



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

August 1, 2014

Mr. Tab Cox  
Onondaga Community College  
4585 West Seneca Turnpike,  
Syracuse, NY 13215

VIA Electronic Mail  
coxt@sunyocc.edu

SUBJECT: GRANT NO: NRC-HQ-84-14-G-0023

Dear Mr. Cox:

Pursuant to the authority contained in the Federal Grant and Cooperative Grantee Act of 1977 and the Atomic Energy Act of 1954, the Nuclear Regulatory Commission (NRC) hereby awards to the Onondaga Community College (hereinafter referred to as the "Grantee" or "Recipient"), the sum of \$149,270.00 to provide support to the "Onondaga NET Scholars Program" as described in attachment B entitled "Program Description."

This award is effective as of the date of this letter and shall apply to expenditures made by the Grantee furtherance of program objectives during the period beginning with the effective date of August 1, 2014 and ending July 31, 2016.

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. In addition your grant application proposes \$37,000.00 in cost share. Please ensure your cost share conforms to the provisions in 2 CFR 215, and is reported on the semi-annual Federal Financial Report.

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

Please sign the enclosed grant to acknowledge your receipt of the award, and return as a pdf file to Ms. Sunshine Wilson by email at [Sunshine.Wilson@nrc.gov](mailto:Sunshine.Wilson@nrc.gov).

Sincerely yours,

*Erika Eam*

Erika Eam

Grants Officer

Resources and Grants Team

Acquisition Management Division

TEMPLATE - ADM001

SUNSI REVIEW COMPLETE

AUG 05 2014

ADM002

**Attachments:**

**Attachment A – Schedule**

**Attachment B – Program Description**

**Attachment C – Standard Terms and Conditions**

**ACKNOWLEDGED:**

**Onondaga Community College**

**By:** \_\_\_\_\_

**Title:** \_\_\_\_\_

**Date:** \_\_\_\_\_

# Grant and Cooperative Agreement

CHOOSE ONE:

☐ COOPERATIVE AGREEMENT

☒ GRANT

CHOOSE ONE:

☒ EDUCATION

☐ FACILITIES

☐ RESEARCH

☐ SDCR

☐ TRAINING

1. GRANT/COOPERATIVE AGREEMENT NUMBER

NRC-HQ-84-14-G-0023

2. SUPPLEMENT NUMBER

3. EFFECTIVE DATE

07/31/2014

4. COMPLETION DATE

5. ISSUED TO

NAME/ADDRESS OF RECIPIENT (No., Street, City/County, State, Zip)  
 ONONDAGA COMMUNITY COLLEGE  
 4585 W SENECA TURNPIKE  
 SYRACUSE NY 132152001

6. ISSUED BY

U.S. NRC - HQ

Mailing Address:

Acquisition Management Division

Mail Stop: 3WFN-05-C64MP

Washington DC 20555-0001

7. TAXPAYER IDENTIFICATION NO. (TIN)

9. PRINCIPAL INVESTIGATOR/ORGANIZATION'S PROJECT OR PROGRAM MGR. (Name &amp; Phone)

TAB COX

8. COMMERCIAL &amp; GOVERNMENT ENTITY (CAGE) NO.

COXT@SUNYOCC.EDU

10. RESEARCH, PROJECT OR PROGRAM TITLE

Onondaga NET Scholars Program

11. PURPOSE

See Schedule

12. PERIOD OF PERFORMANCE (Approximately)

08/01/2014 through 07/31/2016

13A.	AWARD HISTORY	13B.	FUNDING HISTORY
PREVIOUS	\$0.00	PREVIOUS	\$0.00
THIS ACTION	\$149,270.00	THIS ACTION	\$149,270.00
CASH SHARE	\$0.00	<b>TOTAL</b>	\$149,270.00
NON-CASH SHARE	\$0.00		
RECIPIENT SHARE	\$37,000.00		
<b>TOTAL</b>	\$149,270.00		

14. ACCOUNTING AND APPROPRIATION DATA

2014-X0200-IUPMRU-84-84D002-51-K-164-T8458-4110

PURCHASE REQUEST NO.	JOB ORDER NO.	AMOUNT	STATUS
OCHCO-14-0193			

15. POINTS OF CONTACT

	NAME	MAIL STOP	TELEPHONE	E-MAIL ADDRESS
TECHNICAL OFFICER	NANCY V. HEBRON-ISREAL	3WFN/3A12	301-287-0718	Nancy.Hebron-Isreal@nrc.gov
NEGOTIATOR				
ADMINISTRATOR	M'LITA R. CARR		301-287-0909	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:

- ☐ NO CHANGE IS MADE TO EXISTING PROVISIONS  
☐ FDP TERMS AND CONDITIONS AND THE AGENCY-SPECIFIC REQUIREMENTS APPLY TO THIS GRANT

