

# Grant and Cooperative Agreement

CHOOSE ONE:

 COOPERATIVE AGREEMENT

 GRANT

CHOOSE ONE:

 EDUCATION

 FACILITIES

 RESEARCH

 SDCR

 TRAINING

1. GRANT/COOPERATIVE AGREEMENT NUMBER 31310018M0023	2. SUPPLEMENT NUMBER	3. EFFECTIVE DATE 07/01/2018	4. COMPLETION DATE
5. ISSUED TO NAME/ADDRESS OF RECIPIENT (No., Street, City/County, State, Zip) OHIO STATE UNIVERSITY OFFICE OF SPONSORED PROGRAMS, THE Attn: [REDACTED] OFFICE OF SPONSORED PROGRAMS 1960 KENNY ROAD COLUMBUS OH 432101016		6. ISSUED BY U.S. NRC - HQ Mailing Address: Acquisition Management Division Mail Stop: TWFN-07B20M Washington DC 20555-0001	
7. TAXPAYER IDENTIFICATION NO. (TIN)		9. PRINCIPAL INVESTIGATOR/ORGANIZATION'S PROJECT OR PROGRAM MGR. (Name & Phone) [REDACTED]	
8. COMMERCIAL & GOVERNMENT ENTITY (CAGE) NO.		[REDACTED]	
10. RESEARCH, PROJECT OR PROGRAM TITLE Ohio State University Fellowship - FY 2018			
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	<b>TOTAL</b>	\$400,000.00
NON-CASH SHARE	\$0.00		
RECIPIENT SHARE	\$0.00		
<b>TOTAL</b>	\$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-18-0201			
15. POINTS OF CONTACT			
	NAME	MAIL STOP	TELEPHONE
TECHNICAL OFFICER	NANCY V. HEBRON-ISREAL	TWFN10B56	301-415-6996
NEGOTIATOR	M'LITA R. CARR		301-415-6869
ADMINISTRATOR			
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	
<b>UNITED STATES OF AMERICA</b>		<b>COOPERATIVE AGREEMENT RECIPIENT</b>	
CONTRACTING/GRANT OFFICER M'LITA R. CARR	DATE 06/30/2018	AUTHORIZED REPRESENTATIVE	DATE

# Grant and Cooperative Agreement

ITEM NO. (A)	ITEM OR SERVICE (Include Specifications and Special Instructions) (B)	QUANTITY (C)	UNIT (D)	ESTIMATED COST	
				UNIT PRICE (E)	AMOUNT (F)
	<p>CFDA Number: 77.008</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]  
The Ohio State University  
1960 Kenny Road  
Columbus, OH 43210-1016

VIA Electronic Mail  
[REDACTED]

SUBJECT: GRANT NO: 31310018M0023

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 The Ohio State University (hereinafter referred to as the "Grantee" or "Recipient"), the sum of \$400,000.00 to provide support for "Ohio State University Fellowship - FY 2018" 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](http://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 "Ohio State University Fellowship - FY 2018" 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:             | Ohio State University Fellowship - FY 2018   |
| 5. NRC Project Officer:        | Nancy Hebron-Isreal  |
| 6. DUNS No.:                   |  |

**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

**1. Proposed Program.** This proposal, in the amount of \$400,000, is for the support of 18 terms of fellowships for student enrolled in Nuclear Engineering graduate program (NEP) at The Ohio State University (OSU). It is anticipated that during the course of the program 6 students will benefit from this fellowship support. NEP faculty are committed to advise these students in a broad range of areas associated with Nuclear Reactor Safety, particularly in Probabilistic Risk Assessment, Instrumentation and Control, Nuclear Fuel and Materials, Radiation Detection, and Reactor Physics. The selection process is described in Section 3. A fellow will receive a monthly stipend (and benefits) that begin at [REDACTED] per month and increase annually with inflation. In Columbus, a student can live comfortably on this amount. In-state tuition and fees would be covered by the contract (currently \$17,516 per year). During a fellowship year, a student will typically spend half time on course work and half time on research leading to the master's thesis or doctoral dissertation up until student's qualifying examination. For a student continuing with the doctoral degree and who has passed the candidacy, all of the student's time is spent on doctoral research.

