

Grant and Cooperative Agreement

CHOOSE ONE:

- ☐ COOPERATIVE AGREEMENT
- ☒ GRANT

CHOOSE ONE:

☐ EDUCATION☐ FACILITIES☐ RESEARCH☐ SDCR☒ TRAINING

1. GRANT/COOPERATIVE AGREEMENT NUMBER NRC-HQ-60-17-G-0007		2. SUPPLEMENT NUMBER		3. EFFECTIVE DATE 06/30/2017		4. COMPLETION DATE	
5. ISSUED TO NAME/ADDRESS OF RECIPIENT (No., Street, City/County, State, Zip) UNIVERSITY OF NEW MEXICO 1700 LOMAS BLVD NE ALBUQUERQUE NM 871063807				6. ISSUED BY U.S. NRC - HQ Mailing Address: Acquisition Management Division Mail Stop: TWFN-8E06M Washington DC 20555-0001			
7. TAXPAYER IDENTIFICATION NO. (TIN)				9. PRINCIPAL INVESTIGATOR/ORGANIZATION'S PROJECT OR PROGRAM MGR. (Name & Phone) [REDACTED]			
8. COMMERCIAL & GOVERNMENT ENTITY (CAGE) NO.				[REDACTED]			
10. RESEARCH, PROJECT OR PROGRAM TITLE University of New Mexico Faculty Development Grant							
11. PURPOSE See Schedule							
12. PERIOD OF PERFORMANCE (Approximately) 06/30/2017 through 06/29/2020							
13A.		AWARD HISTORY		13B.		FUNDING HISTORY	
PREVIOUS		\$0.00		PREVIOUS		\$0.00	
THIS ACTION		\$450,000.00		THIS ACTION		\$450,000.00	
CASH SHARE		\$0.00		TOTAL		\$450,000.00	
NON-CASH SHARE		\$0.00					
RECIPIENT SHARE		\$150,006.00					
TOTAL		\$450,000.00					
14. ACCOUNTING AND APPROPRIATION DATA 2017-X0200-IUPNSE-60-60D099-52-S-164-1148-4110							
PURCHASE REQUEST NO.		JOB ORDER NO.		AMOUNT		STATUS	
RES-17-0173							
15. POINTS OF CONTACT							
	NAME	MAIL STOP	TELEPHONE	E-MAIL ADDRESS			
TECHNICAL OFFICER	NANCY V. HEBRON-ISREAL	TWFN10B5	301-415-6996	Nancy.Hebron-Isreal@nrc.gov			
NEGOTIATOR							
ADMINISTRATOR	M'LITA R. CARR		301-415-6869	MLita.Carr@nrc.gov			
PAYMENTS							
16. THIS AWARD IS MADE UNDER THE AUTHORITY OF: PURSUANT TO SECTION 31B AND 141B OF THE ATOMIC ENERGY ACT OF 1954, AS AMENDED.							
17. APPLICABLE STATEMENT(S), IF CHECKED: <input type="checkbox"/> NO CHANGE IS MADE TO EXISTING PROVISIONS <input type="checkbox"/> FDP TERMS AND CONDITIONS AND THE AGENCY-SPECIFIC REQUIREMENTS APPLY TO THIS GRANT				18. APPLICABLE ENCLOSURE(S), IF CHECKED: <input type="checkbox"/> PROVISIONS <input type="checkbox"/> SPECIAL CONDITIONS <input type="checkbox"/> REQUIRED PUBLICATIONS AND REPORTS			
UNITED STATES OF AMERICA				COOPERATIVE AGREEMENT RECIPIENT			
CONTRACTING/GRANT OFFICER M'LITA R. CARR		DATE 06/28/2017		AUTHORIZED REPRESENTATIVE		DATE	

Grant and Cooperative Agreement

ITEM NO. (A)	ITEM OR SERVICE (Include Specifications and Special Instructions) (B)	QUANTITY (C)	UNIT (D)	ESTIMATED COST	
				UNIT PRICE (E)	AMOUNT (F)
	<p>CFDA Number: 77.006</p> <p>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 200.</p> <p>Payment:</p> <p style="padding-left: 40px;">ASAP GRANT FUNDS REIMBURSEMENT SYS</p> <p style="padding-left: 40px;">US TREASURY</p> <p>Period of Performance: 06/30/2017 to 06/29/2020</p>				

Attachment A - Schedule**A.1 PURPOSE OF GRANT**

The purpose of this Grant is to provide support to the "University of New Mexico Faculty Development Grant" as described in Attachment B entitled "Program Description."

A.2 PERIOD OF GRANT

1. The effective date of this Grant is June 30, 2017. The estimated completion date of this Grant is June 29, 2020.
2. Funds obligated hereunder are available for program expenditures for the estimated period: June 30, 2017 – June 29, 2020.

