

**POLICY
FOR
TRACKING LOANS
OF
NIH SPACE**

**OGD-1525-DFP-05
NIH Policy
Division of Policy and Program Assessment
DHHS/NIH/OD/ORF**

Approve:	<input checked="" type="checkbox"/>	Disapprove:	<input type="checkbox"/>
Signature:			
_____/S/		June 29 th 2005	
Director, ORF		Date	

ORF Manual No.:
Title:
Issuing Office:
Release Date:
Supersedes:

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June 29, 2005
N/A

Policy

Institutes, Centers (IC), and NIH Offices who “loan” assigned space to another NIH IC or Office, shall submit all current loans and future loans to the NIH Space Recommendation Board (SRB) for entry into the NIH space and rent systems for tracking and billing purposes.

The Office of Research Facilities (ORF) will assign Space Justification Document (SJD) numbers to the loans and track them in the SJD floor plan and rent systems. ORF will review the loans on an annual cycle.

A. Introduction

The ORF Development and Operations, Division of Facilities Planning (DFP) provides assistance to Institutes and Centers (IC) and the NIH Space Recommendation Board (SRB) to identify and acquire space both on and off the NIH campus.

It is often mutually beneficial for one IC to loan another IC space. These loans and the terms of the loans should be officially tracked in the NIH floor plan and rent system. This will provide a record of the space ownership. This tracking will also minimize disagreements between ICs when loans are terminated.

The SRB will review these loans. From the broader NIH perspective, the SRB may be able to suggest alternatives that are better for the ICs and NIH.

A principle of appropriation law bars the augmentation of an appropriation by other sources of revenue. In the case of loaned space, the question becomes “who pays” for the loaned space. In order to avoid the risk of augmentation, the IC gaining benefit from the use of the space shall pay directly for its use. Under this policy, information in the “space system” provides a record of the appropriate use of appropriated funds. Space usage and the rent charges will be tracked in the NIH floor plan and rent system.

The SJD system already tracks IC requests for space, and will be used to track loans as well. An IC formally requests space by submitting an SJD to the DFP. The SJD lists the amount and type of space, location, purpose, staffing, and date the space is required. This process provides a standardized mechanism for ORF to track space requests on and off campus and plan for future administrative, research space, patient care, clinical and animal capacity requirements. The decision memorandum documents the assigned space location and terms.

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NIH space is loaned in several ways:

- The SRB makes temporary loans of space from the Director's Reserve for specific time periods and/or for specific purposes;
- ICs loan space to each other when there is mutual agreement that it is beneficial to both ICs;
- Patient care and clinical space in the Clinical Center Complex (CCC) is assigned directly to the Clinical Center (CC). In some instances, the CC and the SRB loan space to an IC for a specific clinical purpose or the CC loans an IC space for a purpose other than patient care;
- Animal facility space is assigned to the NIH Deputy Director for Intramural Research, but the facilities are operated and maintained by the lead IC. The lead IC pays the rent for the space and charges the occupant ICs in the facility using a Memorandum of Understanding (MOU). To meet fluctuating needs, ICs "loan" their animal holding capacity to other ICs; and
- The SRB or an IC make loans for one IC to act as the "host IC" for the laboratory of another IC's Institute Director.

Tracking loaned NIH space in the NIH floor plan and rent system is necessary for the following reasons:

- It provides an official record of space usage that serves as the corporate memory;
- It ensures that the correct occupant is paying the rent. (Refer to Title 31, Subtitle II, Chapter 13, Subchapter I, §1301§1301.Application; Release date: 2003-05-15);
- It avoids the risk of one appropriation augmenting another appropriation;
- It provides data to compare space per person across ICs and various other types of space;
- It provides space usage oversight by the SRB so that the SRB, in the best interest of all parties involved, including corporate NIH, can suggest alternatives for space usage; and
- It provides NIH the ability to plan for future administrative, research, patient care, clinical space and animal capacity usage.

B. Purpose and Applicability

This process provides a standardized mechanism for ORF to track space requests on and off campus and plan for future administrative, research space, patient care, clinical and animal capacity requirements. The decision memorandum documents the assigned space location and terms.

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This policy covers temporary loans of space between ICs, between the CCs and ICs, and between the SRB and an IC in NIH owned and leased space. It covers all existing and all future loans.

C. Roles and Responsibilities/Policy Implementation

a. IC's will

- Identify all loans and submit them to the SRB using the SJD process.
- Submission requests must include copies of the terms and conditions of the loan, copies of any relevant MOU, floorplans, etc.
- Fund the rent for the space they occupy

b. SRB will

- Review all loan requests via the SJD process and recommend alternatives when appropriate for efficient space utilization.
- Discuss recommendations with the IC to come to mutually agreeable loan terms.
- Make temporary loans of space from the Director's Reserve for specific time periods and/or for specific purposes.
- Annually review space loans and adjudicate necessary adjustments and/or appeals.

c. ORF will

- Track all loans in the SJD floor plan and rent systems.
- Review the outstanding loans in the summer of each year.
- Notify the affected ICs and the SRB so that appropriate adjustments can be made in the rent projections for the next year.

d. CC will

- Document and track loans they have made of clinical space to ICs in the NIH space system.
- Review loans of clinical space to ICs with the SRB annually.

D. Special Requirements

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E. Definitions

N/A

F. Relevant Documents/References:

1. SJD Template
2. Title 31, Subtitle II, Chapter 13, Subchapter I, §1301§1301. Application
Release date: 2003-05-15

G. Management Controls/Roles and Responsibilities:

1. Office Responsible for Review: Division of Facilities Planning
2. Frequency of Review: Every 3 years or if substantial changes are made to the policy.

H. Contact Information:

1. This policy is available on the WEB: <http://orf.od.nih.gov>
2. To obtain copies of this policy or for further information, contact the Office of Research Facilities, Division of Policy and Program Assessment (DPPA), Phone Number (301) 594-9506