

# Grant and Cooperative Agreement

CHOOSE ONE:  
 COOPERATIVE AGREEMENT  
 GRANT

CHOOSE ONE:  EDUCATION     FACILITIES     RESEARCH     SDCR     TRAINING

1. GRANT/COOPERATIVE AGREEMENT NUMBER 31310018M0033	2. SUPPLEMENT NUMBER	3. EFFECTIVE DATE 07/09/2018	4. COMPLETION DATE
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5. ISSUED TO NAME/ADDRESS OF RECIPIENT (No., Street, City/County, State, Zip) VIRGINIA TECH [REDACTED] SPONSORED PROGRAMS 0170 300 TURNER ST NW, SUITE 4200 BLACKSBURG VA 240610001	6. ISSUED BY    U.S. NRC - HQ <b>Mailing Address:</b> 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  
 NRC Nuclear Engineering Fellowships at Virginia Tech

11. PURPOSE  
 See Schedule A.1

12. PERIOD OF PERFORMANCE (Approximately)  
 07/09/2018 through 07/08/2022

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-18-0176			

15. POINTS OF CONTACT

	NAME	MAIL STOP	TELEPHONE	E-MAIL ADDRESS
TECHNICAL OFFICER	NANCY V. HEBRON-ISREAL	TWFN10B56	301-415-6996	Nancy.Hebron-Isreal@nrc.gov
NEGOTIATOR				
ADMINISTRATOR	M'LITA R. CARR		301-415-6869	MLita.Carr@nrc.gov
PAYMENTS				

16. THIS AWARD IS MADE UNDER THE AUTHORITY OF:  
 Pursuant to Section 31B and 141B of the Atomic Energy Act of 1954, as amended.

17. APPLICABLE STATEMENT(S), IF CHECKED: <input type="checkbox"/> NO CHANGE IS MADE TO EXISTING PROVISIONS <input type="checkbox"/> FDP TERMS AND CONDITIONS AND THE AGENCY-SPECIFIC REQUIREMENTS APPLY TO THIS GRANT	18. APPLICABLE ENCLOSURE(S), IF CHECKED: <input type="checkbox"/> PROVISIONS <input type="checkbox"/> SPECIAL CONDITIONS <input type="checkbox"/> REQUIRED PUBLICATIONS AND REPORTS
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<b>UNITED STATES OF AMERICA</b>	<b>COOPERATIVE AGREEMENT RECIPIENT</b>
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CONTRACTING/GRANT OFFICER M'LITA R. CARR	DATE 07/09/2018	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: 07/09/2018 to 07/08/2022</p>				



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

July 9, 2018

[REDACTED]  
Virginia Polytechnic Institute and State University  
North End Center, Suite 4200  
300 Turner Street, NW  
Blacksburg, VA 24061-0001

VIA Electronic Mail  
[haghighat@vt.edu](mailto:haghighat@vt.edu)

SUBJECT: GRANT NO: 31310018M0033

Dear Dr. [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 Virginia Polytechnic Institute and State University (hereinafter referred to as the "Grantee" or "Recipient"), the sum of \$400,000.00 to provide support for "NRC Nuclear Engineering Fellowships at Virginia Tech" entitled "Program Description."

This award is effective July 9, 2018 and shall apply to expenditures made by the Recipient furtherance of program objectives during the period beginning with the effective date of July 9, 2018 and ending July 8, 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.

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

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 "NRC Nuclear Engineering Fellowships at Virginia Tech" as described in Attachment B entitled "Program Description."

### A.2 PERIOD OF GRANT

1. The effective date of this Grant is July 9, 2018. The estimated completion date of this Grant is July 8, 2022.
2. Funds obligated hereunder are available for program expenditures for the estimated period: July 9, 2018 – July 8, 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:             | NRC Nuclear Engineering Fellowships at<br>Virginia Tech                              |
| 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

### Project Description

#### 1. VT-Nuclear Engineering Program's Capacity and Ability to Conduct this Program

In the fall of 2007, the Mechanical Engineering (ME) Department at Virginia Tech (VT) re-established the VT Nuclear Engineering Program (VT-NEP) (<http://nuclear.ncr.vt.edu>) which was terminated in the late 1980's. The ME Department consists of 59 tenured and tenure-track faculty, over 1200 undergraduate students (sophomore through senior), and about 306 graduate students with 44% of those in the Master's program and 56% in the PhD program.