A.3 GENERAL

- | | |
|--------------------------------|---|
| 1. Total Estimated NRC Amount: | \$450,000.00 |
| 2. Total Obligated Amount: | \$450,000.00 |
| 3. Cost-Sharing Amount: | \$150,006.00 |
| 4. Activity Title: | University of New Mexico Faculty
Development Grant |
| 5. NRC Project Officer: | Nancy Hebron-Isreal |
| 6. DUNS No.: | 868853094 |

A.4 AMOUNT OF AWARD AND PAYMENT PROCEDURES

1. The total estimated amount of this Award is \$600,006.00 for the three year period; inclusive of \$150,006.00 in cost share.
2. NRC hereby obligates the amount of \$450,000.00 for program expenditures during the period set forth above and in support of the Budget above. 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 Recipient in accordance with procedures set forth in the Automated Standard Application for Payments (ASAP) Procedures set forth below.

A.5 BUDGET

Revisions to the grant award budget shall be made in accordance with Revision of Grant Budget in accordance with [2 CFR § 200.308](#).

SECTION B - BUDGET CATEGORIES

6. Object Class Categories	GRANT PROGRAM, FUNCTION OR ACTIVITY				Total (5)
	(1) NRC-HQ-60-17- FOA-0001	(2)	(3)	(4)	
a. Personnel	\$ [REDACTED]	\$ [REDACTED]	\$ [REDACTED]	\$ [REDACTED]	\$ [REDACTED]
b. Fringe Benefits	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
c. Travel	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
d. Equipment	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
e. Supplies	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
f. Contractual	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
g. Construction	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
h. Other	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
i. Total Direct Charges (sum of 6a-6h)	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	\$ [REDACTED]
j. Indirect Charges	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	\$ [REDACTED]
k. TOTALS (sum of 6i and 6j)	\$ 302,509.00	\$ 73,344.00	\$ 74,147.00	\$ [REDACTED]	\$ 450,000.00
7. Program Income	\$ [REDACTED]	\$ [REDACTED]	\$ [REDACTED]	\$ [REDACTED]	\$ [REDACTED]

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ATTACHMENT B - PROJECT DESCRIPTION**Project Title: University of New Mexico Faculty Development Grant****1. Proposed Faculty Development Program**

The primary objective of the UNM Department of Nuclear Engineering Junior Faculty Development Program is to provide resources and professional guidance to promote the rapid and successful career development of a new Nuclear Engineering (NE) Assistant Professor hire at UNM, while simultaneously strengthening the program in a way that will also benefit future new faculty candidates and the students.

A standalone Department of Nuclear Engineering in 2014 was created following strategic planning within the School of Engineering that identified nuclear engineering as a key growth area in which to invest resources. With recent dramatic increases in undergraduate and graduate enrolments, the desire of Sandia National Laboratories, Los Alamos National Laboratory, and Idaho National Laboratory to strengthen existing ties with the department through enhanced student internship programs, collaborative research through LDRD and programmatic funding support, and establishing joint appointment programs that in the future will provide additional faculty, the new department is poised for success. The stellar achievements of our last faculty hire in nuclear thermal fluids and safety areas, thanks to support provided by a NRC Faculty Development award in 2013, has moreover demonstrated the ability of the discipline to draw and retain highly talented young faculty in nuclear engineering at UNM. As evidence of support for the new department, the Dean of the School of Engineering committed additional faculty positions to the department at the Assistant Professor level in the area of nuclear materials and fuels that would grow the department's research footprint while complementing the existing strengths and addressing the major demographic challenge presented by an aging faculty body. After a competitive national search, [REDACTED], was hired as an Assistant Professor of Nuclear Engineering and he joined the department on August 15, 2016, at the start of the Fall 2016 semester. [REDACTED] received his Ph.D. in Materials Science and Engineering from Texas A&M University, and spent the past six years at LANL as member of the research.

[REDACTED] research interests are in advanced materials development and qualification for next generation nuclear reactors and in the development of cladding materials with improved accident tolerance. He intends to develop an experimental research program to establish microstructure-mechanical property relations using new and existing facilities for the development and qualification of advanced alloys for next generation of nuclear reactors as well as safer operation of current operating reactors. The main focus of the research that will be supported by this Faculty Development Program is to set up a mechanical property testing laboratory capable of handling radioactive specimens within the existing hot cell in the Nuclear Engineering Department. As a newly appointed assistant professor, successful foundation of this lab will not only help establish a strong career in the field of structural materials for nuclear applications, it will also help nuclear engineering students get hands on experience executing some of the testing in this laboratory. This experience will give them advantage over their peers and open new job opportunities that are not available otherwise. On the research side, this lab will lead to collaborations with researchers at national laboratories and benefit from some of the expertise they developed over the years operating larger scale mechanical testing capabilities at hot cells. Meanwhile, these collaborations would possibly create internship opportunities for the students. In addition, this lab will provide funding opportunities not typical for university faculty. This capability is expected to support the Electric Power Research Institute, the NRC, the U.S. DOE,

and other commercial and non-commercial organizations worldwide on projects including but not limited to accident tolerant cladding development for safer operation of current operating light water reactors and future advanced reactor concepts. It is a unique opportunity since such facilities are only available at national labs around the country. The facility could moreover be integrated into Nuclear Science User Facility (NSUF), allowing other universities, national laboratories and industrial partners to gain access and therefore creating formal collaboration opportunities (currently no other university in the NSUF has the full scale mechanical testing laboratory capable of testing radioactive specimens).

