

U.S. NUCLEAR REGULATORY COMMISSION

NOTICE OF GRANT/ASSISTANCE AWARD

1. GRANT/AGREEMENT NO. NRC-HQ-13-G-38-0016	2. MODIFICATION NO.	3. PERIOD OF PERFORMANCE FROM: 08/01/2013 TO: 07/31/2015	4. AUTHORITY Pursuant to Section 31b and 141b of the Atomic Energy Act of 1954, as amended
5. TYPE OF AWARD <input checked="" type="checkbox"/> GRANT <input type="checkbox"/> COOPERATIVE AGREEMENT	6. ORGANIZATION TYPE Public/State Controlled Institution Of Higher Education DUNS: 066470972 NAICS: 611310	7. RECIPIENT NAME, ADDRESS, and EMAIL ADDRESS AUBURN UNIVERSITY 310 SAMFORD HALL AUBURN UNIVERSITY, AL 36849-5131 Email: ospadmn@auburn.edu	

8. PROJECT TITLE:

Nuclear Power Generation Systems (NPGS) Scholarship Program

9. PROJECT WILL BE CONDUCTED PER GOVERNMENT'S/RECIPIENT'S PROPOSAL(S) DATED See Program Description 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 Bob Karcher, 334-844-4410 Auburn University 1210 Shelby Center Auburn University, AL 36849-5131 Email: karcher@auburn.edu
---	--	--

12. NRC PROGRAM OFFICE (NAME and ADDRESS) NRC Nancy Hebron-Isreal, 301-287-0718 Office of Chief Human Capital Officer MS: 3WPN/3A12 11545 Rockville Pike Rockville, MD 20850 Email: Nancy.Hebron-Isreal@nrc.gov	13. ACCOUNTING and APPROPRIATION DATA APPN. NO: 31X0200 B&R NO: 2013-84-51-K-164 JOB CODE: T8458 BOC NO: 4110 OFFICE ID NO: HR-13-180 FAIMIS: GR0310	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	16. TOTAL FUNDING AGREEMENT
THIS ACTION \$191,471.00	NRC \$191,471.00
PREVIOUS OBLIGATION	RECIPIENT \$0.00
TOTAL \$191,471.00	TOTAL \$191,471.00

17. NRC ISSUING OFFICE (NAME, ADDRESS and EMAIL ADDRESS)

U.S. Nuclear Regulatory Commission
Div. of Contracts
Attn: Gordana Zuber, 301-287-0900
Mail Stop: 3WPN/05C64M
Washington, DC 20555
Email: Gordana.Zuber@nrc.gov

18. Signature Not Required	19. NRC CONTRACTING OFFICER <i>Erika Eam</i> 08/01/2013 (Signature) (Date) NAME (TYPED) Erika Eam TITLE Grants Officer TELEPHONE NO. 301-287-0954
-------------------------------	--

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.

TEMPLATE - ADM001

SUNSI REVIEW COMPLETE

AUG 22 2013

ADM032

ATTACHMENT A - SCHEDULE**A.1 PURPOSE OF GRANT**

The purpose of this Grant is to provide support to the "Nuclear Power Generation System (NPGS) Scholarship Program" as described in Attachment B entitled "Program Description."

A.2 PERIOD OF GRANT

1. The effective date of this Grant is August 1, 2013. The estimated completion date of this Grant is July 31, 2015.
2. Funds obligated hereunder are available for program expenditures for the estimated period: August 1, 2013 – July 31, 2015.

