

NIH GUIDE

for GRANTS and CONTRACTS

U.S. DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

No. 18, April 14, 1972

ANNOUNCEMENTS CONCERNING CONTRACT
SOURCES AND PROPOSALS

ANNOUNCEMENT

1. Effective immediately, announcements concerning research and development sources sought by NIH contract programs and requests for proposals will be published separately under NIH GUIDE FOR GRANTS AND CONTRACTS SUPPLEMENT.
2. Paragraph 8, page 2, of GUIDE No. 6, April 26, 1971, is rescinded.

The GUIDE is published at irregular intervals to provide policy, program, and administrative information to individuals and organizations who need to be kept informed of requirements and changes in grants and contracts programs administered by the National Institutes of Health.

UNSOLICITED PROPOSALS FOR RESEARCH CONTRACTS**PROCEDURE NOTICE**

1. PURPOSE The purpose of this issuance is to establish a uniform NIH procedure for receiving, handling, evaluating, and responding to unsolicited proposals for research contracts.

2. GENERAL

- a. An "unsolicited proposal" is a voluntary offer of new ideas and concepts which is not submitted pursuant to any formal request by the Government.
- b. Unsolicited proposals are submitted by firms or institutions in the hope that NIH will contract with them for further research on, or development of, the ideas furnished.
- c. An unsolicited proposal may be the product of original thinking by the originator. Therefore, the Government has a moral responsibility to:
 - (1) refrain from divulging the contents of such proposals to third parties; and
 - (2) handle the proposal in an expeditious manner that will encourage prospective contractors to disclose to NIH ideas they originate, conceive, or develop in the future.
- d. Because unsolicited proposals may properly be a basis for a sole source award, it is important that they be truly unsolicited. It would be unfair and in restraint of competition to consider a proposal as being unsolicited when it actually results from information gained by a firm or institution in conversations with NIH technical personnel concerning NIH's future contract plans.
- e. Bona fide unsolicited proposals containing original ideas may be negotiated with the originator on a sole source basis. This departure from the Government's "maximum competition" policy is justified for the following reasons:
 - (1) The Government has a moral obligation to negotiate solely with the originator.
 - (2) Any other practice would discourage institutions and firms from disclosing ideas that might be of substantial value to the health programs of NIH.
 - (3) Making an unsolicited proposal the basis for a competitive solicitation could have serious legal implications where proprietary data are involved.
- f. Sole source awards stemming from unsolicited proposals should not lead to perpetuation of the contractor's sole source position. The initial contract should contain rights in patents and data provisions that will enable NIH to obtain competition in any follow-on contracts.

- g. In some cases an unsolicited proposal may serve as a basis for a competitive solicitation if the resulting solicitation in no way reveals or identifies any of the original ideas of the originator of the unsolicited proposal. For example, an unsolicited proposal may represent a specific solution to a problem; in such case, it would not be improper to ask for solutions to that problem without specifying any technique and without revealing implicitly or explicitly the techniques of the originator.

3. REVIEW Every effort will be made to complete a technical evaluation of all unsolicited proposals within 30 days after receipt. If a longer time for evaluation will be required, the originator will be given an explanation of the necessity for additional evaluation time.

APPLICABILITY OF POLICIES AND
PROCEDURES PUBLISHED IN THE GUIDE

ANNOUNCEMENT

1. Except in instances where NIH has been delegated responsibility to act for DHEW in connection with a specific function (e.g. indirect costs), policies, procedures, and other official materials published in the *NIH GUIDE FOR GRANTS AND CONTRACTS* are applicable only to programs of the NIH and do not necessarily apply to other components of the Department of Health, Education, and Welfare.
2. For information concerning programs of the Health Services and Mental Health Administration (including the National Institute of Mental Health), Food and Drug Administration, Social and Rehabilitation Service, write direct to the organization concerned.
3. Page 1, GUIDE No. 16, January 14, 1972, is rescinded.

AWARDS IN DIGESTIVE DISEASES AND NUTRITION

ANNOUNCEMENT

1. The National Institute of Arthritis and Metabolic Diseases, NIH, is accepting applications for awards on a national competition basis from those holding health professional degrees in the clinical sciences (MD, DO, DMD, DVM, or equivalent) and whose interests are in the areas of digestive diseases and nutrition. A limited number of awards will be made in the following areas:

- a. Clinical Investigator Award in Digestive Diseases and/or Nutrition
- b. Academic Career Development Award in Digestive Diseases and/or Nutrition.

2. Salaries for each award will be individually negotiated between the sponsoring institution and NIAMD.

3. Deadlines for submission of applications are February 1 and June 1 of each year. Additional information regarding the policies governing the award, instructions for applying and application forms may be obtained by writing to:

Digestive Diseases and Nutrition Programs, NIAMD
Extramural Programs
National Institutes of Health
Westwood Building, Room 607
Bethesda, Maryland 20014

4. This announcement supersedes the announcement, same subject, which appeared in NIH GUIDE No. 9, July 29, 1971, page 14.

GRANTS INVOLVING HUMAN SUBJECTS (NIH 4107)**POLICY**

1. PURPOSE This issuance states the NIH policies and procedures for the protection of human subjects involved in NIH-supported grant programs. It also serves to implement the DHEW Grants Administration Manual Chapter 1-40, Protection of Human Subjects. It supersedes for NIH previous instructions related to protection of human subjects included in PHS pamphlet "Protection of the Individual as a Research Subject--Grants, Awards, Contracts" dated May 1, 1969, NIH Extramural Programs Circular No. 23, dated May 14, 1969, and all other instruction inconsistent with the present policies and procedures.
2. APPLICABILITY This policy is applicable to all NIH grants which support any activity in which human subjects may be at risk.
3. BACKGROUND The National Advisory Health Council, after a study of the issues pertaining to clinical research and investigation involving human beings, forwarded to the Surgeon General of the Public Health Service in December 1965 their recommendation which was formulated into a policy statement for the PHS. The National Advisory Health Council's recommendation was as follows:

"Be it resolved that the National Advisory Health Council believes that Public Health Service support of clinical research and investigation involving human beings should be provided only if the judgment of the investigator is subject to prior review by his institutional associates to assure an independent determination of the protection of the rights and welfare of the individual or individuals involved, of the appropriateness of the methods used to secure informed consent, and of the risks and potential medical benefits of the investigation."

