

Grant and Cooperative Agreement

CHOOSE ONE:
 COOPERATIVE AGREEMENT
 GRANT

CHOOSE ONE: EDUCATION FACILITIES RESEARCH SDCR TRAINING

1. GRANT/COOPERATIVE AGREEMENT NUMBER 31310018M0020	2. SUPPLEMENT NUMBER	3. EFFECTIVE DATE 07/01/2018	4. COMPLETION DATE
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5. ISSUED TO NAME/ADDRESS OF RECIPIENT (No., Street, City/County, State, Zip) GEORGIA TECH RESEARCH CORPORATION Attn: [REDACTED] GTRC 505 Tenth Street NW ATLANTA GA 303320415	6. ISSUED BY U.S. NRC - HQ Mailing Address: Acquisition Management Division Mail Stop: TWFN-07B20M 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
 The Nuclear and Radiological Engineering Fellowship Program at the Georgia Institute of Technology

11. PURPOSE
 See Schedule A.1

12. PERIOD OF PERFORMANCE (Approximately)
 07/01/2018 through 06/30/2022

13A.	AWARD HISTORY	13B.	FUNDING HISTORY
PREVIOUS	\$0.00	PREVIOUS	\$0.00
THIS ACTION	\$400,000.00	THIS ACTION	\$400,000.00
CASH SHARE	\$0.00	TOTAL	\$400,000.00
NON-CASH SHARE	\$0.00		
RECIPIENT SHARE	\$0.00		
TOTAL	\$400,000.00		

14. ACCOUNTING AND APPROPRIATION DATA
 2018-X0200-IUPMRU-60-60D099-60B991-1148-72-S-164-4110-72-S-164-1148

PURCHASE REQUEST NO.	JOB ORDER NO.	AMOUNT	STATUS
RES-18-0198			

15. POINTS OF CONTACT

	NAME	MAIL STOP	TELEPHONE	E-MAIL ADDRESS
TECHNICAL OFFICER	NHEBRONISREAL	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: <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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UNITED STATES OF AMERICA	COOPERATIVE AGREEMENT RECIPIENT
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CONTRACTING/GRANT OFFICER M'LITA R. CARR [REDACTED]	DATE 06/26/2018	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>Period of Performance: 07/01/2018 to 06/30/2022</p>				



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

July 1, 2018

[REDACTED]
Georgia Tech Research Corporation
505 Tenth Street NW
Atlanta, GA 30332-0420

VIA Electronic Mail
[REDACTED]

SUBJECT: GRANT NO: 31310018M0020

Dear [REDACTED]:

Pursuant to the authority contained in the Federal Grant and Cooperative Agreement Act of 1977, as amended, and the Atomic Energy Act of 1954, as amended, the Nuclear Regulatory Commission (NRC) hereby awards to Georgia Tech Research Corporation (hereinafter referred to as the "Grantee" or "Recipient"), the sum of \$400,000.00 to provide support for "The Nuclear and Radiological Engineering Fellowship Program at the Georgia Institute of Technology" entitled "Program Description."

This award is effective July 1, 2018 and shall apply to expenditures made by the Recipient furtherance of program objectives during the period beginning with the effective date of July 1, 2018 and ending June 30, 2022.

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 Supreme Court Decisions including *Fisher*, *Gratz*, and *Grutter*.

As a recipient of this award you are required to have an active account with FedConnect, please confirm your account status at www.FedConnect.com.

Sincerely yours,

M'Lita Carr
Assistance Agreement Officer
Operations Branch B
Acquisition Management Division

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

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

The purpose of this Grant is to provide support to the "The Nuclear and Radiological Engineering Fellowship Program at the Georgia Institute of Technology" as described in Attachment B entitled "Program Description."

A.2 PERIOD OF GRANT

1. The effective date of this Grant is July 1, 2018. The estimated completion date of this Grant is June 30, 2022.
2. Funds obligated hereunder are available for program expenditures for the estimated period: July 1, 2018 – June 30, 2022.

