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**From the Director's Office**

Aloha Kākou,

Based on the proposals submitted through the *myGRANT* system, sixty-one percent (61%) were submitted for ORS' review less than five (5) working days before the proposal deadline. Within that percentage, thirty-one percent (31%) of the proposals were submitted on the same day that the proposals were due – nineteen percent (19%) less than 24 hours before the due date and fifty percent (50%) less than four (4) hours before the due date. Approximately one fourth (1/4th) of the total proposals were submitted less than two (2) hours before the proposal due date. With existing resources having to accommodate the increase in proposal volume experienced in the past year, this has placed a tremendous challenge on ORS' grant specialists to conduct proper proposal reviews and has also provided little or no time for error corrections in order to meet sponsor deadlines.

We appreciate the significant time and effort that principal investigators (PIs) put into their proposals, and ORS staff is dedicated to ensuring that accurate proposals are submitted in a timely manner. With this in mind, we strongly encourage the PIs to submit proposals to ORS for review at least five (5) working days before the due date. This will enable grant specialists to conduct proper reviews and will help to avoid any last minute unforeseen problems which may occur with Grants.gov, eRA commons or other federal systems. It is important that ORS, deans, directors, PIs, fiscal administrators and research staff all work together as a team to process proposals in a timely manner. Accordingly, if you have routed a proposal for ORS' review in *myGRANT*, in case there are questions or errors that need to be addressed prior to submission, please be sure to provide ORS with the best way to contact you, especially if you will be out-of-town. Until the proposal is successfully submitted, please keep the communication lines open so that nothing falls through the cracks.

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## From the Director's Office (continued)

On a positive note, thirty-one percent (31%) of the PIs have submitted their proposals to ORS for review with at least five (5) working days lead time. We want to thank these PIs, as well as the PIs who have provided ORS with advance notification of their proposal deadlines. This helps to ensure that proposals receive proper review and are submitted on time, and also helps to make the process less stressful for everyone. Mahalo for your cooperation.

Have a fun and productive summer!

Yaa-Yin Fong  
Director

## Impact of Sequestration on the National Institutes of Health (NIH)

On March 1, 2013, as required by statute, President Obama signed an order initiating sequestration. The sequestration required the National Institutes of Health (NIH) to cut five percent (5%) or \$1.55 billion of its fiscal year 2013 budget. NIH must apply the cut evenly across all programs, projects, and activities, which are primarily NIH institutes and centers. This means every area of medical research will be affected.

Impacts of the sequestration on NIH activities are highlighted below:

- Approximately 700 fewer competitive research project grants issued
- Approximately 750 fewer new patients admitted to the NIH Clinical Center
- No increase in stipends for National Research Service Award recipients in FY2013
- Cuts to research are delaying progress in medical breakthroughs, including:
  - ◊ Development of better cancer drugs that zero in on a tumor with fewer side effects
  - ◊ Research on a universal flu vaccine that could fight every strain of influenza without needing a yearly shot
  - ◊ Prevention of debilitating chronic conditions that are costly to society and delay development of more effective treatments for common and rare diseases affecting millions of Americans
- For every six (6) applications submitted to the NIH, only one (1) will be funded.

Further details and Frequently Asked Questions, including individual institutes and centers funding strategies, are included in an NIH fact sheet available at <http://www.nih.gov/news/health/jun2013/nih-03.htm>.

For additional questions, please contact Dawn Kim, ORS Compliance Manager, at [dawnkim@hawaii.edu](mailto:dawnkim@hawaii.edu) or (808) 956-0396.

## Lobbying Restrictions from the National Institutes of Health (NIH)

The National Institutes of Health (NIH) provides clear guidelines regarding prohibited activities for NIH-appropriated funds for lobbying and advocacy related activities. These activities include, but are not limited to, direct lobbying under certain circumstances, presenting materials related to public policies that may not be presented objectively or are only made available to a selective audience, NIH defined "grassroots lobbying," and advocating to perpetuate or increase the researcher's funding from the federal government.

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## **Lobbying Restrictions from the National Institutes of Health (NIH) (continued)**

It is important to note that the activities listed above pertain to *non-government grantees*, which includes institutions of higher education such as the University of Hawai'i. For a complete list of both allowable and restricted activities, please review the NIH document, "Lobbying Guidance for Grantee Activities" available at: [http://grants.nih.gov/grants/lobbying\\_guidance.htm](http://grants.nih.gov/grants/lobbying_guidance.htm). It also includes legally permissible activities and restrictions specific to state and local government grantees, which may be useful to researchers who are conducting work in collaboration with government offices.

Additionally, as of fiscal year 2012, the NIH has made some updates to its lobbying guidance and policies. Key changes include new restrictions on certain forms of lobbying related to executive actions (e.g., regulations, administrative actions or Executive Orders), and statutory restrictions on lobbying at local levels including several local legislative bodies such as city councils, county commissions and executive branch officials of state and county level offices. Other changes include amendments specific to activities covered by funds transferred by the Prevention and Public Health Fund established by the Affordable Health Care Act. ORS encourages investigators and departmental staff to review the NIH lobbying guidance document to ensure compliance with all federal laws and regulations.

Please address questions to Jennifer Halaszyn, Kaka'ako Satellite Service Center Manager, at [jhalaszy@hawaii.edu](mailto:jhalaszy@hawaii.edu) or (808) 356-5764.