18. APPLICABLE ENCLOSURE(S), IF CHECKED:

- ☐ PROVISIONS      ☐ SPECIAL CONDITIONS  
☐ REQUIRED PUBLICATIONS AND REPORTS

UNITED STATES OF AMERICA

COOPERATIVE AGREEMENT RECIPIENT

CONTRACTING/GRANT OFFICER

ERIKA EAM

DATE

07/31/2014

AUTHORIZED REPRESENTATIVE

DATE

## Grant and Cooperative Agreement

ITEM NO. (A)	ITEM OR SERVICE (Include Specifications and Special Instructions) (B)	QUANTITY (C)	UNIT (D)	ESTIMATED COST	
				UNIT PRICE (E)	AMOUNT (F)
	<p>CFDA Number: 77.008</p> <p>Payment will be made through the Automated Standard Application for Payment (ASAP.gov) unless the recipient has failed to comply with the program objectives, award conditions, Federal reporting requirements or other conditions specified in 2 CFR 215 (OMB Circular A110).</p> <p>Payment:</p> <p style="padding-left: 40px;">ASAP GRANT FUNDS REIMBURSEMENT SYS</p> <p style="padding-left: 40px;">US TREASURY</p> <p>Period of Performance: 08/01/2014 to 07/31/2016</p> <p>NRC-HQ-84-14-FOA-0001</p>				

## ATTACHMENT A - SCHEDULE

### A.1 PURPOSE OF GRANT

The purpose of this Grant is to provide support to the "Onondaga NET Scholars Program" as described in Attachment B entitled "Program Description."

### A.2 PERIOD OF GRANT

1. The effective date of this Grant is August 1, 2014. The estimated completion date of this Grant is July 31, 2016.
2. Funds obligated hereunder are available for program expenditures for the estimated period: August 1, 2014 – July 31, 2016.

#### A. GENERAL

- |                                |                               |
|--------------------------------|-------------------------------|
| 1. Total Estimated NRC Amount: | \$149,270.00                  |
| 2. Total Obligated Amount:     | \$149,270.00                  |
| 3. Cost-Sharing Amount:        | \$37,000.00                   |
| 4. Activity Title:             | Onondaga NET Scholars Program |
| 5. NRC Project Officer:        | Nancy Hebron-Isreal           |
| 6. DUNS No.:                   | 053723334                     |

### A.3 BUDGET

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

	Year 1	Year 2
Personnel Cost	\$ 2,518.00	\$ 2,568.00
Fringe	\$ 478.00	\$ 488.00
Supplies	\$ 890.00	\$ 890.00
Other (Scholarship)	\$ 77,048.00	\$ 64,390.00
Total Direct Cost	\$ 80,934.00	\$ 68,336.00
Indirect Cost	\$ 0.00	\$ 0.00
Total	\$ 80,934.00	\$ 68,336.00

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

1. The total estimated amount of this Award is \$186,270.00 for the two year period, inclusive of cost share.
2. NRC hereby obligates the amount of \$149,270.00 for program expenditures during the period set forth above and in support of the Budget above. The Grantee will be given written notice by the Grants Officer when additional funds will be added. NRC is not obligated to reimburse the Grantee for the expenditure of amounts in excess of the total obligated amount.
3. Payment shall be made to the Grantee in accordance with procedures set forth in the Automated Standard Application For Payments (ASAP) Procedures set forth below.

## Attachment B – Program Description

### PROJECT DESCRIPTION

**Section 1. Describe the program, number/size of scholarships, management structure, capability to administer the program, and schedule of tuition and fees for students**

<b>Criterion 1: Capacity &amp; ability of the college to effectively conduct the program...(25 pts)</b>
---

Onondaga Community College (Onondaga) seeks support for its NET Scholars Program, a new scholarship program designed to increase awareness of Onondaga's Nuclear Technology (NET) A.A.S program, recruit academically talented students, and support the success of approximately 32 NET students over the next 2 years.

Onondaga is a public college sponsored by the State University of New York and Onondaga County that serves nearly 13,000 students annually and attracts a diverse student body, including recent high school graduates, working adults, and veterans. Its main campus includes five core academic buildings, a library, student center, regional higher education center, events and athletic center, as well as four residence halls that serve 826 students. Student support services include a Veterans Affairs Office that has been recognized as a national model, a Disability Services Office, and comprehensive academic support services. The College offers nearly 50 degree and certificate programs, including its Nuclear Technology A.A.S., the only two-year program in New York developed to meet the needs of the nuclear energy industry.

Located in the geographic center of the state, Onondaga is ideally situated to meet the needs of the nuclear energy industry in New York. Its five-county service area is home to three nuclear power plants. CENG's Nine Mile Point Nuclear Station (NMP), a dual unit plant, and Entergy's James A. FitzPatrick Nuclear Power Plant, are located in Oswego County less than an hour from the main campus. Onondaga is about 95 miles from R.E. Ginna Nuclear Power Plant in Ontario County and less than 4 hours from Indian Point Nuclear Power Plant (Indian Point 2 and 3) in Buchanan, New York. In addition, Onondaga's on-campus housing option enables the college to accommodate students from well beyond its immediate service area.