A. GENERAL

- | | |
|--------------------------------|---|
| 1. Total Estimated NRC Amount: | \$191,471.00 |
| 2. Total Obligated Amount: | \$191,471.00 |
| 3. Cost-Sharing Amount: | \$ 0.00 |
| 4. Activity Title: | Nuclear Power Generation System (NPGS)
Scholarship Program |
| 5. NRC Project Officer: | Nancy Hebron-Isreal |
| 6. DUNS No.: | 066470972 |

B. SPECIFIC

- | | |
|-------------------|------------------|
| RFPA No.: | HR-13-180 |
| FAIMIS: | GR0310 |
| Job Code: | T8458 |
| BOC: | 4110 |
| B&R Number: | 2013-84-51-K-164 |
| Appropriation #: | 31X0200 |
| Amount Obligated: | \$191,471.00 |

A.3 BUDGET

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

	Year 1	Year 2
Personnel Cost	\$20,441.00	\$20,441.00
Fringe	\$ 5,703.00	\$ 5,703.00
Other	<u>\$67,500.00</u>	<u>\$67,500.00</u>
Total Direct Cost	\$93,644.00	\$93,644.00
Indirect Cost	<u>\$ 2,091.50</u>	<u>\$ 2,091.50</u>
Total	\$95,735.50	\$ 95,735.50

All travel must be in accordance with the Auburn 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 \$191,471.00 for the two year period.
2. NRC hereby obligates the amount of \$191,471.00 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 Grants 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

With more than 30 competing nuclear engineering programs across the nation, Auburn University adopted a different strategy to develop the Nuclear Power Generation Systems minor. In order to assess the shortage in nuclear operations experienced engineers, the Dean of the College of Engineering established a fact-finding committee, led by a Fellow of the Nuclear Energy Institute (past President of Exelon Corporation) and a member of the National Academy of Engineering who interviewed in-depth 39 industry leaders nationwide about engineering recruitment needs within the resurgent nuclear power industry. The key findings of this survey were:

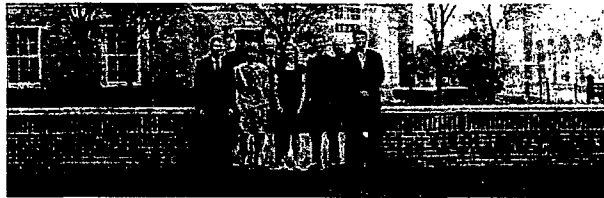
- There is a critical shortfall of engineers from all disciplines of engineering, not just those who receive degrees as nuclear engineers.
- There was no recognized undergraduate program producing undergraduate engineers from civil, chemical, electrical, industrial, and mechanical engineering with the background necessary to succeed in a career in the nuclear power industry.
- An undergraduate nuclear operations program could increase recruitment and retention of young engineers who enter the industries' specific training programs.

Based on these extensive interviews, including the educational needs and skills specified by those industry leaders, Auburn University developed a 17-hour undergraduate minor in the College of Engineering that includes hands-on experience as a requirement. The goal is to equip students with the skills to enter the workforce and be productive on the first day on the job. These graduates would decrease costs to the industry through reduced training needs and provide a source of qualified recruits who are dedicated to the nuclear field. The NPGS minor has a one-hour introductory course, two 3000-level courses on basic nuclear theory and operations focused on nuclear and mechanical aspects of the industry as well as materials, electronics and distribution. The two 4000 level courses deal with advanced reactor plant operations and cover reactor operations, casualty procedures, radiological health, risk assessment, safety, work practices, safety regulations, certifications and operations.

A student choosing the NPGS minor would have to spend at least two additional semesters in residence. This additional cost is a barrier to meeting the goal to build a sustainable program capable of supplying qualified graduates to the nuclear industry. The objective of the NPGS scholarship program is directly aimed at ameliorating that financial liability by providing up to two semesters of support to an academically qualified student with a commitment to serve six months for each year or partial year of scholarship received. The plan is to award

15 scholarships, six in the first year, over a two-year period at an annual value of \$4,500 each for a total of \$135,000.

This proposed effort would leverage the current levels of scholarships provided by nuclear industry partners. These contributions are expected to continue. Receipt of this grant is expected to lead to increased industry funding. Of the 27 possible candidates, six applied for the scholarship. Because the minor had been operating for only one semester, this response was deemed acceptable. Figure 1 shows the five awardees (four men and one woman) plus Dean Larry Benefield and NPGS program Director Bill Goodwin (rear).