VT-NEP offers degrees at two campuses: Blacksburg and National Capital Region (NCR) in Arlington. Between years 2011 and 2014, the VT-NEP hired 5 faculty members from which one assistant professor has moved to another university. In 2015, a new faculty member at the rank of full professor was hired. This faculty member started in fall 2016. In summary, VT-NEP has five full-time faculty members (2 full professors, 2 assistant professors, and 1 associate professor of practice). Under the new University's transdisciplinary Destination Area in Intelligent Infrastructure and Human Centered Communities (IIHCC), the university has allocated a new position (open rank) to the Nuclear Engineering Program. Additionally, VT-NEP benefits from 8 affiliate faculty members from other VT academic units including Material Science and Engineering, ME, Physics, and Advanced Computing Research and Visualization. For its administration, it leverages administrative support from the ME Department. Further, VT-NEP has two dedicated staff members, one at the Blacksburg campus and the other at the NCR campus.

Being part of a highly ranked, well established department, VT-NEP benefits from administrative and staff support for various programmatic activities. This enables the VT-NEP faculty to focus on the academic aspects of the program including course offering and engaging in cutting-edge research. To promote the nuclear engineering education and recruit new students, the NE faculty offers a 2-semester fundamental course on nuclear engineering at the sophomore level. This course is very popular with a combined annual enrollment of about 150 students. Several of these students have decided to enroll in the VT-NEP graduate Certificate Program that was established in 2010. Since its inception, this Certificate Program has awarded over 40 graduate Certificates, and attracted a few students to pursue graduate degrees in Nuclear Engineering. The majority of the students with this graduate Certificate in Nuclear Engineering are working at nuclear companies such as AREVA, Bechtel, B&W, Constellation Energy, Dominion Power, Mitsubishi Nuclear Energy Services, and Newport News Shipbuilding.

In 2014, VT-NEP received formal approval from the State Council of Higher Education for Virginia (SCHEV) to award Doctor of Philosophy (PhD), Masters of Science (MS), and Masters of Engineering (MENG) degrees in Nuclear Engineering at Virginia Tech. Since May 2014, the program has awarded 2 PhDs, 4 MS, and 6 MENGs in Nuclear Engineering. Three of the MENG graduates received PhD's in Physics, simultaneously.

The success of the VT-NEP can be attributed partly to the past and existing funding received from the NRC's Integrated University Program. It is important to note that in addition to attracting outstanding students, these funds have provided the necessary incentive for the VT administration to invest in the nuclear engineering education.

As mentioned earlier, one unique feature of VT-NEP is that it offers courses and degrees at two campuses including Blacksburg and NCR in Arlington. The VT-NEP at NCR is the only nuclear engineering program in the Washington DC metro region. To serve the needs of nuclear professionals in the metro region, in collaboration with other units at VT, the NEP at NCR has established new research agreements and graduate programs including:

- i. A CRADA (Cooperative Research And Development Agreement) with the US Naval Academy (USNA) (signed in 2015);
- ii. An Accelerated MENG in Nuclear Engineering for the graduating midshipmen from the USNA (established in 2017, and start in Spring 2018);
- iii. A Certificate in Nuclear Science, Technology and Policy (NSTP) (will start in Spring 2018); and,
- iv. A Certificate in Energy Engineering & Innovation (EE&I) (will start in fall 2018).

Since the signing of the partnership with USNA (in Sept 2015), with support from a USNA faculty member, Prof. Haghghat and one of his graduate student performed an experimental benchmarking study for their novel RAPID computational tool. This benchmarking study is performed using the USNA's subcritical reactor.

Further, over three years, the VT-NEP faculty plus its affiliate faculty have trained an outstanding group of students who have received excellent positions at various sectors of nuclear engineering and science. These positions include an assistant professor at a peer institution and a few staff scientists at different national labs. Our close collaboration with other academic units at VT, especially the Physics Department, has resulted in three PhDs in Physics with MENG degrees in Nuclear Engineering. These graduates are employed at national labs with activities in the areas of nuclear science, nuclear safeguards, and nuclear nonproliferation.

