

whether an agency, in the absence of a statute, has the authority to express a preference for the way in which an applicant/recipient may meet a cost-sharing or matching requirement.

*Response:* Agree in part. The format already distinguishes between cost sharing in Section III.2 as an eligibility criterion (*i.e.*, required for an application to be eligible, and not negotiable) and in Section V.1 as a review criterion. In response to the comments, we added statements in Sections III.2 and V.1 indicating the need to clearly state any restrictions on the allowability of cash or in-kind contributions. Section III.2 includes cost sharing imposed by statute, regulation, or administrative decision of the agency; the question of an agency's statutory or regulatory authority with respect to types of cost sharing for any particular program is beyond the scope of the announcement format and appropriately is raised with the agency.

*Comment:* One commenter asked that we clarify in Section III.3 whether "limiting the number of applications an applicant may submit" pertains to the organization, the individual principal investigator, or both.

*Response:* We revised this section to require agencies to address how any limitation on the number of applications applies.

*Comment:* One commenter suggested revising the full text of the announcement format to include the agency's World Wide Web address and an electronic link where one could get a copy of the application and other materials.

*Response:* The format's Section IV.1 already addresses the use of an Internet address.

*Comment:* One commenter suggested that we replace "should" with "must" in the sentence of Section IV.1 that says the agency should provide a way for potential applicants to request paper copies of materials that they would need in order to apply, in addition to any Internet address where a potential applicant could get the materials.

*Response:* No change. The guidance is sufficient for program officials to exercise judgment, based on the level of electronic sophistication in the communities of potential applicants for their particular programs.

*Comment:* One commenter suggested that the format clearly state Institutional Review Board (IRB) requirements for human subjects and, if possible, make them uniform.

*Response:* Agree in part. Although the final bullet in Section IV.2 of the proposed format already mentions human subjects requirements, we added

them to the second paragraph of that section as well, as an example of a requirement with which an applicant may have to assure compliance. Establishing uniform, government-wide procedures for doing so, however, is beyond the scope of the announcement format.

*Comment:* One commenter asked that we add to Section IV.2 information about pre-award survey requirements, such as any certifications or independent assurances that the applicant has established proper financial management systems to administer Federal awards, because of their importance in determining applicant eligibility.

*Response:* No change. Government-wide guidance is not needed because agencies usually require pre-award surveys only in individual cases, after receiving and reviewing applications. Should there be a program where pre-award surveys are commonly done, the program office can include information about them in the appropriate section of the announcement format.

*Comment:* One commenter suggested replacing "should" with "must" in the first sentence of Section IV.2, which says that the agency should identify in that section the required content of an application and the forms or formats that an applicant must use to submit it.

*Response:* We made the suggested change.

*Comment:* One commenter noted confusing and seemingly contradictory guidance in Section IV.3, which initially says that the announcement "must" identify due dates for applications but states in the next paragraph that the announcement "should" state or provide reference to the deadline. The commenter observed that the announcement must state the due date and that a potential applicant should not have to look elsewhere for this critical information.

*Response:* We revised the second paragraph to eliminate "should."

*Comment:* One commenter noted that Section IV.3 does not address the permissibility or impact of submitting a partial application.

*Response:* No change. Section IV.3 already calls for the announcement to identify submissions that are required, give deadlines for their submission, and explain the effect of missing a deadline (*e.g.*, whether late applications are neither reviewed nor considered or are reviewed and considered under some circumstances). An announcement that includes this information addresses the effect of submitting a partial application.

*Comment:* One commenter indicated that the announcement format should include submission and contact information for State comments under Executive Order (E.O.) 12372. The commenter suggested that this should include: a requirement to give the Internet address for the OMB's State Single Point of Contact (SPOC) list; information on requirements, with applicable citations, for State Governors' involvement in the application submission process for Federal programs that have such requirements; and language encouraging applicants to contact their State's SPOC as early in the application development process as possible.

*Response:* No change. Section IV.4 already is a separate section dedicated specifically to E.O. 12372 requirements, in recognition of their importance to States. We believe the guidance in that section is sufficient to accomplish the commenter's objectives.

*Comment:* One commenter suggested that we move the material in Section IV.5, "Funding Restrictions" to Section III on eligibility because restrictions on costs can make an applicant ineligible.

*Response:* We agree that the material in Section IV.5 relates to Section III on eligibility, as well as Section IV on application and submission information. We therefore revised Section III.1 to say that the agency must identify in that section (either directly or by cross-reference to Section IV.5) any funding restrictions that could affect the eligibility of an applicant or project.

*Comment:* One commenter requested inclusion in Section IV.5 of the contemplated geographic code applicable to the eventual award as well as disclosure of the legislative, statutory history, or other impediments affecting award implementation (*e.g.*, earmarks).

*Response:* No change. Government-wide guidance is not needed on these subjects because they arise in few announcements. Should an agency need to inform potential applicants about geographic codes or legislative restrictions, it can include information about them in the appropriate section of the announcement format.

*Comment:* An interagency team working on a parallel grants streamlining initiative recommended that we include language in the announcement format to address the allowability of pre-award costs.

*Response:* We added a sentence to Section IV.5 to address pre-award costs.

*Comment:* One commenter, based on difficulties with agency electronic systems, suggested that we add a requirement in Section IV.6 for agencies