When a graduate student joins the program, he/she is assigned an academic advisor, who guides the student's research. Students may meet with their advisor every day but typically at least once per week. In addition, advisors typically hold group meetings once per week in which each student indicates progress with their research. Advisors receive an update each semester on the grades received by the student. All graduate students (prior to their candidacy exam) are required to participate in the weekly nuclear engineering seminar series in the autumn and spring semesters. All Ph.D. students are encouraged to present papers at conferences and publish in peer-review journals. NEP has recently implemented a new requirement that a Ph.D. student has to submit at least one manuscript as a first author prior to a defense exam. Most of the time advising faculty subsidizes a significant share of the conference and travel costs for a student that is presenting the paper. Students are encouraged to participate in an internship early in their graduate studies. The OSU faculty members have close relationships with organizations offering internship opportunities including Department of Energy Laboratories. The internships are typically coordinated with the research directions of the student. All fellowships are provided to students enrolled in the OSU's nuclear engineering graduate program.

***Nuclear Engineering at Ohio State University*** The Nuclear Engineering Graduate Program (NEP) at The Ohio State University (OSU) is an academically independent program within the Mechanical and Aerospace Engineering (MAE) Department. The main focus of the NEP at OSU

has historically been the education of students at the Master's and PhD levels. In 2001, the NE Program reorganized its courses to also offer an Undergraduate Minor Degree in Nuclear Engineering. This program has not only been effective in attracting students to the minor but also in providing a strong resource of domestic candidates for the graduate program.

Undergraduate Minor Program. The Undergraduate Minor in Nuclear Engineering requires that a student take a minimum of four nuclear engineering courses as electives. In combination with a major in another nuclear engineering discipline, the minor provides an excellent background for students entering the nuclear workforce at the completion of their undergraduate degree. It also provides a source of future graduate students.

BS/MS Program. The combined BS/MS Degree program in Nuclear Engineering is an opportunity available for qualified undergraduates in Engineering or Engineering Physics. Excellent students are able to initiate the MS program during the senior year with the ability to double count up to 12 credit hours toward both their undergraduate and graduate degrees. These students have the possibility of completing their M.S. within two semesters following completion of the Bachelor's degree requirements. Graduate Research Associate (GRA) appointments are available following admission to the BS/MS Program by the Graduate School. In order to be admitted to the BS/MS Program a student must have a 3.5 grade point average (GPA). Thus, the students that enter the BS/MS program are often candidates for NRC-funded fellowships. Historically, our best domestic students have participated in the Undergraduate Minor Program and enter the NEP through the BS/MS program.

Graduate Program The size of the OSU NEP has changed dramatically over the last fifteen years. In 1999 there were less than 19 students in the program. NEP enrollment peaked at 40 graduate students in 2016. Two thirds of these students are on a PhD track. In Fall 2017, the enrollment is at 23 students and is due to retirement of one professor and departure of two faculty members to other universities. Despite its relatively small size, the OSU nuclear engineering program was ranked 12<sup>th</sup> by U.S. News and World Reports in 2017.

Faculty We currently have six full time regular faculty and support from a number of other retired faculty and lecturers. Despite the relatively small faculty size, the NEP has been experiencing a healthy growth in research. Research expenditures in the NEP have grown from \$0.75 million in Calendar Year (CY) 2002 to about \$3.8 million in FY 2017. The program is currently seeking a seventh regular faculty member.

Educational and Research Facilities OSU operates an 0.5 MW research reactor that supports research and education as a regional resource. In 2012 a new undergraduate reactor laboratory course was added to our curriculum with the financial support of the NRC.

**2. Recruitment.** Over the past decade, the State of Ohio has taken major strides to make OSU the flagship university in the state system. The central 50% of the class of Freshman Engineers in 2011 had ACT scores in the range 26-30 in comparison to a national average of 21 and SAT scores (critical reading and math) in the range of 1170-1320 in comparison with the national average of 1017. 30% were in the top 10% of their high school class. Over 90% were in the top 25% of their graduating class. There are approximately 5,000 undergraduate engineers at Ohio State University.

