



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

December 21, 2009

Mr. Michael Hubbard
Oak Ridge Institute for Science and Education
P.O. Box 117 MS 36
Oak Ridge, TN 37830

VIA Electronic Mail
Michael.Hubbard@orau.org

SUBJECT: COOPERATIVE AGREEMENT NO. NRC-27-10-506

Dear Mr. Hubbard:

Pursuant to the authority contained in the Federal Grant and Cooperative Grantee Act of 1977 and the Atomic Energy Act of 1954, the Nuclear Regulatory Commission (NRC) hereby awards to Oak Ridge Institute for Science and Education (ORISE) (hereinafter referred to as the "Grantee" or "Recipient"), the sum of \$1,500,000 to provide support to the Oak Ridge Institute for Science and Education (ORISE) Historically Black Colleges and Universities Research Participation Program described in Attachment B entitled "Program Description."

This award is effective as of the date of this letter and shall apply to expenditures made by the Grantee furtherance of program objectives during the period beginning with the effective date of December 31, 2009 and ending December 31, 2014 (subject to the availability of funding).

This award is made to the Recipient on condition that the funds will be administered in accordance with the terms and conditions as set forth in Attachment A (the Schedule); Attachment B (the Program Description); and Attachment C (the Standard Provisions); all of which have been agreed to by your organization.

Please sign the enclosed grant to acknowledge your receipt of the award, and return to the undersigned by e-mail as a pdf file.

Sincerely yours,
Sheila Bumpass
Sheila Bumpass
Contracting Officer
Contract Management Branch 2
Division of Contracts

Attachments:
Attachment A – Schedule
Attachment B – Program Description
Attachment C – Standard Terms and Conditions

TEMPLATE - ADM001

SUNSI REVIEW COMPLETE

DEC 24 2009

ADM002

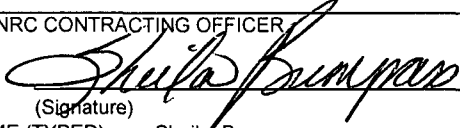
ACKNOWLEDGED:
Oak Ridge Institute for Science and Education (ORISE)

By: _____

Title: _____

Date: _____

**U.S. NUCLEAR REGULATORY COMMISSION
NOTICE OF GRANT/ASSISTANCE AWARD**

1. GRANT/AGREEMENT NO. NRC-27-10-506	2. MODIFICATION NO.	3. PERIOD OF PERFORMANCE FROM: 12/31/2009 TO: 12/31/2014	4. AUTHORITY Pursuant to Section 31b and 141b of the Atomic Energy Act of 1954, as amended
5. TYPE OF AWARD <input type="checkbox"/> GRANT <input checked="" type="checkbox"/> COOPERATIVE AGREEMENT	6. ORGANIZATION TYPE State Controlled Hi-Ed Inst.	7. RECIPIENT NAME, ADDRESS, and EMAIL ADDRESS OAK RIDGE ASSOCIATED UNIVERSITIES, INC. ORAU 130 BADGER RD OAK RIDGE TN 378306218	
8. PROJECT TITLE: "Oak Ridge Institute for Science Education (ORISE) Historically Black Colleges and Universities Research Participation Program"			
9. PROJECT WILL BE CONDUCTED PER GOVERNMENT'S/RECIPIENT'S PROPOSAL(S) DATED August 13, 2009 AND APPENDIX A-PROJECT GRANT PROVISIONS	10. TECHNICAL REPORTS ARE REQUIRED <input checked="" type="checkbox"/> PROGRESS AND FINAL <input type="checkbox"/> FINAL ONLY <input type="checkbox"/> OTHER (Conference Proceedings)	11. PRINCIPAL INVESTIGATOR(S) NAME, ADDRESS and EMAIL ADDRESS Oak Ridge Institute for Science and Education Attn: Michael A. Hubbard P.O. Box 117 MS 36 Oak Ridge, TN 37830 Email: Michael.hubbard@orau.org Tel: 865-576-3937	
12. NRC PROGRAM OFFICE (NAME and ADDRESS) U. S. Nuclear Regulatory Commission Attn: Tuwanda Smith, Esq. Office of Small Business and Civil Rights MS T2F18 Washington, DC 20555 Tel: 301-415-7394	13. ACCOUNTING and APPROPRIATION DATA APPN. NO: 31X0200 B&R NO: 107P-15-5C1-161 JOB CODE: L2284 BOC NO: 4110 OFFICE ID NO: SBC2710506 FFS:RQSBC10306 DUNS: 041152224	14. METHOD OF PAYMENT <input type="checkbox"/> ADVANCE BY TREASURY CHECK <input type="checkbox"/> REIMBURSEMENT BY TREASURY CHECK <input type="checkbox"/> LETTER OF CREDIT <input checked="" type="checkbox"/> OTHER (SPECIFY) Electronic ASAP.gov (See Remarks in Item #20 "Payment Information")	
15. NRC OBLIGATION FUNDS THIS ACTION <u> \$300,000 </u> PREVIOUS OBLIGATION <u> 0 </u> TOTAL <u> \$300,000 </u>	16. TOTAL FUNDING AGREEMENT NRC <u> \$1,500,000 </u> RECIPIENT <u> \$0.0 </u> TOTAL <u> \$1,500,000 </u> This action provides funds for Fiscal Year 2010 in the amount of \$300,000 (See Attachment)		
17. NRC ISSUING OFFICE (NAME, ADDRESS and EMAIL ADDRESS) U. S. Nuclear Regulatory Commission Div. of Contracts Attn: Sheila Bumpass Mail Stop: TWB-01-B10M Washington, DC 20555			
18. Acceptance of or objections to the Terms and Conditions of Award must be Emailed to the NRC Issuing Office (Block #17) within three (3) business days following the Award issue date. NRC considers lack of response as acceptance by the grantee of the terms and conditions of award.	19. NRC CONTRACTING OFFICER <div style="text-align: right;">  (Signature) _____ </div> <div style="text-align: right;"> <u>12/21/09</u> (Date) _____ </div> NAME (TYPED) <u>Sheila Bumpass</u> TITLE <u>Contracting Officer</u> TELEPHONE NO. <u>301-492-3494</u>		
20. PAYMENT INFORMATION Payment will be made through the Automated Standard Application for Payment (ASAP.gov) unless the recipient has failed to comply with the program objectives, award conditions, Federal reporting requirements or other conditions specified in 2 CFR 215 (OMB Circular A110).			
21. Attached is a copy of the "NRC General Provisions for Grants and Cooperative Agreements Awarded to Non-Government Recipients. Acceptance of these terms and conditions is acknowledged when Federal funds are used on this project.			
22. ORDER OF PRECEDENCE In the event of a conflict between the recipient's proposal and this award, the terms of the Award shall prevail.			
23. By this award, the Recipient certifies that payment of any audit-related debt will not reduce the level of performance of any Federal Program.			

ATTACHMENT A - SCHEDULE

A.1 PURPOSE OF COOPERATIVE AGREEMENT

The purpose of this Cooperative Agreement is to provide support to the "Oak Ridge Institute for Science Education (ORISE) Historically Black Colleges and Universities Research Participation Program" as described in Attachment B entitled "Program Description."

