

**U.S. NUCLEAR REGULATORY COMMISSION
NOTICE OF GRANT/ASSISTANCE AWARD**

1. GRANT/AGREEMENT NO. NRC-HQ-11-G-38-0070		2. MODIFICATION NO.		3. PERIOD OF PERFORMANCE FROM: 8/22/2011 TO: 08/31/2012		4. AUTHORITY Pursuant to Section 31b and 141b of the Atomic Energy Act of 1954, as amended	
5. TYPE OF AWARD <input checked="" type="checkbox"/> GRANT <input type="checkbox"/> COOPERATIVE AGREEMENT		6. ORGANIZATION TYPE Public State-Controlled Institution of Higher ED DUNS: 078213675 NAICS:611310		7. RECIPIENT NAME, ADDRESS, and EMAIL ADDRESS Columbia Basin College Derek Brandes dbrandes@columbiabasin.edu 2600 N. 20 th Ave Pasco, Washington WA 99301			
8. PROJECT TITLE: CBC Non-Licensed Operator Curriculum Development Program							
9. PROJECT WILL BE CONDUCTED PER GOVERNMENT'S/RECIPIENT'S PROPOSAL(S) DATED See Program Description AND APPENDIX A-PROJECT GRANT PROVISIONS		10. TECHNICAL REPORTS ARE REQUIRED <input checked="" type="checkbox"/> PROGRESS AND FINAL <input type="checkbox"/> FINAL ONLY <input type="checkbox"/> OTHER (Conference Proceedings)		11. PRINCIPAL INVESTIGATOR(S) NAME, ADDRESS and EMAIL ADDRESS Derek Brandes dbrandes@columbiabasin.edu 2600 N. 20 th Ave Pasco, Washington WA 99301			
12. NRC PROGRAM OFFICE (NAME and ADDRESS) NRC Attn: Tanya Parwani-Jaimes Office of Human Resources MS: GW5A06 (301) 492-2308 11545 Rockville Pike Rockville, Maryland 20852 Email: Tanya.Parwani-Jaimes@NRC.GOV		13. ACCOUNTING and APPROPRIATION DATA APPN. NO: 31X0200 B&R NO: 2011-84-51-K-134 JOB CODE: T8453 BOC NO: 4110 OFFICE ID NO: RFPA: HR-11-249 GR0032		14. METHOD OF PAYMENT <input type="checkbox"/> ADVANCE BY TREASURY CHECK <input type="checkbox"/> REIMBURSEMENT BY TREASURY CHECK <input type="checkbox"/> LETTER OF CREDIT <input checked="" type="checkbox"/> OTHER (SPECIFY) Electronic ASAP.gov (See Remarks in Item #20 "Payment Information")			
15. NRC OBLIGATION FUNDS THIS ACTION <u>\$117,090</u> PREVIOUS OBLIGATION _____ TOTAL <u>\$117,090</u>		16. TOTAL FUNDING AGREEMENT NRC <u>\$117,090</u> This action provides funds for Fiscal Year in the amount of <u>See Page Two</u> RECIPIENT _____ TOTAL <u>117,090</u>					
17. NRC ISSUING OFFICE (NAME, ADDRESS and EMAIL ADDRESS) U.S. Nuclear Regulatory Commission Div. of Contracts Attn: Shashi Malhotra Email: Shashi.Malhotra@NRC.GOV Mail Stop: TWB-01-B10M Rockville MD 20852							
18. Signature Not Required				19. NRC CONTRACTING OFFICER <div style="text-align: right;"><u>Sheila Bumpass</u> <u>8/22/11</u> (Signature) (Date) NAME (TYPED) <u>Sheila Bumpass</u> TITLE <u>Contracting Officer</u> TELEPHONE NO. <u>301-492-3484</u></div>			
20. PAYMENT INFORMATION 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 215 (OMB Circular A110).							
21. Attached is a copy of the "NRC General Provisions for Grants and Cooperative Agreements Awarded to Non-Government Recipients. Acceptance of these terms and conditions is acknowledged when Federal funds are used on this project.							
22. ORDER OF PRECEDENCE In the event of a conflict between the recipient's proposal and this award, the terms of the Award shall prevail.							
23. By this award, the Recipient certifies that payment of any audit-related debt will not reduce the level of performance of any Federal Program.							

TEMPLATE - ADM001

SUNSI REVIEW COMPLETE

ADM002

ATTACHMENT A - SCHEDULE

A.1 PURPOSE OF GRANT

The purpose of this Grant is to provide support to the "CBC Non-Licensed Operator Curriculum Development Program" as described in Attachment B entitled "Program Description."

A.2 PERIOD OF GRANT

1. The effective date of this Grant is August 22, 2011. The estimated completion date of this Grant is August 31, 2012.
2. Funds obligated hereunder are available for program expenditures for the estimated period: August 22, 2011 – August 31, 2012.

