



GRANT PROGRAMS DIRECTORATE POLICY

- I. **TITLE:** Use of Preparedness Grant funds for reimbursing work performed by Federally Funded Research and Development Centers (FFRDC)
- II. **DATE OF ISSUANCE:** November 4, 2013
- III. **POLICY STATEMENT:** A recipient of FEMA Preparedness Grant funds may execute a contract with a FFRDC using FEMA Preparedness Grant funds, so long as the grantee or sub-grantee complies with applicable laws and regulations, including 44 CFR § 13.36.
- IV. **PURPOSE:** The purpose of this policy is to inform FEMA grantees that they may use Preparedness Grant funds in entering into a contract with FFRDCs.
- V. **SCOPE AND EXTERNAL AUDIENCE:** This policy applies to all grantees and sub-grantees, and is applicable to all open FEMA Preparedness Grants.
- VI. **AUTHORITY:** This policy is governed by the following authorities:
 - A. 44 CFR § 13.36
 - B. 48 CFR § 2.101(b)
 - C. 48 CFR §§ 35.017 – 35.017-7
- VII. **OBJECTIVES:** The objective of this policy is to provide guidance to grantees who wish to obligate FEMA preparedness grant funding in support of work completed by FFRDCs.
- VIII. **DEFINITIONS, ABBREVIATIONS, AND FORMATTING:**
 - A. CFR - Code of Federal Regulations.
 - B. FAR - Federal Acquisition Regulations. The FAR is codified in Title 48 of the CFR.
 - C. FEMA - Federal Emergency Management Agency
 - D. FFRDC - Federally Funded Research and Development Center, as defined at 48 CFR §§ 2.101 and 35.017(2). A FFRDC is an activity sponsored under a broad charter by a Government agency (or agencies) for the purpose of



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performing, analyzing, integrating, supporting, and/or managing basic or applied research and/or development, and that receives 70 percent or more of its financial support from the Government; and –

1. A long-term relationship is contemplated;
2. Most or all of the facilities are owned or funded by the Government; and
3. The FFRDC has access to Government and supplier data, employees, and facilities beyond that common in a normal contractual relationship.

The purpose of a FFRDC is to meet some special long-term research or development need which cannot be met as effectively by existing in-house or contractor resources. FFRDCs are operated, managed, and/or administered by either a university or consortium of universities, other not-for-profit or nonprofit organization, or an industrial firm, as an autonomous organization or as an identifiable separate operating unit of a parent organization.

- E. GPD - Grant Programs Directorate.
- F. Nonsponsor – As defined by 48 CFR § 35.017(b). Any organization, in or outside of the Federal Government, which funds specific work to be performed by the FFRDC and is not a party to the sponsoring agreement establishing the FFRDC.
- G. NSF - National Science Foundation.
- H. Primary sponsor - As defined by 48 CFR § 35.017(b). The lead agency responsible for managing, administering, or monitoring overall use of the FFRDC under a multiple sponsorship agreement.
- I. Sponsor - As defined by 48 CFR § 35.017(b). The executive agency which manages, administers, monitors, funds, and is responsible for the overall use of a FFRDC. Multiple agency sponsorship is possible as long as one agency agrees to act as the “primary sponsor.” In the event of multiple sponsors, “sponsor” refers to the primary sponsor.



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- IX. POLICY DETAILS:** It is permissible for a grantee or sub-grantee of FEMA Preparedness Grants to obligate funds to a FFRDC for an otherwise allowable expense by executing a contract with the FFRDC. Dependent upon the agreement between the FFRDC and its Federal agency sponsor, FFRDCs may accept work from non-sponsors such as grantees or sub-grantees of FEMA Preparedness Grants. A grantee or sub-grantee who wishes to issue a contract to a FFRDC must follow all applicable laws and regulations when utilizing Federal grant funds, including the requirements set forth in 44 CFR § 13.36.

The Federal Acquisition Regulation (FAR) requires the National Science Foundation (NSF) to maintain a master list of FFRDCs. As of May 7, 2013, this list was publicized at: <http://www.nsf.gov/statistics/ffrdclist/>.

X. ROLES & RESPONSIBILITIES:

- A. FEMA GPD and Regional staff are responsible for reviewing program applications and determining allowability of costs, as well as ensuring grantee expenditures are warranted under this policy.
- B. Grantees and sub-grantees are responsible for selecting a FFRDC prior to issuance of a contract using FEMA preparedness grant dollars. A grantee or sub-grantee who wishes to issue a contract to a FFRDC must follow all applicable laws and regulations when utilizing Federal grant funds, including the requirements set forth in 44 CFR § 13.36. Grantees and sub-grantees must follow applicable regulations under the 48 CFR §§ 35.017 – 35.017-7. Grantees should reference the NSF master list of FFRDCs to identify an appropriate FFRDC to support the scope and objectives of the grant program.
- C. Nothing in this Policy changes or impacts the legal responsibilities of FFRDCs and their sponsoring agencies, including the regulations of 48 CFR §§ 35.017 – 35.017-7.

- XI. MONITORING AND EVALUATION:** The Grant Programs Directorate (GPD) will ensure compliance with this policy through its annual financial and programmatic monitoring program. FEMA preparedness grantees and sub-



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grantees that fail to comply with this policy may not receive reimbursement through the applicable grant program.

- XII. RESPONSIBLE OFFICE:** The Preparedness Grants Division within FEMA GPD is responsible for the implementation of FEMA Preparedness Grant funds.
- XIII. SUPERSESSION:** This policy does not supersede other policy on this subject.
- XIV. REVIEW DATE:** This policy will expire 3 years from the date of issuance in accordance with Directive 112-12.

Brian Kamoie
Assistant Administrator
Grant Programs Directorate