A.2 PERIOD OF COOPERATIVE AGREEMENT

1. The effective date of this Cooperative Agreement is December 31, 2009. The estimated completion date of this Cooperative Agreement is December 30, 2014; however, funding after year one is subject to the availability of funding.

2. Funds obligated hereunder are available for program expenditures for the estimated period: December 31, 2009 – December 30, 2010.

A. GENERAL

1. Total Estimated NRC Amount: \$1,500,000
2. Total Obligated Amount: \$300,000
3. Cost-Sharing Amount: \$0
4. Activity Title: Support to the Oak Ridge Institute for Science Education (ORISE) Historically Black Colleges and Universities Research Participation Program.
5. NRC Project Officer: Tuwanda Smith, Esq.
6. DUNS No.: 041152224

B. SPECIFIC

RFPA No.: SBC2710506
FFS: RQSBC10306
Job Code: L2284
BOC: 4110
B&R Number: 107P-15-5C1-161
Appropriation #: 31X0200
Amount Obligated: \$300,000

A.3 BUDGET

Revisions to the budget shall be made in accordance with Revision of Grant Budget in accordance with 2 CFR 215.25.

	Year 1	Year 2	Year 3	Year 4	Year 5
Direct Participant Cost	\$245,875.00	\$245,875.00	\$245,875.00	\$245,875.00	\$245,875.00
ORISE Operating Cost	\$26,888.00	\$26,888.00	\$26,888.00	\$26,888.00	\$26,888.00
Indirect Cost	\$18,411.00	\$18,411.00	\$18,411.00	\$18,411.00	\$18,411.00
Subtotal	\$291,174.00	\$291,174.00	\$291,174.00	\$291,174.00	\$291,174.00
FAC (3%)	\$8,735.00	\$8,735.00	\$8,735.00	\$8,735.00	\$8,735.00
Yearly Total	\$300,000.00	\$300,000.00	\$300,000.00	\$300,000.00	\$300,000.00

All travel must be in accordance with the the Oak Ridge Institute for Science Education Travel Regulations or the US Government Travel Policy absent recipient travel regulation.

A.4 AMOUNT OF AWARD AND PAYMENT PROCEDURES

1. The total estimated amount of this Award is \$1,500,000 for the five year period. Years two – five are subject to the availability of funding.
2. NRC hereby obligates the amount of \$300,000 for program expenditures during the period set forth above and in support of the Budget above. The recipient will be given written notice by the Contracting Officer when additional funds will be added. NRC is not obligated to reimburse the recipient for the expenditure of amounts in excess of the total obligated amount.
3. Payment shall be made to the Recipient in accordance with procedures set forth in the Automated Standard Application For Payments (ASAP) Procedures set forth below.

Attachment B – Program Description

PROGRAM DESCRIPTION

*The U.S. Nuclear Regulatory Commission
Historically Black Colleges and Universities
Research Participation Program*

Introduction

The Higher Education Amendments of 1998 define Minority Serving Institutions (MSIs) as institutions of higher education having a combination of different minority groups that total at least 50 percent of their enrollment. Institutions of higher learning that fit into this category include: Historically Black Colleges and Universities (HBCUs); Hispanic Serving Institutions (HSIs); and Tribal Colleges and Universities (TCUs). These institutions play an Important role in the preparation and success of minority students in all disciplines, including science and engineering.

However, HBCUs have traditionally been underrepresented and underutilized In federally supported research, education, and training. HBCUs comprise only three percent of the nation's two- and four-year institutions, they graduate 30 percent of African Americans receiving 4-year degrees and 40 percent of African Americans receiving 4-year degrees In STEM areas (*2008 NAFEO Enrollment SUTV9Y of HBCUs*).

The Federal Government recognizes MSIs as Important catalysts In the delivery of education to our nation's minorities and has expressed its commitment to strengthening their capacities through White House education Initiatives. Attempts have been made to strengthen HBCUs on many different fronts. Efforts like the Presidential Executive Order 12232 (signed by President Jimmy Carter. August 12, 1980) directed federal agencies to strengthen and expand the capacity of HBCUs to provide quality education. Presidents Reagan, Bush, Clinton, and Bush supported Carters initiative through Executive Orders 12320. 12677, 12876, and 13256 respectively. The National Science Foundation report, *Land of Plenty: Diversity as America's Competitive Edge in Science, Engineering and Technology* (July 2000), recommended that Congress significantly expand its financial support of historically black institutions and provide colleges with sufficient backing to aid students through grants, scholarships, fellowships, and

internships.

On August 8, 2005, President Bush Signed into law the Energy Policy Act of 2005 (EPA). The U.S. Nuclear Regulatory Commission (NRC) received authorization to establish and participate in partnership programs with Institutions of higher education, Including HBCUs, HSIs and TCUs, to enhance their capacity to train students in fields NRC deems critical to its mission. In January 2006 the NRC Office of Small Business and Civil Rights was directed by the NRC to establish a Minority Serving Institutions Program (MSIP), which includes the HBCU Research Participation Program.

In February of 2009, Secretary of Education Arne Duncan stated, "HBCUs cannot simply survive. They have to thrive. The historical importance of these schools cannot be overstated. Their relevance today is as great as at any time in the past." This proposal for the HBCU Research Participation Program is an important component of the NRC/ MSIP's mission to fund minority serving programs, activities, projects, symposiums, and training for the exchange and transfer of knowledge and skills relevant to nuclear safety, security, environmental protection, or any other fields the Commission deems critical to its mission.

ORISE and the NRC-Working Toward the Solution:

The Oak Ridge Institute for Science and Education (ORISE) and the Nuclear Regulatory Commission (NRC) have teamed together to respond to the needs of the HBCUs. With the establishment of the HBCU Research Participation Program In 1992, the NRC became an active proponent for research opportunities for HBCU students and faculty. ORISE brought to the team effort more than 45 years of experience and expertise in education programs. The NRC program will provide HBCU participants a mechanism to achieve the following objectives:

- Familiarity with research areas *an/or* relevant needs of the NRC mission related to science, mathematics, engineering, business, and other fields
- Experience in scientific, engineering, and other relevant research and development activities related to NRC's mission
- Enhanced academic and scientific credentials
- Advanced training and education In areas of the participants' research
- Opportunities for future employment in fields related to the NRC mission

ORISE shall provide assistance to HBCUs, students, and faculty through mentoring, leadership, facilitation of research and development, training, developmental programs, technical assistance, direct institutional subsidies, program evaluations, fellowships, internships, scholarships, cooperative education, student tuition and fees, travel and housing assistance, and other activities that support the science, workforce development, and missions of the NRC. To facilitate outreach and recruitment initiatives associated with the above activities, the NRC may instruct ORISE to purchase various training materials, recruitment and promotional items of nominal value, and place NRC tagline brand-name logos and NRC telephone numbers on such items.

About the HBCU Research Participation Program

The HBCU Research Participation Program introduces faculty, graduates, and undergraduates from HBCUs to the research and development activities of the federal government through research, education and training activities. In addition, the program provides Incentives for HBCU students to enter into and continue with science, technology, engineering, math, and other careers.