A. GENERAL

- | | |
|--------------------------------|---|
| 1. Total Estimated NRC Amount: | \$117,090 |
| 2. Total Obligated Amount: | \$117,090 |
| 3. Cost-Sharing Amount: | \$0 |
| 4. Activity Title: | CBC Non-Licensed Operator Curriculum
Development Program |
| 5. NRC Project Officer: | Tanya Parwani-Jaimes |
| 6. DUNS No.: | 624285818 |

B. SPECIFIC

- | | |
|-------------------|------------------|
| RFPA No.: | HR-11- 249 |
| FFS: | N/A |
| Job Code: | T8453 |
| BOC: | 4110 |
| B&R Number: | 2011-84-51-K-134 |
| Appropriation #: | 31X0200 |
| Amount Obligated: | \$117,090 |

A.3 BUDGET

Revisions to the budget shall be made in accordance with Revision of Grant Budget in accordance with 2 CFR 215.25.

Personnel \$72,604
Fringe \$8,712
Supplies \$6,500
Indirect \$29,274

Grand Total = \$117,090

A.4 AMOUNT OF AWARD AND PAYMENT PROCEDURES

1. The total estimated amount of this Award is \$117,090 for the one-year period.
2. NRC hereby obligates the amount of \$117,090 for program expenditures during the period set forth above and in support of the Budget above. The Grantee will be given written notice by the Contracting Officer when additional funds will be added. NRC is not obligated to reimburse the Grantee for the expenditure of amounts in excess of the total obligated amount.
3. Payment shall be made to the Grantee in accordance with procedures set forth in the Automated Standard Application For Payments (ASAP) Procedures set forth below.

Attachment B – Program Description

The Proposed Project will address two of the primary needs identified by the Nuclear Technology Advisory Committee:

a. Curricula Design, Materials Development, and Library Resources (including development of courses of study) –

CBC will develop the Non-Licensed Operator curriculum to respond to the dynamic trends in the nuclear industry. The academic program will be composed of a core curriculum that includes basic nuclear technology, general education in-line with the requirements associated with an associate's degree, as well as the specific requirements of the Non-Licensed Operator Option. A summary of the Non-Licensed Operator Option is listed below, and detailed descriptions of the Option components can be found in **Attachment 8** of this proposal.

Core Curriculum	General Education	Non-Licensed Operator Option
Basic Nuclear Math and Theory (5 credits)	Technical Writing (5 credits)	Hydraulic and Fluid Flows (5 credits)
Introduction to Radiation Safety (5 credits)	Concepts of Physics/Lab (4+1 credits)	Electrical Generation and Distribution (5 credits)
Reactor Plant Operations or Basic Nuclear Facilities (4 credits)	Pre Calculus I (5 credits)	Steam Systems (5 credits)
Reactor Plant Components (5 credits)	Introduction to Statistics (5 credits)	Chemical and Water Treatment Systems (5 credits)
Basic Reactor Safety, Theory, and Operations or Basic Nuclear Safety and Environmental Compliance (5 credits)	General Psychology (5 credits)	Diesel Generators and Air Compressors (3 credits)
Internships (7 credits)	Pre Calculus II (5 credits)	Instrumentation and Control Operators (5 credits)
First Year Introduction for Trades (1 credit)	Concepts of Physics/Lab (4+1 credits)	Radiation Monitoring (5 credits)

Introduction to Electricity
(5 Credits)

Pre Calculus I (5 credits)

PLC Programming and
Computer Interfacing
(5 credits)

Mechanical and Fluid Power Transmission (4
credits)

English Composition I
(5 credits)

Total= 41 credits

Total= 45 credits

Total= 38 credits

Grand Total= 124 credits

Students in the program will take 41 credits hours of core courses, including a paid internship experience; 38 credits of courses supporting Non-Licensed Operator; and 45 credits of general education courses. Other options are under development Chemistry Technician, and Project Management, as well as a transfer pathway to CBC's Bachelor of Applied Science program. CBC has also had preliminary discussions with regional universities and colleges to develop articulation agreements that will allow CBC's NT graduates to transfer into nuclear engineering and baccalaureate health physics programs.

b. Student Recruitment and Retention –

CBC anticipates a fully developed Non-Licensed Operator program to produce between 16-24 graduates on a year-over-year basis. CBC will combine recruitment and retention efforts with those from its Diversity and Outreach Office and the NRC sponsored MSIP program to meet the recruitment objectives of the Non-Licensed Operator program. NT staff will work with the Advisory Committee, faculty and institutional resources to ensure student retention and persistence. The CBC Non-Licensed Operator program is a model that assures core competencies and provides resources that will enable underrepresented students to access and succeed in achieving this highly technical degree. Through its first year of operation, CBC has recognized the rigorous nature of a nuclear technology program as it grounds students in both science and technical aspects of the nuclear industry, it provides an opportunity for students to acquire needed work experience before graduation, and it connects students with industry mentors, and has reduced a significant portion of financial burden. The Non-Licensed Operator program is a critical educational path to ensure a sufficient nuclear workforce is available to fill the growing demand of the nuclear industry. The public/private partnership provides an opportunity to continue to increase the capacity of CBC to train more students in the nuclear industry, and expansion of recruitment efforts as well as the development of recruitment materials and enhance the capability of CBC staff to recruit and retain a more diverse student body into the nuclear industry.

