

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-0036		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 TEXAS AT SAN ANTONIO ONE UTSA CIRCLE SAN ANTONIO TX 782491130				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)					
8. COMMERCIAL & GOVERNMENT ENTITY (CAGE) NO.				[REDACTED]					
10. RESEARCH, PROJECT OR PROGRAM TITLE Graduate Fellowship Program in Nuclear Safety: Critical Thinking, Research Skills and Professional Development									
11. PURPOSE See Schedule									
12. PERIOD OF PERFORMANCE (Approximately) 06/30/2017 through 06/29/2021									
13A.		AWARD HISTORY			13B.		FUNDING HISTORY		
PREVIOUS		\$0.00			PREVIOUS		\$0.00		
THIS ACTION		\$399,351.00			THIS ACTION		\$399,351.00		
CASH SHARE		\$0.00			TOTAL		\$399,351.00		
NON-CASH SHARE		\$0.00							
RECIPIENT SHARE		\$0.00							
TOTAL		\$399,351.00							
14. ACCOUNTING AND APPROPRIATION DATA 2017-X0200-IUPMRU-60-60D099-52-S-164-1148-4110									
PURCHASE REQUEST NO.		JOB ORDER NO.			AMOUNT		STATUS		
RES-17-0170									
15. POINTS OF CONTACT									
	NAME		MAIL STOP		TELEPHONE		E-MAIL ADDRESS		
TECHNICAL OFFICER	NANCY V. HEBRON-ISREAL		TWFN10B56		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:					18. APPLICABLE ENCLOSURE(S), IF CHECKED:				
<input type="checkbox"/> NO CHANGE IS MADE TO EXISTING PROVISIONS					<input type="checkbox"/> PROVISIONS <input type="checkbox"/> SPECIAL CONDITIONS				
<input type="checkbox"/> FDP TERMS AND CONDITIONS AND THE AGENCY-SPECIFIC REQUIREMENTS APPLY TO THIS GRANT					<input type="checkbox"/> REQUIRED PUBLICATIONS AND REPORTS				
UNITED STATES OF AMERICA					COOPERATIVE AGREEMENT RECIPIENT				
CONTRACTING/GRANT OFFICER			DATE		AUTHORIZED REPRESENTATIVE			DATE	
M'LITA R. CARR			06/29/2017						

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: 77.008</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 US TREASURY</p> <p>Period of Performance: 06/30/2017 to 06/29/2021</p>				

Attachment A - Schedule

A.1 PURPOSE OF GRANT

The purpose of this Grant is to provide support to the "Graduate Fellowship Program in Nuclear Safety: Critical Thinking, Research Skills and Professional Development" 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, 2021.
2. Funds obligated hereunder are available for program expenditures for the estimated period: June 30, 2017 – June 29, 2021.

A.3 GENERAL

- | | |
|--------------------------------|--|
| 1. Total Estimated NRC Amount: | \$399,351.00 |
| 2. Total Obligated Amount: | \$399,351.00 |
| 3. Cost-Sharing Amount: | \$000,000.00 |
| 4. Activity Title: | Graduate Fellowship Program in Nuclear Safety: Critical Thinking, Research Skills and Professional Development |
| 5. NRC Project Officer: | Nancy Hebron-Isreal |
| 6. DUNS No.: | 800189185 |

A.4 AMOUNT OF AWARD AND PAYMENT PROCEDURES

1. The total estimated amount of this Award is \$399,351.00 for the four year period.
2. NRC hereby obligates the amount of \$399,351.00 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](#).

ATTACHMENT B - PROJECT DESCRIPTION

A. OVERVIEW AND OBJECTIVES:

San Antonio is the seventh most populous city in the United States and the second in the state of Texas with more than 50% Hispanic population. The University of Texas at San Antonio (UTSA) serves a population of approximately 4.7 million in South-Central Texas, a region that extends from San Antonio to Corpus Christi in the South-East, Laredo to the South and San Angelo to the West. This area has traditionally fared poorly in graduate educational opportunities for its citizens. Lack of access, role models, information and resources are the most significant impediments for students from underrepresented groups to obtain graduate degrees (Harrell et al., 2003). UTSA is committed to transform the South-Central Texas region by providing value-based education. Through a comprehensive strategic planning process, the university has identified five multidisciplinary areas in which UTSA intends to excel in academics and research: health, security, *energy and environment*, human and social development, and *sustainability*.

