October 1, 2013

NIH and NSF have released updated information (see attached) about the status of operations during the partial government shutdown due to the lapse in federal appropriations. With the NIH eRA Commons, NIH ASSIST (for multiple project application submission), NSF FastLane and Research.gov unavailable during the duration of the shutdown, OCGA will not submit applications to NIH and NSF. However, the S2S Grants system continues to be available for proposal preparation and review.

With the uncertainty of the current situation, due dates may or may not be adjusted. Researchers and administrators should continue with preparation and review of applications based on currently published sponsor deadlines, and in compliance with OCGA and departmental procedures and timelines. OCGA will continue to review applications and provide feedback, based on originally published sponsor deadlines. **It is critical that preparers indicate the originally published due date on their applications in S2S Grants so that, *if applicable*, deadline date adjustments can be made when normal business operations resume.**

As a reminder, non-essential personnel at most federal agencies are on furlough and unavailable via phone or e-mail. For specific questions regarding the status of ongoing awards or application preparation and submission during the partial government shutdown, please contact your OCGA Analyst or Officer.

Please share this information with researchers and administrators in your department.

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**From:** Feldman, Jean I. [ mailto:jfeldman@nsf.gov]
**Sent:** Monday, September 30, 2013 12:15 PM
**Cc:** NSF POLICY
**Subject:** NSF Guidance regarding potential government shutdown

Dear Colleagues:

The attached document addresses the various assistance and contract-related policy and systems issues that may arise in the event of a shutdown of the Federal Government.  NSF is providing this information as a service to our proposer and awardee communities in the hopes that it will address most of the questions you may have during this time period.

If the government does shutdown on Tuesday, October 1, the **NSF website including FastLane and Research.gov will be unavailable**.  We are therefore requesting that you disseminate this guidance as broadly as possible to ensure your colleagues are aware of the impact of a government shutdown on NSF proposals, awards and contracts.

Please be aware that, except as noted, **NSF will not be available to respond to emails or phone calls during the shutdown**, but will respond to your inquiries as soon as practicable after normal operations have resumed.  We also will issue follow-on guidance once the Federal Government resumes normal operations.

Sincerely,

Jean Feldman
Head, Policy Office
Division of Institution & Award Support
National Science Foundation

**National Science Foundation
Assistance and Contract-Related Policy and Systems Issues
During the Government Shutdown**

This document addresses the various assistance and contract-related policy and systems issues that may arise during the shutdown of the Federal Government. NSF is providing this information as a service to our proposer and awardee communities in the hopes that it will address most of the questions you may have during this time period.

Please be aware that, except as noted below, NSF will not be available to respond to emails or phone calls during the shutdown, but will respond to your inquiries as soon as practicable after normal operations have been resumed. NSF is committed to minimizing the negative impacts this disruption may have on the science and engineering enterprise and, as necessary, will issue follow-on guidance after the shutdown ends.

## Assistance - Grants and Cooperative Agreements

**Proposal Preparation & Submission**

- No new funding opportunities (program descriptions, announcements or solicitations) will be issued.

- FastLane proposal preparation and submission will be unavailable.

- Grants.gov may be up and running, however, since FastLane will not be operating, proposal downloads from Grants.gov will not take place. Therefore proposals will not be checked for compliance with NSF proposal preparation requirements or processed until normal operations are allowed to resume.

**Impact on Existing Deadlines**

- Once normal operations resume, NSF will issue guidance regarding any funding opportunities that have a deadline or target date that occurs during the government shutdown. Such information will be disseminated via a FastLane Advisory and other electronic methods.

**Proposal Review Process**

- All panels scheduled to occur during the shutdown will be cancelled and will likely be rescheduled to a later date.

- *Ad hoc* reviews will not be able to be submitted via FastLane.

**Proposal Processing Time**

- The Foundation may not be able to meet our customer service standard of informing applicants whether their proposals have been declined or recommended for funding within six months of the deadline or target date, or receipt date, whichever is later.

**Issuance of New Grants and Cooperative Agreements**

- No new grants or cooperative agreements will be awarded.