Principal investigators and research staff serve 8S research advisors during the period. Participants receive research training using state-of-the art equipment and technology and interact daily with research scientists in a laboratory environment.

About the Program Administrator. ORISE

The Oak Ridge Institute for Science and Education (ORISE) is a U.S. Department of Energy institute focusing on scientific initiatives to research health risks from occupational hazards, assess environmental cleanup, respond to radiation medical emergencies, support national security and emergency preparedness, and educate the next generation of scientists. ORISE is managed by Oak Ridge Associated Universities, a private not-for-profit consortium of 115 colleges and universities with a mission to provide and develop capabilities critical to the nation's science and engineering infrastructure.

ORISE is in compliance with Title VI of the Civil Rights Act of 1984 which protects individuals from discrimination on the basis of their race, color, or national origin in programs that receive financial assistance provided by its clients. In addition, ORISE is also in compliance with Title IX which prohibits discrimination based on gender/sex in educational programs and activities.

ORISE currently manages dozens of education programs that serve more than 6,000 participants including undergraduate and graduate students, recent graduates, faculty, and postdoctoral fellows. In FY2008, ORISE made appointments at over 220 federal research centers and provided scholarships or fellowships at 215 colleges or universities. These program activities were sponsored by the U.S. Department of Energy, U.S. Nuclear Regulatory Commission, U.S. Department of Commerce, U.S. Department of Defense, Centers for Disease Control, National Science Foundation, Food and Drug Administration, National Institutes of Health, Oak Ridge National Laboratory, and a number of other national laboratories and federal research centers.

Payments to program participants for stipends, housing allowances, tuition and fees, and travel expenses exceeded \$106 million in 2008. Education programs managed by ORISE are supported by an organization of more than 600 employees, approximately 75 of whom are assigned to direct responsibilities for managing education programs.

Management of ORISE's education programs is facilitated by Government-approved management systems and business processes covering accounting and financial administration, security, procurement, property administration, foreign national processing, safety, information technology, and compensation and personnel administration.

ORISE's goal has always been to provide the academic community with access to the resources of federal facilities. Last year, programs administered by ORISE included participants from 604 U.S. colleges and universities, including participants from 44 HBCUs, 24 Hispanic serving Institutions (HSIs), 1 Tribal College, 5 Native Hawaiian Institutions, 1 Alaskan Native Institution and approximately 350 foreign academic institutions.

ORISE has managed minority-opportunity programs for more than two decades. ORISE's well established networks and other recruitment mechanisms yield applicant pools with much higher proportion of minority candidates are found in relevant target populations. Our success in minority recruitment is well demonstrated by our performance. Among undergraduate student participants in FY 2008, 44.5 percent were women and 17.5 percent were from minority groups underrepresented in STEM fields.

Activities of the HBCU Research Participation Program

The NRC HBCU Research Participation Program offers a variety of research opportunities for participants. For example, the summer program provides opportunities for faculty, undergraduates and graduate students to engage in ongoing research activities at research laboratories or on the HBCU campus. Still other opportunities exist during the academic year. Laboratory scientists may collaborate with HBCU faculty and student teams to continue research projects on a part-time basis at HBCU campuses. The faculty member then serves as research mentor to students on the team.

Both the summer and academic-year components of the program have been successful. Often, HBCU faculty members re-enter the research arena and bring projects back to the classroom. As a result, the ultimate goal of the program has been achieved: new technologies have been introduced into the historically black institutions and have been integrated into campus-based instruction and research programs. Students who participate in the program are exposed to cutting-edge research and technology, gain experience in their areas of interest, and are motivated to continue their science and engineering studies.

Opportunities available for faculty, graduates and undergraduates through this program are described below:

Faculty Research. Faculty activities include, but are not limited to, summer and sabbatical research participation, on-campus research appointments, and travel to attend seminars and orientations or to give research presentations.

- **Summer Appointments.** Summer faculty participants receive a monthly stipend based on their regular academic salaries or \$3,800- whichever is greater. Round trip transportation is reimbursed for travel between the participant's home or institution and the location of the appointment.
- **Sabbatical Leave:** Sabbatical leave appointments are normally supported in part by the participant's institution. A certified statement regarding sabbatical status from the institution is required as part of the application. Sabbatical research stipends may include benefits and other costs normally provided by the participant's institution.
- **On-Campus Appointments:** An HBCU faculty member may develop an NRC mission-related on-campus project after a summer with scientists at a participating laboratory. Others may develop NRC mission-related projects at their HBCU institutions. The faculty member will generally involve one or more undergraduate or graduate students in the project. Stipends for on-campus research appointments are prorated based on the percentage of full-time

participation. In addition, an academic allowance may be provided to the Institution to cover other costs associated with the research.

Graduate and Undergraduate Student Research. Graduate and undergraduate student activities include summer, semester, and on-campus research appointments. Depending on available funds, travel may be approved if required for carrying out research activities or for making presentations that result from the appointment. Travel and registration fees for participation in professional meetings may also be reimbursed.

- **Summer Appointments.** Students are eligible to participate in research education and training at participating laboratories during the summer. Typically, an appointment is for ten to twelve weeks. A stipend is paid to the student during the time of the research appointment. Round-trip transportation is reimbursed for travel between the participant's home or institution and the location of the appointment.
- **Semester Appointments.** Graduate students are eligible for semester appointments when involved in graduate-level research projects or thesis or dissertation research. Undergraduate students will be considered on a case-by-case basis for semester appointments. Appointments are at participating laboratories or on campus for three to twelve months; these may be renewable. Students receive stipends, and tuition and fees may be reimbursed. Round-trip transportation is reimbursed for travel between the participant's home or institution and the location of the appointment.
- **On-Campus Appointments.** Students are eligible to participate in on-campus research conducted under the direction of a faculty member, typically in collaboration with an NRC contractor. Students participate as members of faculty and student teams and receive stipends based on part-time participation. On-campus research appointments may be preceded or followed by summer appointments at participating laboratories.

Applicant Eligibility

To be eligible for the program, the following requirements must be met:

- Undergraduate or graduate student: must be in good standing at an accredited U.S. HBCU
- Faculty participant: must be a full-time faculty member at an accredited U.S. HBCU

All applicants should be U.S. citizens or legal permanent residents. It is ORISE policy to recruit an applicant pool that reflects the diversity of our nation and to place participants without regard to race, age, gender, religion, color, national origin, mental or physical disability, or special disabled or Vietnam Era veteran status.

Applicant Recruitment

Cultural differences may affect the participants' education and appointment experiences, and ORISE is familiar with the problems and concerns program participants encounter during their research experience assignments and academic studies. Our policy is to go the extra mile to

help participants resolve any difficulties and ensure that they understand and comply with program requirements. We employ a variety of effective strategies to recruit a demographically diverse group of applicants. The intent is to target as many avenues as possible to reach the largest number of candidates.

