

# 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-0027	2. SUPPLEMENT NUMBER	3. EFFECTIVE DATE 06/30/2017	4. COMPLETION DATE
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5. ISSUED TO NAME/ADDRESS OF RECIPIENT (No., Street, City/County, State, Zip) UNIVERSITY OF WISCONSIN SYSTEM Attn: MARK SWEET 21 N PARK ST STE 6401 MADISON WI 537151218	6. ISSUED BY    U.S. NRC - HQ <b>Mailing Address:</b> Acquisition Management Division Mail Stop: TWFN-8E06M Washington DC 20555-0001
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7. TAXPAYER IDENTIFICATION NO. (TIN)	9. PRINCIPAL INVESTIGATOR/ORGANIZATION'S PROJECT OR PROGRAM MGR. (Name & Phone) [REDACTED]
8. COMMERCIAL & GOVERNMENT ENTITY (CAGE) NO.	

10. RESEARCH, PROJECT OR PROGRAM TITLE  
University Of Wisconsin-Madison Graduate Fellowship Program In Nuclear Engineering

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	\$399,584.00	THIS ACTION	[REDACTED]
CASH SHARE	\$0.00	<b>TOTAL</b>	[REDACTED]
NON-CASH SHARE	\$0.00		
RECIPIENT SHARE	\$0.00		
<b>TOTAL</b>	<b>\$399,584.00</b>		

14. ACCOUNTING AND APPROPRIATION DATA  
2017-X0200-IUPMRU-60-60D099-52-S-164-1148-4110

PURCHASE REQUEST NO.	JOB ORDER NO.	AMOUNT	STATUS
RES-17-0166			

15. POINTS OF CONTACT

	NAME	MAIL STOP	TELEPHONE	E-MAIL ADDRESS
TECHNICAL OFFICER	[REDACTED]	TWFN/10B56	[REDACTED]	[REDACTED]
NEGOTIATOR	[REDACTED]			
ADMINISTRATOR	[REDACTED]		[REDACTED]	[REDACTED]
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
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<b>UNITED STATES OF AMERICA</b>	<b>COOPERATIVE AGREEMENT RECIPIENT</b>
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CONTRACTING/GRANT OFFICER M'LITA R. CARR	DATE 06/30/2017	AUTHORIZED REPRESENTATIVE	DATE
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# 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>				



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

VIA Electronic Mail  
[REDACTED]

[REDACTED]  
The Board of Regents of the  
University of Wisconsin System  
21 N Park Street  
Suite 6401  
Madison, WI 53715-1218

SUBJECT: GRANT NO: NRC-HQ-60-17-G-0027

Dear Dr. Henderson:

Pursuant to the authority contained in the Federal Grant and Cooperative Grantee Act of 1977 and the Atomic Energy Act of 1954, as amended, the Nuclear Regulatory Commission (NRC) hereby awards to the The Board of Regents of the University of Wisconsin System (hereinafter referred to as the "Recipient"), the sum of \$399,584.00 to provide support for "University Of Wisconsin-Madison Graduate Fellowship Program In Nuclear Engineering" entitled "Program Description."

This award is effective as of the date of this letter and shall apply to expenditures made by the Recipient furtherance of program objectives during the period beginning with the effective date of June 30, 2017 and ending June 29, 2021.

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

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

Please sign the enclosed grant to acknowledge your receipt of the award, and return as a pdf file to Mr. Geoffrey Coleman by email at [REDACTED]

Sincerely yours,

M'Lita Carr  
Grants Officer  
Research & Grants Team  
Acquisition Management Division

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

## Attachment A - Schedule

### A.1 PURPOSE OF GRANT

The purpose of this Grant is to provide support to the "University Of Wisconsin-Madison Graduate Fellowship Program In Nuclear Engineering" as described in Attachment B entitled "Program Description."

### A.2 PERIOD OF GRANT

1. The effective date of this Grant is 09/30/2015. The estimated completion date of this Grant is 09/29/2019.
2. Funds obligated hereunder are available for program expenditures for the estimated period: 09/30/2015 – 09/29/2019.