In particular, the College of Engineering at UTSA seeks to contribute to solving the known global energy challenge, consisting on finding a clean and sustainable source of energy to replace petroleum. Nuclear energy is recognized as America's largest source of clean-air, carbon-free electricity, producing no greenhouses or air pollutants (NEI, 2016). Nonetheless, accidents (e.g. hydrogen explosions and fires), and leakage and contamination in the disposal of nuclear wastes can have catastrophic consequences to human health and the environment. In addition, unexpected natural events, such as floods and earthquakes, can result in radioactive contamination. Recently, the tsunami provoked by the 2011 Great East Japan Earthquake of magnitude 9.0 caused the release of reactor waste heat and decay heat to the sea. Moreover, nuclear facilities are vulnerable to terrorist attacks. As such, achieving optimum safety with the aim of protecting people and the environment has been a serious concern for the nuclear industry. Key aspects for guaranteeing nuclear safety include: 1) high quality design and construction, 2) comprehensive monitoring for detecting equipment failures and 3) probabilistic risk assessment strategies (World Nuclear Association, 2016). The Civil and Environmental Engineering Department (CEE) has initiated efforts to train UTSA students to develop skills needed to participate in the design and safety operation of nuclear power plants. The CEE Department offers two courses relevant to Steel and Concrete Design of Nuclear Plants in order to provide students an opportunity to develop the fundamental skills necessary to benefit the nuclear industry.

The CEE Department *long term goal* is to create a workforce pipeline for the nuclear industry. **The overall objective of this fellowship program is to broaden the participation of underrepresented graduate students in the areas of risk assessment and environmental protection pertinent to nuclear engineering by providing assistance, research opportunities and professional development.** The fellowship program is expected to have a *positive impact* in the CEE graduate program by: 1) encouraging the enrollment of CEE graduate students in nuclear related classes, 2) motivating students to perform research on nuclear safety issues and 3) inspiring students to pursue fulfilling and progressive careers in the nuclear industry, both as nuclear safety/structural engineers and environmental protection officers. The overall objective will be accomplished by meeting the following three tasks:

- 1. Create a Graduate Fellowship Program in Nuclear Safety.** This task addresses *the need to increase the number of underrepresented graduate students in science and engineering in order to ensure a diversified and adequately trained workforce.*
- 2. Create a Critical Thinking and Research Skills Workshop Series.** This task addresses *the need to develop the student fellows' ability to critically think in order to produce graduates that*

are equipped with the knowledge and skills to develop state-of-the art designs for nuclear facilities and components, innovative risk management tools and implement practical strategies for dealing with nuclear wastes.

3. **Provide students with hands on research and professional development.** This task addresses *the need to give the student fellows' tools and experiences that increase their marketability in the professional world.*

B. BACKGROUND: UTSA is becoming one of the largest, most diverse public universities in Texas. This success is enriched by UTSA embracing its role as a Hispanic and Minority-Serving Institution. UTSA's many programs provide access and opportunity for large numbers of historically underserved students, many of whom are the first in their families to attend a university. At present, 60% of the undergraduate student population at UTSA is underrepresented students, primarily Hispanics and African Americans (UTSA, 2015). However, only 20% of graduate students in the College of Engineering and 21% in the College of Sciences are underrepresented. In the CEE Master's Program, 27% of the students are from underrepresented groups while for the doctoral program 21.6% are from underrepresented groups. Therefore, there is a need to address this discrepancy and assist in the graduation of more underrepresented students with master and doctoral degrees in sciences and engineering.