University Recruitment Activities. The College of Engineering has an extensive recruitment program to attract high quality undergraduate candidates, particularly from within Ohio. The

program targets students with interest in STEM fields and with high ACT scores from high schools with a high percentage of students receiving AP credit in math and science, females, and minorities. There are dozens of different activities on the College of Engineering recruitment calendar ranging from Engineering Exploration Days (Rising Seniors  $ACT \geq 26$ ), Math, Science and Engineering Open House ( $ACT \geq 27$ ), CoE Overview and Tours (3 per wk, Sep to May), Women in Engineering Preview Day ( $ACT \geq 26$ ), Honor Admit Days and Think Buckeye/Engineering! ( $ACT \geq 26$ ). An open house is held in October in which undergraduates with a GPA greater than 3.5 are brought to the university to discuss graduate school opportunities in engineering.

College of Engineering Graduate Education Activities: OSU's College of Engineering has a dedicated effort to recruit minority students to its graduate programs including NEP. Each year during the fall semester an open house is organized. The travel of students who have a certain minimum grade point average and are from the underrepresented groups are invited to visit university. Their travel of minority students is subsidized and they are also offered the application fee waiver. The students are offered a tour of important research facilities including Nuclear Reactor Lab, overview presentation about research activities at the university and life in Columbus area, and a special session on funding the grad school where the fellowships such as this one are described.

NE Program Recruitment Activities. The NE Program has found that focusing on the resource of undergraduate students at OSU is our most effective approach to the recruitment of graduate students. Nevertheless, 60% of our graduate students obtained their undergraduate degree from other universities. Funding is available from the Graduate School and the Mechanical and Aerospace Engineering Department to bring the best of these candidates to OSU for visits. The NE program also participates in the Summer Research Opportunities Program in which top minority engineering seniors from Big Ten universities are brought to campus to learn about graduate school opportunities.

As a part of the freshman orientation program, in the fall of each year an NE faculty member meets with freshman engineers to discuss careers in nuclear engineering and to describe the NEP. Another recruitment tool is through the presentation of the courses Introduction to Nuclear Science and Engineering (NE 4505). The list of participants provides a database for promoting other nuclear engineering courses and the nuclear engineering minor and to identify potential candidates for a BS/MS position, or as a graduate student. Key students from this group are also invited to NE social gatherings.

Historically, undergraduates from other schools in Ohio like Ohio Northern, Miami University, Kenyon, Case-Western Reserve, Central State University and the University of Cincinnati have performed experiments at the OSU Nuclear Reactor Laboratory or have toured the facility. ]

**3. Selection Process.** The minimum criteria for the selection of a student as an NRC-funded fellow are:

- Standing as a graduate student registered in the OSU NE Program
- The student has at the time of application a GPA of 3.3 or greater
- The student maintains a minimum course load per semester as designated for all fellowship holders by the Graduate School
- Willingness on the part of the student to sign commitment for 6 month of nuclear-related performance per year for each fellowship year

Selection of fellowship students is made at least once per year. Included in the pool of applicants are graduating seniors at Wilberforce and Central State, that have been identified by the faculty at those two universities as qualified for graduate work. Interviews will be performed at those universities as part of this selection process. If one of these students is selected in a year, a special mentoring program is planned to assure the success of transition to the more competitive environment of OSU.

Fellowship awards are typically made twice per year. Assuming that contract awards will be announced early in August 2018, the Selection Committee will meet to select awardees for the upcoming year. It is quite possible because of the late timing of the award process, the first awardees would begin their fellowships in the Spring Semester of 2019 rather than the Autumn Semester of 2018. The Selection Committee also meets in the summer to evaluate the performance of students and to identify those existing students for whom fellowships will be extended for an additional year or will be awarded fellowships for the first time. The Selection Committee comprises selected faculty from the NEP and includes faculty from the Graduate Studies Committee. Prior to the selection, data collection and interviews with candidates are required. In anticipation of the possibility of awards, we plan to contact the students that are potential candidates to assess their interest and qualifications, prior to receipt of a contract.