1.A. Implementation Plan for Use of Financial Resources

With regard to financial resources, the Program will do two key things to help ensure the success and long-term retention of [REDACTED]: (1) develop and renovate laboratory facilities to ensure a quick and productive start, and (2) provide additional support that will augment the UNM startup package, enabling a vigorous startup on multiple research fronts and providing additional resources to help him develop new collaborations and funding avenues. The Faculty Development Program proposed herein will augment the committed startup resources, enabling a robust start on multiple research themes, which should pay dividends in the variety and strength of subsequent proposals. The potential impact of this cannot be overstated in the current funding climate.

The proposed expenditure plan for this Program was developed while consulting the startup resources previously committed to [REDACTED]. It is not duplicative of startup resources, but rather will allow [REDACTED] to develop and pursue more opportunities than he would otherwise, which should lead to a stronger research portfolio at the mid-probationary and tenure evaluations. The research plan outlined above represents a new area of research at UNM that will require a significant amount of new equipment, as well as extensive renovation of laboratory space. To address that need, significant resources are allocated from the NRC budget and the UNM cost-share commitment to develop and renovate laboratory facilities in support of [REDACTED] research. Significant travel money is also provided in the Program, since travel is critical to building new collaborations, and promoting and raising the visibility of a new program. Resources to support human capital are also provided in a balanced package of faculty summer salary and support for undergraduates on this project. At least one graduate student will be involved but funded from [REDACTED] start-up package. [REDACTED] has communicated his strong interest in having undergraduate student involvement in his research program. This Faculty Development Program will provide resources to do that at the outset of his career, which also supports a departmental goal of promoting the integration of research into the teaching mission.

1.B. Implementation Plan for Mentoring and Guidance

An important aspect of junior faculty development and success stems from timely and effective feedback and guidance through the probationary period that leads up to tenure, as well as adequate support resources to efficiently develop their research and teaching. UNM, the School of Engineering, and the Department have a variety of helpful resources available to support faculty in building and administering their research programs, and improving their teaching. Many of these resources are listed further below. However, there is nevertheless a need for more active intervention with junior faculty in a way that is better coupled to the formal mechanisms of performance feedback and evaluation. What we propose to implement as part of this Faculty Development Program is intended to do this, and should also lead to more effective use of the resources that exist at UNM. A Faculty Development Committee comprising the P.I. of this Program, a second senior nuclear engineering faculty member, and the Department Chair will be set up and given the responsibility of providing necessary mentoring and advice to the junior

faculty member on all aspects of his professional development. This would be expected to include helping to facilitate research connections or collaborations, internal review of proposals, etc., functions that often fall through the cracks in our normal processes. This committee will meet with the junior faculty member twice a year. These meetings and activities will not have any formal institutional evaluation role. The committee will effectively be an advocate for the faculty member, while also having responsibilities associated with the Evaluation Plan of the Faculty Development Program. The junior faculty will be expected to provide updates on activities and achievements, and the Committee will work with the junior faculty member to document and track data that are relevant to the outcomes of the Faculty Development Program.

Current resources available at the University of New Mexico to help facilitate the success of new faculty include the following:

University Level Resources:

New Faculty Orientation: Annual full-day orientation is offered each fall in which new faculty are introduced to the University's senior leadership and learn about UNM academic policies and procedures.

Office of Support for Effective Teaching (OSET): OSET serves as a general resource center for all UNM instructors in support of the university teaching mission. Programs currently sponsored by OSET include New Faculty Orientation, Success in the Classroom Conference, and workshops and brown-bag series on a range teaching topics. It is also the home for FacNet: The UNM Faculty Network for Exchange of Teaching and Learning Expertise, which matches faculty questions on teaching or student learning to faculty expertise and experience. The department encourages all new faculty to take advantage of the services offered by this office.

The Mentoring Institute: The Mentoring Institute develops, coordinates, and integrates research and training activities in mentoring best practices at The University of New Mexico. Faculty Research Support Services (FRSS): FRSS is a unit of the Office of the Vice President for Research (OVPR) that supports the research needs of University of New Mexico faculty by identifying resources and potential funding sources; aiding in the development, preparation, and review of proposals; providing guidance and assistance in navigating the UNM proposal process; and planning, coordinating, and supporting large and complex proposal efforts. The OVPR office holds various workshops and training for faculty, including training for new investigators in grant management, and regular brown bag discussions on issues related to the responsible and ethical conduct of research.

School of Engineering Resources:

Junior Faculty Lunches: The School of Engineering sponsors regular new faculty lunches with guest speakers for all junior tenure track faculty in the School which allow the junior faculty to network and discuss research and teaching issues. The guest speakers are from the university research office, the provost, the university president, or other administrators which are indispensable for junior faculty learning to work in a university. These lunches also provide opportunities other potential collaborators from around campus.

Departmental Resources: Technical and regulatory support with hot cell facility in the Nuclear Engineering lab that formerly housed a 20,000 curie Co-60 source but is now not in use. Radioactive sample handling for the proposed facility will be done according to university rules overseen by New Mexico Environmental Department.

Faculty Mentoring: One senior faculty is normally assigned to each new tenure-track faculty for informal mentoring on all aspects of faculty development, including teaching, research, service and departmental citizenship. The Department Chair has bi-monthly lunch meetings with the junior faculty to have more open discussions in an informal setting.

