

## **Funding Opportunity W911KB-25-2-0008**

### **Industry Question #1 and Government Response**

1. We reviewed the FOA Amendment 1 (attached) dated June 18, and noted that it requires use of a 15% indirect rate. TRO that prohibits "Defendants, their agents, and anyone acting in concert or participation with Defendants from implementing, instituting, maintaining, or giving effect to the immediately effective portions of the Rate Cap Policy, i.e., those portions implementing a 15% cap for all awards issued on or after June 12, 2025, including but not limited to rejecting or treating adversely proposals for DOD funding submitted at universities' negotiated rates rather than the 15% rate" effective June 17.

Would it be possible to confirm that the 15% still applies, and if so, would it be possible to confirm that OMB was notified of the deviation and provide the policies, procedures, and general decision-making criteria that was used to justify the reduced rate - in line with 2 CFR 200.414(c)?

**Government response:** Refer to FOA Amendment #02, published 24 June 2025.