**Issuance of Continuing Grant Increments (CGIs)**

- No new CGIs (whether electronically released upon Program Officer acceptance of the Annual Project Report or approved by a Grants and Agreements Officer) will be awarded.

**Post-Award Administration**

**Performance of Work**

- Awardees may continue performance under their NSF awards during the shutdown, to the extent funds are available, and the term of the grant or cooperative agreement has not expired. Any expenses must be allowable and in accordance with the Office of Management and Budget (OMB) cost circulars. During the shutdown, NSF cannot authorize costs exceeding available award amounts or obligate additional funds to cover such costs.

**Payments**

- No payments will be made during the shutdown.

**Project Reporting**

- Principal Investigators (PIs) will be unable to submit annual and final project reports or project outcomes reports via Research.gov. For continuing grants, awardees also should be aware that since annual project reports will not be able to be submitted and Program Officers will not be available to approve them, no

new continuing grant increments will be awarded (see above). Awardees should submit their reports as soon as possible after NSF systems are available.

**No-Cost Extensions**

- No-cost extensions (including awardee-approved and NSF-approved) will not be able to be submitted or processed.

Awardees, therefore, are cautioned that Federal funds cannot be obligated for expenses that occur beyond the award expiration date.

**Award Transfer Requests** will not be able to be submitted or processed.

**Supplemental Funding Requests** will not be able to be submitted or processed.

**Other Post Award Notifications & Requests** will not be able to be submitted or processed.

**Cooperative Agreements in Support of Large Facilities**

- Recipients may continue to perform under Cooperative Support Agreements for work where sufficient funds are available, and performance does not require Government support which would be funded by a lapsed appropriation, including quality assurance oversight or other actions required of NSF staff.

- Since the cooperative nature of these Agreements anticipates the need for Government involvement, NSF has, or will have, put work plans in place with the Large Facility Cooperative Agreement Recipients outlining the extent and time duration that operations will continue in the absence of NSF oversight and direction.

- For Agreements that include major research equipment and facilities construction, unless the work is considered to be essential to the operations of the Foundation, and therefore NSF personnel have been retained to provide oversight of construction activities, work cannot proceed for an extended period, even if funds are available, based on the foreseen need for NSF oversight of construction activities.

**Payments**

- No payments will be made during the shutdown.

## Contracts

- NSF will notify contractors whether they will be expected to continue work in support of an excepted activity, or will issue an order to suspend or stop work, or take other appropriate action during the shutdown as determined by NSF.

- New contracts will not be issued during a shutdown, except those that NSF has identified as supporting excepted activities, and then only to the extent and amount necessary to meet those requirements.

- Contract personnel may be instructed by NSF to excepted activities, provided all of the requirements governing excepted activities are met. Contractors may perform these excepted services, but only to the minimal extent necessary to address emergency situations, such that the suspension of the function would imminently threaten the safety of human life or the protection of property.

- Contractors may be authorized by NSF to continue to perform under other contracts for work where sufficient funding was obligated prior to the shutdown, provided performance does not require the use of closed NSF facilities, is not in support of closed NSF facilities, or where the contractor's work does not require Government oversight or support which would be funded by a lapsed appropriation (such Government oversight or support includes, but is not limited to quality assurance oversight, technical direction, review of deliverables, or similar actions requiring NSF staff).

- NSF may notify certain cost reimbursement and Time and Materials contractors of work plans outlining the extent and time duration that operations can continue in the absence of NSF oversight and direction.

## Payments

- No payments will be made during the shutdown. An extremely limited exception may be made by NSF in circumstances where the payment is made in support of excepted activities, and failure to make the payment itself would result in an imminent threat to life or property.

## Excepted Personnel

The Division of Acquisition and Cooperative Support has assigned Contracting Officers to support contract-related excepted activities during the shutdown.

# Information for the NIH Extramural Grantee Community During the Lapse of Federal Government Funding

## Notice Number: NOT-OD-13-126

## Key Dates
**Release Date:** October 1, 2013

## Related Announcements
None

## Issued by
National Institutes of Health (NIH)

## Purpose

The Government Fiscal Year (FY) 2013 ended on September 30, 2013 at midnight EST and an Appropriation Act for FY2014 has not been passed leading to a lapse in Federal funding.  We are providing the following information to answer questions you may have on the impact this lapse in appropriation will have on your grant/cooperative agreement or the availability of NIH's systems and services.

