

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

<b>1. GRANT/AGREEMENT NO.</b> NRC-HQ-12-G-38-0035	<b>2. MODIFICATION NO.</b>	<b>3. PERIOD OF PERFORMANCE</b> FROM: 04/01/2012 TO: 03/31/2014	<b>4. AUTHORITY</b> Pursuant to Section 31b and 141b of the Atomic Energy Act of 1954, as amended
<b>5. TYPE OF AWARD</b>  <input checked="" type="checkbox"/> GRANT <input type="checkbox"/> COOPERATIVE AGREEMENT	<b>6. ORGANIZATION TYPE</b> Public/State Controlled Institution of Higher Education  DUNS: 785979618 NAICS: 611310	<b>7. RECIPIENT NAME, ADDRESS, and EMAIL ADDRESS</b> Colorado State University 601 S Howes Street Fort Collins, CO 80523-2002 <u>staci.folot@colostate.edu</u>	
<b>8. PROJECT TITLE:</b> Statistical Methods of Health Physicists			
<b>9. PROJECT WILL BE CONDUCTED PER GOVERNMENT'S/RECIPIENT'S PROPOSAL(S) DATED</b> See Program Description  <b>AND APPENDIX A-PROJECT GRANT PROVISIONS</b>	<b>10. TECHNICAL REPORTS ARE REQUIRED</b> <input checked="" type="checkbox"/> PROGRESS AND FINAL <input type="checkbox"/> FINAL ONLY <input type="checkbox"/> OTHER (Conference Proceedings)	<b>11. PRINCIPAL INVESTIGATOR(S) NAME, ADDRESS and EMAIL ADDRESS</b> Dr. Thomas E. Johnson Colorado State University Department of Environmental & Radiological Health Sciences 1618 Campus Delivery Fort Collins, CO 80523-1618 (970) 491-2292 <u>ti@colostate.edu</u>	
<b>12. NRC PROGRAM OFFICE (NAME and ADDRESS)</b> NRC Attn: Tanya Parwani-Jaimes, Office of Human Resources MS: GW5E03 (301) 492-2308 11545 Rockville Pike Rockville, MD 20850 <u>Tanya.parwani-jaimes@nrc.gov</u>	<b>13. ACCOUNTING and APPROPRIATION DATA</b> APPN. NO: 31X0200 B&R NO: 2012-84-51-K-164 JOB CODE: T8458 BOC NO: 4110 OFFICE ID NO: HR-12-137 <b>FAJMS: 680173</b>	<b>14. METHOD OF PAYMENT</b> <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")	
<b>15. NRC OBLIGATION FUNDS</b>  THIS ACTION <u>\$171,069.00</u>  PREVIOUS OBLIGATION <u>\$0.00</u>  TOTAL <u>\$171,069.00</u>	<b>16. TOTAL FUNDING AGREEMENT</b> This action provides funds for Fiscal Year 12 in the amount of \$171,069.00  NRC <u>\$171,069.00</u>  RECIPIENT <u>\$0.00</u>  TOTAL <u>\$171,069.00</u>		
<b>17. NRC ISSUING OFFICE (NAME, ADDRESS and EMAIL ADDRESS)</b>  U.S. Nuclear Regulatory Commission Div. of Contracts Attn: Chris Walston Email: <u>chris.walston@nrc.gov</u> Mail Stop: TWB-01-B10M Washington, DC 20555			
<b>18.</b>  Signature Not Required	<b>19. NRC CONTRACTING OFFICER</b>  <div style="text-align: right;"> <u>Sheila Bumpass</u> <u>04/01/2012</u>            (Signature) (Date)         </div> NAME (TYPED) <u>Sheila Bumpass</u>  TITLE <u>Contracting Officer</u>  TELEPHONE NO. <u>(301)492-3484</u>		
<b>20. PAYMENT INFORMATION</b>  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).			
<b>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.</b>			
<b>22. ORDER OF PRECEDENCE</b> In the event of a conflict between the recipient's proposal and this award, the terms of the Award shall prevail.			
<b>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.</b>			

**TEMPLATE - ADM001**

**SUNSI REVIEW COMPLETE**

**ADM002**

**ATTACHMENT A - SCHEDULE**

**A.1 PURPOSE OF GRANT**

The purpose of this Grant is to provide support to the "Statistical Methods of Health Physicists" as described in Attachment B entitled "Program Description."

**A.2 PERIOD OF GRANT**

1. The effective date of this Grant is April 01, 2012. The estimated completion date of this Grant is March 31, 2014.
2. Funds obligated hereunder are available for program expenditures for the estimated period: April 01, 2012– March 31, 2014.