2. Selection process

The junior faculty member that is central to the proposed UNM Junior Faculty Development Program, [REDACTED], was selected through a competitive search process conducted during the 2015-2016 academic year. This process followed standardized and well-documented UNM procedures for faculty searches. This was a nationally-advertised tenure-track opening that targeted applicants with demonstrated experimental and/or computational background in general areas of nuclear technology but with a strong preference for nuclear fuels and materials, and nuclear security and nonproliferation. There was also a clearly stated expectation the successful candidate will be expected to develop and sustain a vigorous research program and achieve excellence in teaching nuclear engineering courses at both the undergraduate and graduate levels. [REDACTED] was one of five finalists interviewed, and his fit to the future strategic needs of the program as embodied in these criteria played a key role in his selection. [REDACTED] is an outstanding match to the strategic area of interest identified by the nuclear engineering program, and also fits the program educational needs extremely well.

3. Management structure and the capability for administering the program.

The Chair of the Department of Nuclear Engineering is [REDACTED], who as P.I. will serve as the Project Manager for this Faculty Development Program, but the Co-Pi and the beneficiary of the Faculty Development grant, [REDACTED], will also be actively involved with management and implementation of the program. The Project Manager will work with the Department Administrator and the Department Accountant to ensure that proper fiscal accountability is observed, with monthly monitoring and financial reporting of fund expenditures, and budget and planning meetings with the junior faculty member. Post-award administrative support is provided by the Contract and Grant Accounting Office, a unit of the Office of the Vice President for Research, which works with principal investigators and department/unit administrators on the fiscal management of each contract and grant.

4. Evaluation plan

The ultimate measure of the effectiveness of this Grant will be the success of the participating young faculty in establishing themselves as outstanding nationally and internationally recognized educators and researchers, leading to tenure and promotion followed by a long productive career. Of course, this will not be fully demonstrated during the three-year course of this grant. However, the mid-probationary (3-yr) evaluation of Professor Anderoglu will fall during the final year of this program, providing an excellent opportunity to assess the impact of the program. The basic metrics that contribute to success of junior faculty are widely shared among research intensive institutions like UNM, and should be part of any evaluation plan. These metrics, and the potential role and impact of the UNM Faculty Development Program, include:

Success of participating faculty in obtaining independent new funding from a variety of sources: The role of the Faculty Development Program in providing the facilities and/or preliminary data generated by the students supported by the Program will be tracked and reported as direct evidence of effectiveness.

Faculty research program productivity and visibility: This will be reflected in the publications, presentations, speaking invitations, and citations of work of the faculty members and their research group. Here also, the Program impact can be demonstrated by tracking the facilities used and the support of contributing individuals.


Effective teaching, and integration of research and teaching: Effective classroom teaching is an expectation of all faculty, and is monitored primarily through standardized surveys. The classroom experience can be enriched by bringing in relevant examples of research, and the

undergraduate educational experience is enriched by involvement in research. This grant is especially designed to provide support to engage undergraduate students in the research enterprise. The work product of undergraduate students in their laboratories will be tracked, as will the research integration into the classroom.

Student success in industry, laboratories, academia and governmental agencies is another measure of faculty success. The next steps of undergraduate and graduate students who participate in the research programs of participating faculty will be documented as evidence of the impact of the Program support. Faculty performance metrics and trajectories are normally monitored and evaluated at annual reviews, and, for junior faculty, the mid-probationary evaluation in year three and the tenure and promotion evaluation in year six. The formal annual reviews of all department faculty members are conducted by the Department Chair. Written and oral feedback is provided based on documentation from the faculty on their teaching, research, and service activities and achievements for the previous year. For junior faculty, these reviews are done in consultation with the assigned mentor. These are constructive reviews, meant to give useful feedback on their performance relative to expected trajectory toward tenure and promotion. The mid-probationary review is a mandatory university process that involves a comprehensive evaluation of the faculty member's teaching, research and service portfolio. A positive recommendation from the Provost is necessary for reappointment to a second three-year term, culminating in the tenure evaluation in year six. These same stages will, of course, be exploited to assist with the evaluation of the impact and success of this program. However, there will be a parallel evaluation process specifically associated with the program, the responsibility for which will fall on the Faculty Development Committee described earlier. That committee will meet twice a year with the junior faculty member, to provide professional guidance and advice, and to document the achievements and outcomes directly and indirectly attributable to this program.

5. Additional support

UNM will provide additional cost share funds in the amount of \$150,006 for the period of the grant if it is funded at the proposed level. Per the terms in the NRC announcement of this program, these funds will be provided to match additional funding from NRC beyond the \$100,000/yr base level. The UNM cost-share amount will be provided by the Department of Nuclear Engineering (see letter of commitment from the Chair).



ATTACHMENT C – STANDARD TERMS AND CONDITIONS**The Nuclear Regulatory Commission's
Standard Terms and Conditions for U.S. Nongovernmental Recipients****Preface**

This award is based on the application submitted to, and as approved by, the Nuclear Regulatory Commission (NRC) under the authorization [42 U.S.C. § 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 grant or cooperative agreement. The following also apply:

- 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 Part 200 Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards](#).