Selection Process:

The guidelines for application for the NPGS Scholarships require that the student be enrolled in the NPGS minor, be a U.S. citizen and have a minimum unadjusted cumulative GPA of 3.0 on a 4.0 scale, both overall and within their major. Students must carry a load of at least 12 credit hours or otherwise be classified as a full-time student per Auburn University's policies.

The Scholarship Selection Committee is composed of the NPGS Program Director, a Scholarship Advisor for the College of Engineering, a former Director of INPO, a member of the Advisory Board for the NPGS program and a Development Officer in the College of Engineering.

For the spring of 2012 awards, the following process was used to determine awardees. The NPGS program plans to use the same process for the scholarships funded by an NRC grant as follows:

1. On the first day of the spring semester each academic year, requests for applications are solicited as described below in the recruitment and marketing section. Each eligible student was contacted either in person or by e-mail from the NPGS Program Director. Attention was carefully paid to encourage women and minorities to apply by personal contact by the Director. The Southern Company has as a goal to hire more women and minorities and to represent the community they serve. Auburn University is in full agreement with these goals. Applications require reasons for submission and desire to continue in the nuclear power generation industry after graduation.
2. Applications are screened for GPA. Minimum of 3.0 (unadjusted) out of 4.0 is required both overall and in their major. Faculty recommendations are received on applications.
3. Qualified (by GPA) applicants take a 2 hour essay / problem solving exercise for a graded review. The exercise is non-technical in nature and evaluates the students' future potential to work in the rigid environment of the nuclear power generation industry.
4. The Scholarship committee, chaired by the NPGS Director, meets to evaluate the application content, GPA, faculty recommendations, and essay / problem solving exercise assessment.

5. After applicants are scored by the committee, scholarships are awarded to the qualified students.
6. Information is then provided to College of Engineering Student Services for further processing within the university financial aid process.

The final selection is made after due deliberation and evaluation of each proposal for clarity, communication ability, innovation and a careful thought process in arriving at the answers to the essay questions. Comments from faculty are included due to their regular interaction with the students. Gender balance and breadth of technical balance was achieved. One woman and four men received scholarships in 2012. Total scholarships will increase with NRC funding.

Schedule of Tuition Fees and other Pertinent Costs:

The cost of tuition/fees for an in-state student for one semester at Auburn University is \$9,446, or \$18,892 per academic year. If the student is not from the State of Alabama, the tuition rises to \$25,190 per semester. The average scholarship awarded at Auburn ranges from \$1,000 to \$2,500 per year. Books, other classroom materials and fees are not included. The proposal is to award a \$4,500 per year scholarship for the NRC-funded scholarships to attract highly qualified students. The student also has the option of applying for the industry-sponsored scholarship at a lower remuneration, but without a service agreement. As a result of NRC funding, an increase in funding is expected from industry sponsors. Funds for existing scholarships are severely limited and cannot meet the upcoming industry needs; hence, the NRC-funded scholarships augment that minimal effort, maintains choice and expands the number of scholarships by three- fold.

Service Agreements:

Auburn University will require NRC-funded scholarship recipients to sign an agreement to serve six months in nuclear-related employment for each full or partial year of academic support. Scholarship students who fail to satisfy this requirement will be required to reimburse the United States Government for the amount of assistance provided them plus a penalty at a rate determined by the NRC. Auburn University will require that a student provide the signed service agreement with their application. The service agreement will also be signed by the program coordinator prior to the student receiving the award.

Review Criteria #1: University Management Structure and Capability for Administering the Program.

This scholarship program will be administered by the Office of Engineering Student Services of the College of Engineering. A complete office is in place and has administered a range of other scholarship programs. Engineering Student Services has an established procedure for awarding all college and departmental level scholarships. Under the direction of a full-time Engineering Scholarship Coordinator, \$2,100,000 involving 262 scholarships is awarded annually. For the 2012-2013 academic year, 747 awards were made to qualified recipients. The criteria for all awards are entered into a Scholarship Database (ACCESS). The scholarships are marketed through information on websites as well as through the actions noted below.