Finally, VT-NEP is engaged in the promotion of nuclear education and research by contributing to the formation of the Virginia Nuclear Energy Consortium (VNEC) nonprofit organization. Prof. [REDACTED] is the founding Chair of VNEC. This Consortium, which is a partnership between nuclear industry and universities in the State of Virginia, has initiated activities for the promotion and enhancement of nuclear technology, nuclear education and research, and public education in Virginia and beyond.

The aforementioned achievements would have not been possible without the NRC fellowship Program. Further detail on the previous and ongoing NRC programs at the VT-NEP is provided as an 'attachment' file. The following sections describe the proposed VT Multi-campus Nuclear Engineering Fellowship Program.

## 2. Description of the Proposed Fellowship Program

To build on this initial success and enhance VT-NEP, it is necessary to continue recruiting highly-qualified students in both Blacksburg and NCR campuses. The NRC fellowship program can significantly assist us in achieving this goal.

We propose to award two fellowships per year to students pursuing MS or PhD degrees in nuclear engineering at VT. These students have to be either citizen or permanent resident of the United States. They also have to agree with and sign the NRC's service agreement. It is envisioned that the fellows will be located at either Blacksburg or NCR campuses. Each award will provide funding for stipend, fees, and tuition.

Sections 3-8 elaborate on the conduct of the fellowship program. Section 9 discusses the institutional support for the program, and Section 10 elaborates on the unique VT-NEP's partnerships and consortia.

## 3. Management Plan

This program will be managed by [REDACTED], PI, with the assistance from the VT-NEP administrative support and the NEP's Scholarship and Fellowship (S&F) Committee. More specifically, Prof. Haghghat will be responsible for different aspects of this program including recruitment, selection, monitoring, and reporting. He will be assisted by two staff members to provide the necessary support for NEP at both campuses. The staff member in Blacksburg will take care of financial support and the staff member in NCR provides academic support. Both staff members will assist with student recruitment activities.

In addition to the student's research advisor, [REDACTED] will advise fellows on the importance of engagement in professional societies such as ANS, their awareness on nuclear issues and policies, and their participation in public education on nuclear matters. As a former Chairman of a Nuclear Engineering Program, [REDACTED] has significant experience in such activities, and will be able to help the fellows to become more engaged in the nuclear community.

## 4. Recruitment

Recruitment includes advertisement and engagement. Two dedicated staff members will organize and conduct the recruitment efforts under the supervision of the Program Director, [REDACTED].

VT-NEP will organize at least one recruitment event annually. For this, new funds will be allocated for on-campus visit by potential students (6-8 annually) from other universities to both Blacksburg and NCR campuses.

We will continue to recruit students from other VT engineering and science disciplines. As mentioned earlier, the five NEP faculty (including [REDACTED]) have been quite successful in this area through their active research collaborations with the faculty members in Physics, Mechanical Engineering and Material Science and Engineering Departments. For example, both [REDACTED] have ongoing projects in the



areas of neutrino detection and accelerator driven nuclear reactor. These projects have been the primary reasons for the physics students to take NE courses and enroll in the program. For example, this semester two graduates of the VT Physics Department joined [REDACTED] research group to pursue MS degrees in Nuclear Engineering. Both students have received fellowships from the existing NRC Program. [REDACTED] has a joint appointment with the Material Science and Engineering Department and her courses are cross-listed between the two programs. Consequently, she has been quite successful in recruiting a few of current graduate students. Prof. Liu, working in the area of reactor safety and thermal hydraulics, has also been able to recruit mechanical engineering students.

## 5. Selection of Fellows

The existing 3-member NEP S&F Committee will conduct the selection process for both MS and PhD fellows. The selection will be based on a set of parameters with appropriate weighting for consistency and transparency. These parameters include GPA, GRE score, essay, recommendation letters, and interview (in person or via video call). Table 1 gives the maximum score considered for each parameter.

**Table 1 – Parameters used for selection of fellows**

<b>Parameter</b>	<b>Score</b>
<b>GPA</b>	25
<b>GRE score</b>	25
<b>Essay</b>	15
<b>Recommendation</b>	15
<b>Interview</b>	20
<b>Total</b>	100

To make sure that S&F Committee is engaged in the program, [REDACTED] will meet with the Committee at the end of each semester to inform them of the progress of each fellow and discuss potential issues and opportunities.