A.3 GENERAL

- | | |
|--------------------------------|--|
| 1. Total Estimated NRC Amount: | \$400,000.00 |
| 2. Total Obligated Amount: | \$400,000.00 |
| 3. Cost-Sharing Amount: | \$000,000.00 |
| 4. Activity Title: | The Nuclear and Radiological Engineering Fellowship Program at the Georgia Institute of Technology |
| 5. NRC Project Officer: | Nancy Hebron-Isreal |
| 6. DUNS No.: | XXXXXXXXXX |

A.4 AMOUNT OF AWARD AND PAYMENT PROCEDURES

1. The total estimated amount of this Award is \$400,000.00 for the four year period.
2. NRC hereby obligates the amount of \$400,000.00 for program expenditures during the period set forth above and in support of the Budget above. NRC is not obligated to reimburse the Grantee for the expenditure of amounts in excess of the total obligated amount.
3. Payment shall be made to the Recipient in accordance with procedures set forth in the Automated Standard Application for Payments (ASAP) Procedures set forth below.

A.5 BUDGET

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

ATTACHMENT B - PROJECT DESCRIPTION

Program Objectives

The Nuclear and Radiological Engineering (NRE) program in the Woodruff School at Georgia Tech is proposing to create a nuclear and radiological engineering fellowship program. The fellowship program will provide [REDACTED] for highly qualified graduate students. The proposed fellowships will cover up to the cost of tuition, mandatory student fees, and stipends. The fellowship program will focus on the recruiting and retention of top nuclear engineering students who come to Georgia Tech to obtain an MS or a Ph.D. degree in nuclear engineering.

Project Description

Introduction

The School of Nuclear Engineering was established in 1962 and celebrated its 50th anniversary in 2012. In 1984, the School of Nuclear Engineering merged with the George W. Woodruff School of Mechanical Engineering and is now the Nuclear & Radiological Engineering & Medical Physics program. For the Fall 2017 semester, Georgia Tech has 117 students enrolled in the undergraduate NRE curriculum and 74 graduate students enrolled in the NRE/MP program.

Georgia Tech is a well-recognized university with high *U.S. News and World Report* rankings. *U.S. News and World Report* currently lists Georgia Tech as the 4th ranked undergraduate engineering school with a doctorate program and the 7th ranked engineering graduate school. Graduate Nuclear engineering is currently ranked 9th in the United States by *U.S. News and World Report*.

The objective of this proposal is to create a fellowship program to attract and retain outstanding graduate students into the Nuclear and Radiological Engineering Program and train students for the need of the nuclear community including the Nuclear Regulatory Commission, national laboratories, and nuclear industry. We believe that the proposed fellowship program will significantly improve Georgia Tech's ability to attract and retain outstanding graduate students in addition to increasing graduate enrollment.

Fellowship Program

The proposed NRC fellowship program in nuclear engineering at Georgia Tech will consist of a total of [REDACTED]. The fellowships will cover tuition, mandatory student fees, book and supplies, and stipend. The tuition and mandatory fees rates

as determined by the Georgia Tech Bursars Office are listed in the Tuition and Fees section of the proposal. For non-resident students the NRE program will request out-of-state tuition waiver from the Georgia Tech Financial Aid Office for each selected candidate/fellow. These requests are considered each semester and will be awarded on a case by case basis. The renewal of the fellowship will be subject to a rigorous evaluation each term.

Recruitment Activities

The NRE program will use various methods to recruit a large and diverse group of outstanding students into the NRE graduate program and to advertise the fellowship program to potential applicants. Extensive information about the NRE graduate program and the fellowship opportunities are also provided on the program website. In addition, the following recruiting activities are organized each year:

1) National Level Recruiting

Fellowship candidates will be recruited at a national level. This will be done through advertising at national-level meetings including the American Nuclear Society Student Conference, American Nuclear Society Annual Meeting, and the American Nuclear Society Winter Meeting. Recruiting trips will be made to peer institutions across the United States. Annually, the Woodruff School makes on-site recruiting visits to more than 20 of the top-ranked engineering schools in the United States. Targeted advertising will also be conducted via email. Other advertising avenues include the program page, social media, and journals such as *ANS News*.

2) State Level Recruiting

Georgia Tech maintains ties to many universities and colleges in the State of Georgia. Formal ties with the nuclear program are established with Emory University. Local ties also exist with historically black colleges including Clark Atlanta University, Morehouse College, and Spelman College. These relationships will be leveraged for recruiting of top-ranked students from these universities and colleges. The Georgia Tech Student Chapter of the American Nuclear Society has its own outreach programs to both high-school, college, and university programs across the State of Georgia. These outreach programs serve to provide nuclear engineering education across the State and to recruit students to apply to our program.