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 (E.O.), Office of Management and Budget (OMB) Circulars, the NRC's 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 200

All provisions of 2 CFR Part 200 and all Standard Provisions attached to this grant/cooperative agreement are applicable to the Recipient and to sub-recipients which meet the definition of "Recipient" in 2 Part [§200.86](#), unless a section specifically excludes a sub-recipient from coverage. The Recipient and any sub-recipients must, in addition to the assurances made as part of the application, comply and require each of its sub-awardees employed in the completion of the project to comply with [Subpart D](#) of [2 CFR Part 200](#) and include this term in lower-tier (sub-award) covered transactions.

Recipients must comply with monitoring procedures and audit requirements in accordance with [2 CFR Part 200, Subpart F—AUDIT REQUIREMENTS](#).

2. Award Package

The Recipient is obligated to conduct project oversight as may be appropriate, to manage the funds with prudence, and to comply with the provisions outlined in [2 CFR Part 200](#). Within this framework, the Principal Investigator (PI) named on the award face page, 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, and is subject to a refund of unexpended grant funds to the NRC.

The non-Federal entity alone must be responsible, in accordance with good administrative practice and sound business judgment, for the settlement of all contractual and administrative issues arising out of procurements related to its grant award. These issues include, but are not limited to, source evaluation, protests, disputes, and claims. These standards do not relieve the non-Federal entity of any financial or fiduciary responsibilities or obligations arising under its grant, including sub-contracts and sub-awards, or any other contractual or financial obligation. The Federal awarding agency will not substitute its judgment for that of the non-Federal entity unless the matter is primarily a Federal concern. Violations of law will be referred to the local, State, or Federal authority having proper jurisdiction. See [2 CFR § 200.318\(k\)](#), General Procurement Standards.

Subawards

[Appendix II to Part 200](#) Contract Provisions for Non-Federal Entity Contracts Under Federal Awards

Sub-recipients, sub-awardees, and contractors have no relationship with NRC under the terms of this grant/cooperative agreement. All required NRC approvals must be directed through the Recipient to NRC. See [2 CFR § 200.318](#).

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.

The Recipient agrees to comply with the non-discrimination requirements below:

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. §§ 2000d et seq.), which prohibits discrimination on the grounds of race, color, or national origin in any program or activity receiving federal financial assistance.
- Title IX of the Education Amendments of 1972 (20 U.S.C. §§ 1681 et seq.), which prohibits discrimination on the basis of sex in any education program or activity receiving federal financial assistance.
- Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794), which prohibits discrimination on the basis of disability in any program or activity receiving federal financial assistance.
- The Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 6101 et seq.), which prohibits discrimination on the basis of age in any program receiving federal financial assistance.
- The Americans with Disabilities Act of 1990 (42 U.S.C. §§ 12101 et seq.), which prohibits recipients from discriminating on the basis of disability in employment (Title I); State and local government services (Title II); and places of public accommodation and commercial facilities (Title III).
- Parts II and III of E.O. 11246, as amended by E.O. 11375, 11478, 12086, 12107, 13279, 13665, and 13672, which prohibits federal contractors and federally assisted construction contractors and subcontractors, who do over \$10,000 in Government business in one year, from discriminating in employment decisions on the basis of race, color, religion, sex, or national origin and requires that government contractors take

affirmative action to ensure that equal opportunity is provided in all aspects of their employment.

- E.O.13166, "Improving Access to Services for Persons with Limited English Proficiency," which clarifies that national origin discrimination under Title VI includes discrimination on the basis of limited English proficiency (LEP) and requires that the recipient take reasonable steps to ensure that LEP persons have meaningful access to programs and activities.
- Any other applicable non-discrimination law(s).

Generally, Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e et seq, provides that it shall be an unlawful employment practice for an employer to discharge any individual or otherwise to discriminate against an individual with respect to compensation, terms, conditions, or privileges of employment because of such individual's race, color, religion, sex, or national origin. However, Title VII, 42 U.S.C. § 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.

Applicants must ensure that individuals selected as beneficiaries of support under this grant meet the legal requirements consistent with Supreme Court Decisions including *Fisher*, *Gratz*, and *Grutter*.

Based on the pre-award compliance review conducted by NRC's Small Business and Civil Rights Office (SBCR), your institution is placed in a periodic status pending resolution of issues/concerns discussed with your Authorized Representative during the review. Within 60 days of the effective award date, SBCR will conduct a periodic review to ensure compliance with applicable Civil Rights statutes. SBCR will notify, within the 60 days, the institution's Authorized Representative as to the results of the review and requirements, if any, for compliance. The institution's cooperation with SBCR is essential. The continued eligibility for Federal financial assistance is conditioned upon compliance with anti-discrimination regulations.

Modifications/Prior Approval

NRC's prior written approval may be required before a Recipient makes certain budget modifications or undertakes particular activities. If NRC approval is required for changes in the grant or cooperative agreement, it must be requested and obtained from the NRC Grants Officer in advance of the change or obligation of funds. All requests for NRC prior approval, including requests for extensions to the period of performance, must be made, in writing (which includes submission by e-mail), to the designated Grants Officer at least 30 days before the proposed change. The request must be signed by 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 Recipient will comply, as applicable, with provisions of the Hatch Act (5 U.S.C. §§ 1501-1508 and 7324-7328) which limits the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

The Recipient will comply with provisions of 31 U.S.C § 1352. This provision generally prohibits the use of Federal funds for lobbying in the Executive or Legislative Branches of the Federal

Government in connection with the award, and requires disclosure of the use of non-Federal funds for lobbying.