Non-Licensed Operator Program Goals-

Graduates of the Associate in Applied Science in Nuclear Technology Program –Non-Licensed Operator Option will be able to effectively address the needs of the nuclear industry by:

- Applying relevant theory and techniques from Mathematics, Physics, and Chemistry to effectively understand, communicate, and/or operate, nuclear systems, structures and components promoting excellence and safety;
- Effectively and accurately applying, understanding and communicating nuclear technology related concepts;
- Effectively and accurately applying, understanding, and communicating basic knowledge of nuclear facilities operations;

- Understanding nuclear fundamentals, systems, tools and equipment;
- Applying skills pertinent to each discipline minimizing personnel exposure to radiation and/or hazardous materials;
- Applying, understanding, and communicating radiological protection theory and techniques promoting excellence and safety;
- Understanding and communicating nuclear facilities, design, theory and/or operations;

Proposed Objectives-

The Non-Licensed Operator program was designed based on the planning process and input from the nuclear industry, as described in the previous sections. The planning process took into account all the community/industry input, the goals of the NRC, the intent of the program and the goals/mission of CBC. The following (**Table 3**) are the program's performance based objectives, activities, and outcomes.

Plan of Operation and Methodology

OBJECTIVE: Complete and Launch Non-Licensed Operator Option

Activities

Measureable

- | | |
|--|---|
| 1. Recruit and Identify adjunct instructors for the Non-Licensed Operator program (NRC funded) | 1. Signed employment contract |
| 2. Convene Non-Licensed Operator industry representatives for curriculum integration with CBC Career and Technical Education staff and faculty | 2. Development of 50% of the Non-Licensed Operator courses |
| 3. Develop coursework in specific first-year Non-Licensed Operator courses | 3. 100% of Coursework developed and approved |
| 4. Enroll first-year cohort of Non-Licensed Operator students | 4. Minimum 16 students self identify as first-year Non-licensed operator students |
| 5. Develop progressive (second year) coursework | 5. 100% of second year coursework developed and approved |

OUTCOME 1: 100% of Non-Licensed Operator program developed

PERSON(S) RESPONSIBLE: Dean for Career and Technical Education, NT Director, Non-Licensed Operator Curriculum Advisor, Adjunct Faculty

TIMELINE: Months 1-12

Plan of Operation and Methodology-

CBC recognizes the importance of designing and executing a comprehensive and quality Plan of Operation. It will maximize the limited resources through efficiencies and the implementation of the most effective proven strategies. The detailed activities each have measurable performance outcomes and the person(s) responsible for each activity. NT personnel will work collaboratively through NRC funded MSIP Coordinator and the Diversity and Outreach Office to meet the outreach and tutor training needs objectives identified in this proposal. NT staff will follow the Timetable of Activities (**Table 4**) to ensure effective and efficient completion of the objective outlined above.

The management plan will include all the necessary management elements and control functions to ensure an effective and efficient program including ongoing planning, financial accountability, and human resources management, continuously measuring performance, evaluation and reporting all progress to all stakeholders. The Senior Vice President for Administrative Services will maintain primary fiscal oversight of the grant ensuring all expenditures are in compliance.

Brandes, Derek (PI) 7 CBC recognizes the importance of designing and executing a comprehensive and quality Plan of Operation. It will maximize the limited resources through efficiencies and the implementation of the most effective proven strategies. The detailed activities each have measurable performance outcomes and the person(s) responsible for each activity. NT personnel will work collaboratively through NRC funded MSIP Coordinator and the Diversity and Outreach Office to meet the outreach and tutor training needs objectives identified in this proposal. NT staff will follow the Timetable of Activities (**Table 4**) to ensure effective and efficient completion of the objective outlined above.

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Activities/Project Milestones	Dates
Startup	
1. Hire personnel and inform faculty/staff/administrators about the NRC Non-Licensed Operator project and its opportunities	March 2011
2. Convene nuclear industry members to obtain input into the development of the new curriculum	March 2011
3. Convene faculty members to review specific courses and curriculum and provide recommendations for its alignment with the Nuclear Technology program	April 2011
4. Develop project website on the new	April 2011

project and update as curriculum is developed

Execution

- | | |
|--|----------------------------|
| 1. Dean, Curriculum Advisor, and faculty to develop content for new curriculum | April 2011 |
| 2. Design new courses as previously specified | August 2011-December 2011 |
| 3. Implement new program activities | January 2012 |
| 4. Recruit students and provide retention services | January 2012-February 2012 |
| 5. Review new curriculum with advisors | February 2012 |
| 6. Revise new courses | February 2012 |
| 7. Begin implementation activities | February 2012 |

Evaluation

- | | |
|---|------------|
| 1. Monitor project startup and implementation of project tasks/activities | June 2011- |
|---|------------|

2. Collect feedback from advisory members/faculty/students on the progress of the project	August 2011-February 2012
3. Use all formative feedback data to modify and improve the program	June 2011-February 2012
4. Asses and measure all goals and performance outcomes for achievements.	June 2011-February 2012
5. Collect and analyze summative data on products, outcomes, for achievements	April 2011- February 2012

Dissemination	
1. Integrate Non-Licensed Operator program and NRC funding announcement into CBC Website	August 2010
2. Present at state and regional energy and job conferences to showcase the program	January 2011- May 2011
Closeout	
1. Closeout and final reconciliation of all fiscal records	March 2012
2. Write and submit final project report	March 2012

Collaborative Linkages-

The proposed Non-Licensed Operator program is derived from thorough analysis of the National Uniform Curriculum program guide standards, developed by the Nuclear Energy Institute (NEI), in cooperation with the Institute of Nuclear Power Operations (INPO). Program development has been guided by a 15 member Nuclear Technology Advisory Committee representing organizations such as: Areva, CHPRC – CH2MHill Plateau Remediation Company, Central Washington Building and Construction Trades Council, Energy Northwest, EnergX, Fluor/HAMMER, IBEW Local 77, TFE, Inc.- Technical and Field Engineering, and WRPS - Washington River Protection Solutions. **Table 5** identifies the industry members of the Nuclear Technology Advisory Committee.