**A. GENERAL**

1. Total Estimated NRC Amount: \$171,069.00
2. Total Obligated Amount: \$171,069.00
3. Cost-Sharing Amount: \$0.00
4. Activity Title: Statistical Methods for Dosimetry and Health Physics Measurements
5. NRC Project Officer: Tanya Parwani-Jaimes
6. DUNS No.: 785979618

**B. SPECIFIC**

- RFPA No.: HR-12-137  
Faimis: GR0173  
Job Code: T8458  
BOC: 4110  
B&R Number: 2012-84-51-K-164  
Appropriation #: 31X0200  
Amount Obligated: \$171,069.00

**A.3 BUDGET**

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

	<b>Year 1</b>	<b>Year 2</b>
Personnel	\$33,968.00	\$35,327.00
Fringe Benefits	\$8,934.00	\$9,397.00
Supplies	\$20,987.00	\$1,258.00
Subtotal	\$63,889.00	\$45,982.00
FAC (55.7%)	\$35,586.00	\$25,612.00
<b>Yearly Total</b>	<b>\$99,475.00</b>	<b>\$71,594.00</b>

All travel must be in accordance with the Colorado State University Travel Regulations or the US Government Travel Policy absent Grantee's travel regulation.

**A.4 AMOUNT OF AWARD AND PAYMENT PROCEDURES**

1. The total estimated amount of this Award is \$171,069.00 for the two year period.

2. NRC hereby obligates the amount of \$171,069.00 for program expenditures during the period set forth above and in support of the Budget above. The Grantee will be given written notice by the Contracting Officer when additional funds will be added. NRC is not obligated to reimburse the Grantee for the expenditure of amounts in excess of the total obligated amount.

3. Payment shall be made to the Grantee in accordance with procedures set forth in the Automated Standard Application For Payments (ASAP) Procedures set forth below.

### **Attachment B – Program Description**

Advances in understanding of statistics and their applications in health physics in the last 5 years have been significant. The meanings of multiple statistical terms have now been standardized by the ISO (ISO Guide 98-3:2008 Uncertainty of measurement Part 3: Guide to the expression of uncertainty in measurement) and a much more sophisticated handling of uncertainty is now required. The first of two proposed 17 week courses will teach regulators, professionals and future health physicists how to use and apply Bayesian statistics and Monte Carlo techniques. The focus of the first course will be applying the International Organization for Standardization (ISO) Guide to the Expression of Uncertainty in Measurement 98-3:2008 to specific health physics and radiochemistry. A shortcoming of typical statistics courses is their focus on generic theory. This course will use direct applications of statistics, including detailed, worked out examples of health physics and radiochemistry statistical problems.

The Department of Energy (DOE) is already using the Integrated Modules for Bioassay Analysis (IMBA) software package which includes Bayesian methods. The ISO 11929-series standards on decision thresholds and detection limits are all Bayesian. Since few statistics departments even offer classes on Bayesian statistics, this course will serve to close the gap in knowledge for current and future health physicists and radiochemists. Furthermore, it is expected that this course will influence future NUREG publications. Although the NRC has published multiple NUREG's on statistics, including the recently published Applying Statistics (NUREG-1475, Revision 1, 2011), and there have been few, if any, courses offered that cover their contents in a formal fashion. We will also cover the impact of Berkson errors and how shared errors impact results. Understanding the impact of error, bias, uncertainty, variability and blunder in reporting measurements is essential to all.

The second proposed 17 week course will teach professionals and future health physicists the theory and application of Monte Carlo techniques utilizing a variety of methods. The course will focus on health physics applications of Monte Carlo techniques, including, but not limited to, shielding and criticality. The "hands on" use of multiple software packages will make this course unique and practical.

Classes on Monte Carlo statistics with specific application to health physics are limited. The majority of classes currently offered do not showcase the wide applicability to health physics, especially in dosimetry. Programs, such as MCNP, are powerful tools that are seldom used by health physicists, although in many cases they provide the easiest and best solution to a problem. Today, the use of Monte Carlo techniques is generally relegated to the world of expensive consultants, certain graduate students, and Los Alamos. To our knowledge, no university offers a specific class on Monte Carlo techniques for health physicists.

Our Monte Carlo class will serve to fill a shortcoming in health physics education, as the only health physics specific class offered in this area is an operational class from Los Alamos National Laboratory. The CSU class will address both the theory and practical applications of Monte Carlo techniques as they apply to health physics.

