



FASEB

Federation of American Societies
for Experimental Biology

Representing Over 110,000 Researchers

6120 Executive Blvd., Suite 230, Rockville, MD 20852 | faseb.org

November 30, 2023

Office of Management and Budget
Office of Federal Financial Management
ATTN: Andrew Reisig and Steven Mackey

RE: Docket OMB-2023-0017, Proposed Rule – Guidance for Grants and Agreements

Comments submitted electronically via Regulations.gov

Dear Mr. Reisig and Mr. Mackey,

The Federation of American Societies for Experimental Biology (FASEB), a coalition of 26 scientific societies representing over 110,000 researchers in the biological and biomedical sciences, appreciates the opportunity to comment on proposed revisions to 2 CFR Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance). As part of a long-standing commitment by the Office of Management and Budget (OMB) to balance stewardship of programs supported by taxpayer funds with a reduction of administrative burdens on grant recipients, FASEB supports the continuous review and update of the Uniform Guidance to reflect new policy directives while also improving ease of implementation and compliance. Our feedback on proposed updates to specific sections of Uniform Guidance Part 200 is described below.

Subpart D, Section 200.313 – Equipment

While FASEB supports increasing the threshold for determining items considered to be equipment from \$5,000 to \$10,000, we encourage OMB to consider raising this threshold even further to meet the current costs of research. FASEB has expressed concerns about the \$5,000 threshold being too low since implementation of the final rule nearly a decade ago. Therefore, we recommend raising the threshold even further to \$25,000. This value aligns with the lowest value of an National Institutes of Health (NIH) S10 Basic Instrumentation Grant Program, which supports purchases of commercially available instruments to enhance research of at least three NIH-funded investigators. In addition to increasing the threshold beyond the proposed \$10,000, FASEB recommends OMB explore strategies that link thresholds to real-time purchasing power and inflation, such as the Consumer Price Index.

Subpart D, Section 200.315 – Intangible Property

The *1940 Statement of Principles on Academic Freedom and Tenure* is the professional standard of academic freedom widely endorsed and included in handbooks at most colleges and universities. It entitles faculty to *'full freedom in research and in the publication of the results.'* Positive partnerships

between government agencies, institutions, researchers, and other stakeholders – including scholarly societies - form the foundation for the success of the economic enterprise. FASEB supports researchers' freedom to choose where they communicate and share their research findings, including their preferred choice of journal and their preferred license for any reuse, and encourages OMB to reinforce researchers' retention of academic freedom.

Subpart E, Section 200.461 – Publication and Printing Costs

For section 200.461, Publication and Printing Costs, FASEB recommends the use of “article publishing charges” in lieu of “article processing charges,” as the former is more commonly and widely adopted language. We also recommend “developed under a Federal award” be replaced with “resulting from research performed under a Federal award” for clarification.

Subpart F, Section 200.501 – Audit Requirements

Related to our comments on Subpart D, Section 200.313 regarding increasing the threshold for items considered to be equipment, FASEB is pleased that OMB proposed to increase the threshold for single or program-specific audit requirements, from \$750,000 to \$1,000,000 per fiscal year. Lifting this threshold will reduce administrative burdens associated with annual audits for non-Federal entities with a limited number of Federal grants.

FASEB appreciates OMB's efforts to ensure that the Uniform Guidance aligns with statutory guidance and administration priorities while also reducing administrative burdens for both Federal agencies and grant recipients. While some of the proposed updates seem long overdue, including the threshold increases in Sections 200.313 and 200.501, others, namely Section 200.315 (Intangible Property) may require additional clarification and alignment with agency public access policies – many of which are still in draft form – before incorporation into Federal Code.

Sincerely,

A handwritten signature in black ink, appearing to read "Mary-Ann Bjornsti". The signature is written in a cursive, somewhat stylized font.

Mary-Ann Bjornsti, PhD
FASEB President