The Recipient shall submit, at the time of application, a completed "Certification Regarding Lobbying" form, regardless of dollar value.

If applicable, the Recipient receiving in excess of \$100,000.00 in Federal funding shall submit a completed Standard Form (SF-LLL), "Disclosure of Lobbying Activities" for any persons engaged in lobbying activities, as discussed at 31 U.S. Code § 1352 – Limitation on use of appropriated funds to influence certain Federal contracting and financial transactions. The form concerns 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. If the Recipient must submit the SF-LLL, including those received from sub-recipients, contractors, and subcontractors, to the Grants Officer.

Debarment And Suspension – (See [2 CFR Part 180](#); [2 CFR § 200.205](#); [2 CFR § 200.113](#); and [2 CFR Part 200, Appendix II.](#))

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

- (1) Are presently excluded or disqualified from covered transactions by any Federal department or agency;
- (2) Have been convicted, within the preceding three-year period preceding this proposal, 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 the recipient's 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); or
- (4) Have had one or more public transactions (Federal, State, or local) terminated for cause or default within the preceding three years.
- (5) The Recipient agrees that, unless authorized by the Grants Officer, it will not knowingly enter into any subaward or contracts under this grant/cooperative agreement with a person or entity that is not included on the System for Award Management (SAM) (<https://www.sam.gov>).

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

Debarment, Suspension, Ineligibility, and Voluntary Exclusion

The Recipient certifies that neither it nor its principals is presently excluded or disqualified from participation in this transaction by any Federal department or agency. The policies and procedures applicable to debarment, suspension, and ineligibility under NRC-financed transactions are set forth [2 CFR Part 180](#) and [2 CFR Part 200](#).

Drug-Free Workplace

The Recipient must be in compliance with The Federal Drug Free Workplace Act of 1988. The policies and procedures applicable to violations of these requirements are set forth in [41 U.S.C. §§ 8101-8106](#).

Implementation of E.O.13224 – Executive Order on Terrorist Financing

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

The Recipient must comply with E.O. 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:

[Implementation of Executive Order 13224 Blocking Property and Prohibiting Transactions With Persons Who Commit, Threaten To Commit, or Support Terrorism amended by E.O. 13268, 13284, and 13372.](#)

Procurement Standards - [2 CFR §§ 200.318-200.326](#)

Sections 200.318 - 200.326 set forth standards for use by Recipients in establishing procedures for the procurement of supplies and other expendable property, equipment, real property and other services with Federal funds. These standards are furnished to ensure that such materials and services are obtained in an effective manner and in compliance with the provisions of applicable Federal statutes and executive orders. No additional procurement standards or requirements will be imposed by the Federal awarding agencies upon Recipients, unless specifically required by Federal statute, executive order, or approved by OMB.

Travel and Transportation

Travel must be in accordance with the Recipient's Travel Regulations or the U.S. Government Travel Policy and Regulations at: <http://www.gsa.gov/portal/category/21222> and the per diem rates set forth at: <http://www.gsa.gov/portal/content/104877>, absent Recipient's travel regulations. Travel and transportation costs for the grant must be consistent with provisions as established in [2 CFR § 200.473-474](#).

All other travel, domestic or international, must not increase the total estimated award amount for the grant.

The Recipient will comply with the provisions of the Fly America Act (49 U.S.C 40118), as implemented at 41 CFR §§ 301-10.131 through 301-10.143.

Federal funds may not be used to travel to countries identified as "Foreign Policy Restricted Countries", as identified by the U.S. Department of State or the U.S. Agency for International Development.

Property Standards

Property standards of this award shall follow provisions as established [2 CFR §§ 200.310-200.316](#).

Intangible Property

Intangible and intellectual property of this award shall generally follow provisions established in [2 CFR § 200.315](#).

Inventions Report - The Bayh-Dole Act (P.L. 96-517) affords Recipients 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 Recipient agrees to comply with applicable NRC policies, the Bayh-Dole Act, and its Government-wide implementing regulations found at Title 37, Code of Federal Regulations (CFR) Part 401. A significant part of the regulations require that the Recipient report all subject inventions to the awarding agency (NRC) as well as include an acknowledgement of federal support in any patents.

Patent Notification Procedures - If the NRC or its Recipients, without making a patent search, knows (or has demonstrable reasonable grounds to know) that technology covered by a valid United States patent has been or will be used without a license from the owner, E.O. 12889 requires NRC to notify the owner. If the Recipient uses or has used patented technology under this award without license or permission from the owner, the Recipient must notify the Grants Officer. This notice does not imply 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, such as data, databases or software are determined by [Subpart D](#) of [2 CFR Part 200](#). The Recipient owns any work produced or purchased under a NRC federal financial assistance award subject to NRC's right to obtain, reproduce, publish or otherwise use the work or authorize others to receive, reproduce, publish or otherwise use the data for Government purposes.

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

Record Retention and Access

Recipient shall follow established provisions in [2 CFR §§ 200.333-337](#).