**Whether the course(s) are elective or permanent.**

The goal of this project will be to create two permanent online and in residence semester long courses.

**Whether this is for undergraduate- or graduate-level course(s).**

**Discussion of the project's emphasis. (i.e., What is being developed? stand-alone modules, entire courses of study, individual courses, teaching materials)**

*Statistical Methods for Health Physicists* cover statistical methods for health physicists and radiochemists that can be taken for graduate credit or non-credit. The course is aimed at graduate-level health physics and radiochemistry students and any professionals with a minimum of two semesters of calculus background. The classroom instructional materials that will be developed consists of PowerPoint presentations, handouts, and homework, quizzes, and exams for the 17 weeks of the class. It will be a permanent required class for all health physics master's students at Colorado State University (CSU) and elective for any well qualified undergraduates. It will be offered on-line so that advanced undergraduates and graduate students from other schools may participate in the class.

*Monte Carlo Methods in Health Physics* will be an elective class offered at the graduate level. The course will cover theoretical aspects of Monte Carlo techniques, and would be useful for health physicists, nuclear engineers, and criticality engineers. It too will be offered on-line so that advanced undergraduates and graduate students from other schools may participate in the class.

**Number of students you are planning to reach.**

CSU admits approximately six new graduate students each year, so we anticipate a minimum of six in-residence students taking *Statistical Methods for Health Physicists* annually. However, based on our experience with our other online courses, it is anticipated that this class will attract between 10 and 20 online participants, due to demand from industry and other university programs. The lack of any health physics specific course will result in increased enrollment. Overall, an estimate of 20 to 30 students per year are expected to enroll in this class.

Lower enrollment is expected for the *Monte Carlo Methods in Health Physics* class, since many health physicists are not aware of the power of these techniques. Enrollment is expected to be three in-residence students per year, with 15 to 25 students participating online per year. We plan to advertise both new classes in mailings and websites as soon as they are developed.

**Description of how the proposed project will improve the education infrastructure, teaching competencies, subject matter expertise, and skills in serving students in the target disciplines.**

This project will improve the education infrastructure by implementing the first statistics course, either in residence or online dedicated to health physics and radiochemistry applications. Practicing health physicists, radiochemists and students have found that a concise course that teaches both statistical theory and specific applications to health physics is lacking. This course will consolidate theory, applications and examples specific to the professions. The assistance of Dr Daniel J. Strom in developing the program will be invaluable. His background and research in statistical methods for health physics and radiochemistry applications is well known throughout the industry. Dr. Strom is an experienced teacher as well as statistics researcher, and his skills will serve to make the course relevant, technically accurate, and assure the latest information is included.

Although Monte Carlo techniques have been available for more than 50 years, practical application outside of laboratories has been limited by computing power and software. Recent advances in software (the statistical package "R", MCNP, Crystal Ball and others) coupled with

multi-core computers will allow students and professionals to compute solutions in a few hours or less. Furthermore, advances in applications are now better documented, so that what was impossible to calculate a few years ago, can now be ascertained in a reasonable amount of time. Monte Carlo techniques are superior to many of the current thumb-rules and estimating techniques that are currently used by health physicists and radiochemists, but are seldom employed due to a lack of knowledge in these areas. Our class will provide practical applications of Monte Carlo, and increase subject matter expertise for both current students and working professionals in health physics and radiochemistry.

Both classes will allow for Drs. Johnson and Brandl to increase their competence in statistics and Monte Carlo simulations. Professional development opportunities for faculty at CSU are limited due to budget constraints, and this will be a welcome opportunity for faculty development. CSU is ideally suited to disseminate these statistics classes, as we are a leader in online professional education, and was selected as the sole source for the Health Physics Society (HPS) online Professional Enrichment Program classes.

**The project's innovative instructional approaches or techniques to enhance student learning, including distance education and experiential learning.**

These classes will be entirely innovative in delivering distance education to health physicists and other radiation safety professionals. We will build upon our experiences delivering the award winning (UCEA Great Plains Region, 2007) Health Physics Exam Review Course, EDLL 2005. Furthermore, CSU is the sole partner with the Health Physics Society (HPS), providing the Professional Enrichment Classes offered at the HPS meetings to a wide on-line audience.

The class will be taught with distance education in mind, and allow for delivery via two different techniques. Firstly, the class will be available via streaming video. The streaming video will be available to be viewed on any computer with an internet connection. The second (alternate) method of delivering the video will be via downloadable files that are identical to the streaming video. The downloadable files of each class in the course will be compressed into an approximately 130 MB quicktime file that is playable on any computer or mobile device (such as the iPod or smartphone). The experience we have had with other online classes has demonstrated that students utilize both methods of class delivery, and value having multiple methods of accessing the class videos contained in the course.