Emmitt Jackson	Human Development QA Program Lead	EnergX
McDonald, Charlie	Technical Training Manager	Energy Northwest
Ted Giltz	Radiological Safety Training Manager	MSA - HAMMER
Lance Stephens	Operations Manager	Areva
Richard Hatten	I & C Technician	Energy Northwest
Bob Bates	Program Manager	TFE Inc
Lloyd J. Keith	Manager Training	Washington River Protection Solutions
Robert Ford	Radiation Protection Manager	PNNL
Mike Keiser	VP of Building Trade Union	VP CWBCTC
Tom McMahon	IBEW Local 77 Asst. Business Manager	IBEW Local 77

Maximo Valdez	Retired RCT Technician	Energy Northwest
Marisela Linares-Mendoza	In-Grade Training Program Lead	Energy Northwest

3. Institutional Capability and Capacity Building

CBC is committed to meeting the workforce demands of the nuclear industry. Furthermore, CBC has the capability and capacity to implement and manage the completion of this project. CBC has demonstrated experience in implementing and managing a multitude of federally sponsored projects in addition to current NRC funding, which is successfully achieving the proposed objectives on time and within budget. CBC is currently administering program from six federal agencies. In the 2010 academic school years, CBC administered nine federally sponsored multi-year education grants, totaling more than \$8 million. These include the Upward Bound, College Assistance Migrant Program, Student Support Services, Title V Institutional, HUD Hispanic-Serving Institutions Assisting Communities, NSF-STEP, NRC-Nuclear Education Scholarship Program, NRC-MSIP, NRC-Curricula Development, and Department of Energy-Nuclear Energy University Programs-Infrastructure Support. All of the above-mentioned federal programs adhere to their appropriate regularly guidelines.

The project defined here in support of CBC's Nuclear Technology program will provide a critical step toward meeting both programmatic and institutional strategic planning goals as cited earlier. CBC is committed at all levels of the organization to managing the project efficiently/effectively to achieving the identified project outcomes.

As indicated by the both the Nuclear Technology Advisory Committee and CBC, this program is the highest priority for the nuclear industry and the college. It will also serve as a model for other colleges in the state, region, and nationally. CBC is specifically focusing on the development of the Non-Licensed Operator program due to its high foreseeable demand. While some programs may experience cyclical demand, the Non-Licensed Operator program has steady demand long after the period has ended and for the near future.

The Non-Licensed Operator program will be permanently housed in the new 79,000 sq. ft., \$16.9 million Center for Career and Technical Education (CCTE) building. The CCTE will house Non-Licensed Operator as one of the anchor programs with the expectation of Solar/Electrical Design programs as well as home to traditional technical programs such as Machine Technology and Automotive Technology. Completion of the new CCTE scheduled for winter quarter 2011.

4. Key Personnel

CBC has selected key personnel that will be essential to the successful implementation and completion of this project. The profile of key industry partners and staff members contributing to the program is listed below. Resumes for the listed staff members can be found as an attachment to this proposal.

(PI) Dean for Career and Technical Education/Career Development – Derek Brandes

The PI, Derek Brandes has a tremendous record of accomplishment of working collaboratively with regional industry representatives to develop technical programs that meet the needs of the target industry. Responsible for working with faculty to review and evaluate potential Non-Licensed Operator programming. The Dean will work with nuclear industry leaders and the community to obtain input and modify the Non-Licensed Operator program to better adapt to industry needs. The Dean will be responsible for writing program news articles and marketing

the program to faculty, students and the community. They will serve as a CBC representative on the Nuclear Technology Advisory Committee.

(Co-PI) Non-Licensed Operator Curriculum Advisor– James Morris

As Co-PI., Mr. Morris is currently employed by CH2M HILL Plateau Remediation Company. Mr. Morris is the manager for training and qualifications at the Hanford Site. Mr. Morris has nearly 30 years of experience in the nuclear industry; Mr. Morris has offered his expertise in the nuclear industry to provide overall guidance in curriculum development and hiring of the Non-Licensed Operator faculty members. Mr. Morris will work with members of the Nuclear Advisory Committee to establish effective curriculum that incorporates the needs of both the Hanford Nuclear Facility and the Columbia Generating Station.