3) NRE Recruiting Days

Each year the Woodruff school holds a number of graduate student recruiting days to invite top applicants to have a campus visit. All travel expense is paid by the program. During the recruiting events, the school graduate recruiting committee organizes a short presentation of the NRE program overview, facility and campus tours, meeting with NRE faculties and current graduate students, and a research fair/workshop. To recruit these top students, information regarding the NRC fellowships will be included in the packet. We also schedule individual campus visits as a needed basis for students who cannot attend these recruiting events.

4) Five-year BS/MS Program

One of the sources of fellowship applicants will be from NRE undergraduate students matriculating into the graduate program through the 5-year BS/MS program. Outstanding sophomores and early juniors in the Nuclear and Radiological Engineering and Mechanical Engineering Programs (with a minimum GPA of 3.5 or higher) are invited to apply to the five-year BS/MS Degree Program. Students can earn two degrees in a five-year period. Graduate course work begins in the senior year. Many of BS/MS students have GPA's in the range of 3.8 to 4.0.

5) Georgia Tech Recruiting

Outstanding Georgia Tech seniors from other majors including Physics, Material Science and Engineering, Mechanical Engineering, Biomedical Engineering, Chemical Engineering, Electrical and Computer Engineering, and Industrial Engineering are targeted for recruitment into nuclear engineering. Faculty provide lectures and information to multiple undergraduate courses across campus. These interactions serve to recruit both undergraduate and graduate students into the NRE program.

Selection Process

The NRE program will periodically work with the school graduate admission office to pull a list of eligible applicants from the graduate admission database. An announcement of the fellowship opportunities will be sent to these eligible applicants. Applicants will be required to provide the following information as part of their fellowship application:

- Application form
- An essay on their interest in nuclear engineering and thesis research
- Academic transcripts
- Academic and/or professional references
- Graduate Record Exam scores

In addition, all eligible applicants will be invited to attend one of the recruiting visits to be interviewed. A committee of NRE faculty will review the applications and provide a ranking of the applicants to the PI of the Georgia Tech fellowship program (the PI is also the Chair of the NRE/MP program). A review committee will use the following criteria in their selection process:

- Academic achievement
- Relevance of applicant's area of study and interest in research relevant to nuclear industry and NRC
- Graduate Record Exam scores
- Essay
- Academic and/or professional references
- Expressed interest in nuclear related employment
- Interviews

Efforts will be applied to increase the number of high-qualified applicants from underrepresented groups.

Evaluation Plan

The progress of the recipients of the Fellowships will be tracked and evaluated after each semester by the NRE program office using the following criteria: GPA requirement and progress toward the MS or PhD degree.

1. GPA Requirement

Applicants will be required to maintain a minimum GPA of 3.3. The fellowship will be terminated if the applicant's GPA falls below 3.3 at the conclusion of any term.

2. Progress toward the MS/PhD degree

As part of the program for each NRC fellowship recipient (described below), degree progress will be evaluated as part of mentor meeting with the PI. Insufficient progress will lead to corrective action or NRC fellowship termination.

3. Exit and Alumni Surveys

Although not a requirement for maintaining fellow status, the NRE program at Georgia Tech performs an annual exit survey which includes a separate form on employment information. This form will provide a tracking record of the fellow's employment.

The program will provide the following statistical information on the fellowship applicants as a whole: number of applications, gender (in percent), ethnicity (in percent), and average GPA and GRE scores. The NRE program will also keep the statistics for the overall program including total enrollment, the number of incoming graduate students, average GPA and GRE scores, and the percentage of minorities. These numbers will be updated on a yearly basis to evaluate the success of the fellowship program and will be included in the final report to NRC.

Fellowship Program Administration

The NRC fellowship program will be administered by the PI who is Chair of the NRE/MP program at Georgia Tech. Support will be provided by the offices of the Woodruff School Student Services and Finance. Based on research preference, each NRC fellowship recipient will be matched with a faculty advisor. It is the job of the PI and the advisor to support the student through the fellowship program:

Program elements include:

- 1) Mentor Meetings

NRC fellowship recipients will be required to meet with their faculty advisor multiple times a month with weekly frequency suggested. The NRC fellowship recipient will also meet with the PI a minimum of three times per year with a preference towards quarterly meetings. The main thrust of the meetings with the PI will be to help the students define their career goals (both short-term and long-term) and lay a path to achieving these goals. Course work, degree progress, outreach activities, and future employment will also be discussed.