The present DHEW policy issued in April 1971, is an outgrowth of the basic principles and premises of prior PHS policies.

4. DEFINITIONS

- a. Subject: This term describes any individual who may be at risk as a consequence of participation as a subject in research, development, demonstration, or other activities supported by NIH funds. This may include patients; outpatients; donors of organs, tissues, and services; informants; and normal volunteers, including students who are placed at risk during training in medical, psychological, sociological, educational, and other types of activities supported by NIH.

Of particular concern are those subjects in groups with limited civil freedom. These include prisoners, residents or clients of institutions for the mentally ill and mentally retarded, and persons subject to military discipline.

The unborn and the dead should be considered subjects to the extent that they have rights which can be exercised by their next of kin or legally authorized representatives.

- b. At risk: An individual is considered to be "at risk" if he may be exposed to the possibility of any harm--physical, psychological, sociological, or other--as a consequence of any activity which goes beyond the application of those established and accepted methods necessary to meet his needs.

c. Informed consent: This is an appropriate agreement obtained from a subject, or from his authorized representative, to the subject's participation in a project or activity. The basic elements of informed consent are:

- (1) a fair explanation of the procedures to be followed, including an identification of those which are experimental;
- (2) a description of the attendant discomforts and risks;
- (3) a description of the benefits to be expected;
- (4) a disclosure of appropriate alternative procedures that would be advantageous for the subject;
- (5) an offer to answer any inquiries concerning the procedure; and
- (6) an instruction that the subject is free to withdraw his consent and to discontinue participation in the project or activity at any time.

In addition, the agreement, written or oral, entered into by the subject, should include no exculpatory language through which the subject is made to waive, or to appear to waive, any of his legal rights or to release the institution or its agents from liability for negligence.

d. Institution: Any legally responsible corporation, institution, organization or agency, other than an individual.

e. Institutional Assurance: A document submitted to the Division of Research Grants, NIH, by an authorized official of the applicant or grantee institution committing it to compliance with the DHEW policy for the protection of human subjects. The acceptance of any grant award in support of activities involving human subjects at risk constitutes a commitment from the grantee to carry out the terms of the institutional assurance.

- (1) A General Assurance describes institutional review and implementation procedures applicable to all DHEW-supported activities that involve human subjects. A General Assurance will only be required or accepted from institutions having a significant number of concurrent DHEW-supported activities involving human subjects.
- (2) A Special Assurance describes institutional review and implementation procedures applicable to a single fellowship, project, or other activity involving human subjects. A formal Special Assurance is not to be required or solicited from institutions that have an accepted General Assurance on file with the DHEW.

f. Certification: This is a notation submitted annually, either on the application or as a separate document, executed by an official authorized to sign for the institution, indicating that an institutional committee has reviewed and approved the procedures which involve human subjects in accordance with the institutional assurance approved by the DHEW.

5. POLICY Safeguarding the rights and welfare of human subjects involved in activities supported by grants from the National Institutes of Health is the responsibility of the institution which receives and is accountable to the NIH for the funds awarded for the support of the activity. It is the policy of the NIH that no grant for an activity involving human subjects at risk shall be made unless the application for such support has been reviewed and approved by an appropriate institutional committee. This review shall determine that the rights and welfare of the subjects involved are adequately protected, that the risks to an individual are outweighed by the potential benefits to him or by the importance of the knowledge to be gained, and that informed consent is to be obtained by methods that are adequate and appropriate. In addition, the committee must establish a basis for continuing review of the activity in keeping with these determinations.

Grantee institutions must submit to the Institutional Relations Branch, Division of Research Grants, NIH, for its review and acceptance on behalf of the DHEW, an assurance of its compliance with this policy. Institutions must also provide with each proposal involving human subjects a certification that it has been or will be reviewed in accordance with the institution's assurance. The National Institutes of Health may require the imposition of specific provisions for the protection of human subjects on any award.

6. PROCEDURES AND GUIDELINES Grantee institutions will follow the procedures and guidelines set forth in DHEW Publication No. (NIH) 72-102, dated December 1, 1971. Additional copies of the publication may be obtained upon request to the Chief, Institutional Relations Branch, Division of Research Grants, NIH, Bethesda, Md. 20014.

7. SINGLE AGENCY DESIGNATION The Institutional Relations Branch, Division of Research Grants, has been assigned single agency responsibility for implementation of this policy for the NIH and the DHEW. It will be responsible for the negotiation and acceptance of assurances for the protection of human subjects.

8. EFFECTIVE DATE This policy is effective on date of release.

References

- (1) DHEW Grants Administration Manual, Chapter 1-40, Protection of Human Subjects.
- (2) The Institutional Guide to DHEW Policy on Protection of Human Subjects, DHEW Publication No. (NIH) 72-102.
- (3) Code of Federal Regulations, Title 21, Food and Drug, Part 130.
- (4) Cumulative List of institutions in compliance with the DHEW policy. (Issued periodically by the Division of Research Grants, NIH.)

USE OF SMALL BUSINESSES AND MINORITY-OWNED
BUSINESSES BY NIH GRANTEEES (NIH 4109)

POLICY

The full text of DHEW Grants Administration Chapter 1-46 is reproduced below for the information and guidance of all concerned.

1-46-00 BACKGROUND AND PURPOSE

- A. It is a policy of the Government to encourage the development and use of small business, and minority-owned business enterprises, in performing services or providing products for the Federal Government. This policy has been expressed in various Presidential directives and in legislative requirements and required by the Small Business Act as amended (15 U.S.C. 631 et. seq.). These directives and legislative requirements have been implemented by HEW in its contracting and other direct procurement activities.
- B. A substantial portion of HEW appropriated funds is provided to various public and private nonprofit organizations and institutions by way of grants. Grantees, in turn, use a portion of the funds provided to them to acquire a variety of services or products necessary to help carry out their grant-supported programs. It is the purpose of this chapter to enunciate the HEW policy on the use of both small business enterprises and minority business enterprises by those organizations and institutions receiving grants, loans, and interest subsidies from HEW.