5. Sustainability

One of the key elements of the Nuclear Technology program is a commitment to program sustainability. The Non-Licensed Operator program has established a significant commitment from industry to support the program long after the grant funding has ended. The financial and in-kind contribution from our industry partners is key to the Non-Licensed Operator programs success; the financial commitment from our industry partners established a basis for long-term sustainability of the Non-Licensed Operator program. CBC is confident that with the assistance of this funding opportunity and the contributions from our industry collaborators that the Non-Licensed Operator Option will be self sufficient and cost effective upon termination of the funding period. The following (**Table 6**) illustrates the industry support in the form of capital and in-kind support for the Nuclear Technology program including specific funding for the Non-Licensed Operator program, which has secured the long-term sustainability of Nuclear Technology program. Letters of collaboration for the Non-Licensed Operator program can be found as an attachment to this proposal.

Table 6 Funding Sources

Institutional Commitment	
Source	Type of Support
U.S. NRC-NSP	Scholarships, Supplies
U.S. NRC-MSIP	Outreach Personnel, Academic Support
U.S. Nuclear Education Curricula Development	Instruction, Supplies, Equipment
Department of Energy	Equipment
Industry Commitment	
Source	Type of Support
CH2MHILL	Scholarships, Internships, Employment, Capital
Bechtel	Scholarships
Energy Northwest	Equipment, Scholarships, Internships
Northwest Technical Resources Inc.	Scholarships
Bartlett Holding, Inc.	Marketing, internships, off-site internships
Energx, LLC	Instructors
Pacific Northwest National Laboratory (PNNL)	Equipment
Washington River Protection Solutions	Scholarships, Internships

Successful program design will result in the development of an Associate in Applied Science (AAS) degree in Nuclear Technology with a specialization in Non-Licensed Operator. The funded program will be evaluated against the following objectives to determine overall success of the funded activity:

1. Establish two-year technical degree program in response to well established industry demands and meeting industry standards.
2. Develop curriculum that integrates scenario/experiential-based modules with web, laboratory, traditional, and internship learning opportunities.
3. Secure laboratory and instructional equipment necessary to prepare students for employment in the nuclear energy and/or nuclear remediation industries

The proposed project creates an opportunity to strengthen the CBC Nuclear Technology program and assure its long-term viability and sustainability. Rather than request public funds first through the federal and state government entities, CBC turned to the nuclear industry to identify what skills and education the new nuclear industry workforce needed to possess. Funds from the NRC will enable CBC to enhance the current program in two critical areas: recruitment and retention of underrepresented students and curriculum development. The support from the NRC will inherently develop program enhancements over a two-year period with the development of the CBC Non-Licensed Operator program. More importantly, the NRC Nuclear Education Curricula Development Grant program will increase the access to underrepresented minority students. It will provide these students an avenue to pursue high wage, high demand careers in the nuclear industry.

Attachment C – Standard Terms and Conditions

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

Preface

This award is based on the application submitted to, and as approved by, the Nuclear under the authorization 42 USC 2051(b) pursuant to section 31b and 141b of the Atomic Energy Act of 1954, as amended, and is subject to the terms and conditions incorporated either directly or by reference in the following:

- Grant program legislation and program regulation cited in this Notice of Grant Award.
- 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 215 Uniform Administrative Requirements For Grants And Agreements With Institutions Of Higher Education, Hospitals, And Other Non-Profit Organizations (OMB Circulars), as applicable.

To assist with finding additional guidance for selected items of cost as required in 2 CFR 220, 2 CFR 225, and 2 CFR 230 this URL to the Office of Management and Budget Cost Circulars is included for reference to:

A-21 (now 2 CFR 220)

A-87 (now 2 CFR 225)

A-122 (now 2 CFR 230)

A-102:

http://www.whitehouse.gov/omb/circulars_index-ffm

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 (EOs), Office of Management and Budget (OMB) Circulars, the Nuclear Regulatory Commission's (NRC) 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 215

a. All provisions of 2 CFR Part 215 and all Standard Provisions attached to this grant/cooperative agreement are applicable to the Grantee and to sub-recipients which meet the definition of "Grantee" in Part 215, unless a section specifically excludes a sub-recipient from coverage. The Grantee 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 C of 2 CFR 215 and include this term in lower-tier (subaward) covered transactions.

b. Grantees must comply with monitoring procedures and audit requirements in accordance with OMB Circular A-133. <

http://www.whitehouse.gov/omb/circulars/a133_compliance/08/08toc.aspx >

2. Award Package

§ 215.41 Grantee responsibilities.

The Grantee is obligated to conduct such project oversight as may be appropriate, to manage the funds with prudence, and to comply with the provisions outlined in 2 CFR 215.41. Within this framework, the Principal Investigator (PI) named on the award face page, Block 11, 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, Block 16., and is subject to a refund of unexpended funds to NRC.

The standards contained in this section do not relieve the Grantee of the contractual responsibilities arising under its contract(s). The Grantee is the responsible authority, without recourse to the NRC, regarding the settlement and satisfaction of all contractual and administrative issues arising out of procurements entered into in support of an award or other agreement. This includes disputes, claims, protests of award, source evaluation or other matters of a contractual nature. Matters concerning violation of statute are to be referred to such Federal, State or local authority as may have proper jurisdiction.

Subgrants

Appendix A to Part 215—Contract Provisions

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 Grantee to NRC. See 2 CFR 215 and 215.41.

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.)