Fellows selected will be either students in the CEE MS Program or Environmental Science and Engineering (ESE) PhD. The CEE MS program is administered by the College of Engineering under the CEE Department. The CEE Department has 18 faculty members. It is designed to provide specialized knowledge in selected technical areas of civil engineering: environmental, geotechnical, hydraulic, structural and transportation. This degree is tailored to provide exposure to research and could lead to towards doctoral study. It involves **courses work plus a thesis project**. The ESE PhD Program has three tracks: civil engineering, environmental science, and environmental engineering. Currently, 30 faculty members support this program. The general areas of research emphasis include water resources, environmental quality, environmental remediation, pollution control, conservation ecology, spatial analysis, remote sensing, geotechnical, hydraulic, structural and transportation engineering, and natural hazards. The program is administered by the CEE Department. The program maintains its multi-disciplinary nature by drawing resources from both the College of Science (COS) and the COE. The PhD program adequately meets 2 of the 5 key strategic initiative areas of UTSA's 2016 Strategic Plan; Energy and the Environment and Sustainability. In addition, the ESE PhD program serves the boarder foundation of the 2016 Strategic Plan by providing access and post-graduate educational opportunities in South Texas, which contribute to the broader UTSA Foundational Themes.

C. WORK PLAN:

This program is *significant* because it recognizes the need of training a diverse work force that will eventually contribute to improvements in nuclear safety practices, it enhances how we educate and engage underrepresented students in STEM fields; and will provide them the skills needed to succeed in the nuclear field.

C.1. Task 1: Create a Graduate Fellowship Program in Nuclear Safety

A fellowship program will be created to address the lack of underrepresented groups in nuclear engineering along with increasing access and success of underrepresented groups. The program will provide the master fellows a [REDACTED] scholarship/yr and the doctoral fellows a [REDACTED] scholarship/yr. At least 5 students will receive the scholarships each year and are eligible for one year renewal if in good standing. Student applicants must meet the following criteria to receive a fellowship: 1) Have at the time of application, and maintain a 3.3 GPA (on a 4.0 scale); 2) Must be US citizens or a noncitizen national of the US, or have been lawfully admitted to the US for permanent residence; 3) Maintain a full-time student course load; 4) Be matriculated in a graduate degree program in the CEE MS or ESE PhD; and 5) each student must accept the service agreement terms as defined in the Funding Opportunity Announcement. Table 1 shows the tuition and fees related to earning a MS or PhD from UTSA who are participating in the program. Therefore, for both the MS and PhD fellowship students the scholarships will pay all their tuition and fees.

Table 1: Tuition and Fee Costs

Semester Credit Hours	full-time
Tuition Per Semester	\$2,336
University Required fees	\$962
Semester Subtotal	\$3,298

To apply to the program each applicant will fill out an application that includes, but is not limited to, the following: name, contact information, MS or PhD, major, unofficial transcript (with GPA information), one faculty recommendation letter, and three essays written by the applicant addressing: how the scholarship will benefit his/her academic career, why the applicant should be considered for this program, and what is his/her 5 year plan including academic studies and professional career. After initial screening (to determine eligibility) of the applications, a Student Selection Committee (PIs and 3 additional faculty from the CEE MS and ESE PhD) will meet to review the applications and select the applicants who will participate in the program. An evaluation matrix will be used to rank and select the applicants; the criteria that will be used will be GPA, answers to essays, and the recommendation letter.

Each fellow in the Program will be guided by a graduate committee from UTSA in the departments of Civil and Environmental Engineering or Geological Sciences consisting of a chair which is their primary research professor and two to four additional faculty. Monitoring, counseling, guiding, and sustaining the Fellow’s commitment and progress toward completing their education will be accomplished by intense interactions between their committee chair, the entire committee, and the PIs. Each Fellow will meet biweekly with their primary research professor. They will meet each semester with the entire committee. These meetings will be documented and communicated to the PIs. As a group, fellows will meet with the PIs each semester to discuss issues related to a career path in nuclear sector and to monitor their progress to ensure completion of the program.

Fellows will engage in all typical activities of scholarship, including the acquisition and critical evaluation of scientific knowledge in their field and related disciplines, the design of research, data collection, analysis, and interpretation, and the generation of general conclusions as part of their coursework and hands-on research project. Dissemination of knowledge will occur first at research group level and CEE-ES meetings and then advance to national conference presentations and the production of a manuscript for publication in addition to their thesis.