ORISE has been recruiting students and faculty for research programs for more than 60 years. The process begins with ORISE's established network of HBCU faculty members who serve as contact points for information transfer, coordination, and recruitment for the program. Special steps are taken to target those HBCU faculty and students who have backgrounds and experience in NRC areas of interest. Then, ORISE turns to its network of scientists and education coordinators at participating laboratories who locate appropriate assignments for prospective participants.

To aid in the goal of reaching diverse audiences, each year ORISE staff members make recruitment visits to 20-25 HBCUs, other MEIs, and majority institutions with diverse populations; attend an average of 10 college and career fairs; and make presentations at regional and national conferences and other meetings attended by minority faculty and students.

Other ORISE recruitment tools include brochures, posters, press releases, advertising, and Web pages. Program brochures are written, designed, and printed for mass mailings as well as for distribution at professional society meetings. ORISE uses customized mailing lists that target HBCU contacts and selected departments to disseminate NRC program literature. Press releases are sent annually to HBCU campus school newspapers to announce the program and its deadlines. If funding is available, ORISE can place advertisements in a number of journals and periodicals, including but not limited to *Diverse: Issues In Higher Education Magazine*, *The Black Collegian*, *Diversity/Careers Magazine*, *Graduating Engineer*, *National Society of Black Engineers Magazine*, *Black Excellence* and *US Black Engineer*.

In addition to the mailings by e-mail and postal mail, ORAU also has an extensive Web site where potential applicants may review program information 24 hours a day, 365 days a year. During the academic year, the ORAU education information Web site receives 2,500 to 3,500 hits per month. ORISE currently maintains a Web presence for the NRC HBCU Research Participation Program which includes a program description, applications, and links to the NRC and participating laboratories.

ORISE is committed to increasing diversity in science mathematics, engineering business, and other fields. We believe that diversity is a strength in any setting, especially in our nation's premier science and technology centers, where ORISE provides educational opportunities for tomorrow's workforce. It is our mission to attract a widely diverse applicant pool for NRC.

Applications and Selections

In cooperation with NRC, ORISE will design and post an online site for the program materials and application. ORISE will also duplicate and distribute application materials to individuals who request print copies. Interested faculty members and students submit applications and supporting materials to ORISE. These applications are received, processed, and administratively reviewed by ORISE for eligibility and completeness.

Students will submit the following:

- an application form
- two references
- transcripts from all colleges and universities attended
- a resume
- a statement of Interests and career goals

.Faculty members will submit

- the application form
- two references
- a curriculum vita
- a research statement
- a proposal, In the case of an on-campus research application

ORISE will review applications to ensure that applicants meet the eligibility requirements established by the NRC. Applicants must be U.S. citizens or legal permanent residents. Students must be In good standing in degree programs at accredited U.S. colleges and universities.

ORISE will enter applicant Information into a database, match applicants with appropriate appointment sites, and prepare flies for transmittal for the selection process. Applications may also be posted on a secure Web site for review.

After an application review, ORISE will contact the selected applicants to verify their continued interest in an appointment and request additional Information as needed to make the appointment. ORISE will then convey written offers to the selected applicant through an official appointment letter. Students are required to sign and return the appointment letter to indicate their acceptance of the offer. ORISE will notify host laboratories of selection acceptances.

The appointment letter and its attachments will describe the specific nature of the opportunity and explain all logistical and administrative processes. Students and faculty will have all the information they need to make a decision about the offer: the nature of the project, name of their mentor, location and duration of the appointment, information on travel and the amount of their stipends.

Selected students and faculty must also sign an official ORISE Terms of Appointment document that is in full compliance with all federal regulations and requirements, and is maintained by ORISE's internal legal staff. This document explains the nature of the relationship between the participant and the administrator. Individuals selected for the appointments do not become employees. They receive guest appointments at the host laboratories and do not enter into an employer/employee relationship with the NRC, ORISE, the host laboratory, or any other office or agency.

Program participants receive stipend payments on a predetermined schedule; faculty members are paid monthly, and students are paid bi-weekly. Because there is no employment relationship, ORISE does not pay FICA, unemployment insurance or worker's compensation, nor are federal income taxes withheld. As non-employees, participants are responsible for the payment of all federal and state taxes based on their program stipend. Participants are informed of their tax liability and are provided with a 1099 form for tax reporting at the end of the calendar year.

ORISE will process stipend and expense reimbursement payments accurately, on-time and with the proper documentation, thereby relieving NRC from having to respond to student inquiries regarding discrepancies in payments.

In processing payments and making logistical arrangements for participants, ORISE will receive Personal Identifiable Information (PII). ORISE has strict safeguards in place to ensure the security of this information. ORISE has a 100 percent compliance rate with respect to the protection of confidential information applicable to our 6000 participants. NRC is assured that it will not be responding to student complaints regarding the unauthorized release of PII.

Appointment Period

The length of the summer research period is generally 10 to 12 weeks. Normally, part-time appointments during the academic year are for nine months, with full-time summer research preceding or following. Appointments for graduate students are for up to one year and may be renewed, subject to the recommendation of the laboratory, the student's advisor, and the continued availability of funds.

Conditions of Appointment

Participants become administratively associated with ORISE. They receive guest research appointments at participating laboratories and do not enter into an employee/employer relationship with ORISE, ORAU, NRC, DOE or any other government office, agency, or host laboratory or university.

Program Evaluation

ORISE requests research participants to submit final reports of research activities and accomplishments. Data gathered by ORISE from participants and research advisors are used to evaluate research experiences and benefits gained by the participants, the HBCUs, and the participating laboratories. ORISE compiles the data into a report that is submitted to the NRC.

Reports and Deliverables

ORISE adheres to NRC's reporting requirements. A summary of these follows.

Monthly Reports: ORISE submits a monthly financial report within 21 calendar days of the end of the preceding month. The report includes a line item breakdown of program costs and the financial status for the reporting period.

Monthly Invoices: ORISE submits Invoices for expenditures within 21 calendar days of the end of time in which services were performed.

Annual Reports: ORISE submits an annual fiscal year report within 45 calendar days of the end of each fiscal year. The report includes information required in the Fiscal Year Annual Federal Performance Report on the agency's efforts to assist HBCUs, as set forth in Executive Order 13256. The NRC Project Manager offers guidance on the report format. Examples of the type of information in the report include:

(1) For the fiscal year reporting period, total dollar amount and number of awards given and identification of the following: (a) participants and their status (e.g., faculty or student): (b)

HBCUs; (e) amount awarded to each recipient; (d) name and location of each research project; (e) research discipline (e.g., engineering, chemistry); (f) award category (e.g., research and development); and (g) related NRC project or activity.

(2) Narrative information describing the types of activities performed by the participants; significant accomplishments of the participants and any features of the program that could be replicated in other Federal agencies.

(3) Information regarding participants' research experiences and the benefits to the participants, HBCUs, and participating laboratories.

Equal Opportunity Compliance Reports: ORSIE will submit an annual Equal Opportunity report on NRC federally assisted program participants.

Other Required Reports: ORSIE will assist NRC in providing data in support of the White House initiative on HBCU report and other NRC related reports associated with program process, outcome and evaluation of MSI programs and activities.