No U.S. citizen or legal resident shall be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity funded by this award on the basis of race, color, national origin, age, religion, handicap, or sex. The Grantee agrees to comply with the non-discrimination requirements below:

Title VI of the Civil Rights Act of 1964 (42 USC §§ 2000d et seq)

Title IX of the Education Amendments of 1972 (20 USC §§ 1681 et seq)

Section 504 of the Rehabilitation Act of 1973, as amended (29 USC § 794)

The Age Discrimination Act of 1975, as amended (42 USC §§ 6101 et seq)

The Americans with Disabilities Act of 1990 (42 USC §§ 12101 et seq)

Parts II and III of EO 11246 as amended by EO 11375 and 12086.

EO 13166, "Improving Access to Services for Persons with Limited English Proficiency."

Any other applicable non-discrimination law(s).

Generally, Title VI of the Civil Rights Act of 1964, 42 USC § 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 VI, 42 USC § 2000e-1(a), expressly exempts from the prohibition against discrimination on the basis of religion, a religious corporation, association, educational institution, or society with respect to the employment of individuals of a particular religion to perform work connected with the carrying on by such corporation, association, educational institution, or society of its activities.

Modifications/Prior Approval

NRC's prior written approval may be required before a Grantee 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 of, and obtained from, the NRC Grants Officer in advance of the change or obligation of funds. All requests for NRC prior approval should be made, in writing (which includes submission by e-mail), to the designated Grants Specialist and Program Office no later than 30 days before the proposed change. The request must be signed by both the PI and the authorized organizational official. Failure to obtain prior approval, when required, from the NRC Grants Officer may result in the disallowance of costs, or other enforcement action within NRC's authority.

Lobbying Restrictions

The Grantee will comply, as applicable, with provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

The Grantee shall comply with provisions of 31 USC § 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 Grantee receiving in excess of \$100,000 in Federal funding shall submit a completed Standard Form (SF) LLL, "Disclosure of Lobbying Activities," regarding the use of non-Federal funds for lobbying within 30 days following the end of the calendar quarter in which there occurs any event that requires disclosure or that materially affects the accuracy of the information contained in any disclosure form previously filed. The Grantee must submit the SF-LLL, including those received from sub-recipients, contractors, and subcontractors, to the Grants Officer.

§ 215.13 Debarment And Suspension.

The Grantee agrees to notify the Grants Officer immediately upon learning that it or any of its principals:

- (1) Are presently excluded or disqualified from covered transactions by any Federal department or agency;
- (2) Have been convicted within the preceding three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State

antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, tax evasion, receiving stolen property, making false claims, or obstruction of justice; commission of any other offense indicating a lack of business integrity or business honesty that seriously and directly affects your present responsibility;

(3) Are presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1)(b); and

(4) Have had one or more public transactions (Federal, State, or local) terminated for cause or default within the preceding three years.

b. The Grantee agrees that, unless authorized by the Grants Officer, it will not knowingly enter into any subgrant or contracts under this grant/cooperative agreement with a person or entity that is included on the Excluded Parties List System (<http://epls.arnet.gov>).

The Grantee further agrees to include the following provision in any subgrant or contracts entered into under this award:

'Debarment, Suspension, Ineligibility, and Voluntary Exclusion

The Grantee 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 in 2 CFR Part 180.'

Drug-Free Workplace

The Grantee 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 USC 702.

Implementation of E.O. 13224 -- Executive Order On Terrorist Financing

The Grantee 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 Grantee 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.

Award Grantees must comply with Executive Order 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: www.fas.org/irp/offdocs/eo/eo-13224.htm.

Procurement Standards. § 215.40-48

Sections 215.41 through 215.48 set forth standards for use by Grantees 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 shall be imposed by the Federal awarding agencies upon Grantees, unless specifically required by Federal statute or executive order or approved by OMB.

Travel

Travel must be in accordance with the Grantee's Travel Regulations or the US Government Travel Policy and Regulations at: www.gsa.gov/federaltravelregulation and the per diem rates set forth at: www.gsa.gov/perdiem, absent Grantee's travel regulation. Travel costs for the grant must be consistent with provisions as established in Appendix A to 2 CFR 220 (J.53). All other travel, domestic or international, must not increase the total estimated award amount.

Domestic Travel:

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

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

International Travel:

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

The Grantee shall comply with the provisions of the Fly American Act (49 USC 40118) as implemented through 41 CFR 301-10.131 through 301-10.143.

Property and Equipment Management Standards

Property and equipment standards of this award shall follow provisions as established in 2 CFR 215.30-37.

Procurement Standards

Procurement standards of this award shall follow provisions as established in 2 CFR 215.40-48

Intangible and Intellectual Property

Intangible and intellectual property of this award shall generally follow provisions established in 2 CFR 215.36.

Inventions Report - The Bayh-Dole Act (P.L. 96-517) affords Grantees 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 Grantee 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 Grantee report all subject inventions to the awarding agency (NRC) as well as include an acknowledgement of federal support in any patents. NRC participates in the trans-government Interagency Edison system (<http://www.iedison.gov>) and expects NRC funding Grantees to use this system to comply with Bayh-Dole and related intellectual property reporting requirements. The system allows for Grantees to submit reports electronically via the Internet. In addition, the invention must be reported in continuation applications (competing or non-competing).