1-46-10 APPLICABILITY

This chapter is applicable to all HEW programs, including those awarding grants, loans, guaranteed loans, and interest subsidies to domestic organizations. It is particularly pertinent to those awards which provide support for construction, alterations and renovations, procurement of consultant and other services, and purchase of supplies and equipment from private business firms.

1-46-20 POLICY

- A. In order to stimulate small business enterprises and minority business enterprises, and enable them to exercise a more effective role in the commercial life of the nation, it is the policy of HEW to encourage grantees to be aware of, solicit, and make use of such enterprises in the acquisition of services or products, including construction, alteration and renovation, consultant and other services, and procurement of supplies and equipment.
- B. In carrying out this policy objective, grantees are encouraged to:
 1. become aware of those small business enterprises and minority business enterprises that are competent to perform the services or provide the products that the grantees usually acquire;

2. ensure that such firms are included in invitations for bids or requests for proposals;
3. make use of the advice and assistance available from Government organizations. ^{1/}

^{1/} Such organizations include the following: The Office of Minority Business Assistance, HEW: Office of Minority Business Enterprise, Department of Commerce; Field Offices of the Small Business Administration and the Regional Offices of HEW. The Facilities Engineering and Construction Agency and its regional field engineers are available to assist grantees in the identification of minority firms interested in performing construction, alteration and renovation activities. (See Exhibit X1-46-1.) Additionally, the Small Business Administration publishes listings of minority business firms that have been approved for assistance. In addition, the SBA Field Offices (See Exhibit X1-46-2) can provide assistance in the identification of small business sources.

REGIONAL OFFICES OF FACILITIES
ENGINEERING AND CONSTRUCTIONREGION I

Mr. James J. Sullivan
Regional Engineer
ROFEC/DHEW
John F. Kennedy Federal Building
Room 1305
Boston, Massachusetts 02203
(617) 223 6641

Region II

Mr. Frank C. Trentacosti
Regional Engineer
ROFEC/DHEW
26 Federal Plaza
New York, New York 10007
(212) 264 3600

REGION III

Mr. Owen Johnson
Regional Engineer
ROFEC/DHEW
P.O. Box 12900
401 N. Broad Street
Philadelphia, Pennsylvania 19108
(215) 597 9001

REGION IV

Mr. James E. Yarbrough
Regional Engineer
ROFEC/DHEW
50 Seventh Street, NE, Room 404
Atlanta, Georgia 30323
(404) 526 3816

REGION V

Mr. Melvin Fisher
Regional Engineer
ROFEC/DHEW
300 South Wacker Drive, 33rd Floor
Chicago, Illinois 60606
(312) 353 6595

REGION VI

Mr. Elmer Cain
Regional Engineer
ROFEC/DHEW
1114 Commerce Street, Room 1011
Dallas, Texas 75202
(214) 749 2115

REGION VII

Mr. Marvin E. Monk, Jr.
Regional Engineer
ROFEC/DHEW
601 East 12th Street, Room 558 E
Kansas City, Missouri 64106
(816) 374 2387

REGION VIII

Mr. Thomas Moore
Regional Engineer
ROFEC/DHEW
Federal Office Building
19th and Stout Streets, Room 9017
Denver, Colorado 80202
(303) 297 3119

REGION IX

Mr. Jerry Kosro
Regional Engineer
ROFEC/DHEW
50 Fulton Street, Room 356
San Francisco, California 94102
(415) 556 7934

REGION X

Mr. Robert Mommsen
Regional Engineer
ROFEC/DHEW
Arcade Building Mezzanine
1321 Second Avenue
Seattle, Washington 98101
(412) 442 0406