Submission of Other Documents: ORISE provides to the NRC copies of offer letters, along with copies of signed acceptances. Offer letters include the following information: (1) applicant's name, HBCU represented, and affiliation (e.g., faculty or student); (2) length of appointment; (3) monthly stipend rate; (4) name of research activity, location, and discipline (e.g., engineering, chemistry); and (5) name of NRC project this activity supports, where applicable.

Format of Deliverables: ORISE will provide information and reports to the NRC in software and formats compatible with the NRC environment and with guidance from the NRC program manager.

Conclusion

The NRC HBCU Research Participation Program has had proven success since its inception in 1992. Through ORISE's careful recruitment and placement of qualified faculty, undergraduates, and graduate students in government-related research projects, HBCUs have gained knowledge of and access to the current technology and research of the NRC and the Federal government. The program has improved the academic standing of HBCUs and opened doors of opportunity for participants to strengthen the United States' position as a world leader in science and technology.

Attachment C – Standard Terms and Conditions

The Nuclear Regulatory Commission's Standard Terms and Conditions for U.S. Nongovernmental Recipients

Preface

This award is based on the application submitted to, and as approved by, the Nuclear Regulatory Commission (NRC) under the authorization 42 USC 2051(b) pursuant to section 31b and 141b of the Atomic Energy Act of 1954, as amended, and is subject to the terms and conditions incorporated either directly or by reference in the following:

- Grant program legislation and program regulation cited in this Notice of Grant Award.

- Restrictions on the expenditure of Federal funds in appropriation acts, to the extent those restrictions are pertinent to the award.
- Code of Federal Regulations/Regulatory Requirements - 2 CFR 215 Uniform Administrative Requirements For Grants And Agreements With Institutions Of Higher Education, Hospitals, And Other Non-Profit Organizations (OMB Circulars), as applicable.

To assist with finding additional guidance for selected items of cost as required in 2 CFR 220, 2 CFR 225, and 2 CFR 230 these URLs to the Office of Management and Budget Cost Circulars are included for reference:

A-21: <http://www.whitehouse.gov/omb/circulars/a021/print/a021.html>

A-87: <http://www.whitehouse.gov/omb/circulars/a087/print/a087-all.html>

A-122: <http://www.whitehouse.gov/omb/circulars/a122/print/a122.html>

A-102, SF 424: <http://www.whitehouse.gov/omb/circulars/a102/print/a102.html>

Form 990: <http://www.irs.gov/pub/irs-pdf/i990-ez.pdf>

Any inconsistency or conflict in terms and conditions specified in the award will be resolved according to the following order of precedence: public laws, regulations, applicable notices published in the Federal Register, Executive Orders (EOs), Office of Management and Budget (OMB) Circulars, the Nuclear Regulatory Commission's (NRC) Mandatory Standard Provisions, special award conditions, and standard award conditions.

By drawing funds from the Automated Standard Application for Payment system (ASAP), the recipient agrees to the terms and conditions of an award.

Certifications and representations. These terms incorporate the certifications and representations required by statute, executive order, or regulation that were submitted with the SF424B application through Grants.gov.

I. Mandatory General Requirements

The order of these requirements does not make one requirement more important than any other requirement.

1. Applicability of 2 CFR Part 215

a. All provisions of 2 CFR Part 215 and all Standard Provisions attached to this grant/cooperative agreement are applicable to the Recipient and to sub-recipients which meet the definition of "Recipient" in Part 215, unless a section specifically excludes a sub-recipient from coverage. The Recipient and any sub-recipients must, in addition to the assurances made as part of the application, comply and require each of its sub-awardees employed in the completion of the project to comply with Subpart C of 2 CFR 215 Part 180 and include this term in lower-tier (subaward) covered transactions.

b. Recipients must comply with monitoring procedures and audit requirements in accordance with OMB Circular A-133. <

http://www.whitehouse.gov/omb/circulars/a133_compliance/08/08toc.aspx >

2. Award Package

This award is composed of an award face page, which incorporates the recipient's proposal by reference, and the NRC Standard Provisions for U.S. Nongovernmental Recipients. This award

constitutes acceptance by the NRC of the Recipient's proposal and budget unless otherwise indicated on the face page, Block 9.

Substantial Involvement

This award is issued as a Cooperative Agreement, a financial assistance mechanism in which substantial NRC programmatic involvement is anticipated in the performance of the activity. Under the cooperative agreement, the NRC purpose is to support and stimulate the recipients' activities by involvement in and otherwise working jointly with the award recipients in a partnership role; it is not to assume direction, prime responsibility, or a dominant role in the activities. Consistent with this concept, the dominant role and prime responsibility resides with the awardees for the project as a whole, although specific tasks and activities may be shared among the awardees and the NRC as defined below.

1. Recipient Responsibility.

- a. The Recipient will bear primary responsibility for performance stated in the program description, within the limits of the Cooperative Agreement's terms and conditions.
- b. The principal investigator has primary authorities and responsibilities to define objectives and approaches, and to plan, conduct, analyze, and publish results, interpretations, and conclusions of their research and other activities. The Principal Investigator should be prepared to work collaboratively with the NRC to achieve the goals of this cooperative agreement and agree to accept the participatory and cooperative nature of the group process.

2. NRC Responsibilities

a. The NRC Project Officer (PO) will have substantial involvement above and beyond the normal program stewardship of the award. The NRC PO will insert substantial involvement into the conference by actively participating as a speaking member.

b. Role of the NRC Grants Officer:

The NRC Grants Officer (GO) is responsible for all business management aspects of negotiation, award, financial and administrative aspects of the cooperative agreement. The GO utilizes information from site visits, reviews of expenditure and audit reports and other appropriate means to assure that the project is operated in compliance with all applicable Federal laws, regulations, guidelines and the terms and conditions of award. Questions concerning the applicability of regulations and policies to this cooperative agreement and all requests for required prior approvals such as requests for permission to expend funds for certain items should be directed to the GO. Required approvals must be provided in writing and the GO is the only person who may grant such required approvals. Written approvals granted by other officials are not binding on the government. All changes in the terms of the cooperative agreement award must be issued in writing by the GO.

§ 215.41 Recipient responsibilities.

The Recipient is obligated to conduct such project oversight as may be appropriate, to manage the funds with prudence, and to comply with the provisions outlined in 2 CFR 215.41. Within this framework, the Principal Investigator (PI) named on the award face page, Block 11, is responsible for the scientific or technical direction of the project and for preparation of the

project performance reports. This award is funded on a cost reimbursement basis not to exceed the amount awarded as indicated on the face page, Block 16., and is subject to a refund of unexpended funds to NRC.

The standards contained in this section do not relieve the recipient of the contractual responsibilities arising under its contract(s). The recipient is the responsible authority, without recourse to the NRC, regarding the settlement and satisfaction of all contractual and administrative issues arising out of procurements entered into in support of an award or other agreement. This includes disputes, claims, protests of award, source evaluation or other matters of a contractual nature. Matters concerning violation of statute are to be referred to such Federal, State or local authority as may have proper jurisdiction.