Patent Notification Procedures- Pursuant to EO 12889, NRC is required to notify the owner of any valid patent covering technology whenever the NRC or its financial assistance Grantees, 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. To ensure proper notification, if the Grantee uses or has used patented technology under this award without license or permission from the owner, the Grantee must notify the Grants Officer. This notice does not necessarily mean 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 are determined by 2 CFR 215.36. Such works may include data, databases or software. The Grantee 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 Grantee 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 Grantee employees may be copyrighted but only the part authored by the Grantee is protected because, under 17 USC § 105, works produced by Government employees are not copyrightable in the United States. On occasion, NRC may ask the Grantee 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 USC § 105.

Records Retention and Access Requirements for records of the Grantee shall follow established provisions in 2 CFR 215.53.

Organizational Prior Approval System

In order to carry out its responsibilities for monitoring project performance and for adhering to award terms and conditions, each Grantee organization shall have a system to ensure that appropriate authorized officials provide necessary organizational reviews and approvals in advance of any action that would result in either the performance or modification of an NRC supported activity where prior approvals are required, including the obligation or expenditure of funds where the governing cost principles either prescribe conditions or require approvals.

The Grantee shall designate an appropriate official or officials to review and approve the actions requiring NRC prior approval. Preferably, the authorized official(s) should be the same official(s) who sign(s) or countersign(s) those types of requests that require prior approval by NRC. The authorized organization official(s) shall not be the principal investigator or any official having direct responsibility for the actual conduct of the project, or a subordinate of such individual.

Conflict Of Interest Standards for this award shall follow OCOI requirements set forth in Section 170A of the Atomic Energy Act of 1954, as amended, and provisions set forth at 2 CFR 215.42 Codes of Conduct.

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 Grantee's position and the pertinent facts and reasons in support of such position.
- c. The Grants Officer will promptly acknowledge receipt of the request for review and shall forward it to the Director, Office of Administration, who shall appoint an intra-agency Appeal Board to review a grantee appeal of an agency action, if required, which will consist of the program office director, the Deputy Director of Office of Administration, and the Office of General Counsel.
- d. Pending resolution of the request for review, the NRC may withhold or defer payments under the award during the review proceedings.
- e. The review committee will request the Grants Officer who issued the notice of termination or adverse action to provide copies of all relevant background materials and documents. The committee may, at its discretion, invite representatives of the Grantee 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.

Termination and Enforcement. Termination of this award by default or by mutual consent shall follow provisions as established in 2 CFR 215.60-62.

Monitoring and Reporting § 215.50-53

- a. Grantee Financial Management systems must comply with the established provisions in 2 CFR 215.21
 - Payment – 2 CFR 215.22
 - Cost Share – 2 CFR 215.23
 - Program Income – 2 CFR 215.24
 - Earned program income, if any, shall be added to funds committed to the project by the NRC and Grantee and used to further eligible project or program objectives or deducted from the total project cost allowable cost as directed by the Grants Officer or the terms and conditions of award.
 - Budget Revision – 2 CFR 215.25
 - The Grantee is required to report deviations from the approved budget and program descriptions in accordance with 2 CFR 215.25, and request prior written approval from the Program Officer and the Grants Officer.
 - The Grantee is not authorized to rebudget between direct costs and indirect costs without written approval of the Grants Officer.
 - The Grantee is authorized to transfer funds among direct cost categories up to a cumulative 10 percent of the total approved budget. The Grantee 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.

- o Allowable Costs – 2 CFR 215.27

b. Federal Financial Reports

The Grantee shall submit a "Federal Financial Report" (SF-425) on a quarterly basis for the periods ending March 31, June 30, September 30, and December 31, or any portion thereof, unless otherwise specified in a special award condition. Reports are due no later than 30 days following the end of each reporting period. A final SF-425 is due within 90 days after expiration of the award. The report should be submitted electronically to:

Grants_FFR@NRC.GOV. (**NOTE: There is an underscore between Grants and FFR**).

Period of Availability of Funds 2 CFR § 215.28

a. Where a funding period is specified, a Grantee may charge to the grant only allowable costs resulting from obligations incurred during the funding period and any pre-award costs authorized by the NRC.

b. Unless otherwise authorized in 2 CFR 215.25(e)(2) or a special award condition, any extension of the award period can only be authorized by the Grants Officer in writing. Verbal or written assurances of funding from other than the Grants Officer shall not constitute authority to obligate funds for programmatic activities beyond the expiration date.

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

d. Requests for extensions to the period of performance should be sent to the Grants Officer at least 30 days prior to the grant/cooperative agreement expiration date. Any request for extension after the expiration date may not be honored.

Automated Standard Application For Payments (ASAP) Procedures

Unless otherwise provided for in the award document, payments under this award will be made using the Department of Treasury's Automated Standard Application for Payment (ASAP) system < <http://www.fms.treas.gov/asap/> >. Under the ASAP system, payments are made through preauthorized electronic funds transfers, in accordance with the requirements of the Debt Collection Improvement Act of 1996. In order to receive payments under ASAP, Grantees 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 will be required to make withdrawals under ASAP: (1) ASAP account number – the award number found on the cover sheet of the award; (2) Agency Location Code (ALC) – 31000001; and Region Code. Grantees enrolled in the ASAP system do not need to submit a "Request for Advance or Reimbursement" (SF-270), for payments relating to their award.