Exhibit X1-46-2

**SBA FIELD OFFICES
ADDRESSES AND TELEPHONE NUMBERS**

REGION						
I	RO	Boston	Mass.	02203,	John F. Kennedy Federal Building, Room 2113	(617) 223-6660
	POD	Holyoke	Mass.	01040,	326 Appleton St.	(413) 781-2268
	DO	Augusta	Maine	04330	Federal Building, 40 Western Ave., Room 512	(207) 622-6225
	DO	Concord	N.H.	03301,	55 Pleasant St., Room 213	(603) 224-7724
	DO	Hartford	Conn.	06103,	Federal Building, 450 Maine St., Room 710	(203) 244-2511
	DO	Montpelier	Vt.	05601,	Federal Building, 87 State St., Room 210	(802) 223-8422
	DO	Providence	R.I.	02903,	57 Eddy St., Room 710	(401) 528-4580
II	RO	New York	N.Y.	10007,	26 Federal Plaza, Room 3930	(212) 264-1450
	DO	Hato Rey	Puerto Rico	00919,	225 Ponce de Leon Ave.	(809) 765-0404
	DO	Newark	N.J.	07102,	970 Broad St., Room 1636	(201) 645-3580
	DO	Syracuse	N.Y.	13202,	Hunter Plaza, Fayette & Salina Sts., Room 308	(315) 473-3460
	BO	Buffalo	N.Y.	14203,	Federal Building, 121 Ellicott St., Room 9	(716) 842-3462
	POD	Albany	N.Y.	12207,	11 North Pearl St., Home Savings Bank Building, Room 911	(518) 842-4411
POD	Rochester	N.Y.	14604,	Chamber of Commerce Building, 55 St Paul St.	(716) 546-4900	
III	RO	Philadelphia	Bala Cynwyd, Pa.	19004,	1 Decker Square, East Lobby, Suite 400	(215) 597-3201
	BO	Wilmington	Del.	19801,	901 Market St., Room 818, Market Tower Building	(302) 658-6518
	DO	Baltimore	Md.	21201,	Federal Building, Hopkins Plaza, Room 1113	(301) 962-2150
	DO	Clarksburg	W. Va.	26301,	109 North 3rd St., Room 301, Lowndes Building	(304) 624-1365
	BO	Charleston	W. Va.	25301,	Courthouse & Federal Building, 500 Quarrier St., Room 3410	(304) 343-1227
	DO	Pittsburgh	Pa.	15222,	Federal Building, 1000 Liberty Ave., Room 1401	(412) 644-2784
	DO	Richmond	Va.	23240,	Federal Building, 400 North 8th St., Room 3015	(703) 782-2741
DO	Washington	D.C.	20417,	1310 L St., N.W., Room 720	(202) 382-3541	
IV	RO	Atlanta	Ga.	30309,	1401 Peachtree St., N.E., Room 441	(404) 526-5679
	DO	Birmingham	Ala.	35205,	908 South 20th St., Room 202	(205) 325-3981
	DO	Charlotte	N.C.	28202,	222 South Church St., Room 500, Addison Building	(704) 372-7448
	DO	Columbia	S.C.	29201,	1801 Assembly St., Room 117	(803) 253-3373
	DO	Jackson	Miss.	39205,	P.O. & Courthouse Building, 245 East Capital St., Room 314	(601) 948-2333
	BO	Gulfport	Miss.	39501,	2500 14th St., Room 406, Security S&L Building	(601) 863-6171
	DO	Jacksonville	Fla.	32202,	Federal Building, 400 West Bay St., Room 261	(904) 791-2181
	DO	Louisville	Ky.	40202,	Federal Building, 600 Federal Pl., Room 188	(502) 582-5978
	DO	Miami	Fla.	33130,	Federal Building, 51 Southwest 1st Ave., Room 912	(305) 350-5533
	POD	Tampa	Fla.	33602,	Federal Building, 500 Zack St., Room 513	(813) 228-7711
	DO	Nashville	Tenn.	37219,	500 Union St., Room 301	(615) 749-5880
BO	Knoxville	Tenn.	37902,	502 South Gay St., Room 307, Fidelity Bankers Building	(615) 524-4534	
POD	Memphis	Tenn.	38103,	Federal Building, 167 North Main St., Room 101	(901) 534-3588	
V	RO	Chicago	Ill.	60604,	Federal Building, 219 South Dearborn St., Room 437	(312) 353-4490
	BO	Springfield	Ill.	62701,	502 East Monroe St., Ridgely Building, Room 816	(217) 525-4232
	DO	Cleveland	Ohio	44199,	1240 East 9th St., Room 5524	(216) 522-4182
	DO	Columbus	Ohio	43215,	50 West Gay St.	(614) 469-7310
	BO	Cincinnati	Ohio	45202,	Federal Building, 550 Main St.	(513) 684-2814
	DO	Detroit	Mich.	48226,	1249 Washington Blvd., Room 1200, Book Building	(313) 226-7240
	BO	Marquette	Mich.	49855,	201 McClellan St.	(906) 225-1108
	DO	Indianapolis	Ind.	46204,	36 South Pennsylvania St., Room 108, Century Building	(317) 633-7124
	DO	Madison	Wis.	53703,	25 West Main St., Room 303, Reimann Building	(608) 256-4761
	BO	Milwaukee	Wis.	53203,	735 West Wisconsin Ave., Room 905, Strauss Building	(414) 244-3941
POD	Eau Claire	Wis.	54701,	500 South Barstow St., Room 16, Fed. Off. Bldg. & US Courthouse	(715) 834-9012	
DO	Minneapolis	Minn.	55402,	12 South 6th St., Plymouth Building	(612) 725-2341	

VI	RO	Dallas	Tex.	75202,	1100 Commerce St., Room 300	(214) 749-1263
	DO	Albuquerque	N. Mex.	87101,	Federal Building & Courthouse, 500 Gold Ave., S.W.	(505) 843-2871
	POD	Las Cruces	N. Mex.	88001,	1015 El Paso Rd., First National Bank Tower, Room 223	(505) 843-0311**
	DO	Houston	Tex.	77002,	808 Travis St., Room 1210, Niels Esperson Building	(713) 226-4341
	DO	Little Rock	Ark.	72201,	P.O. & Court House Building, West Capital Ave., Room 377	(501) 372-5871
	DO	Lubbock	Tex.	79408,	1205 Texas Ave.	(806) 747-3462
	BO	El Paso	Tex.	79901,	109 North Oregon St., Suite 417, El Paso National Building	(915) 533-5494
	DO	Lower Rio Grande Valley	Harlingen, Tex.	78550,	219 East Jackson St.,	(512) 423-8933
	BO	Corpus Christi	Tex.	78401,	P.O. & Custom House Bldg., Room 8, 701 N. Upper Broadway	(512) 883-5436
	DO	Marshall	Tex.	75670,	505 East Travis St., Room 201, Travis Terrace Building	(214) 935-5257
	DO	New Orleans	La.	70130,	124 Camp St., Room 505, Gateway Building	(504) 527-2744
DO	Oklahoma City	Okla.	73102,	30 North Hudson St., Room 501, Mercantile Building	(405) 231-4301	
DO	San Antonio	Tex.	78205,	301 Broadway, Room 300, Manion Building	(512) 225-4745	
VII	RO	Kansas City	Mo.	64106,	911 Walnut St., 24th Floor	(816) 374-3316
	DO	Des Moines	Iowa	50309,	New Federal Building, 210 Walnut St., Room 749	(515) 284-4567
	DO	Omaha	Neb.	68102,	Federal Building, 215 North 17th St., Room 7419	(402) 221-3620
	DO	St. Louis	Mo.	63101,	Federal Building, 210 North 12th St., Room 520	(314) 622-4194
	DO	Wichita	Kan.	67202,	120 South Market St., Room 301	(316) 267-6566
VIII	RO	Denver	Colo.	80202,	721 19th St., Room 426A	(303) 837-4021
	DO	Casper	Wyo.	82601,	300 North Center St., Room 3, Western Building	(307) 265-3269
	DO	Fargo	N. Dak.	58102,	Federal Building, 653 2nd Ave., North, Room 218	(701) 237-5131
	DO	Helena	Mont.	59601,	Power Block Building, Corner Main & 6th Ave., Room 208	(406) 442-3301
	DO	Salt Lake City	Utah	84111,	Federal Building, 125 South State St., Room 2237	(801) 524-5804
	DO	Sioux Falls	S. Dak.	57102,	National Bank Building, 8th & Main Ave., Room 402	(605) 336-2231
IX	RO	San Francisco	Calif.	94102,	Federal Building, 450 Golden Gate Ave.	(415) 556-7487
	BO	Las Vegas	Nev.	89101,	300 Las Vegas Blvd., South, Room 4-104	(702) 385-6271
	POD	Fresno	Calif.	93721,	Federal Building, 1130 O St., Room 4015	(209) 487-5189
	DO	Honolulu	Hawaii	96813,	1149 Bethel St., Room 402	(808) 546-8950
	BO	Agana	Guam	96910,	Ada Plaza Center Building	(-) 777-8420**
	DO	Los Angeles	Calif.	90014,	849 South Broadway	(213) 688-2977
	DO	Phoenix	Ariz.	85004,	112 North Central Ave.	(602) 261-3611
DO	San Diego	Calif.	92101,	110 West C St.	(714) 293-5430	
X	RO	Seattle	Wash.	98104,	710 2nd Ave., 5th Floor, Dexter Horton Building	(206) 442-5676
	DO	Anchorage	Alaska	99501,	1016 West 6th Ave., Suite 200, Anchorage Legal Center	(907) 272-5561**
	BO	Fairbanks	Alaska	99701,	503 3rd Ave.	(907) 452-5101**
	DO	Boise	Idaho	83701,	216 North 8th St., Room 408	(208) 342-2516
	DO	Portland	Oreg.	97205,	921 Southwest Washington St.	(503) 226-1018
	DO	Spokane	Wash.	99210,	Court House Building, Room 651	(509) 456-3781