The classrooms here at CSU have been recently (2010) updated and optimized for distance education, with specialized computers that capture written equations, and have multiple cameras so no information is missed. Feedback from our online courses has provided us with valuable information that will be incorporated into this course. One such item is that students will download all of the videos onto their mobile device and watch the videos while riding the train or exercising. They have found that although they do not take notes, they find that this review of materials is very helpful. Also, the ability to stop the video and reverse it is also valued. We instituted the "dual" posting of handouts (both color and black and white) at the suggestion of our students. They found that printing the color handouts was wasteful and inefficient, but still wanted the color versions to follow the lectures. The materials used in class will be delivered via Adobe Acrobat documents, with both tags and bookmarks. Minor changes to the class have enhanced the presentation graphics for viewing on mobile devices. Multiple small, but important details, such as these are essential to developing effective distance education materials. Our experienced team will produce a course that offers both quality in delivery as well as cutting edge technical content.

Another innovation will be the use of statistical examples that directly apply to health physicists and radiochemists. Typical statistics classes focus on general applications, and rarely discuss the specific applications of statistical tests as they pertain to health physicists or

radiochemists. For example, the binomial distribution is taught in many statistics classes, but its specific application to a low number of counts is rarely taught in this context. Statistics is usually taught as an “afterthought” or a part of an instrumentation class or lecture, without a rigorous development of theory or application. Monte Carlo classes taught by Los Alamos focus on criticality and MCNP, to the exclusion of other software available. These courses will focus on the theory and applications of statistics and Monte Carlo techniques that are germane to health physicists and radiochemists, including the latest trends, such as the use of Bayesian statistics for bioassay data and other applications.

Finally, new applications have become available so that an individual student’s computer can be controlled remotely by the instructor. If a particular problem is encountered, the instructor can take control of the student computer and address specific problems. This is truly innovative, since no long explanations will be required to allow direct help to individual students.

**Timeline or milestone chart of activities proposed in this project covering the entire period of performance.**

Milestone Chart

Date	Milestone
01JUN12	Award
30JUN12	Development of in depth outline of materials (both classes simultaneously)
31AUG12	Application for credit for in-residence and online versions of class to CSU Curriculum Development Committee
30DEC12	Complete collection of example problems from practicing health physicists
30MAR13	Complete development of objectives for each individual class
01JUN13	Complete homework assignments, quizzes, exams and solutions
30AUG13	Initiate videotaping of classes
10MAY14	Complete videotaping of classes
01JUN14	Complete integrating all parts of the class onto RamCt

The academic focus of the proposed courses will be introducing and improving statistical methods used by health physicists, radio-chemists, and nuclear environmental protection professionals. The courses will improve the teaching competencies of the faculty at CSU by accessing Dr. Strom’s and Mr. LaBone’s statistical expertise. It will also serve to revise the

current health physics and radiochemistry program, allowing students to learn statistics that are directly applicable to their profession.

Quantification of values by statistical means is essential for determining risks to populations as well as establishing regulations. Although most professionals are well aware that a single value for a measurement contains some uncertainty, most are unclear as to how to quantify that uncertainty. This course will assume that incoming students have limited statistical knowledge. The course will progress from statistics basics to the latest and most sophisticated statistical analysis techniques.

Additionally, Monte Carlo techniques are frequently cited as superior to any other for calculating shielding requirements and dose or dose rate distributions in complex radiation fields, especially in complex situations. Our courses will prepare students and professionals for the rigors of these calculations.

## Course outline

### *Statistical Methods for Health Physicists*

Proposed 17 week (one semester long) course

- I. Basic Metrology Concepts (ISO Guide to the Expression of Uncertainty in Measurement): Measurand v. measured value; Error v. uncertainty; Combined Standard Uncertainty
- II. Basic Statistics Concepts
  - a. Distributions: Bernoulli, Binomial, Poisson, Normal, Lognormal, Gamma
  - b. Non-parametric statistics
- III. Basic Statistical Tests
  - a. How to frame a problem
  - b. Bayesian vs frequentist statistics
  - c. Chi-square testing
  - d. T-test and Z-test
  - e. Contrasts, ANOVA
  - f. Monte Carlo
  - g. Displaying and summarizing data
  - h. Probability vs uncertainty
  - i. Confidence intervals
  - j. Designing experiments
- IV. Statistical inference
  - a. Classical (frequentist) approach
  - b. Maximum likelihood
  - c. Bayesian
- V. Counting Room Statistics
  - a. Choosing a prior assumption
  - b. Preset count versus preset time
  - c. Action levels: Decision rules for low level counting (paired, spectrometric)
  - d. System capabilities: Detection limits
  - e. Propagation of uncertainty
  - f. Minimum sample size
  - g. Examples: Bioassay samples; Wipe tests
- VI. Particulate aerosol applications
  - a. CMD, AMAD computations
  - b. Working with lognormal distributions
  - c. Minimum sample size
- VII. Epidemiology applications