**RESUMING OPERATIONS**

You are encouraged to stay tuned to the national media to determine when the Federal Government will resume operations.  Depending on the length of the funding lapse, once NIH non-excepted staff are authorized to resume operations it will take time for full operations to be resumed.  Depending on the length of the funding lapse, the eRA system may require at least one business day after operations resume.   We ask for patience when trying to contact NIH staff once operations resume since there will be a backlog of information to process.

**CONTACT WITH NIH STAFF**

E-mail, Phone, Fax, and Postal Mail Contacts:  For the duration of the funding lapse, NIH extramural employees will be prohibited from working (remotely or in the office).  Consequently, there will be no access to voice mail, e-mail, fax, or postal mail during this period.  Mail requiring someone to sign/accept may not be received.  All other postal mail, fax, and voice mail communications will not be acted upon until after operations resume. It is recommended that you delay sending such communications until after operations resume.

Help Desk Support:  For the duration of the funding lapse, all help desks, central e-mail boxes, and web ticketing systems for questions related to NIH grants policy and electronic grants systems will not be available, including the eRA Helpdesk and Grants Information Services.

In the event of an emergency involving human safety, please contact Dr. Sally Rockey at rockeysa@od.nih.gov.

**SUBMISSION OF GRANT APPLICATIONS**

For the duration of the funding lapse, applicants are strongly encouraged **not** to submit paper or electronic grant applications to NIH during the period of the lapse.  Adjustments to application submission dates that occur during the funding lapse will be announced once operations resume.  For any applications submitted immediately prior to or during the funding lapse, here is what will happen.

1. For electronic submissions through Grants.gov: Grants.gov will be open and can accept electronic applications.  However, applications will not be processed by NIH until the eRA Systems are back on-line.  NIH will ensure that all applications submitted within the two business days before or during the funding lapse will receive the full viewing window once the systems are back on-line.
2. For electronic submission of multi-project applications through NIH's ASSIST system: The ASISST system will not be available until NIH systems are back on-line.

3. Paper Submissions: Staff will not be available to receive paper applications during a funding lapse.

The safest course is to wait to submit any application to NIH until after operations resume and a Notice in the NIH Guide concerning adjusted submission dates is posted.

**PEER REVIEW AND COUNCIL MEETINGS**

Initial Peer Review Meetings:  For the duration of the funding lapse, the NIH will not be able to conduct initial peer review meetings – whether in-person or through teleconferences or other electronic media. Also during this time, the NIH staff will not be able to send or receive email messages, or update website information, and NIH computer systems that support review functions will not be operational.  When operations resume, those meetings will be re-scheduled and the pending applications will be processed and reviewed as soon as possible.

Also, the results, including final impact scores and summary statements, of some peer review meetings that took place prior to the orderly shutdown of operations may not be available until operations resume.  Therefore, applicants with applications going through the peer review process should stay tuned to the national news to determine when operations of the government resume, and then check the NIH website for information on any review meetings that may have been extended or re-scheduled.  The results of meetings held prior to a potential funding lapse will be released as soon as possible after resumption of operations.

Individuals who had agreed to serve on NIH review panels ("study sections") that were scheduled to meet during the funding lapse will not be able to access the Internet Assisted Review (IAR) site or other NIH web-based systems during that time. Reviewers who were scheduled to travel for a review meeting on a day when operations are down will not be able to board a plane or train, and will be sent instructions on how to handle their reservations.  Reviewers who are attending an NIH review panel on the day of orderly shutdown will be able to change their travel plans and return home.  Therefore, peer reviewers should stay tuned to the national news to determine when operations of the NIH will resume, and then check the NIH website for information on meetings that have been re-scheduled.   As soon as possible after operations resume, the NIH Scientific Review Officer in charge of the review meeting will contact those reviewers with more detailed information.