**Dial Operator for Assistance

10 Regional Offices (RO)
53 District Offices (DO)

14 Branch Offices (BO)
8 Post-of-Duty (POD)

FELLOWSHIP PROGRAM, NATIONAL EYE INSTITUTE

ANNOUNCEMENT

1. The National Eye Institute announces the availability of Postdoctoral and Special Fellowships to support full-time research training in the sciences related to vision. These fellowships afford laboratory and clinical research scientists the opportunity to broaden their scientific background, undertake applied and basic studies that will strengthen research skills, or enlarge their command of an allied research field through interdisciplinary studies.
2. To be eligible a candidate for a Postdoctoral Fellowship must have a Ph.D.; M.D.; O.D.; D.V.M.; D.O.; or equivalent degree. Stipends for postdoctorals are \$6,000, \$6,500 and \$7,000 per 12-month period.
3. Candidates for Special Fellowships must also have a doctorate or equivalent degree as shown above and at least three subsequent years of relevant research or professional experience or have completed residency requirements in a medical specialty or have demonstrated to the National Eye Institute sufficient competence in his field to pursue the training program. Stipends for special fellowships are individually negotiated with a base stipend of \$12,500 - 15,500 being considered.
4. Candidates must clearly define their career goals as well as describe the full-time research training to be obtained during the fellowship period. After completion and approval by proposed sponsors, applications should be mailed in the self-addressed envelope provided in the kit. Every effort should be made to insure that the required Facilities and Commitment Statement, and references are received by the NIH as soon as possible. A short covering letter should accompany each application requesting consideration by the NEI. Fellowship application kits can be obtained by calling or writing to:

Career Development Review Branch
Division of Research Grants
National Institutes of Health
Bethesda, Maryland 20014
Phone: 301 496-7221

5. The next deadline for receipt of applications is June 1, 1972, with a possible activation date of October 1, 1972. If there are any questions you are invited to contact:

Scientific Programs Branch
National Eye Institute
National Institutes of Health
Bethesda, Maryland 20014
Phone: 301 496-5301

VESTING TITLE TO EQUIPMENT UNDER RESEARCH
CONTRACTS WITH EDUCATIONAL INSTITUTIONS (NIH 6131)

POLICY

1. PURPOSE The purpose of this chapter is to set forth policies and procedures governing the vesting of title to equipment acquired with research contract funds applicable to NIH research contracts with educational institutions.
2. BACKGROUND AND REFERENCES Office of Management and Budget Circular No. A-101 (January 9, 1971) entitled "Administration of grants, contracts or other agreements with educational institutions," establishes a policy on vesting title to equipment that provides that "Title to equipment purchased or fabricated under any type of research instrument at educational institutions shall be vested in the institution ... unless it is determined that such vesting is not in furtherance of the objectives of the agency or unless there is not proper authority to vest title in the institution. Such title shall be vested in the institution upon the acquisition of the equipment or as soon as feasible thereafter." Circular No. A-101 is binding on all Executive Departments and Establishments and has been implemented fully by the Department in paragraph 4.B. of Procurement Circular HEW-71.3 (5/28/71).
3. POLICY In all research contracts with educational institutions, it is NIH policy that title to property purchased or otherwise acquired by the Contractor with contract funds will vest in the Contractor upon acquisition of the property. At any time during performance of the contract or prior to final payment after completion or termination of the contract, NIH may require the Contractor to transfer to the Government, or to a third party designated by the Government, title to any item of equipment acquired under the contract and costing \$1,000 or more.

An exception to the foregoing policy is recognized when it is determined that vesting title to particular items of property in the educational institution will not further the objectives of NIH. In such cases, the contract will specifically provide for title to such particular items of property to vest in the Government.

As a condition for the vesting in it of title to property, the Contractor must agree to use such property for the benefit of research under the contract, and any extensions or successor contracts thereto, and to continue to use such property for the benefit of research of interest to the Government. Moreover, the Contractor may not charge for any depreciation, amortization or use of any such property under any Government contract, sub-contract, or grant.

With respect to items of equipment having an acquisition cost of \$1,000 or more, the Contractor must agree to periodically report the acquisition of such items and to maintain a system providing for the identification, location and control of such equipment. The Contractor must also agree to transfer title to such items of equipment, either to the Government or to a third party designated by the Government, upon request of the Contracting Officer prior to final payment under the contract.

4. PROCEDURE The attached "Alteration to Form HEW-315 (Rev. 8/64) Clause 29, Government Property, in Research Contracts with Educational Institutions" implements the foregoing policy. This alteration shall be inserted in all cost-reimbursement research contracts with educational institutions, and all amendments thereto, executed after the effective date of this issuance.