All scholarship awards adhere to strict guidelines, as established by a written agreement, and all monies are accounted for in a disbursement report provided by the Scholarship Coordinator. The Assistant Dean and Scholarship Coordinator generates reports on a semester basis that includes all demographic and academic information related to students.

The Assistant Dean and Scholarship Coordinator are authorized to generate academic reports with regard to financial need and underrepresented populations in the College of Engineering. As part of the established policy, these reports are used to ensure inclusion of highly qualified students who demonstrate financial need and are members of underrepresented populations in engineering.

Review Criteria #1: Recruitment and Marketing Strategies.

At present, the NPGS program has 84 students enrolled out of a potential undergraduate engineering base of 4,157 students. The goal is to increase the enrollment to at least 100 students per year for each of the next four years. Seventeen (17) students are expected to graduate in the spring/summer of 2013 with their chosen major and the Nuclear Power Generation Systems minor. It is imperative to replace those graduates plus another 33 to reach the goal of 100. A marketing effort has been conducted on several fronts. Websites and social media are at the heart of the recruiting plan. Students in the sophomore (925) and junior (683) years are the target audience. Other marketing involves discussions by the NPGS Director with all Department Chairs and Academic Advisors to highlight the industry needs and impact that can be made. Brochures and other advertising material are also distributed to the departments, students, parents and industry partners. Auburn University graduates who work in the nuclear power industry are invited for visits to meet with and tell students of their enthusiasm for this career option. Special attention is given to attracting women, minorities and disadvantaged individuals through their academic advisors and faculty meetings. Marketing strategies will focus on attracting high-performing students into the program.

Additionally, College of Engineering recruiters take printed material relative to scholarship awards to College Fairs, high school visits, and on-campus recruitment activities. In addition, NPGS information tables are set up during annual Engineering-Day programs. Students, parents, and counselors from schools and districts throughout the southeast are invited to attend, with an average attendance of 2,500. Presentations are made by the program director as well as industry in the freshman level engineering class that all engineering students are required to complete. Furthermore, sponsors have established routine plant visits, internships, and cooperative education opportunities for undergraduates participating in the minor.

Review Criteria #2: Type and degree of proposed student support.

As necessary, discussions are held with marginal students to increase their enthusiasm and seek to help them overcome any limitations in their study habits and academic load that may be contributing to a problem. Tutoring is available through faculty, graduate and hand-picked upper class undergraduate students.

Review Criteria #3: Evaluation Plan.

The ultimate evaluation plan for this minor can only be conducted through feedback from members of the nuclear power industry who have hired the students, evaluated their performance, and identified desirable changes. Their feedback would come at the semiannual Advisory Board meetings. If they are not board members, semiannual contacts will be made with management. Since this program will be graduating the first qualified students next summer, evaluation of their performance will come one to two years later. As the number of graduates entering the nuclear industry continues to increase, industry evaluations will be critical to improving the minor. Plans are to increase the NPGS enrollment to more than 100 students per year in each of the next four years, limited by faculty resources. The NRC-funded scholarship program will attract new students. A tracking

method for all students enrolled in any of the courses is in place. If a student drops out of the program, reasons are obtained by personal interview and cataloged for trend analysis. The program director maintains this database. Upon graduation, students will be tracked for their employment choices and regular communication will commence via quarterly e-mail contact. If a student receives a scholarship under this program, their obligation to meet the six-month employment in the nuclear industry will be emphasized prior to graduation and their success in the industry will be tracked by ongoing procedures. As noted above, the semiannual industry feedback on student success and efficacy of their training from this minor will be the most important evaluation. Annual reports on student persistence will be generated through the Office of Institutional Research and Assessment and will be analyzed by the program director and staff of the ESS.

Review Criteria #4: Institutional Support and Plans for NPGS Sustainability.