## **Institutional Response to Grant Reforms and Office of Management and Budget (OMB) Circular Update**

ORS has submitted the University of Hawai'i's (UH's) institutional response to the Office of Management and Budget's (OMB's) Proposed Guidance on "*Reform of Federal Policies Relating to Grants and Cooperative Agreements; Cost Principles and Administrative Requirements (Including Single Audit Act)*" published February 1, 2013. UH's comments are available at <http://www.regulations.gov/#!documentDetail;D=OMB-2013-0001-0204>. In general, UH supports the Council of Governmental Relations' (COGR's) responses, which are available at <http://www.regulations.gov/#!documentDetail;D=OMB-2013-0001-0172>.

For questions regarding this OMB Reform, please contact Dawn Kim, ORS Compliance Manager, at [dawnkim@hawaii.edu](mailto:dawnkim@hawaii.edu) or (808) 956-0396.

## **Research Contract Negotiations - The Indemnity Clause**

Indemnity is a legal exemption from liability or damages. To indemnify another party is to compensate that party for loss or damage that has already occurred, or to guarantee through a contractual agreement to repay another party for loss or damage that occurs in the future. For example: If X promises to indemnify Y against claims from a third party, subsequently when Y is sued, X will compensate Y for damages awarded in the judgment.

## Research Contract Negotiations - The Indemnity Clause (continued)

As a state institution, the University of Hawai'i (UH) is prohibited by state law from indemnifying other parties to an agreement. As such, if a sponsor requires that UH indemnify, hold harmless, or assume liability for damages or injury relating to a project, the Office of Research Services (ORS) will attempt to negotiate this indemnity clause out of the agreement. If the sponsor holds firm on the indemnity requirement, ORS is required to consult with other parties. For research projects, ORS consults with the Office of General Counsel (OGC) to seek approval from the UH Board of Regents before the award may be accepted. For non-research projects (e.g., training) that are federally funded, ORS consults with the OGC to seek approval from the Governor's Office before the award may be accepted.

As a reminder, the process to submit items to the UH Board of Regents meeting agenda for approval is time-sensitive and may cause a delay in the acceptance of the research award. Regents typically meet once every month. Similarly, the process to submit items to the Governor's Office requires review and approvals from other offices within and outside UH, including OGC, the Office of Risk Management, State Attorney General, and State Comptroller. ORS appreciates your understanding and patience with these required processes.

Inquiries about indemnity clauses should be directed to Rory Ann Kaneshiro, ORS Contracts Manager, at [rory@hawaii.edu](mailto:rory@hawaii.edu) or (808) 956-5300, or to your assigned Contracts Specialist. Assignments may be found at <http://www.ors.hawaii.edu/files/GrantandContractSchoolAssignments.pdf>.

## ORS Helpline Frequently Asked Questions

### **In a *myGRANT* budget, what does “F&A Cost” mean?**

The F&A Cost or Facilities and Administrative Cost, is synonymous with “indirect” cost or “overhead” cost. F&A costs are the expenses incurred by the University of Hawai'i (UH) to develop and maintain the facilities and administrative infrastructure necessary to support extramurally funded research and non-research activities. The F&A costs are usually found by multiplying the Modified Total Direct Costs for your project, by the applicable F&A rate.

For more information, and to find your applicable F&A rate, please see the ORS website at: <http://www.ors.hawaii.edu/index.php/rates/102-quick-links/rates/97>.

### **I received an email with the subject “Proposal action (APPROVE) for...” What do I need to do?**

In the email, click on the link under “To respond to this eDoc:” or copy it into the address bar in your web browser.

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## ORS Helpline Frequently Asked Questions (continued)

### Proposal action (APPROVE) for

myGRANT-noreply@ors.hawaii.edu

Sent: Mon 6/3/2013 2:22 PM

To: Royce M. Hanada

Your Action List has an eDoc(electronic document) that needs your attention:

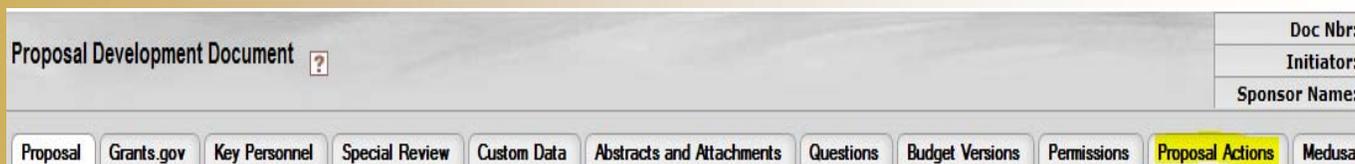
Document ID:  
Initiator:  
Type:  
Title:  
Lead Unit:  
PI:  
CO-I:  
Key Person:  
Sponsor Deadline Date:  
Completed By:

To respond to this eDoc:

Go to <https://mygrant.ors.hawaii.edu:443/mygrant/proposalDevelopmentProposal.do?methodToCall=docHandler&docId= &command=displayActionListView>

This link should take you directly into the *myGRANT* Proposal Development Document. If you are not logged in, you may need to click on the link again after logging in.

Once you are in the Proposal, you can review the proposal. Once you have completed your review, go to the “Proposal Actions” tab.



At the bottom of the “Proposal Actions” tab there should be several buttons:



Clicking “approve” will approve the proposal and the proposal will continue on to the next individual in the workflow.



Clicking “return for changes” will return the proposal to the initiator of the proposal so that revisions can be made. The proposal will need to be re-approved by all individuals in the workflow when it is resubmitted after revisions have been made.



Clicking “close” will close the proposal. Click the “close” button if you wish to close the proposal without approving or returning for changes. You can always return to the proposal through the link in the email if you need more time to review.