The words "except as otherwise expressly provided elsewhere in this contract," appearing in subparagraph (2) of the attached alteration, furnish a basis for specifying, in the Special Provisions of the contract, those particular items of property to be acquired by the Contractor title to which will vest in the Government. Circumstances calling for the vesting of title to Contractor-acquired property in the Government are considered to be the exception rather than the rule. However, such situations may arise when, for example, the acquisition cost of particular items of equipment may be relatively high, or their expected useful life may be relatively long, compared with the anticipated value or duration of the contract, or the item to be acquired has a clearly foreseeable utility to other NIH contracts or intramural activities. Whenever the contract provides for the vesting of title in the Government to specified items of Contractor-acquired property, the contract record of negotiation will set forth reasons supporting the determination, with respect to each specified item of property, that vesting of title to such property in the Contractor is not in furtherance of the NIH program.

To protect the Government's right to request the transfer of title to particular items of equipment having an acquisition cost of \$1,000 or more, as provided in subparagraph (3) of the attached alteration, Contracting Officers will maintain records of all such equipment as reported by the Contractor. The Contracting Officer should consult with the Project Officer and other interested NIH officials to determine whether to request the transfer of title to particular items of equipment. Such requests will be transmitted to the Contractor in writing prior to final payment. The term "final payment" will be construed to mean "financial settlement," based upon the submission of completion vouchers or invoices and the exchange of release documents, as described in the applicable "Payment" provisions of the contract. The time involved in effecting final payment is considered sufficient to allow for making the foregoing determination.

5. POLICY REGARDING OTHER NONPROFIT ORGANIZATIONS NOT AFFECTED OMB Circular No. A-101 applies only to research agreements with educational institutions. Paragraph 4.D. of Procurement Circular HEW-71.3 establishes a discretionary policy regarding the vesting of title to equipment acquired with research contract funds by other nonprofit organizations eligible to receive title pursuant to the provisions of 42 U.S.C. 1892. Pending issuance of guidance specifically addressing this matter, the policy of "donating" equipment after completion of research contract work, as adopted by the Research Contracts Policy Board, will continue in effect with respect to title to equipment acquired under research contracts with nonprofit organizations other than educational institutions.

6. APPROVAL OF SUBCONTRACTS NOT AFFECTED Policies and procedures regarding approvals required prior to the acquisition of property by Contractors are not affected by this release, which pertains only to the vesting of title once such property has been acquired. Such approval requirements will continue to be governed by the "Subcontracting" clause and by any pertinent advance understandings in each particular contract.

Alteration to Form HEW-315 (Rev. 8/64) Clause 29, Government Property in Research Contracts with Educational Institutions

Paragraph (c) of the clause entitled "Government Property" is deleted and the following is substituted therefor:

- (c) Title. (1) Title to all Government-Furnished Property shall remain in the Government.
- (2) Except as otherwise expressly provided elsewhere in this contract, title to all material, supplies and equipment purchased or otherwise acquired by the Contractor, for the cost of which the Contractor is to be reimbursed as a direct item of cost, shall be and remain in the Contractor subject to the provisions of subparagraph (3) below: Provided, however, that the Contractor shall not, under any Government contract or subcontract thereunder or under any Government grant, charge for any depreciation, amortization, or use of any property title to which remains in the Contractor pursuant to this subparagraph. The Contractor agrees to use such materials, supplies and equipment for the benefit of research under this contract and any extensions or successor contracts thereto and to continue to use such property for the benefit of research of interest to the Government.
- (3) With respect to items of equipment having an acquisition cost of \$1,000 or more, title to which vests in the Contractor pursuant to subparagraph (2) above, the Contractor agrees:
- (a) to report such items to the Contracting Officer from time to time as they are acquired and to maintain a control system which will permit their ready identification and location; and
 - (b) to transfer title to any such items to the Government, or to a third party designated by the Government, in accordance with any written request therefor issued by the Contracting Officer at any time prior to final payment under this contract.
- (4) All Government-Furnished Property, together with all property acquired by the Contractor, title to which vests in the Government pursuant to any other express provision of this contract, is subject to the provisions of this clause and is hereinafter collectively referred to as "Government Property."

NIH Guide for Grants and Contracts, Cumulative Contents (Continued)

Guide No. 18, April 14, 1972

Announcements Concerning Contract Sources and Proposals	1
Unsolicited Proposals for Research Contracts	3
Applicability of Policies and Procedures Published in the Guide	5
Awards in Digestive Diseases and Nutrition (Supersedes p.14, Guide No. 9) .	6
Grants Involving Human Subjects (NIH 4107)	7
Use of Small Businesses and Minority-Owned Businesses by NIH	
Grantees (NIH 4109)	11
Fellowship Program, National Eye Institute	17
Vesting Title to Equipment Under Research Contracts with Educational	
Institutions (NIH 6131)	19

C U M U L A T I V E I N D E X

ACCOUNTABILITY

- Disposition of grant unexpended balance, No.3, p.6
- Disposition of NIH grant-related income, No.2, pp.5-9
 - direct fellows and direct trainees, No.2, p.8
 - fees, professional consultation or practice, No.2, pp.5-9
 - research career program awardees, No.1, p.9
 - sale of communications materials, No.10, pp.7-8
 - trainees under training grants, No.2, p.7
- Equipment acquired under NIH contracts
 - acquisition, No.18, pp. 19-21
 - transfer, No.18, pp.19-21
- Equipment acquired under NIH grants
 - in project periods terminated prior to July 1, 1972, No.16, pp.11-14
 - requirements for, No.9, pp.1-7; No.14, p.1; No.16, pp.3-9
 - transfer of, No.16, pp.15-17
 - waiver of requirements, No.9, pp.1-7, No.9, p.10; No.14, p.1
- Salaries
 - workload distribution, No.1, p.3

ADJUSTMENTS

- Unobligated award balances, No.6, pp.5-6

ALLERGY AND INFECTIOUS DISEASES

- Collaborative (Contract) programs, No.10, pp.1-2

ALLOWANCES

- Dependency
 - fellowships, No.3, pp.1-2
- Indirect cost on training grants, No.1, p.5

ANIMALS, LABORATORY

- Care and treatment, No.7, pp.3-5

APPLICATIONS

- Construction grants
 - statement re historic places (PL 89-665), No.4, p.4
- Continuation grants, PHS-2590-1
 - center grants, No.6, pp.5-6
 - program projects, No.6, pp.5-6
 - research projects, No.6, pp.5-6