Conflict Of Interest

Conflict of Interest standards for this award will follow the Organizational Conflict of Interest (OCOI) requirements set forth in Section 170A of the Atomic Energy Act of 1954, as amended, and provisions set forth at [2 CFR § 200.112](#), Conflict of Interest.

Dispute Review Procedures

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

Remedies for Noncompliance

Termination of this award will follow provisions as established and described above in "Dispute Review Process" in [2 CFR §§ 200.338-342](#).

Performance and Financial Monitoring and Reporting - 2 CFR §§ 200.327-329

Recipient Financial Management systems must comply with the provisions in [2 CFR § 200.302](#).

- Payment – [2 CFR § 200.305](#)
- Cost Share or Matching – [2 CFR § 200.306](#)
 - Recipients are to be careful with providing excessive cost share or match since at the end of the grant, if the identified match has not been provided, then a portion of the federal share may be required to be returned to the Government.
- Program Income – [2 CFR § 200.307](#)
 - Earned program income, if any, will be added to funds committed to the project by the NRC and Recipient and used to further eligible project or program objectives or be deducted from the total project cost for the grant, as directed by the Grants Officer or indicated in the terms and conditions of the award.
- Revision of Budget and Program Plans – [2 CFR § 200.308](#)

- The Recipient is required to report deviations from the approved budget and program descriptions in accordance with – [2 CFR § 200.308\(b\)](#) and request prior written approval from the Project Officer and the Grants Officer.
 - The Recipient is not authorized to re-budget between direct costs and indirect costs without written prior approval of the Grants Officer.
 - The Recipient is authorized to transfer funds among direct cost categories up to a cumulative 10 percent of the total approved budget. The Recipient 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 §§ 200.403](#)
- See section [2 CFR §§ 200.330-332](#) for Subrecipient Monitoring and Management.

FEDERAL FINANCIAL REPORTS

Federal Financial Reports (SF-425) are semi-annually, for the periods ending March 31 and September 30. Reports are due within 30 calendar days following the end of the reporting period and must be emailed to the Project Officer at the email addressed indicated in the Notice of Award, and to the Grants Officer at: Grants_FFR.Resource@nrc.gov. (NOTE: There is an underscore between Grants and FFR in the email address.) The SF-425 form and instructions are available at the following URL: http://www.whitehouse.gov/omb/grants_forms/.

PERFORMANCE PROGRESS REPORTS

The performance (technical) reports indicated below are subject to [2 CFR §200.328](#).

Faculty Development

Performance reports must be submitted semi-annually, for the periods ending March 31 and September 30, or any portion thereof, regardless of the award date. Reports are due within 30 days following the end of each reporting period and must be emailed to the Project Officer at the email addressed indicated in the Notice of Award, and to the Grants Officer at: Grants_PPR.Resource@nrc.gov. (NOTE: There is an underscore between Grants and PPR in the email address.)

Final Reports - The Recipient is required to submit final reports, both Financial (SF-425) and Performance (SF-PPR, SF-PPR-B, SF-PPR-E) within 90 days of the grant expiration. In addition to these reports, a final SF-428, Tangible property report, is also required, if applicable. The final PPR (for Scholarship, Fellowship, and Trade School and Community College Scholarship awards) must include the names of all students with up to date contact information (mailing address, telephone/cell phone, email address). The reports must be emailed to the Project Officer at the email addressed indicated in the Notice of Award, and to the Grants Officer at: Grants_FFR.Resource@nrc.gov and Grants_PPR.Resource@nrc.gov. (NOTE: There is an underscore between Grants and FFR and Grants and PPR in the email addresses.)

For grant awards that are modified to add additional Program Descriptions, the recipient is required to address the applicable grant performance metrics associated with all

programs. Further, these metrics should be broken out by individual program (e.g. Program A and Program B). This can be done utilizing Block 10, Performance Narrative, of the SF-PPR form. If this block does not have sufficient space, additional pages will be accepted. Sf-PPR-B and SF-PPR-E should be used to address both programs as well.

Period of Performance – 2 CFR § 200.309

The recipient may charge to the Federal award only allowable costs incurred during the period of performance and any costs incurred before the NRC or pass-through entity made the Federal award that was authorized by the NRC or pass through entity.

Unless otherwise authorized in [2 CFR Part 200](#) or by special award condition, any extension of the award period can only be authorized by the Grants Officer in writing. Assurances of funding from other than the Grants Officer shall not constitute authority to obligate funds for programmatic activities beyond the expiration date.

The NRC Grant Officer may authorize a no cost extension of the period of performance. The recipient must submit a no cost extension request no less than 30 days prior to the award end date. Any request for a no cost extension after the grant has expired will not be approved. However, the NRC has no obligation to provide any additional prospective or incremental funding. Any modification of the award to increase funding and/or to extend the period of performance is at the sole discretion of the NRC.