- a. Berkson errors versus classical errors
  - b. Shared errors versus unshared errors: multiple realizations
  - c. Autocorrelation within individuals over time
  - d. Chomentowski-Kellerer nonparametric method
  - e. Disaggregating experimental measurement error from variability
  - f. Typical statistical tests used especially those used by the Radiation Effects Research Foundation
- VIII. Environmental samples
    - a. Designing a sample plan
    - b. RESRAD, MARSSIM
  - IX. Portable instruments: uncertainty with rate counting instruments
  - X. Use of Software for analysis (integrated throughout the curriculum)
    - a. Excel, Crystal Ball, SAS, WinBUGS, IMBA
  - XI. Shielding applications
  - XII. Dosimetry
    - a. Bioassay sampling strategies: Daily, weekly or monthly
    - b. Representative air samples
    - c. Re-sampling of data
    - d. "Non-detects" and censoring of data
  - XIII. Reporting and recording of measurements and results
  - XIV. Averaging or aggregating measurements from the same population to reduce uncertainty (e.g., NUREG-1400)
  - XV. Common mistakes

*Monte Carlo Methods in Health Physics*

Proposed 17 week (one semester long) course

- I. Monte Carlo Theory
  - a. Classical methods
  - b. Bayesian methods
- II. Basic Monte Carlo Concepts
- III. Probability Distributions
- IV. Optimization and variance
  - a. Univariate
  - b. Multivariate
  - c. Stochastic approximations
- V. Sampling Methods
  - a. Random number generation
- VI. Radiation transport
- VII. Markov chain Monte Carlo (MCMC)
  - a. Small sets
  - b. Invariant measures
- VIII. Variance reduction methods
- IX. Generalizations
- X. Using MCNP
  - a. Installing MCNP
  - b. Photon transport in MCNP
  - c. Simple geometries (slab)
- XI. Crystal Ball
  - a. Installing and setting up

- b. Photon transport in Crystal Ball
- c. Simple geometries (slab)
- XII. Using the "R" statistical Package
  - a. Installing and setting up
  - b. Photon transport in Crystal Ball
  - c. Simple geometries (slab)
- XIII. Other programs and examples

**Assessment plan of program, as well as benchmarks or milestones**

The classes will be assessed based on student feedback, as well as feedback from members of the CSU Health Physics ABET (Accreditation Board for Engineering and Technology) advisory board and improvements and changes will be made based upon this feedback.

**Commitment letters from collaborators, industry, etc.**

Attached.

**Letters of support from the college or university and partners**

CSU is fully committed to maintaining and offering this class both in residence and as a distance education class. Upon completion of this project the in residence course will become required in our health physics curriculum. We will be recording the in residence classes in our state of the art studios and offering them on the web during the same semester. Our distance education department will direct approximately 50% of the revenues from the class to the CSU health physics education account which we utilize to fund students and classes in the health physics program.

**Quantifiable criteria for demonstrating that the program is sustainable.**

The courses will be considered sustainable if there are more than five students taking them in residence annually. This will provide ample justification for continuing the course. Furthermore, we have had outstanding success with our online courses, and anticipate that these will be our best attended courses. Approximately 50% of the revenues from the on line version of this course will be deposited in an account dedicated to the health physics program. This revenue stream will help ensure that the class is kept up to date and is sustainable.

**Attachment C – Standard Terms and Conditions**

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

**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 this URL to the Office of Management and Budget Cost Circulars is included for reference to:

A-21 (now 2 CFR 220)

A-87 (now 2 CFR 225)

A-122 (now 2 CFR 230)

A-102:

[http://www.whitehouse.gov/omb/circulars\\_index-ffm](http://www.whitehouse.gov/omb/circulars_index-ffm)

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.