Fellowships

- deadline dates, No.6, p.4
- correction, No.7, p.11
- postdoctoral, vision research, No.18, p.17
- predoctoral research, No.2, p.1
- special, vision research, No.18, p.17

Research projects

- deadline dates, No. 6, p.4
- exceptions to public disclosure, No.2, p.4
- information requirements and instructions, No.1, p.4
- release of information, No.2, pp.3-4
- Salary, omission of, No.7, pp.1-2
- Signatures required on, No.3, p.8

Training projects

- deadline dates, No.6, p.4
- exceptions to public disclosure, No.3, p.4
- release of information, No.3, pp.3-4

APPROPRIATIONS ACTS-HEW

- Restriction of funds, "student unrest", No.4, p.1; No.11, p.7

ARTHRITIS AND METABOLIC DISEASES

Collaborative (contract) programs - artificial kidney,
chronic uremia, No.11, p.5

AWARDS

In Digestive Diseases and Nutrition, No.9, p.14- Rescinded by No.18, p.5
BALANCE

Disposition of grant unexpended, No.3, pp.6-7. Superseded by No.13, pp.3-4
Unexpended and unobligated grant, No.6, pp.5-6

BASIC AGREEMENT WITH UNIVERSITY CONTRACTORS, No.11, p.3

BIOLOGICS STANDARDS

Collaborative (contract) programs, No.9, p.17

BUDGETS, ESTIMATED

Exceptions to public disclosure
research projects, No.2, p.4
training projects, No.3, p.4

CANCER

Collaborative (contract) programs, No.7, pp.7-10
chemotherapy, No.7, p.7
etiology, No.7, pp.7-10
 carcinogenesis, No.7, p.9
 demography, No.7, pp.9-10
 viral oncology, No.7, pp.8-9
general laboratories and clinics, No.7, p.10

CHANGES

Grantee institution, No.1, p.2
 revised policy, No.6, p.3
Research project support when principal investigator leaves grantee
institution, No.16, pp.19-24

COLLABORATIVE (CONTRACT) PROGRAMS

Allergy and infectious diseases, No.10, pp.1-2
Arthritis and metabolic diseases
 artificial kidney - chronic uremia, No.11, p.5
Biologics standards, No.9, p.17
Cancer, No.7, pp.7-10
Descriptions of, general, No.6, p.2
Environmental health sciences, No.9, p.18
Eye, No.16, p.1
Heart and lung, No.14, pp.7-9
Population research, No. 9, pp.15-16

CONSTRUCTION GRANTS

Restriction re historic places (PL 89-665) No.4, p.4

CONSTRUCTION PROJECTS

Employment and training requirements, Model Cities, No.13, p.7

CONSULTANTS

Fees, payment from grant funds, No.5, pp.4-5

CONTRACTORS

Hiring requirements for, No.17, p.4
Selection of, No.6, p.2

CONTRACTS

NIH biomedical research
 criteria for use, No.6, pp.1-2
 unsolicited proposals for, No.18, pp.3-4
 vesting title to equipment, No.18, pp.19-21

COPYRIGHT POLICY, NIH

Proposed implementation, No.7, p.6

COPYRIGHTS

Motion pictures on work supported by NIH, No.3, p.5
Published work supported by NIH, No.2, p.3; No.3, p.3

COST SHARING/MATCHING REQUIREMENTS

Disposition of NIH grant-related income, No.2, pp.5-9

COSTS, DIRECT

Consultant fees paid from grant funds, No.5, pp.4-5

COSTS, INDIRECT

Ceiling, training grants, No.1, p.5
Project grants with final negotiated rates, No. 12, pp.1-5

DEADLINES

Applications

fellowships, No.6, p.4
research career awards, No.6, p.4: (Correction, No.7, p.11)
research grants, No.6, p.4
training grants, No.6, p.4

DIGESTIVE DISEASES

Awards in, No.9, p.14-, superseded by No.18, p.6

ENVIRONMENTAL HEALTH

Collaborative (contract) programs, No.9, p.18

EQUIPMENT

Acquired under NIH contracts
vesting title to, No.18, pp.19-21
Acquired under NIH grants
accountability for, No.9, pp.1-7; No.14, p.1; No.16, pp.3-9
in project periods terminated prior to July 1, 1972, No.16, pp.11-14
management of, No. 9, pp.1-7; No.14, p.1; No.16, pp.3-9
transfer of, No.16, pp.15-17

EXPENDITURES

Release of information on,
research projects, No.2, pp.3-4
training projects, No.3, p.4
Reports, annual, on training grants, No.6, p.7

EYE

Collaborative (contract) programs, No.16, p.1

FACILITIES

Laboratory animals
care and treatment, No.7, pp.3-5

FEES

Consultant
payment from grant funds, No.5, pp.4-5
Disposition of NIH grant-related income, general provisions, No.2, pp.5-6
direct fellows and direct trainees, No.2, p.8
professional consultation or practice, No.2, pp.2-9
research career program awardees, No.2, p.9
trainees under training grants, No.2, p.7

FELLOWSHIPS

Applications, deadline dates, No.6, p.4
correction, No.7, p.11
Applications, predoctoral research, No.2, p.1
Dependency allowances, No.3, pp.1-2
Fees earned, No.2, pp.5-6, 8
Postdoctoral, vision research, No.18, p.17
Special, vision research, No.18, p.17

FILMS (See Motion Pictures)

FREEDOM OF INFORMATION ACT (PL 90-23)

- Research projects
 - release of information, No.2, pp.3-4
 - exceptions, No.2, p.4
- Training projects
 - release of information, No.3, pp.3-4
 - exceptions, No.3, p.4

FUNDS

- Restriction of Appropriations Acts-HEW, "student unrest", No.4, p.1; No.11, p.7

GRANTEE INSTITUTIONS

- Change of, No.1, p.2, No.6, p.3
- Supplies and services, Government Services Administration, No.4, p.5

GUIDE

- Applicability, No.3, p.9; ~~No.16, p.1~~; Rescinded by No.18, p.5
- Distribution, No.3, p.9
- Expanded scope, No.5, p.2