Advisory Council Review: The NIH will not be able to conduct Advisory Council review meetings – whether in-person or through teleconferences or other electronic media - during the funding lapse.  Also during this time, the NIH staff will not be able to send or receive email messages, or update website information, and NIH computer systems that support review functions will not be operational.  Therefore, no applications will be processed for Council review or be taken to Council meetings during that time.  When operations resume, those pending applications will be processed, and meetings will be re-scheduled as soon as possible.

Applicants with applications pending Council review during that time should check the NIH website for information after operations resume.  Advisory Council members should stay tuned to the national news to determine when operations of the government will resume, and then check the NIH website for information on Council meetings that have been re-scheduled.   As soon as possible after operations resume, the NIH Executive Secretary in charge of the Council meeting will contact those Council members with more detailed information.

**AWARDED GRANTS**

Currently Active Grant Awards:  For the duration of the funding lapse, all work and activities performed under currently active NIH grant awards may continue.  However, see below for limits on performing many of the reporting requirements associated with NIH grant funding.

Progress Reports:

1. Electronically Submitted Progress Reports:  For any progress reports due during the funding lapse, the eRA Commons will not be accessible.  Users will need to wait until the eRA Commons is back on-line before these progress reports can be submitted.
2. Paper Submitted Progress Reports:  No NIH staff will be available to receive paper progress

reports. Therefore, institutions are encouraged to delay mailing all paper progress reports due during the funding lapse until after operations resume.

Notice of Awards (NoAs):  No NIH grant awards will be processed for the duration of the funding lapse.  For any awards processed before the funding lapse that have an issue date during the funding lapse, the awards will not be sent to the grantee on the issue date.  Once operations resume, all pending NoAs will be sent.  This will not affect the start date nor the issue date of these awards; it just affects the date the award document is actually sent to the grantee and available for access in the eRA Commons.  In the absence of actually receiving the NoA, institutions may use pre-award costs authority at their own risk.

No-cost Extension Notifications:   The eRA Commons will not be accessible during the funding lapse.  Further, no-cost extension notification cannot be submitted via the Commons once the expiration date of the grant has passed.  For any grants due to expire during the funding lapse that plans to be given a no-cost extension, a paper notification to the IC will be required after operations resume.

General Access to eRA Commons and Other OER-Supported Systems:  The eRA Commons will not be accessible during the funding lapse.  Therefore, no user will be able to access the Commons for viewing electronically submitted applications, accessing Internet Assisted Review, or processing such actions as Commons Registration, FSRs/FFRs, xTrain documents, Closeout documents, and/or FCOI notifications etc. Further there will be no ability to access Commons for query or other purposes.  There also will be no access to the Interagency Edison or Electronic Council Books systems.

Prior Approval Requests and Other Communications:  NIH extramural employees will have no access to voice mail, e-mail, fax, or postal mail during the funding lapse.  All prior approval requests and other communications will not be received until operations resume.  It is recommended that you delay sending such communications until after operations resume.

Access to HHS Payment Management System (PMS):   For the duration of the funding lapse, the HHS PMS will be open; however, no Federal staff will be available to assist or process any requests.  Therefore, drawdowns (payments) on accounts can be processed as long as no Federal staff action is required to finalize the payment. For most NIH grantees, this means drawdowns should be possible.  However, if a particular grant is on a reimbursement basis for withdrawing funds or otherwise restricted, then these requests cannot not be processed until after Federal Government operations resume.

**ANIMAL WELFARE**

The Office of Laboratory Animal Welfare (OLAW) business processes are funded by annual appropriations and are not designated as excepted activities under the Antideficiency Act. No activities associated with the OLAW mission will continue for the duration of the funding lapse.
For the duration of the funding lapse, PHS-funded institutions are encouraged to delay sending all Assurance documents, preliminary or final reports of noncompliance or IACUC suspensions as required under the Public Health Service Policy on Humane Care and Use of Laboratory Animals IV.F.3, or other correspondence due to OLAW during the funding hiatus period until after operations resume. OLAW will extend deadlines for all reporting activities as necessary to compensate for the period of the lapse in funding and the unavailability of the website and OLAW operational support.

Institutions are reminded that their obligation under their Animal Welfare Assurance to ensure ongoing local support and oversight, and to address and correct all situations that affect animal welfare and compliance with the PHS Policy continues during this period.