### A.3 GENERAL

- |                                |   |
|--------------------------------|---|
| 1. Total Estimated NRC Amount: | \$399,584.00  |
| 2. Total Obligated Amount:     | ██████████  |
| 3. Cost-Sharing Amount:        | \$000,000.00  |
| 4. Activity Title:             | University Of Wisconsin-Madison Graduate Fellowship<br>Program In Nuclear Engineering |
| 5. NRC Project Officer:        | Nancy Hebron-Isreal   |
| 6. DUNS No.:                   | 161202122   |

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

1. The total estimated amount of this Award is \$399,584.00 for the four year period.
2. NRC hereby obligates the amount of ██████████ for program expenditures during the period set forth above and in support of the Budget above. The Grantee will be given written notice by the Grants Officer when additional funds will be added. NRC is not obligated to reimburse the Grantee for the expenditure of amounts in excess of the total obligated amount.
3. Payment shall be made to the Grantee in accordance with procedures set forth in the Automated Standard Application For Payments (ASAP) Procedures set forth below.

### A.5 AVAILABILITY OF FUNDS

Funding for this award is available through the date specified in Section A.2.2.

Additional funding for subsequent periods is optional and contingent upon and subject to the availability of funds as well as satisfactory performance of the most recent performance period.

### A.6 BUDGET

Revisions to the budget shall be made in accordance with Revision of Grant Budget in accordance with [2 CFR 200](#).

**BUDGET INFORMATION - Non-Construction Programs**

**SECTION A BUDGET SUMMARY**

Grant Program Function or Activity (a)	Catalog of Federal Domestic Assistance Number (b)	Estimated Unobligated Funds		New or Revised Budget		
		Federal (c)	Non-Federal (d)	Federal (e)	Non-Federal (f)	Total (g)
1.				\$399,584		\$399,584
2.						
3.						
4.						
5. TOTALS		\$0.00	\$0.00	\$399,584	\$0	\$399,584

**SECTION B - BUDGET CATEGORIES**

6. OBJECT CLASS CATEGORIES	GRANT PROGRAM, FUNCTION OR ACTIVITY				Total (5)
	(1)	(2)	(3)	(4)	
a. Personnel	\$█	█	█	█	█
b. Fringe Benefits	█	█	█	█	█
c. Travel	\$2,800	\$2,800	\$2,800	\$2,800	\$11,200
d. Equipment	\$0	\$0	\$0	\$0	\$0
e. Supplies	\$0	\$0	\$0	\$0	\$0
f. Contractual	\$0	\$0	\$0	\$0	\$0
g. Construction	\$0	\$0	\$0	\$0	\$0
h. Other	\$28,427	\$28,427	\$28,427	\$28,427	\$113,709
i. Total Direct Charges *sum of 6a-6h)	\$78,040	\$103,027	\$105,181	\$107,399	\$393,648
j. Indirect Charges	█	█	█	█	█
k. Totals (sum of 6i and 6j)	\$79,524	\$104,511	\$106,665	\$108,883	\$399,584
7. PROGRAM INCOME					

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All travel must be in accordance with the The Board of Regents of the University of Wisconsin System Travel Regulations or the US Government Travel Policy absent Grantee's travel regulation.

## Attachment B – Program Description

### PROGRAM DESCRIPTION

The Nuclear Engineering and Engineering Physics (NEEP) Program in the Engineering Physics (EP) Department at the University of Wisconsin-Madison requests support for two fellowships for its Graduate Fellowship Program in Nuclear Engineering (NE), in support of outstanding doctoral students interested in nuclear power systems engineering, a career in the nuclear power industry, employment with institutions in the nuclear power industry, or employment in academia. Recipients will serve 6 months after graduation for each year of academic support. The proposed program has and will continue to recruit and enroll top-notch, diverse undergraduates from physics and engineering disciplines of interest to power engineering (e.g., Chemical Engineering, Civil Engineering, Electrical Engineering, Materials Science, Engineering Mechanics, Mechanical Engineering) and NE specifically. Doctoral fellowships will be awarded to qualifying candidates to obtain a Ph.D. degree in NEEP; i.e., two doctoral fellowships over four years.