Automated Standard Application For Payments (ASAP) Procedures

Unless otherwise stated, Recipient payments are made using the Department of Treasury's Automated Standard Application for Payment (ASAP) system, [ASAP.gov](#), through preauthorized electronic funds transfers. To receive payments, Recipients are required to enroll with the Department of Treasury, Financial Management Service, and Regional Financial Centers, which allows them to use the on-line method of withdrawing funds from their ASAP established accounts. The following information is required to make ASAP withdrawals: (1) ASAP account number – the award number found on the cover sheet of the award; (2) Agency Location Code (ALC) – 31000001; and Region Code. Recipients enrolled in the ASAP system do not need to submit a "Request for Advance or Reimbursement" (SF-270).

II. Audit Requirements**Audits**

Organization-wide or program-specific audits are performed in accordance with the Single Audit Act of 1996, as amended, and as implemented by [2 CFR Part 200, Subpart F—AUDIT REQUIREMENTS](#). Recipients are subject to the provisions of this subpart if they expend \$750,000 or more in a year in Federal awards. See [2 CFR 200.501](#).

The Form SF-SAC and the Single Audit Reporting packages for fiscal periods ending on or after January 1, 2008 are submitted online, as follows:

1. Create the recipient's 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; and
5. Click "Submit."

Organizations expending less than \$750,000 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

The recipient is responsible for providing documentation to the NRC that tracks each student's progress in achievement of the academic program for which federal funds were provided. This includes: (1) ensuring the service agreement is signed by the student prior to providing support; (2) providing the NRC with student contact information upon student entry into the program, upon completion or withdrawal from the program, and upon request by the NRC; and (3) monitoring the student's fulfillment of the service agreement for the duration of the award. The NRC shall be notified immediately if a student is not fulfilling the academic program or the service agreement.

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 OMB requirements indicated above (for metric reporting), the recipient shall address the following questions and submit responses with the required progress reports:

Faculty Development Metrics:

1. How many Faculty have been sponsored by NRC funding?
 - a. Response is the number of faculty sponsored, for this reporting period and cumulative to the grant.
2. How many items have the sponsored faculty produced, for example, Professional Journal articles, publications, patents, or conference reports?
 - a. Response is the type and number of items (not a bibliography), 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 may result in designation of the Recipient as high risk and the assignment of special award conditions. Further action may be required as specified in the standard term and condition entitled "Remedies for Noncompliance."

Failure to comply with the award provisions may result in a negative impact on future NRC funding. In addition, the Grants Officer may withhold payments; change the method of payment from advance to reimbursement; impose special award conditions; suspend or terminate the grant.

Other Federal Awards With Similar Programmatic Activities

The Recipient will immediately notify the Project Officer and the Grants Officer in writing if after award, other financial assistance is received to support or fund any portion of the program description stated in the NRC award. NRC will not pay for costs that are funded by other sources.

Prohibition Against Assignment By The Recipient

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

Site Visits

The NRC, through authorized representatives, has the right to make site visits to review project accomplishments and management control systems and to provide technical assistance as required. If any site visit is made by the NRC on the premises of the Recipient or contractor under an award, the Recipient shall provide and shall require his/her contractors to provide reasonable access to all facilities and provide necessary assistance for the safety and convenience of the Government representative in the performance of his/her official duties.

IV. Additional Requirements

Criminal and Prohibited Activities

The Program Fraud Civil Remedies Act ([31 U.S.C. §§ 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).

False statements ([18 U.S.C. § 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.

False Claims Act ([31 U.S.C. § 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.

Copeland "Anti-Kickback" Act ([18 U.S.C. § 874](#)), prohibits a person or organization engaged in a federally supported project from enticing an employee working on the project from giving up a part of his compensation under an employment contract.

American-Made Equipment and Products

Recipients are encouraged to purchase American-made equipment and products with funding provided under this award.

Increasing Seat Belt Use in the United States

E.O. 13043, amended by E.O. 13652, requires Recipients to 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

E.O. 13513 requires Recipients to 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 barred from accepting funds from a Recipient to pay transportation, travel, or other expenses for any Federal employee unless specifically approved in the terms of the award. Use of award funds (Federal or non-Federal) or the Recipient's provision of in-kind goods or services, for the purposes of transportation, travel, or any other expenses for any Federal employee may raise appropriation augmentation issues. In addition, NRC policy prohibits the acceptance of gifts, including travel payments for Federal employees, from Recipients or applicants regardless of the source.

Minority Serving Institutions (MSIs) Initiative

Pursuant to E.O.s 13230 and 13270, [amended by E.O. 13316](#) and [13385](#), 13532, 13592, 13555, 13515, and 13621, NRC is strongly committed to broadening the participation of MSIs in its financial assistance program. NRC's goals include achieving full participation of MSIs in order to advance the development of human potential, strengthen the Nation's capacity to provide high-quality education, and increase opportunities for MSIs to participate in and benefit from Federal financial assistance programs. NRC encourages all applicants and Recipients to include meaningful participations of MSIs. Institutions eligible to be considered MSIs are listed on the Department of Education website: <http://www.ed.gov/about/offices/list/ocr/edlite-minorityinst.html>

Research Misconduct

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

Publications, Videos, and Acknowledgment of Sponsorship

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

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

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

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 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 recipient or any subrecipient, 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.” (See 22 U.S.C. §7104(g).)

EXECUTIVE COMPENSATION REPORTING

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 \$25,000.00 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.fsrc.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.fsrc.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 \$25,000.00 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 \$300,000.00, 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 \$10,000.00.