Recruitment Plan: The program will focus recruitment efforts of underrepresented groups particularly Hispanic and women undergraduate and graduate students from UTSA and other Texas institutions. One of the main goals of the recruitment plan is to reach out to qualified underrepresented students that do not have opportunities to further their engineering education

due to financial constraints. The recruitment plan will specifically target the following constituencies: UTSA Civil Engineering undergraduate students, students from other Texas Universities without Master and Doctoral programs in Civil & Environmental Engineering, and students from other Texas Universities with Master and Doctoral programs in Civil & Environmental Engineering. Recruitment activities will include but not limited to conducting informational sessions for UTSA students. With the help of the COE and the Graduate School, we will participate in recruiting fairs at conferences and give out information. We will also send out promotional information to all Texas Universities without and with Master and Doctoral programs in Civil & Environmental Engineering and engage with local engineering student chapters, community colleges and other university campuses in the Central South Texas area by sending promotional materials and emails about our programs. When we meet with students we will have them fill out a questionnaire that asks: What is your expected graduation date? Are you interested in pursuing a MS or PhD degree? Demographic questions and would you like to be contacted regarding applying to graduate school at UTSA? From this information, we will contact the students and invite them to visit so they can meet different faculty and current graduate students if they like. This process will allow us to recruit the most mature and academically successful students.

C.2. Task 2: Create a Critical Thinking and Research Skills Workshop Series

Among the research challenges of the nuclear industry are the development of: a) of state-of-the-art designs for nuclear facilities and components, b) innovative risk management tools, including preparing response plans for extreme events, such as earthquakes, floods and terrorist attacks that mitigate the potential negative impact to human health and the environment and c) practical strategies for dealing with nuclear wastes. Graduate students can contribute meaningfully to these research efforts. However, a successful research work is dependent on faculty guidance. The faculty has the responsibility of developing the students' research skills and their ability to critically think. As such, the PIs will create a series of workshops on critical thinking and research skills along with using support services at UTSA to conduct these workshops. Fellow students will be required to attend these workshops.

Examples of workshops topics are conducting thorough literature reviews, thesis writing, authorship & responsible publication practices, the research process, presenting your research, collaborative science, etc. The workshops that will be taken will depend on where the fellows are in their program of study. The fellows will meet with the PIs each semester. During this meeting they will discuss which workshops they should be taking and when. The workshops tend to be 2-8 hours in length depending on the topic and can be one day or over several days. These workshops promote and achieve student retention by facilitating the production of a thesis, which is a key hurdle in degree completion, and increasing knowledge about the research process, especially for first generation students who are not typically exposed to research. For instance, the literature review workshop will help students: a) assess the current state of research in the nuclear field, b) identify experts in nuclear safety issues and c) determine methodologies used in similar past studies.

C.3. Task 3: Provide students with hands-on research and professional development

The objective of this task will be to provide hands-on experiences in research along with preparing the fellows for careers through professional development assistance. After their selection to the fellowship program, the students will be taken to the nearby Nuclear Science Center at Texas A&M in an effort to provide a platform for experiential learning. Upon their return and interaction with nuclear operators, students will brainstorm ideas for their research thesis proposal.

As part of a larger research group supervised by their chair, each fellow will assist with related projects conducted by other undergraduate and graduate students, which will extend their knowledge and skills beyond their own individual project. Additionally, fellows will give a mock conference presentation through the required seminar course. Written communications skills will be honed with the development of conference abstracts and journal publications.

Beyond degree completion, Career Services and the Graduate School assists students in resume development and building interviewing skills, giving graduating fellows an increased likelihood of securing a job in their field because of an increased level of professionalism. Each student will be required to create a resume/CV prior to graduation. These services complement continuous mentoring from their committee chair, committee, and the PIs.

D. EVALUATION AND ASSESSMENT PLAN

Performance outcomes and impacts will be measured after all workshops, seminars, and specific hands on learning activities completed by the fellows. Assessments will involve formal surveys and individual interviews completed by the PIs. Fellows will be tracked after graduation using annual updates. As part of the agreement to participant in the Program, fellows will be obligated to provide annual updates on their career advancement for 5 years after graduation. All activities of the proposed program will be evaluated. On-going quantitative and qualitative formative evaluations will be conducted throughout the period of the grant with a summative evaluation conducted at the end of the grant period.