Subgrants

Appendix A to Part 215—Contract Provisions

Sub-recipients, sub-awardees, and contractors have no relationship with NRC under the terms of this grant/cooperative agreement. All required NRC approvals must be directed through the Recipient to NRC. See 2 CFR 215.180 and 215.41.

Nondiscrimination

(This provision is applicable when work under the grant/cooperative agreement is performed in the U.S. or when employees are recruited in the U.S.)

No U.S. citizen or legal resident shall be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity funded by this award on the basis of race, color, national origin, age, religion, handicap, or sex. The Recipient agrees to comply with the non-discrimination requirements below:

Title VI of the Civil Rights Act of 1964 (42 USC §§ 2000d et seq)
Title IX of the Education Amendments of 1972 (20 USC §§ 1681 et seq)
Section 504 of the Rehabilitation Act of 1973, as amended (29 USC § 794)
The Age Discrimination Act of 1975, as amended (42 USC §§ 6101 et seq)
The Americans with Disabilities Act of 1990 (42 USC §§ 12101 et seq)
Parts II and III of EO 11246 as amended by EO 11375 and 12086.
EO 13166, "Improving Access to Services for Persons with Limited English Proficiency."
Any other applicable non-discrimination law(s).

Generally, Title VII of the Civil Rights Act of 1964, 42 USC § 2000e et seq, provides that it shall be an unlawful employment practice for an employer to discharge any individual or otherwise to discriminate against an individual with respect to compensation, terms, conditions, or privileges of employment because of such individual's race, color, religion, sex, or national origin. However, Title VII, 42 USC § 2000e-1(a), expressly exempts from the prohibition against discrimination on the basis of religion, a religious corporation, association, educational institution, or society with respect to the employment of individuals of a particular religion to perform work connected with the carrying on by such corporation, association, educational institution, or society of its activities.

Modifications/Prior Approval

NRC prior written approval may be required before a recipient makes certain budget modifications or undertakes particular activities. If NRC approval is required for changes in the grant or cooperative agreement, it must be requested of, and obtained from, the NRC Grants

Officer in advance of the change or obligation of funds. All requests for NRC prior approval must be made, in writing (which includes submission by e-mail), to the designated Grants Specialist and Program Office no later than 30 days before the proposed change. The request must be signed by both the PI and the authorized organizational official. Failure to obtain prior approval, when required, from the NRC Grants Officer may result in the disallowance of costs, termination of the award, or other enforcement action within NRC's authority.

Lobbying Restrictions

The Recipient will comply, as applicable, with provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

The Recipient shall comply with provisions of 31 USC § 1352. This provision generally prohibits the use of Federal funds for lobbying in the Executive or Legislative Branches of the Federal Government in connection with the award, and requires disclosure of the use of non-Federal funds for lobbying.

The Recipient receiving in excess of \$100,000 in Federal funding shall submit a completed Standard Form (SF) LLL, "Disclosure of Lobbying Activities," regarding the use of non-Federal funds for lobbying within 30 days following the end of the calendar quarter in which there occurs any event that requires disclosure or that materially affects the accuracy of the information contained in any disclosure form previously filed. The Recipient must submit the SF-LLL, including those received from sub-recipients, contractors, and subcontractors, to the Grants Officer.

§ 215.13 Debarment And Suspension.

The Recipient agrees to notify the Grants Officer immediately upon learning that it or any of its principals:

- (1) Are presently excluded or disqualified from covered transactions by any Federal department or agency;
- (2) Have been convicted within the preceding three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, tax evasion, receiving stolen property, making false claims, or obstruction of justice; commission of any other offense indicating a lack of business integrity or business honesty that seriously and directly affects your present responsibility;
- (3) Are presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1)(b); and
- (4) Have had one or more public transactions (Federal, State, or local) terminated for cause or default within the preceding three years.

b. The Recipient agrees that, unless authorized by the Grants Officer, it will not knowingly enter into any subgrant or contracts under this grant/cooperative agreement with a person or entity that is included on the Excluded Parties List System (<http://epls.arnet.gov>).

The Recipient further agrees to include the following provision in any subgrant or contracts entered into under this award:

'Debarment, Suspension, Ineligibility, and Voluntary Exclusion

The Recipient certifies that neither it nor its principals is presently excluded or disqualified from participation in this transaction by any Federal department or agency. The policies and procedures applicable to debarment, suspension, and ineligibility under NRC-financed transactions are set forth in 2 CFR Part 180.'

Drug-Free Workplace

The Recipient must be in compliance with The Federal Drug Free Workplace Act of 1988. The policies and procedures applicable to violations of these requirements are set forth in 41 USC 702.

Implementation of E.O. 13224 -- Executive Order On Terrorist Financing

The Recipient is reminded that U.S. Executive Orders and U.S. law prohibits transactions with, and the provision of resources and support to, individuals and organizations associated with terrorism. It is the legal responsibility of the Recipient to ensure compliance with these Executive Orders and laws. This provision must be included in all contracts/sub-awards issued under this grant/cooperative agreement.

Award recipients must comply with Executive Order 13224, Blocking Property and Prohibiting Transactions with Persons who Commit, Threaten to Commit, or Support Terrorism. Information about this Executive Order can be found at: www.fas.org/irp/offdocs/eo/eo-13224.htm.

Procurement Standards. § 215.40

Sections 215.41 through 215.48 set forth standards for use by recipients in establishing procedures for the procurement of supplies and other expendable property, equipment, real property and other services with Federal funds. These standards are furnished to ensure that such materials and services are obtained in an effective manner and in compliance with the provisions of applicable Federal statutes and executive orders. No additional procurement standards or requirements shall be imposed by the Federal awarding agencies upon recipients, unless specifically required by Federal statute or executive order or approved by OMB.

Travel

Travel is an appropriate charge to this award and prior authorization for specific trips are not required, as long as the trip is identified in the recipient's original program description and original budget. All other travel, domestic or international, must not increase the total estimated award amount. Trips that have not been identified in the approved budget require the written prior approval of the Grants Officer.

Travel will be in accordance with the US Government Travel Regulations at: www.gsa.gov/federaltravelregulation and the per diem rates set forth at: www.gsa.gov/perdiem.

Travel costs to the grant must be consistent with provisions as established in Appendix A to 2 CFR 220 (J.53)

Property Management Standards

Property standards of this award shall follow provisions as established in 2 CFR 215.30.

Equipment procedures shall follow provision established in 2 CFR 215.34.

Procurement Standards

Procurement standards of this award shall follow provisions as established in 2 CFR 215.40.

Intangible and Intellectual Property

Intangible and intellectual property of this award shall generally follow provisions established in 2 CFR 215.36.

Inventions Report - The Bayh-Dole Act (P.L. 96-517) affords recipients the right to elect title and retain ownership to inventions they develop with funding under an NRC grant award ("subject inventions"). In accepting an award, the recipient agrees to comply with applicable NRC policies, the Bayh-Dole Act, and its Government-wide implementing regulations found at Title 37, Code of Federal Regulations (CFR) Part 401. A significant part of the regulations require that the recipient report all subject inventions to the awarding agency (NRC) as well as include an acknowledgement of federal support in any patents. NRC participates in the trans-government Interagency Edison system (<http://www.iedison.gov>) and expects NRC funding recipients to use this system to comply with Bayh-Dole and related intellectual property reporting requirements. The system allows for recipients to submit reports electronically via the Internet. In addition, the invention must be reported in continuation applications (competing or non-competing).

