,000 man hours
Consultant verified
Does FISMA apply to my award?

In proposal or award terms, look for:

• "FISMA"
• “NIST Special Publication 800-53" (or "SP 800-53")
• "NIST Special Publication 800-171" (or "SP 800-171")
What if FISMA requirements are in my award?

- SPO can try to negotiate the requirements out of the award (if appropriate)

- SPO will ask for written confirmation (from PI, Chair, academic department’s IT unit, and Information Security Officer) that requirements can be met – before SPO can accept the award.
Questions?

What other topics would you like to learn more about?

How can SPO be a valuable resource for you and your department?

We value your feedback!