Formative Evaluation: *Implementation Evaluation:* Implementation evaluation will be conducted yearly to assess if the program is being conducted as planned. The following questions will be used to assess the execution of the project: 1) Was a solid project management plan developed and followed? 2) Was the appropriate internal selection committee established and active? 3) Did the program provide mentoring opportunities to the participants? 4) Were appropriate recruitment strategies used? 5) Were appropriate resources given to all participants? 6) Were appropriate students selected? 7) Were valuable opportunities to conduct research provided to the students?

Progress Evaluation: Data on specific indicators of the success of the project will be collected and analyzed to assess if program is reaching its stated objectives. The following questions and metrics will be used to assess the effectiveness of the program in reaching its objectives. Data will be collected and

assessed on a semester basis. The PIs will use this data and assessment to create a feedback loop to the program activities yearly in the Spring semester. The purpose of this process is to encourage feedback, discussion, and modifications to project activities so that project objectives are met. This

Table 2. Evaluation Matrix

Evaluation Questions	Metrics
Are students retained in their academic programs at an increasing rate?	-Less than 5% of the participating students leave their program of study in engineering
Are GPAs of the fellows higher compared to the COE average?	-The GPAs of student participants are higher than average COE GPA by 0.25 -Improve student GPAs by 0.25 by graduation
Are students graduating in their majors at an increasing rate?	-Have MS students graduate within 2 years and PhD students within 3.5 years of entering program
Are students improving self-efficacy in engineering?	-Students report higher levels of self-efficacy in engineering/science each year
Are students improving and increasing their professional credentials (e.g. as stated on their resume)?	-All students belong to at least 1 professional organization by graduation -All students have an engineering job within 6 month after graduation, -Students have increased number of conference presentations and publications

evaluation will determine which activities are most effective and which activities need improvement. If improvements are needed, the PIs will make modifications to the project implementation based on input from the evaluation to ensure that the program objectives are met. Examples of modifications that could be made are the type of workshops offered, student recruitment into the program.

Summative Evaluation: Summative evaluation will be conducted in the last year of the funding to assess successful completion of the project. The summative evaluation will use the following questions to assess its success: 1) How well do the Program's activities broaden the participation of underrepresented groups? 2) Which components were most effective? 3) Which components need improvement? 4) What was job placement percentage in their fields or nuclear sector? The PI will use the answers to these questions and all data collected from the progress evaluation reports to determine the success of the program.

E. MANAGEMENT AND ADMINISTRATION

[REDACTED], will serve as the PI for the project. She will create the fellowship program; create and organize the critical thinking and research skills workshops; and supervise students with environmental interests. She currently manages a fellowship program for COE undergraduate students and has been managing the ESE PhD program for over three years.

[REDACTED] is an Assistant Professor in the CEE Department and will serve as Co-PI. He will be in charge of the hands-on research and professional development activities; and supervise students with structural interests. He won the 2015 Zarem Educator Award, given by the American Institute of Aeronautics and Astronautics, for the technical excellence shown in the research work of his graduate student.

CEE Staff, The administrative details and tracking of students will be handled by the administrative assistant for CEE MS and ESE PhD programs.

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](https://www.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*.

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](#).

Fellowship Programs

Performance Progress reports must be submitted annually, for the period ending 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:

Fellowship Metrics:

1. How many graduate 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 M.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 received Ph.D. or equivalent degrees?
 - a. Response is the number of students, for this reporting period and cumulative to the grant.
4. 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.
5. How many items have students 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.

As part of the PPR, include the following information for each student supported under this award:

1. Student Name
2. Years of Support
3. Cumulative Support in Dollars
4. Estimated Graduation Date
5. Status
6. Up to date student contact information (mailing address, telephone/cell phone, email address) for students no longer participating in the program, i.e. transferred programs, graduated, withdrew, etc.
7. Up to date student contact information, for all students at time of grant expiration, i.e. Final PPR.

Examples of status could be:

“Employed in Nuclear Industry”, if so, where;

“Looking for employment”, if so, how long;

“Deferred due to continuing education”, if so, what degree;

“Employed by Non-Nuclear”, if so, where; and

“Dropped out of program”

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.fsr.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 \$25,000.00 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.