## 6. Evaluation Plan to Measure the Effectiveness of the Program

To evaluate the effectiveness of the proposed fellowship program, we are planning to carefully monitor the progress of each fellow in order to quickly and effectively identify issues, and make the necessary adjustments.

Every semester each fellow will submit a brief written report on their activities and progress to [REDACTED]. [REDACTED] will review progress of each fellow by evaluating the written report, examining his/her plan of study (which is required to be updated at the beginning of each semester), and discussing the fellow's progress with his/her academic advisor. In case of deficiencies or insufficient progress, each fellow will be given a warning to address the issue within the following semester. If improvement is not demonstrated, then the fellowship will be terminated and the position will be advertised for recruitment of a new fellow.

Additionally, [REDACTED] will meet with the NEP faculty, which includes the S&F Committee at the end of each semester to review different aspects of the program and make any necessary adjustment for improving the conduct and outcome of the program.

## 7. Reporting

██████████ will prepare and submit an annual report to the NRC Program Manager within the month of October. This report will provide information on the progress and accomplishment of each fellow, budget and expenditure, plan for the following year, and discuss other related activities such as securing industry fellowships for the sustainability of the program.

## 8. Tracking Process

In addition to the continuous monitoring of the fellows, ██████████ will meet with all the fellows at end of each semester to discuss their status and potential job opportunities. Further, the VT-NEP under direction of PI will develop a tracking program that requires providing updates to the NRC Program Manager on each fellow's employment status at least until they have fulfilled their obligation to the NRC fellowship program.

## 9. Institutional Support

To make sure we accomplish the objective of this program that is training of highly qualified Nuclear Engineers and Scientists, we are planning to establish an effective recruitment program. For this, the Mechanical Engineering Department has allocated two staff members to VT-NEP.

To enhance the VT-NEP's research and course offering, recently, the University under its IIHCC multidisciplinary initiative has allocated a new faculty position (open rank) to the Program. This position is expected to be filled by summer or fall 2018. Moreover, it is expected that the new faculty will be engaged in the University's new initiative in multidisciplinary energy research. This provides a unique opportunity for the new faculty to participate in large projects that are expected to receive significant internal matching funds.

## 10. Establishment of Consortia and Partnerships

As mentioned earlier, VT-NEP has initiated new partnerships and educational programs, and contributed to the foundation of the Virginia Nuclear Energy Consortium (VNEC) organization. These activities have been contributing to different aspects of the Program.

The CRADA with the USNA has provided access to the Naval Academy nuclear facilities for VT-NEP, and engagement of faculty and students in joint activities with the USNA's faculty and midshipmen. For example, we have already used the USNA's Subcritical Reactor to perform a detailed benchmarking for an advanced neutronics software developed by ██████████ group. Further, the recently established accelerated MENG degree for the graduating midshipmen, will provide a unique opportunity for learning and cooperation for both midshipmen and the civilian graduate students.

The VT-NEP's graduate students will be able to benefit from the aforementioned graduate Certificates (NSTP & EE&I) that provide unique educational experience, addressing grand challenges facing the mankind.

Finally, Virginia Tech is a member of the Virginia Nuclear Energy Consortium (VNEC) nonprofit organization. ██████████ served as the founding Chair of VNEC, and currently he is the Vice-Chair of this organization. VNEC has initiated activities for the promotion and

enhancement of nuclear technology, nuclear education and research, and public education in Virginia and beyond. One of its initiative for this coming year is to explore opportunities for collaborative research among the members and establishment of State and industry sponsored scholarships and fellowships.

## Attachment C – Standard Terms and Condition

### 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*.

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

compliance. The institution's cooperation with SBCR is essential. The continued eligibility for Federal financial assistance is conditioned upon compliance with anti-discrimination regulations.

### **Modifications/Prior Approval**

NRC's prior written approval may be required before a Recipient makes certain budget modifications or undertakes particular activities. If NRC approval is required for changes in the grant or cooperative agreement, it must be requested and obtained from the NRC Grants Officer in advance of the change or obligation of funds. All requests for NRC prior approval, including requests for extensions to the period of performance 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?		
				<i>Student</i>	*If withdrawn - why and please include updated contact information below. And please indicate if funds were repaid		
				<i>Employed - Not Nuclear</i>			
				<i>Employed - Nuclear</i>			
				<i>Withdrawn</i>			
<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.