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 Grantee and to sub-recipients which meet the definition of "Grantee" in Part 215, unless a section specifically excludes a sub-recipient from coverage. The Grantee 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 and include this term in lower-tier (subaward) covered transactions.

b. Grantees must comply with monitoring procedures and audit requirements in accordance with OMB Circular A-133. <<http://www.whitehouse.gov/omb/circulars/a133/a133.html>  
[http://www.whitehouse.gov/omb/circulars/a133\\_compliance/08/08toc.aspx](http://www.whitehouse.gov/omb/circulars/a133_compliance/08/08toc.aspx) >

#### **2. Award Package**

##### **§ 215.41 Grantee responsibilities.**

The Grantee 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 Grantee of the contractual responsibilities arising under its contract(s). The Grantee 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 Grantee to NRC. See 2 CFR 215 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 Grantee 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 VI 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 VI, 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's prior written approval may be required before a Grantee 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 should 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, or other enforcement action within NRC's authority.

**Lobbying Restrictions**

The Grantee 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 Grantee 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 Grantee 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 Grantee must submit the SF-LLL, including those received from sub-recipients, contractors, and subcontractors, to the Grants Officer.

**§ 215.13 Debarment And Suspension.**

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

## 'Debarment, Suspension, Ineligibility, and Voluntary Exclusion

The Grantee 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 Grantee 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 Grantee 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 Grantee 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 Grantees 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](http://www.fas.org/irp/offdocs/eo/eo-13224.htm).

### **Procurement Standards. § 215.40-48**

Sections 215.41 through 215.48 set forth standards for use by Grantees 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 Grantees, unless specifically required by Federal statute or executive order or approved by OMB.

### **Travel**

Travel must be in accordance with the Grantee's Travel Regulations or the US Government Travel Policy and Regulations at: [www.gsa.gov/federaltravelregulation](http://www.gsa.gov/federaltravelregulation) and the per diem rates set forth at: [www.gsa.gov/perdiem](http://www.gsa.gov/perdiem), absent Grantee's travel regulation. Travel costs for the grant must be consistent with provisions as established in Appendix A to 2 CFR 220 (J.53). All other travel, domestic or international, must not increase the total estimated award amount.

#### **Domestic Travel:**

Domestic travel is an appropriate charge to this award and prior authorization for specific trips are not required, if the trip is identified in the Grantee's approved program description and approved budget. Domestic trips not stated in the approved budget require the written prior approval of the Grants Officer, and must not increase the total estimated award amount.

All common carrier travel reimbursable hereunder shall be via the least expensive class rates consistent with achieving the objective of the travel and in accordance with the Grantee's policies and practices. Travel by first-class travel is not authorized unless prior approval is obtained from the Grants Officer.

### **International Travel:**

**International travel requires PRIOR written approval by the Project Officer and the Grants Officer, even if the international travel is stated in the approved program description and the approved budget.**

The Grantee shall comply with the provisions of the Fly American Act (49 USC 40118) as implemented through 41 CFR 301-10.131 through 301-10.143.

### **Property and Equipment Management Standards**

Property and equipment standards of this award shall follow provisions as established in 2 CFR 215.30-37.

### **Procurement Standards**

Procurement standards of this award shall follow provisions as established in 2 CFR 215.40-48

### **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 Grantees the right to elect and retain title to inventions they develop with funding under an NRC grant award ("subject inventions"). In accepting an award, the Grantee 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 Grantee 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 Grantees to use this system to comply with Bayh-Dole and related intellectual property reporting requirements. The system allows for Grantees 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 Grantees, 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 Grantee uses or has used patented technology under this award without license or permission from the owner, the Grantee 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 Grantee 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 Grantee 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 Grantee employees may be copyrighted but only the part authored by the Grantee 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 Grantee 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 Grantee 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 Grantee 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 Grantee 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**

For this award shall follow OCOI requirements set forth in Section 170A of the Atomic Energy Act of 1954, as amended, and provisions set forth at 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 Grantee'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 an intra-agency Appeal Board to review a grantee appeal of an agency action, if required, which will consist of the program office director, the Deputy Director of Office of Administration, and the Office of General Counsel.
- 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 Grantee 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 215.60-62.