Audit Requirements

Organization-wide or program-specific audits shall be performed in accordance with the Single Audit Act Amendments of 1996, as implemented by OMB Circular A-133, "Audits of States, Local Governments, and Non-Profit Organizations."

<http://www.whitehouse.gov/omb/circulars/a133/a133.html> Grantees are subject to the provisions of OMB Circular A-133 if they expend \$500,000 or more in a year in Federal awards.

The Form SF-SAC and the Single Audit Reporting packages for fiscal periods ending on or after January 1, 2008 must be submitted online.

1. Create your online report ID at <http://harvester.census.gov/fac/collect/ddeindex.html>
2. Complete the Form SF-SAC
3. Upload the Single Audit
4. Certify the Submission
5. Click "Submit."

Organizations expending less than \$500,000 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

Performance (Technical) Reports

a. The Grantee shall submit performance (technical) reports electronically to the NRC Project Officer and Grants Officer on a semi-annual basis unless otherwise authorized by the Grants Officer. Performance reports should be sent to the Program Officer at the email address indicated in Block 12 of the Notice of Award, and to Grants Officer at:

Grants_PPR.Resource@NRC.GOV. **(NOTE: There is an underscore between Grants and PPR).**

b. Unless otherwise specified in the award provisions, performance (technical) reports shall contain brief information as prescribed in the applicable uniform administrative requirements 2 CFR §215.51 which are incorporated in the award.

c. The Office of Human Resources requires the submission of the semi-annual progress report on the SF-PPR, SF-PPR-B, and the SF-PPR-E forms. The submission for the six month period ending March 31st is due by April 30th, or any portion thereof. The submission for the six month period ending September 30th is due by October 31st or any portion thereof.

d. 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 FY 2010 HR grant awards, in addition to the customary performance progress report requested on the SF-PPR, SF-PPR-B, and SF-PPR-E forms, HR requires the following metrics to be reported on by the awardees as follows:

Curriculum Development Awards

1. Overall number of new courses developed in NRC designated STEM areas;

2. Number of students enrolled in new STEM courses;
3. Number of these enrolled students retained in STEM major.

Unsatisfactory Performance

Failure to perform the work in accordance with the terms of the award and maintain at least a satisfactory performance rating or equivalent evaluation may result in designation of the Grantee as high risk and assignment of special award conditions or other further action as specified in the standard term and condition entitled "Termination."

Failure to comply with any or all of the provisions of the award may have a negative impact on future funding by NRC and may be considered grounds for any or all of the following actions: establishment of an accounts receivable, withholding of payments under any NRC award, changing the method of payment from advance to reimbursement only, or the imposition of other special award conditions, suspension of any NRC active awards, and termination of any NRC award.

Other Federal Awards With Similar Programmatic Activities

The Grantee shall immediately provide written notification to the NRC Project Officer and the Grants Officer in the event that, subsequent to receipt of the NRC award, other financial assistance is received to support or fund any portion of the program description incorporated into the NRC award. NRC will not pay for costs that are funded by other sources.

Prohibition Against Assignment By The Grantee

The Grantee shall not transfer, pledge, mortgage, or otherwise assign the award, or any interest therein, or any claim arising thereunder, to any party or parties, banks, trust companies, or other financing or financial institutions without the express written approval of the Grants Officer.

Site Visits

The NRC, through authorized representatives, has the right, at all reasonable times, to make site visits to review project accomplishments and management control systems and to provide such technical assistance as may be required. If any site visit is made by the NRC on the premises of the Grantee or contractor under an award, the Grantee shall provide and shall require his/her contractors to provide all reasonable facilities and assistance for the safety and convenience of the Government representative in the performance of their duties. All site visits and evaluations shall be performed in such a manner as will not unduly delay the work.

IV. Miscellaneous Requirements

Criminal and Prohibited Activities

- a. The Program Fraud Civil Remedies Act (31 USC §§ 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.)
- b. False statements (18 USC § 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.

- c. False Claims Act (31 USC 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.
- d. Copeland "Anti-Kickback" Act (18 USC § 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

Grantees are hereby notified that they are encouraged, to the greatest extent practicable, to purchase American-made equipment and products with funding provided under this award.

Increasing Seat Belt Use in the United States

Pursuant to EO 13043, Grantees should 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

Pursuant to EO 13513, Grantees should 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 generally barred from accepting funds from a Grantee 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 Grantee'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 Grantees or applicants regardless of the source.

Minority Serving Institutions (MSIs) Initiative

Pursuant to EOs 13256, 13230, and 13270, 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 Grantees 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 Grantee 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 Grantee organization shall investigate the allegation and submit its findings to the Grants Officer. The NRC may accept the Grantee's findings or proceed with its own investigation. The Grants Officer shall inform the Grantee 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 Grantee 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 Grantee 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 [Grantee 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 grantee or any subgrantee, 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." (22 U.S.C. § 7104(g)).

Award Term

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 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 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.ccr.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, 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.