The recruitment and selection process will use proven techniques from the NEEP program in the EP Department and the Graduate Engineering Research Scholars (GERS) program. Each selected student will become a NRC Fellow for up to four years and will be supplemented by funds from the NEEP department or the GERS program (assuming the student meets the GERS program's eligibility requirements) should the students require additional time for degree completion. Each student is expected to be a full-time student (12 credits/semester), maintain the requirements of the fellowship (3.3 GPA minimum), and make timely progress toward a degree. Each student will be assigned a faculty advisor upon entry into the program and will be expected to contribute to the faculty member's research program. The program will continue to recruit students from our minority-serving institutional partners and from majority institutions through the GERS program.

*Nuclear Engineering Program Capabilities and Commitments:* The NE Program is housed in the Department of Engineering Physics, which also administers the Engineering Mechanics Program. The Department continues to offer the full set of NE degrees and is committed to maintaining these for the long term. Specifically, the Department offers the B.S. in NE, which is fully accredited by the Accreditation Board for Engineering and Technology (ABET), and the M.S. and Ph.D. in Nuclear Engineering and Engineering Physics.

The Department is one of the oldest in the U.S.; it started as a masters program in 1956, a doctoral program in 1958, becoming a department in 1963. It has been consistently ranked over the last 50 years in the top 4 and in the last two decades in the top 2 or 3 NE programs. Notable characteristics of the program include:

- The Department is one of the major suppliers of nuclear engineers in the upper Midwest.
- The Department has a 1 MW TRIGA reactor in which first priority is given to education and teaching rather than research. The \$45 million renovation of the Mechanical Engineering building has improved the UW Nuclear Reactor labs and outreach facilities.
- The Department has 24 professors, 16 of which are in the NE area (See details in Table A).
- Five current or retired professors are members of the National Academy of Engineering, eight hold Wisconsin Chaired Professorships, and seven are former or current NSF Presidential Young Investigators or CAREER award winners or AFOSR young Investigators.

Five Emeritus Professors ( [REDACTED] ) remain active in the Department and professionally. Our College of Engineering (CoE) Dean recognizes the department's strong reputation and top ranking. Two new faculty hires for the NE program in the areas of nuclear materials and thermal hydraulics have been made and there are future plans to hire in the area of radiological engineering and special nuclear materials detection.

The campus reviews all departments at UW-Madison every 10 years. We were reviewed during Spring 2012; the review process included an internal committee, which engaged in extensive meetings with faculty and

students and compared the department with others in the CoE. A committee composed of faculty from our peer universities (UC Berkeley and Michigan, representing nuclear engineering, and the University of Washington, representing mechanics) was then formed and brought to Madison to review the results of the internal review committee. Both committees concluded we are the strongest department in the college.

The ABET accreditation board reviewed all engineering programs at Wisconsin for Engineering and Technology in the Fall of 2012 and has once again accredited all of the department's programs (NE, EMA and EP). The accreditation is part of the normal six-year review cycle.

The NE faculty has been quite successful in obtaining new research funding from the US Nuclear Regulatory Commission (NRC) and DOE Nuclear Engineering University Programs (NEUP). In addition, we have been awarded a number of DOE infrastructure grants; e.g., the DOE INIE grant in the past and current NEUP and DOE infrastructure grants. In total these grants have allowed the department to provide graduate research opportunities, increase the number of graduate students in the nuclear systems engineering area, and improve our experimental and computer research facilities. We have been quite successful in attracting top-notch students to our graduate programs, which in the last 7 years has increased from about 87 to 110 students in Fall 2014

The UW Nuclear Reactor run by the EP department continues to receive support from the highest levels on campus, i.e. Chancellor [REDACTED]. The campus submitted an application to the USNRC for renewal of the UW Nuclear Reactor operating license. The operating license was renewed in 2011 for 20 years and will expire in 2031.