2) Community Outreach

NRC fellowship recipients will also be highly encouraged to participate in local and State outreach activities. Such activities include giving lectures to high school students, maintaining information desks at large student events, and participating in engineering open house events.

3) End of Year Report

NRC fellowship recipients will be required to provide a report at the end of their fellowship year. They will document their course activities, nuclear related employment, and community outreach activities. The students will also discuss their career goals.

4) Industry, Government, and National Laboratory Engagement

NRC fellowship recipients will be provided opportunities to interact with nuclear industry, government, and national laboratory staff and scientists. Such activities will be on-campus, at conferences, at industry sites, at government agencies, and at national laboratories. The goal of these interactions will be to aid the students in formulating their career goals and to develop connections for employment opportunities within the nuclear industry. Georgia Tech has graduate student travel grants available to support such efforts. The NRE/MP program will provide travel funds for these efforts as needed.

Institutional Support

At the Georgia Institute of Technology, the administration is committed to continuously grow the NRE program. As mentioned earlier, the program will request out-of-state tuition waiver from the Georgia Tech Financial Aid Office for each selected non-Georgia resident. According to the tuition rate for the 2017-2018 academic year, the difference between in-state and out-of-state tuitions is \$22,170 each year. If all 8 selected fellows are non-residents, Georgia Tech will waive ██████████ for the out-of-state tuition.

Tuition and Fees Schedule

The following table summarizes the current yearly cost of Tuition, Mandatory Student Fees and Books. The detailed tuition costs per semester for the 2017-2018 academic year can be found on <http://www.bursar.gatech.edu/content/tuition-fees>

Category	Georgia Residents	Non-Georgia Residents
Tuition	\$20,682	\$42,852
Mandatory Student Fees	\$3,015	\$3,300
Books and Supplies	\$1,140	\$1,140
Total	\$24,837	\$47,292

In no case will a student receive a fellowship for any year that exceeds a value of \$50,000. If awarded, the NRE program will request out-of-state tuition waiver from the Georgia Tech Financial Aid Office for each selected candidate/fellow.

Summary of Relevant Current Funding Support

The NRE program received a \$400,000 award from the NRC fellowship program in the 2012-2013 and 2013-2014 academic years. 10 outstanding incoming graduate students were selected as NRE fellows. The Georgia Tech Financial Aid Office has granted out-of-state tuition waiver for all non-resident fellows.

Service Agreement

Service agreements must be signed by the student (including contact information) and by the NRC Program Manager, **prior** to the student receiving financial support. Georgia Tech shall facilitate the distribution of the service agreement to the students and will submit the signed copies to the NRC Program Manager.

NRC requires scholarship, fellowship, and trade school and community college scholarship grant students receiving funds under the NRC Scholarship, Fellowship, and Trade School and Community College Scholarship grant program serve six (6) months in nuclear-related employment for each full or partial year of academic support. A full year of academic support would include two full semesters and consecutive summer sessions (August to July). The employment may be with NRC, other Federal agencies, State agencies, Department of Energy laboratories, nuclear-related industry, or academia in the students sponsored fields of study. The service obligation begins after the student has completed their degree program.

Scholarship, Fellowship, and Trade School and Community College Scholarship students who fail to satisfy the service agreement requirements of the program must immediately request a waiver from the NRC or reimburse the United States Government for the entire amount of the assistance provided them under the programs plus interest (at a rate consistent with the U.S. Treasury Current Value of Funds Rate and 10 CFR Part 15, Debt Collection Procedures). (<http://www.nrc.gov/about-nrc/grants.html>) **Georgia Tech cannot impose additional requirements to scholarship, fellowship, and trade school and community college scholarship students beyond the NRC Service Agreement.**

If a waiver is submitted by a student, NRC may waive, in whole or in part, the service obligation, upon determining that compliance by the student is impractical. If the requested waiver is denied, a written request for payment may be issued to the student by the NRC under the provisions found in 10 CFR 15.21, which shall be due 30 days after the date of receipt of the letter. Any repayment of funds due to non-compliance with the service agreement terms is solely the responsibility of the student and not the university. The NRC's determination of a waiver request is final and not appealable.