Patent Notification Procedures- Pursuant to EO 12889, NRC is required to notify the owner of any valid patent covering technology whenever the NRC or its financial assistance Recipients, without making a patent search, knows (or has demonstrable reasonable grounds to know) that technology covered by a valid United States patent has been or will be used without a license from the owner. To ensure proper notification, if the Recipient uses or has used patented technology under this award without license or permission from the owner, the Recipient must notify the Grants Officer. This notice does not necessarily mean that the Government authorizes and consents to any copyright or patent infringement occurring under the financial assistance.

Data, Databases, and Software - The rights to any work produced or purchased under a NRC federal financial assistance award are determined by 2 CFR 215.36. Such works may include data, databases or software. The Recipient owns any work produced or purchased under a NRC federal financial assistance award subject to NRC's right to obtain, reproduce, publish or otherwise use the work or authorize others to receive, reproduce, publish or otherwise use the data for Government purposes.

Copyright - The Recipient may copyright any work produced under a NRC federal financial assistance award subject to NRC's royalty-free nonexclusive and irrevocable right to reproduce, publish or otherwise use the work or authorize others to do so for Government purposes. Works jointly authored by NRC and Recipient employees may be copyrighted but only the part authored by the Recipient is protected because, under 17 USC § 105, works produced by Government employees are not copyrightable in the United States. On occasion, NRC may ask the Recipient to transfer to NRC its copyright in a particular work when NRC is undertaking the primary dissemination of the work. Ownership of copyright by the Government through assignment is permitted under 17 USC § 105.

Records retention and access requirements for records of the Recipient shall follow established provisions in 2 CFR 215.53.

Organizational Prior Approval System

In order to carry out its responsibilities for monitoring project performance and for adhering to award terms and conditions, each recipient organization shall have a system to ensure that appropriate authorized officials provide necessary organizational reviews and approvals in advance of any action that would result in either the performance or modification of an NRC supported activity where prior approvals are required, including the obligation or expenditure of funds where the governing cost principles either prescribe conditions or require approvals.

The recipient shall designate an appropriate official or officials to review and approve the actions requiring NRC prior approval. Preferably, the authorized official(s) should be the same official(s) who sign(s) or countersign(s) those types of requests that require prior approval by NRC. The authorized organization official(s) shall not be the principal investigator or any official having direct responsibility for the actual conduct of the project, or a subordinate of such individual.

Conflict Of Interest Standards of this award shall follow provisions as established in 2 CFR 215.42 Codes of Conduct.

Dispute Review Procedures

- a. Any request for review of a notice of termination or other adverse decision should be addressed to the Grants Officer. It must be postmarked or transmitted electronically no later than 30 days after the postmarked date of such termination or adverse decision from the Grants Officer.
- b. The request for review must contain a full statement of the recipient's position and the pertinent facts and reasons in support of such position.
- c. The Grants Officer will promptly acknowledge receipt of the request for review and shall forward it to the Director, Office of Administration, who shall appoint a review committee consisting of a minimum of three persons.
- d. Pending resolution of the request for review, the NRC may withhold or defer payments under the award during the review proceedings.
- e. The review committee will request the Grants Officer who issued the notice of termination or adverse action to provide copies of all relevant background materials and documents. The committee may, at its discretion, invite representatives of the recipient and the NRC program office to discuss pertinent issues and to submit such additional information as it deems appropriate. The chairman of the review committee will insure that all review activities or proceedings are adequately documented.
- f. Based on its review, the committee will prepare its recommendation to the Director, Office of Administration, who will advise the parties concerned of his/her decision.

Termination and Enforcement. Termination of this award by default or by mutual consent shall follow provisions as established in 2 CFR 215.60.

Monitoring and Reporting § 215.51

a. Recipient Financial Management systems must comply with the established provisions in 2 CFR 215.21

- Payment – 2 CFR 215.22
- Cost Share – 2 CFR 215.23
- Program Income – 2 CFR 215.24
 - Earned program income, if any, shall be added to funds committed to the project by the NRC and Recipient and used to further eligible project or program objectives.
- Budget Revision – 2 CFR 215.25
 - In accordance with 2 CFR 215.25(e), the NRC waives the prior approval requirement for items identified in sub-part (e)(1-4).
 - The Recipient is not authorized to rebudget between direct costs and indirect costs without written approval of the Grants Officer.
 - Allowable Costs – 2 CFR 215.27

b. Federal Financial Reports

Effective October 1, 2008, NRC transitioned from the SF-269, SF-269A, SF-272, and SF-272A to the Federal Financial Report (SF-425) as required by OMB:

http://www.whitehouse.gov/omb/fedreg/2008/081308_ffr.pdf

http://www.whitehouse.gov/omb/grants/standard_forms/ffr.pdf

http://www.whitehouse.gov/omb/grants/standard_forms/ffr_instructions.pdf

The Recipient shall submit a "Federal Financial Report" (SF-425) on a semi-annual basis for the periods ending March 31 and September 30, or any portion thereof, unless otherwise specified in a special award condition. Reports are due no later than 30 days following the end of each reporting period. A final SF-425 shall be submitted within 90 days after expiration of the award.

Period of Availability of Funds 2 CFR § 215.28

a. Where a funding period is specified, a recipient may charge to the grant only allowable costs resulting from obligations incurred during the funding period and any pre-award costs authorized by the NRC.

b. Unless otherwise authorized in 2 CFR 215.25(e)(2) or a special award condition, any extension of the award period can only be authorized by the Grants Officer in writing. Verbal or written assurances of funding from other than the Grants Officer shall not constitute authority to obligate funds for programmatic activities beyond the expiration date.

c. The NRC has no obligation to provide any additional prospective or incremental funding. Any modification of the award to increase funding and to extend the period of performance is at the sole discretion of the NRC.

d. Requests for extensions to the period of performance shall be sent to the Grants Officer at least 30 days prior to the grant/cooperative agreement expiration date. Any request for extension after the expiration date shall not be honored.

Automated Standard Application For Payments (ASAP) Procedures

Unless otherwise provided for in the award document, payments under this award will be made using the Department of Treasury's Automated Standard Application for Payment (ASAP) system < <http://www.fms.treas.gov/asap/> >. Under the ASAP system, payments are made through preauthorized electronic funds transfers, in accordance with the requirements of the Debt Collection Improvement Act of 1996. In order to receive payments under ASAP, Recipients are required to enroll with the Department of Treasury, Financial Management Service, and Regional Financial Centers, which allows them to use the on-line method of withdrawing funds from their ASAP established accounts. The following information will be required to make withdrawals under ASAP: (1) ASAP account number – the award number found on the cover sheet of the award; (2) Agency Location Code (ALC) – 31000001; and Region Code. Recipients enrolled in the ASAP system do not need to submit a "Request for Advance or Reimbursement" (SF-270), for payments relating to their award.