HEART AND LUNG

- Collaborative (contract) programs, No.14, pp.7-9; No.15, pp.5-9
 - blood resource, No. 14, p.7
 - clinical applications, No.14, p.9
 - lipid metabolism, No.15, p.7-8
 - medical devices, No.15, p.5
 - myocardial infarction, No. 14, p.8
 - respiratory diseases program, No.15, p.9

HIRING REQUIREMENTS, CONTRACTORS, No.17, p.4

HISTORIC PLACES, PROTECTION OF (PL 89-665), No.4, p.4

HUMAN SUBJECTS

- Protection of, in grants involving, No.18, pp.7-9

INCOME, GRANT-RELATED

- Disposition of, general provisions, No.2, pp.5-9
 - direct fellows and direct trainees, No.2, p.8
 - income derived from the sale of communications materials, No.10, pp.7-8
 - professional consultation or practice, No.2, pp.5-9
 - research career program awardees, No.2, p.9
 - trainees under training grants, No.2, p.7

INCREMENTS, ANNUAL

- "Special" trainee stipends, No.1, p.1

INDIRECT COSTS

- Ceiling, training grants, No.1, p.5
- Settlement of, on project grants with final negotiated rates, No.12, p.1-5

INFORMATION, RELEASE OF

- Research projects, No.2, pp.3-4
 - exceptions, No.2, p.4
- Training projects, No.3, pp.3-4
 - exceptions, No.3, p.4

INSTITUTIONS, GRANTEE

- Change of, No.1, p.2
 - revised policy, No.6, p.3
- Supplies and services, Government Services Administration, No.4, p.5

INTERNATIONAL MEETINGS

- Grant support of, No.9, pp.9-13

INVENTIONS

- Reports on those supported by
 - research career awards, No.14, p.3
 - research career development awards, No.14, p.3
 - research training grants, No.14, p.3

INVESTIGATOR, PRINCIPAL

Responsibilities for direction of research project, No.5, p.3

LOANS

Restriction of funds

Appropriation Acts-HEW, "student unrest", No.4, p.1; No.11, p.7

MEETINGS, SCIENTIFIC

Grant support of, No.9, pp.9-13

MINORITY-OWNED BUSINESSES

Use of, by NIH grantees, No.18, pp.11-16

MOTION PICTURES

Copyright, No.3, p.5

Productions by grantees, No.3, p.5

Support identification, No.3, p.5

NUTRITION

Awards in, No.9, p.14. Rescinded by No.18, p.6

ORGANIZATION CHARTS

DHEW, No.3, p.10

POPULATION RESEARCH

Collaborative (contract) programs, No.9, pp.15-16

PROGRESS REPORTS

Interim

research projects, No.2, pp.3-4

training activities, No.3, pp.3-4

Terminal

research projects, No.2, pp.3-4

training activities, No.3, pp.3-4

PROJECT PERIODS

Extension of, for

center grants, No.2, p.2

program project grants, No.2, p.2

research project grants, No.2, p.2

resource grants, No.2, p.2

training project grants, No.2, p.2

PROPOSALS

Unsolicited, for research contracts, No.18, pp.3-4

PUBLIC DISCLOSURE

Exceptions to, on research projects, No.2, p.4

applications, No.2, p.4

budget, estimated, No.2, p.4

discussions, advisory bodies, No.2, p.4

reports, interim, No.2, p.4

Exceptions to, on training activities, No.3, p.4

applications, No.3, p.4

budgets, estimated, No.3, p.4

discussions, advisory bodies, No.3, p.4

reports, interim, No.3, p.4

PUBLICATIONS

Disposition of income derived from sale of communication materials, No.10,

Guidance on

pp.7-8

Copyright, proposed implementation, No.7, p.6

Research findings, No.2, pp.3-4

Training activities, No.3, pp.3-4

RECORDS

Retention requirements, for grantee institutions, No.5, p.6

REPORTS

Annual, training grant expenditures, No.6, p.7

Equipment acquired with

NIH contract funds, No.18, pp.19-21

NIH grant funds, ~~No.9, pp.1-7~~; ~~No.14, p.1~~. Rescinded by No.16, pp.3-9

Equipment in project periods terminated prior to July 1, 1972, No.16, pp.11-14

Equipment, transfer of, No.16, pp.15-17; No. 18, pp.19-21

Grant support of scientific meetings, No.9, pp.9-13

Inventions supported by research career awards research career development awards, and research training grants, No.14, p.3

Progress, interim

research projects, No.2, pp.3-4

training activities, No.3, pp.3-4

Progress, terminal

research projects, No.2, pp.3-4

training activities, No.3, pp.3-4

Workload distribution, change in, No.1, p.3

RESEARCH CAREER DEVELOPMENT AWARDS

Applications, deadline dates, No.6, p.4

correction, No.7, p.11

Duration of, No.5, p.1

RESEARCH CAREER PROGRAM AWARDS

Fees earned, No.2, pp.5-6, 9

RESEARCH PROJECT

Support of

when principal investigator leaves grantee institution, No.16, pp.19-24

SALARIES

Non-stipulated, No.1, p.3; No.1, p.4

Omission of on grant applications, No.7, pp.1-2

Restriction of funds, Appropriation Acts, HEW "student unrest", No.4, p.1;

No.11, p.7

Stipulated, No.1, p.3; No.1, p.4

Workload distribution, report change, No.1, p.3

SIGNATURES

Grant application requirement, No.3, p.8

SMALL BUSINESSES

Use of, by NIH grantees, No.18, pp.11-16

STIPENDS

"Special" trainee

annual increments for, No.1, p.1

SUPPLIES AND SERVICES, SOURCE OF

Grantee institutions

Government Services Adm., No.4, p.5

Small businesses and minority-owned businesses, No.18, pp.11-16

TRAINEESHIPS, DIRECT

Fees earned, No.2, pp.5-6, 8

TRANSFERS

Equipment

Acquired under NIH contracts, No.18, pp.19-21

Acquired under NIH grants, No.16, pp.15-17

Research projects, ~~No.1, p.2~~; Rescinded by No.6, p.3. No.16, pp. 19-23

WORKLOAD DISTRIBUTION

Change in, No.1, p.3