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

Preface

This award is based on the application submitted to, and as approved by, the Nuclear Regulatory Commission (NRC) under the authorization [42 U.S.C. § 2051\(b\)](#), pursuant to section 31b and 141b of the Atomic Energy Act of 1954, as amended, and is subject to the terms and conditions incorporated either directly or by reference in the grant or cooperative agreement. The following also apply:

- Restrictions on the expenditure of Federal funds in appropriation acts, to the extent those restrictions are pertinent to the award.
- Code of Federal Regulations/Regulatory Requirements – [2 CFR Part 200](#) Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards.

Any inconsistency or conflict in terms and conditions specified in the award will be resolved according to the following order of precedence: public laws, regulations, applicable notices published in the Federal Register, Executive Orders (E.O.), Office of Management and Budget (OMB) Circulars, the NRC's Mandatory Standard Provisions, special award conditions, and standard award conditions.

Certifications and Representations: These terms incorporate the certifications and representations required by statute, executive order, or regulation that were submitted with the SF424B application through [GRANTS.GOV](#).

I. Mandatory General Requirements

The order of these requirements does not make one requirement more important than any other requirement.

1. Applicability of [2 CFR Part 200](#)

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

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

2. Award Package

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

scientific or technical direction of the project and for preparation of the project performance reports. This award is funded on a cost-reimbursement basis, not to exceed the amount awarded as indicated on the face page, and is subject to a refund of unexpended grant funds to the NRC.

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

Registration in FedConnect®

The Nuclear Regulatory Commission (NRC) uses Compusearch Software Systems' secure and auditable two-way web portal, FedConnect®, to communicate with vendors and contractors. FedConnect® provides bi-directional communication between the vendor/contractor and the NRC throughout pre-award, award, and post-award acquisition phases. Therefore, in order to do business with the NRC, vendors and contractors must register to use FedConnect® at <https://www.fedconnect.net/FedConnect>. The individual registering in FedConnect® must have authority to bind the vendor/contractor. There is no charge for using FedConnect®. Assistance with FedConnect® is provided by Compusearch Software Systems, not the NRC. FedConnect® contact and assistance information is provided on the FedConnect® web site at <https://www.fedconnect.net/FedConnect>.

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 extension, must be made, in writing (which includes submission by e-mail), to the designated Grants Officer at least 30 business 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.

No-Cost Extension Requests that are not received in a timely manner as described above may result in requests being disapproved by the NRC Program Managers and Grant Officer.

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 under the US Department of States, Directorate of Defense Trade Controls, Country Policies and Embargoes, http://www.pmdt.c.state.gov/embargoed_countries/index.html.

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, 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, or any portion thereof, regardless of the award date. Reports are due within 30 calendar days following the end of the reporting period and must be

submitted through [FedConnect](#). The SF-425 form and instructions are available at [Grant.gov](#).

PERFORMANCE PROGRESS REPORTS

The performance (technical) progress report indicated below is subject to [2 CFR §200.328](#).

Fellowship

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 submitted through [FedConnect](#). Click the link to find the required format and information when submitting the [NRC Performance Progress Report \(PPR\)](#).

Final Reports - The Recipient is required to submit final reports, both Financial (SF-425) and Performance 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 submitted through [FedConnect](#).

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. Any modification of the award to increase funding and/or to extend the period of performance is at the sole discretion of the NRC.

Incremental Funding (if applicable refer to Attachment A - AVAILABILITY OF FUNDS)

Additional funding for this award is contingent upon the availability of appropriated funds, satisfactory performance, and the recipient's capacity to manage the award and comply with award requirements. The Recipient agrees to perform work up to the amount obligated as specified in Attachment A of the grant award. NRC is not obligated to reimburse the Recipient for expenditures in excess of the total funds obligated by NRC. The Recipient is not authorized to continue performance beyond the amount obligated to this award. Any work performed by the grantee beyond the funding amount obligated in Section A will be at the grantee's risk.

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?

As part of the PPR, include the following information for each student supported under this award. The information must be provided in the format below:

Student Name	Estimated Graduation Date	Support in Years Required	Amount of Grant Funds Received Cumulative of award	Status	Comments/Place of work	Position Held at Employment	Is the position Nuclear Related?
	*month/day/year	*6 months for every full or Partial year		*Choose an option below	*If employed where does the student work?		
				Student	*If withdrawn - why and please include updated contact information below. And please indicate if funds were repaid		
				Employed - Not Nuclear			
				Employed - Nuclear			
				Withdrawn			
Update New Student Contact information (if changed)							
Address							
Phone							
Email							

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.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.