### **Recruitment Activities and Marketing Strategies**

*Department Reputation and Web site:* The NE Program at the UW-Madison is one of the top nuclear programs in the country, ranked consistently as one of the top four departments over the past quarter century. The strong research programs in the department are tremendous recruitment vehicles that attract top-notch domestic and international graduate students. Advertisement of the NE program is conducted through the department website (<http://www.engr.wisc.edu/ep/need/>) and with recruitment materials sent to major universities and colleges. Our website highlights faculty research programs and academic degree program requirements and curricula. This website is easily accessible and navigable to students. Recruitment has been extended to a wider range of schools and additional engineering disciplines at colleges and like departments at peer institutions to attract students with an interest in NE, but having a non-nuclear background.

*Discover Wisconsin Weekend:* The EP department hosts a two-day recruiting weekend called Discover Wisconsin Weekend, where top applicants are invited to meet with faculty and obtain first-hand information on the program. During this event, 18 - 24 exceptional graduate applicants from around the U.S. are invited to the UW-campus to meet with NE faculty, tour our department facilities and discuss possible thesis topics. Fellowship candidates will be invited to participate in this event. Additional recruitment is done at the national and student ANS meetings, where our students and faculty promote our program's recognition through their research presentations.

*Partnerships with Minority Serving Institutions:* The department has a formal Articulation agreement with South Carolina State University (SCSU), a Historically Black College and University (HBCU). The department has recruited three graduate students from SCSU that have graduated with master's degrees. The CoE also has a strong connection to the University of Puerto Rico-Mayaguez (UPRM). This connection has historical roots facilitated by several alumni who received their Ph.D. from the CoE and are now faculty members at UPRM. In the last 14 years, the CoE has graduated 33 M.S. and 23 Ph.D. students who received their undergraduate degree from UPRM. The students were part of the COE's successful GERS program established to provide support and community for talented under-represented minority students (URMS) as they progress towards their M.S. and Ph.D. degrees. Approximately one-quarter to one-third of the students currently in the GERS program are from UPRM and we have support from UPRM for this fellowship initiative (see attached letter). The GERS program has three major recruitment activities. The first is the Opportunities in Engineering

Conference, which is a three-day event hosted mid-fall. This program is advertised nationally and mailings are sent to faculty at HBCUs, minority-serving institutions and the UPRM engineering faculty. The second activity is the Summer Undergraduate Research Experience program. This 10-week research program is for students who are interested in a research experience to explore their area of interest in engineering. Depending on the availability of funds, approximately, 18 to 24 participants are selected from a national pool of candidates for each program. The third activity is recruitment at national societal conferences and meetings, such as the National Society of Black Engineers and the Emerging Researchers National Conference in STEM (Science, Technology, Engineering and Mathematics).

### **Selection Process and Program Administration**

*Selection Process:* The student selection process for the fellowship program begins with our graduate student recruitment process and identification of top students that have been admitted to the NE program. The selection committee will identify students based on their area of interest in nuclear science and engineering, undergraduate academic performance (> 3.3 GPA), and interest in working for the nuclear industry. Interested candidates will be invited to the department's Discover Wisconsin Weekend to meet with faculty. Final selection of students will follow the recruitment weekend and will be based on research interest, acceptance of the NRC Fellowship Program requirements, and available research funds for completion of their Ph.D. work through the GERS program and/or NEEP academic advisors. This will allow access to additional graduate student research funding provided by GERS and at the UW-Madison. Financial need is not typically a primary consideration in the selection process for the fellowship program, since most graduate students require financial assistance.

The department has a committee for oversight of the NRC Fellowship Program, in cooperation with the GERS program in the CoE. One of the duties of the committee is selection of candidates for the program. The oversight committee is composed of the department chairperson, the director of the GERS program, and two additional NE program faculty. This committee uses criteria and policies for selection of students based on, and consistent with, the principles and procedures of UW Graduate School Fellowships (<http://www.grad.wisc.edu/admin/fellowships/>).

*Fellowship Management and Administrative Structure:* The Department of Engineering Physics will manage the NRC Fellowship Program. The department has experience managing large grants annually and this new program will not be a burden on the department administrative staff. The program will be administered by [REDACTED]. This oversight committee will monitor and discuss the academic progress of students with their individual academic advisors and the UW Graduate School, as appropriate. Each student must submit a plan of study within the first semester and will be assigned a faculty advisor upon acceptance into the program and department. The academic plan of study will be approved by the student's academic advisor, by this oversight committee and EP.