Audit Requirements

Organization-wide or program-specific audits shall be performed in accordance with the Single Audit Act Amendments of 1996, as implemented by OMB Circular A-133, "Audits of States, Local Governments, and Non-Profit Organizations." <http://www.whitehouse.gov/omb/circulars/a133/a133.html> Recipients are subject to the provisions of OMB Circular A-133 if they expend \$500,000 or more in a year in Federal awards.

The Form SF-SAC and the Single Audit Reporting packages for fiscal periods ending on or after January 1, 2008 must be submitted online.

1. Create your online report ID at <http://harvester.census.gov/fac/collect/ddeindex.html>
2. Complete the Form SF-SAC
3. Upload the Single Audit
4. Certify the Submission
5. Click "Submit."

Organizations expending less than \$500,000 a year are not required to have an annual audit for that year but must make their grant-related records available to NRC or other designated officials for review or audit.

III. Programmatic Requirements

Performance (Technical) Reports

a. The Recipient shall submit performance (technical) reports electronically to the NRC Project Officer and Grants Officer as specified in the special award conditions in the same frequency as the Federal Financial Report unless otherwise authorized by the Grants Officer.

b. Unless otherwise specified in the award provisions, performance (technical) reports shall contain brief information as prescribed in the applicable uniform administrative requirements 2 CFR §215.51 which are incorporated in the award.

Unsatisfactory Performance

Failure to perform the work in accordance with the terms of the award and maintain at least a satisfactory performance rating or equivalent evaluation may result in designation of the Recipient as high risk and assignment of special award conditions or other further action as specified in the standard term and condition entitled "Termination".

Failure to comply with any or all of the provisions of the award may have a negative impact on future funding by NRC and may be considered grounds for any or all of the following actions: establishment of an accounts receivable, withholding of payments under any NRC award, changing the method of payment from advance to reimbursement only, or the imposition of other special award conditions, suspension of any NRC active awards, and termination of any NRC award.

Other Federal Awards With Similar Programmatic Activities

The Recipient shall immediately provide written notification to the NRC Project Officer and the Grants Officer in the event that, subsequent to receipt of the NRC award, other financial assistance is received to support or fund any portion of the program description incorporated into the NRC award. NRC will not pay for costs that are funded by other sources.

Prohibition Against Assignment By The Recipient

The Recipient shall not transfer, pledge, mortgage, or otherwise assign the award, or any interest therein, or any claim arising thereunder, to any party or parties, banks, trust companies, or other financing or financial institutions without the express written approval of the Grants Officer.

Site Visits

The NRC, through authorized representatives, has the right, at all reasonable times, to make site visits to review project accomplishments and management control systems and to provide such technical assistance as may be required. If any site visit is made by the NRC on the premises of the Recipient or contractor under an award, the Recipient shall provide and shall require his/her contractors to provide all reasonable facilities and assistance for the safety and convenience of the Government representative in the performance of their duties. All site visits and evaluations shall be performed in such a manner as will not unduly delay the work.

IV. Miscellaneous Requirements

Criminal and Prohibited Activities

- a. The Program Fraud Civil Remedies Act (31 USC §§ 3801-3812), provides for the imposition of civil penalties against persons who make false, fictitious, or fraudulent claims to the Federal government for money (including money representing grant/cooperative agreements, loans, or other benefits.)
- b. False statements (18 USC § 287), provides that whoever makes or presents any false, fictitious, or fraudulent statements, representations, or claims against the United States shall be subject to imprisonment of not more than five years and shall be subject to a fine in the amount provided by 18 USC § 287.
- c. False Claims Act (31 USC 3729 et seq), provides that suits under this Act can be brought by the government, or a person on behalf of the government, for false claims under federal assistance programs.
- d. Copeland "Anti-Kickback" Act (18 USC § 874), prohibits a person or organization engaged in a federally supported project from enticing an employee working on the project from giving up a part of his compensation under an employment contract.

American-Made Equipment And Products

Recipients are hereby notified that they are encouraged, to the greatest extent practicable, to purchase American-made equipment and products with funding provided under this award.

Increasing Seat Belt Use in the United States

Pursuant to EO 13043, Recipients should encourage employees and contractors to enforce on-the-job seat belt policies and programs when operating company-owned, rented or personally-owned vehicle.

Federal Employee Expenses

Federal agencies are generally barred from accepting funds from a Recipient to pay transportation, travel, or other expenses for any Federal employee unless specifically approved in the terms of the award. Use of award funds (Federal or non-Federal) or the Recipient's provision of in-kind goods or services, for the purposes of transportation, travel, or any other expenses for any Federal employee may raise appropriation augmentation issues. In addition, NRC policy prohibits the acceptance of gifts, including travel payments for Federal employees, from Recipients or applicants regardless of the source.

Minority Serving Institutions (MSIs) Initiative

Pursuant to EOs 13256, 13230, and 13270, NRC is strongly committed to broadening the participation of MSIs in its financial assistance program. NRC's goals include achieving full participation of MSIs in order to advance the development of human potential, strengthen the Nation's capacity to provide high-quality education, and increase opportunities for MSIs to participate in and benefit from Federal financial assistance programs. NRC encourages all applicants and Recipients to include meaningful participations of MSIs. Institutions eligible to be considered MSIs are listed on the Department of Education website:

<http://www.ed.gov/about/offices/list/ocr/edlite-minorityinst.html>

Research Misconduct

Scientific or research misconduct refers to the fabrication, falsification, or plagiarism in proposing, performing, or reviewing research, or in reporting research results. It does not include honest errors or differences of opinions. The Recipient organization has the primary responsibility to investigate allegations and provide reports to the Federal Government. Funds expended on an activity that is determined to be invalid or unreliable because of scientific misconduct may result in a disallowance of costs for which the institution may be liable for repayment to the awarding agency. The Office of Science and Technology Policy at the White House published in the Federal Register on December 6, 2000, a final policy that addressed research misconduct. The policy was developed by the National Science and Technology Council (65 FR 76260). The NRC requires that any allegation be submitted to the Grants Officer, who will also notify the OIG of such allegation. Generally, the Recipient organization shall investigate the allegation and submit its findings to the Grants Officer. The NRC may accept the Recipient's findings or proceed with its own investigation. The Grants Officer shall inform the Recipient of the NRC's final determination.

Publications, Videos, and Acknowledgment of Sponsorship

Publication of the results or findings of a research project in appropriate professional journals and production of video or other media is encouraged as an important method of recording and reporting scientific information. It is also a constructive means to expand access to federally funded research. The Recipient is required to submit a copy to the NRC and when releasing information related to a funded project include a statement that the project or effort undertaken was or is sponsored by the NRC. The Recipient is also responsible for assuring that every publication of material (including Internet sites and videos) based on or developed under an

award, except scientific articles or papers appearing in scientific, technical or professional journals, contains the following disclaimer:

"This [report/video] was prepared by [Recipient name] under award [number] from [name of operating unit], Nuclear Regulatory Commission. The statements, findings, conclusions, and recommendations are those of the author(s) and do not necessarily reflect the view of the [name of operating unit] or the US Nuclear Regulatory Commission."