### **Monitoring and Reporting § 215.50-53**

a. Grantee 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 Grantee and used to further eligible project or program objectives or deducted from the total project cost allowable cost as directed by the Grants Officer or the terms and conditions of award.
- Budget Revision – 2 CFR 215.25
  - The Grantee is required to report deviations from the approved budget and program descriptions in accordance with 2 CFR 215.25 and request prior written approval from the Program Officer and the Grants Officer.
  - The Grantee is not authorized to rebudget between direct costs and indirect costs without written approval of the Grants Officer.
  - The Grantee is authorized to transfer funds among direct cost categories up to a cumulative 10 percent of the total approved budget. The Grantee is not allowed to transfer funds if the transfer would cause any Federal appropriation to be used for purposes other than those consistent with the original intent of the appropriation.
  - Allowable Costs – 2 CFR 215.27

### **b. Federal Financial Reports**

The Grantee 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 is due within 90 days after expiration of the award. The report should be submitted electronically to: Grants\_FFR@NRC.GOV. **(NOTE: There is an underscore between Grants and FFR.)**

### **Period of Availability of Funds 2 CFR § 215.28**

a. Where a funding period is specified, a Grantee 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 should 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 may 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, Grantees 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. Grantees 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> Grantees 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 Grantee shall submit performance (technical) reports electronically to the NRC Project Officer and Grants Officer on a semi-annual basis unless otherwise authorized by the Grants Officer. Performance reports should be sent to the Program Officer at the email address indicated in Block 12 of the Notice of Award, and to Grants Officer at:

Grants\_PPR.Resource@NRC.GOV. (*NOTE: There is an underscore between Grants and PPR*).

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.

c. The Office of Human Resources requires the submission of the semi-annual progress report on the SF-PPR, SF-PPR-B, and the SF-PPR-E forms. The submission for the six month period ending March 31<sup>st</sup> is due by April 30<sup>th</sup> or any portion thereof. The submission for the six month period ending September 30<sup>th</sup> is due by October 31<sup>st</sup> or any portion thereof.

d. Grant Performance Metrics:

The Office of Management and Budget requires all Federal Agencies providing funding for educational scholarships and fellowships as well as other educational related funding to report on specific metrics. These metrics are part of the Academic Competitiveness Council's (ACC) 2007 report and specifically relates to Science, Technology, Engineering, and Mathematics (STEM) curricula.

As part of the HR grant awards, in addition to the customary performance progress report requested on the SF-PPR, SF-PPR-B, and SF-PPR-E forms, HR requires the following metrics to be reported on by the awardees as follows:

### **Curriculum Development Awards**

1. Overall number of new courses developed in NRC designated STEM areas;(including the names of the courses)
2. Number of students enrolled in new STEM courses;
3. Number of these enrolled students retained in STEM major.

### **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 Grantee 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 Grantee 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 Grantee**

The Grantee shall not transfer, pledge, mortgage, or otherwise assign the award, or any interest therein, or any claim arising there under, 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 Grantee or contractor under an award, the Grantee 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**

Grantees 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, Grantees 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 Leadership of Reducing Text Messaging While Driving**

Pursuant to EO 13513, Grantees should encourage employees, sub-awardees, and contractors to adopt and enforce policies that ban text messaging while driving company-owned, rented vehicles or privately owned vehicles when on official Government business or when performing any work for or on behalf of the Federal Government.

### **Federal Employee Expenses**

Federal agencies are generally barred from accepting funds from a Grantee 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 Grantee'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 Grantees 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 Grantees 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 Grantee 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 Grantee organization shall investigate the allegation and submit its findings to the Grants Officer. The NRC may accept the Grantee's findings or proceed with its own investigation. The Grants Officer shall inform the Grantee 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 Grantee 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 Grantee 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 [Grantee 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."

**Trafficking In Victims Protection Act Of 2000 (as amended by the Trafficking Victims Protection Reauthorization Act of 2003)**

Section 106(g) of the Trafficking In Victims Protection Act Of 2000 (as amended, directs on a government-wide basis that:

"any grant, contract, or cooperative agreement provided or entered into by a Federal department or agency under which funds are to be provided to a private entity, in whole or in part, shall include a condition that authorizes the department or agency to terminate the grant, contract, or cooperative agreement, without penalty, if the grantee or any subgrantee, or the contractor or any subcontractor (i) engages in severe forms of trafficking in persons or has procured a commercial sex act during the period of time that the grant, contract, or cooperative agreement is in effect, or (ii) uses forced labor in the performance of the grant, contract, or cooperative agreement." (22 U.S.C. § 7104(g)).

**Award Term**

2 CFR 170.220 directs agencies to include the following text to each grant award to a non-federal entity if the total funding is \$25,000 or more in Federal funding.

Reporting Subawards and Executive Compensation.

*a. Reporting of first-tier subawards.*

1. *Applicability.* Unless you are exempt as provided in paragraph d. of this award term, you must report each action that obligates \$25,000 or more in Federal funds that does not include Recovery funds (as defined in section 1512(a)(2) of the American Recovery and Reinvestment Act of 2009, Pub. L. 111-5) for a subaward to an entity (see definitions in paragraph e. of this award term).