The UW-Madison NE program is one of the top programs in the country. It has vibrant ongoing research and attracts top national and international students. It is a strong national program and enjoys strong support from Campus and College administration. The NE program in the Department of Engineering Physics will continue to flourish for years to come. The NRC Fellowship program has played and continues to play an important role by providing support funds to top students for the nuclear workforce.

### **Evaluation of Program Effectiveness**

The NE program has a nearly 100% retention rate toward a degree for students entering its graduate program. Students are assigned a faculty advisor upon entry into the department and all thesis students are assigned a project within the first semester in their graduate studies. This gives the students a sense of direction and focus and they develop a sense of belonging. Receiving a prestigious NRC award will increase their confidence and assure their retention. The GERS program, a URMS recruitment and retention program in the CoE (<http://studentservices.engr.wisc.edu/diversity/gers/>), has been very successful in retaining URMS through their degree program. The GERS program currently serves all URMS as defined by the National Science Foundation (NSF) and the State of Wisconsin. The GERS program was put into place to increase the



minority graduate student population in the CoE and addresses the social issues that many minority students experience at a predominately white research institution. Since its inception in the fall of 1999, the GERS program has graduated 68 master's degree students and 58 doctoral students. This program has its roots in the Alliance for Graduate Education and the Professoriate, a Human Resource Division program at NSF. Minority students recruited and enrolling in this NRC Fellowship Program will find a strong welcoming community of students with a diversity of cultural and academic backgrounds.

The fellowship program will use formative evaluation to allow for changes and corrective action to the program. Assessment of the program will use both quantitative and qualitative measures. These measures will include a bi-annual review of student progress with the academic advisor and a final graduation exit interview (and survey) to gain information on necessary corrective actions for the program. It has been tradition in the NEEP program for the faculty advisor to meet with her/his graduate students every semester to review their academic course plan as well as to meet weekly about their research. The academic oversight committee will more formally work with the advisors for the NRC fellowship students for corrective action. In addition, we will use our department Industrial Liaison Committee (ILC) and its industrial members to review the progress and assess the program on an annual basis. Our ILC meets annually in the spring and this NRC fellowship activity will become part of its normal functions. The overall mark of success of the program is based on the number of students entering the program compared to those that complete the program and begin their careers in the NRC, other Federal agencies, Department of Energy laboratories, nuclear-related industry and academia.

## 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 following:

- Grant program legislation and program regulation cited in this Grant and Cooperative Agreement.
- 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.

**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 receiving in excess of \$100,000.00 in Federal funding shall submit a completed Standard Form (SF-LLL), "Disclosure of Lobbying Activities." 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. 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 been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, tax evasion, receiving stolen property, making false claims, or obstruction of justice; commission of any other offense indicating a lack of business integrity or business honesty that seriously and directly affects your present responsibility;
- (3) Are presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1)(b); 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: [www.gsa.gov/federaltravelregulation](http://www.gsa.gov/federaltravelregulation) and the per diem rates set forth at: [www.gsa.gov/perdiem](http://www.gsa.gov/perdiem), absent 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.

#### **Domestic Travel:**

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

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

#### **International Travel:**

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

The 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.

### **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.
- 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](mailto: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/](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](mailto: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](mailto:Grants_FFR.Resource@nrc.gov) and [Grants\\_PPR.Resource@nrc.gov](mailto: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.



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

### **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 your online report ID at: <http://harvester.census.gov/fac/collect/ddeindex.html>;
2. Complete the Form SF-SAC;
3. Upload the Single Audit;
4. Certify the Submission; 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**

### **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.

The performance (technical) reports will contain brief information as prescribed in the applicable uniform administrative requirements [2 CFR §200.328](#). In addition to the customary performance progress report requested on the SF-PPR, SF-PPR-B, and SF-PPR-E forms, OCHCO requires the following metrics to be reported on by the awardees as follows:

### **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, 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. Miscellaneous 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.fsrs.gov>.

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

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

*b. Reporting Total Compensation of Recipient Executives.*

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

i. the total Federal funding authorized to date under this award is \$25,000.00 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.