Beyond the minimum acceptance criteria, other criteria are used to enable a ranking of students. A student submits an application that includes a Statement of Academic Intent and confirms his or her willingness to commit to employment in the nuclear industry for the required period of time (a more formal commitment will be required if the applicant is awarded a fellowship). Two recommendation letters are required. The students are ranked according to each of three criteria: GPA, Level of Recommendations, and Consistency of Academic Purpose with the Objectives of the Fellowship. Based on these data, the PIs develop a preliminary set of rankings for presentation to the Selection Committee. However, all of the data are made available to Committee members for their review. Weights for the different criteria have not been predetermined but are at the discretion of the Selection Committee. By majority vote, the Selection Committee decides which students will receive awards, the duration of the awards, and whether all available funds will be obligated.

Management Structure. The PI for the administration of this program is Prof. [REDACTED]. Prof. [REDACTED] is an assistant professor in the NEP and has been actively engaged in the administration of NRC fellowship grants since the recipient of previous award has moved to another university. Much of the administrative work associated with the mechanics of the program will be performed by the NEP's administrative assistant.

**4. Evaluation Plan.** The Evaluation Plan has been in effect for the past nine years. Data are collected and retained to evaluate the effectiveness of recruiting and the effectiveness of selection. Performance indicators are used that are analogous to the NRC's performance-based, objective measures currently being used in the NRC's risk-informed reactor oversight process. Data are collected and retained by the NEP administrative assistant. This process includes annual communication with graduates to determine any changes in employment status and the monitoring of the semester grades of students. These data are analyzed by the PIs, who prepare input to the semi-annual report to the NRC and for use by the NEP in improving performance. At an annual meeting of the Selection Committee the performance indicators are reviewed and suggestions for improvement are considered for the upcoming year.



Recruitment Performance Indicators: Number of fellowship applications; Number of fellowship applications by women; Number of fellowship applications by minorities'  
Program Performance Indicators: Fraction of selected fellows that are minorities or female; Fraction of selected fellows that receive graduate degrees; Years to graduation of selected fellows; Fraction of selected fellows that are in the nuclear field (including still in a nuclear engineering educational program) 2 yr, 5 yr and 10 yr following award.

**5. Schedule of Tuition and Fees.** Current estimate for graduate student tuition in academic year 2018/2019 is \$17,516 and is expected to increase by [REDACTED]. Graduate students on fellowship are exempt from paying non-resident tuition, which is substantially higher. The estimated cost of tuition and fees was inflated at [REDACTED] per year. Additionally, students will be offered an allowance for textbooks and other expenses.

**6. Collaborative Activities.** In the State of Ohio, there are two nuclear power plants, namely, Perry and Davis Besse Nuclear Power Plants, and the Portsmouth Site, located in Piketon, Ohio. The OSU administration recognizes that nuclear power is currently the largest clean electricity-generation source and has been very supportive of the NEP's growth. As particularly relates to advanced reactor concepts, the Ohio legislature is considering House Concurrent Resolution No. 9 that states the State of Ohio shall "...encourage the research and development of liquid-core-molten-salt-reactors and small-modular-reactors technologies as a long-term solution to Ohio's energy needs..."

OSU is a one of the five universities that are part of a National University Consortium of the Idaho National Laboratory (INL). INL is the only laboratory overseen by the Department of Energy's Office of Nuclear Energy. Membership in this consortium provides opportunities for faculty and the graduate students to participate in current research activities in nuclear power engineering conducted at INL under DOE NE's programmatic funding.

### **7. Cost Sharing and Leveraging**

The College of Engineering (CoE) and the Mechanical and Aerospace Engineering Department have recognized the need to expand the NEP. As a result of this two faculties have been recently hired including [REDACTED] (August 2016) and [REDACTED] (August 2017). The recent hire was made possible through NRC's Faculty Development Grants. COE have recently conducted an external evaluation of NEP to assess the future role of the OSU NEP in meeting the growing demand for nuclear energy. COE is committed to grow the program by hiring additional faculty members to be affiliated with NEP.

### **8. Acceptance of Service Commitment**

Fellowship students will be required to sign service agreements as required by the NRC. Students also commit to periodic updating of their occupational status following graduation.

## **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.pmdtc.state.gov/embargoed\\_countries/index.html](http://www.pmdtc.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](http://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			
<b>Update New Student Contact information (if changed)</b>							
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.