The College of Engineering saw the critical industry need for fully equipped graduate engineers and established the NPGS program in response to those needs. Auburn University provides the laboratory area for the hands-on training of students, the director's and one faculty member's salary, and support for a visiting faculty member. A current plan for marketing and student engagement will be monitored and tracked and presented twice per year to the Advisory Board and quarterly to the Dean. The Advisory Board includes representatives from Alabama Power, Tennessee Valley Authority and Williams Industrial Services and other former industry individuals. These industry sponsors provide \$250,000 per year over a four year period. Their interest in making this uniquely-established program meet their needs is paramount and they

take an active role in ensuring sustainability. With the planned growth, the goal is for the NPGS to become a major in 5 to 10 years.

The current makeup of the NPGS minor is 17% women. Interestingly, this corresponds exactly to the percentage of undergraduate females in the College of Engineering. However, the program is focused on increasing the percentage of women and minorities. This is also in direct alignment with our industry partners plans. Other demographics are: 30% - mechanical, 27% - chemical, 10% - civil and 5% - industrial and systems engineers. The remaining 28% come from various other disciplines.

Review Criteria #5: Consortia Establishment.

The NPGS minor was established in a unique fashion with the direct involvement of nuclear industry leadership. The notion of asking industry, "the customer", to tailor educational initiatives is a model the College of Engineering will expand in the future. Therefore, as the program matures, an expanded base of industry partners is planned. Other universities and community colleges in the region are primary candidates for cooperative ventures. However, due to the nascent nature of the NPGS program, these initiatives are programmed in the future. Collaborative efforts were conducted in the past with the University of Pittsburgh, University of Kansas and other established programs to assist with the foundation of this program. These universities will be used as mentors as the minor matures. Course materials are being archived to allow for distance learning, but the process is at an early stage. This ground work will be used in the future to expand the student base. Progress to date has been impressive.

Review Criteria #6: Support from Other Entities:

There are no leveraged or matching funds initiated due to this proposal. As noted above and included in attached letters, Alabama Power (Southern Company), Tennessee Valley

Authority, and Williams Industrial Services have provided financial support to the program. Over the past 13 months of existence, sponsorship by Southern Company and others has been critical to attracting new students who are potential future employees. Furthermore, sponsors have provided routine plant visits, internships, and cooperative education opportunities for undergraduates participating in the minor. Industry subject matter experts also serve as lecturers in various sections of the curriculum. Upon maturation, Auburn University's unique approach to the nuclear power industry's future staffing concerns will be a model for other educational institutions nationwide. Auburn University's NPGS program is not about making nuclear engineers, the program's charter targets making engineers with the skills to be successful in the nuclear power industry.

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

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 >

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.

Debarment And Suspension 2 CFR 215.13

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.

Procurement Standards. § 2 CFR 215.40-48

Sections 215.40 through 215.48 set forth procurement 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 and the per diem rates set forth at: 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.

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.

Termination and Enforcement

Termination of this award by default or by mutual consent shall follow provisions as established in 2 CFR 215.60-62.

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.

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 Chief Human Capital Officer (OCHCO) 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 31st is due by April 30th or any portion thereof. The submission for the six month period ending September 30th is due by October 31st 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 OCHCO grant awards, in addition to the above customary performance progress report requested on the SF-PPR, SF-PPR-B, and SF-PPR-E forms, OCHCO requires the following metrics to be reported on by the awardee as follows:

Scholarship Performance Metrics

1. How many students have been sponsored by NRC funding?
 - a. Response is the number of students, for this reporting period and cumulative to the grant.
2. How many students, supported by NRC funding, have received B.S. or equivalent degrees?
 - a. Response is the number of students, for this reporting period and cumulative to the grant.
3. How many students, supported by NRC funding, have accepted a job and are employed in the nuclear industry?
 - a. Response is the number of students, for this reporting period and cumulative to the grant.
4. How many students, supported by NRC funding, are continuing on to Graduate School in a field related to the nuclear industry?
 - a. Response is the number of students, for this reporting period and cumulative to the grant.

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.sam.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 executive exceeds \$10,000.