*2. Where and when to report.*

i. You must report each obligating action described in paragraph a.1. of this award term to <http://www.fsrs.gov>.

ii. For subaward information, report no later than the end of the month following the month in which the obligation was made. (For example, if the obligation was made on November 7, 2010, the obligation must be reported by no later than December 31, 2010.)

3. *What to report.* You must report the information about each obligating action that the submission instructions posted at <http://www.fsrs.gov> specify.

*b. Reporting Total Compensation of Recipient Executives.*

1. *Applicability and what to report.* You must report total compensation for each of your five most highly compensated executives for the preceding completed fiscal year, if—

i. the total Federal funding authorized to date under this award is \$25,000 or more;

ii. in the preceding fiscal year, you received—

(A) 80 percent or more of your annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and

(B) \$25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and

iii. The public does not have access to information about the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986. (To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at <http://www.sec.gov/answers/execomp.htm>.)

2. *Where and when to report.* You must report executive total compensation described in paragraph b.1. of this award term:

i. As part of your registration profile at <http://www.ccr.gov>.

ii. By the end of the month following the month in which this award is made, and annually thereafter.

c. *Reporting of Total Compensation of Subrecipient Executives.*

1. *Applicability and what to report.* Unless you are exempt as provided in paragraph d. of this award term, for each first-tier subrecipient under this award, you shall report the names and total compensation of each of the subrecipient's five most highly compensated executives for the subrecipient's preceding completed fiscal year, if—

i. in the subrecipient's preceding fiscal year, the subrecipient received—

(A) 80 percent or more of its annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and

(B) \$25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts), and Federal financial assistance subject to the Transparency Act (and subawards); and

ii. The public does not have access to information about the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986. (To

determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at <http://www.sec.gov/answers/execomp.htm>.)

2. *Where and when to report.* You must report subrecipient executive total compensation described in paragraph c.1. of this award term:

i. To the recipient.

ii. By the end of the month following the month during which you make the subaward. For example, if a subaward is obligated on any date during the month of October of a given year (*i.e.*, between October 1 and 31), you must report any required compensation information of the subrecipient by November 30 of that year.

d. *Exemptions*

If, in the previous tax year, you had gross income, from all sources, under \$300,000, you are exempt from the requirements to report:

i. Subawards,

and

ii. The total compensation of the five most highly compensated executives of any subrecipient.

e. *Definitions.* For purposes of this award term:

1. *Entity* means all of the following, as defined in 2 CFR part 25:

i. A Governmental organization, which is a State, local government, or Indian tribe;

ii. A foreign public entity;

iii. A domestic or foreign nonprofit organization;

iv. A domestic or foreign for-profit organization;

v. A Federal agency, but only as a subrecipient under an award or subaward to a non-Federal entity.

2. *Executive* means officers, managing partners, or any other employees in management positions.

3. *Subaward:*

i. This term means a legal instrument to provide support for the performance of any portion of the substantive project or program for which you received this award and that you as the recipient award to an eligible subrecipient.

ii. The term does not include your procurement of property and services needed to carry out the project or program (for further explanation, see Sec. \_\_.210 of the attachment to OMB Circular A-133, "Audits of States, Local Governments, and Non-Profit Organizations").

iii. A subaward may be provided through any legal agreement, including an agreement that you or a subrecipient considers a contract.

4. *Subrecipient* means an entity that:

i. Receives a subaward from you (the recipient) under this award; and

ii. Is accountable to you for the use of the Federal funds provided by the subaward.

5. *Total compensation* means the cash and noncash dollar value earned by the executive during the recipient's or subrecipient's preceding fiscal year and includes the following (for more information see 17 CFR 229.402(c)(2)):

i. *Salary and bonus.*

ii. *Awards of stock, stock options, and stock appreciation rights.* Use the dollar amount recognized for financial statement reporting purposes with respect to the fiscal year in accordance with the Statement of Financial Accounting Standards No. 123 (Revised 2004) (FAS 123R), Shared Based Payments.

iii. *Earnings for services under non-equity incentive plans.* This does not include group life, health, hospitalization or medical reimbursement plans that do not discriminate in favor of executives, and are available generally to all salaried employees.

iv. *Change in pension value.* This is the change in present value of defined benefit and actuarial pension plans.

v. *Above-market earnings on deferred compensation which is not tax-qualified.*

vi. *Other compensation,* if the aggregate value of all such other compensation (e.g. severance, termination payments, value of life insurance paid on behalf of the employee, perquisites or property) for the