Onondaga's NET program was developed in response to a critical need identified by CENG and Entergy, as nearly half of their employees approach retirement age. With support from a 2011 U.S. NRC Nuclear Education Grant of \$161,377, a contribution of \$212,000 from CENG and the involvement of employees from Nine Mile Nuclear Power Station, Onondaga developed its Nuclear Technology A.A.S degree in full alignment with the NEI Nuclear Uniform Curriculum Program. Approved in spring 2013 by the NYS Department of Education, the NET program welcomed its first cohort of 22 students in fall 2013. Although recruitment was successful, many students were enrolled at Onondaga and transferred into NET upon learning of the program. Onondaga recognizes that it must increase recruitment of *prospective* students to support program sustainability and meet industry needs.

Scholarships/Tuition: Given a targeted program enrollment of 24 new students in fall 2014, Onondaga plans to select up to 10 first-year and up to 12 returning students as NET Scholars in year 1 and year 2. Annual tuition for the 2013-2014 academic year is \$4,756 (\$4,172 tuition and \$584 in fees). The program will provide scholarships equivalent to 50% of tuition and fees for first-year students and 100% of tuition and fees for second-year students. First-year awards will be leveraged to widely promote awareness and to encourage academically talented students to enroll in the program, while reducing the risk to students should they need to discontinue the

program for any reason. Higher second-year awards will encourage high achievement and fulltime enrollment among recipients and reduce the hours students must work. As an incentive for all NET students, students not selected their first year will be eligible in their second year.

Management: Onondaga has the capacity and management structure in place to support the program. The coordinator of the NET program, Prof. Tab Cox, will serve as principal investigator and will report to Provost Cathleen McColgin, who will provide administrative oversight. The NET Program Advisory Committee, which meets two times per year, will continue to review and support curriculum development, program assessments and improvements, program admission criteria, and career preparation. Chaired by CENG Workforce Development Director, James Rzepkowski, the Committee includes Nine Mile Point (NMP) Maintenance and Technical Training Manager, Ron Leski; NMP Training Director, Jeff Gerber; NMP Sr. Human Resources Consultant, Kris Smith; NMP Fleet Initial Training General Supervisor, Heather Davis; and representatives from the Rochester Institute of Technology, SUNY IT, SUNY Oswego, and District Superintendent of the Oswego Board of Cooperative Education Services. Several Advisory Committee members will serve as members of the Scholarship Committee.

Onondaga's Vice President of Enrollment Management and the Marketing and New Media Director will ensure that the NET program and NET Scholars opportunity are widely promoted and integrated into existing admissions, enrollment, and financial aid processes and procedures. The Financial Aid Office processes over \$53 million in aid each year and has demonstrated the capacity to administer the NET Scholars Scholarships. In addition, Onondaga administers over \$12 million in grant funding from federal, state, corporate, and private foundations and will ensure that NRC funds are expensed in accordance with the award agreement and all pertinent regulations. The Office of Institutional Planning and Assessment and the Financial Services Department will support grant reporting, accounting, and evaluation.

The NET Scholars program will build on the successful track record of Onondaga's STEM Scholars Program funded by NSF in 2007-2012 and 2013-2017 to support scholarships for STEM students. Between 2007-2012, over 166 scholarships supported 98 students. Onondaga selected 16 new STEM Scholars in spring 2014, including 3 Nuclear Technology students.

<b>Criterion 2: Type/degree of student support (i.e., mentoring, advisor assistance) (25 pts)</b>
---

In addition to scholarships and services available to all students, such as mathematics diagnostic testing, tutoring, and study skills support, NET Scholars will be supported with mentoring, advisement, orientation, frequent monitoring, and career planning, as outlined below.

- Advisement and Mentoring: NET faculty will host information sessions and meet with individuals interested in the program to provide an overview of requirements and related career paths. NET faculty will serve as advisors to NET students to support academic and career planning. All NET Scholars will be assigned a faculty mentor to monitor their progress and encourage their participation in workshops and other opportunities.
- NET Scholars Orientation: NET Scholars will participate in a joint NET Scholars and STEM Scholars orientation at the beginning of the semester that will enable students to connect with one another, mentors, Phi Theta Kappa Honor Society, and other programs.
- Summer Bridge: Students must have completed Math114 or the equivalent to be eligible for the NET program and scholarships. Students with a strong interest in NET who do not meet the requirement will have the opportunity to complete this requirement over the summer.

- Retention Alert: NET Scholars will be required to maintain at least a 2.6 overall and expected to maintain a 3.0 GPA in their core NET classes for the purpose of remaining eligible for the NUCP certificate. Progress will be monitored by the NET Scholars PI and Mentors. Faculty will send reports via Retention Alert three times per semester and refer students for tutoring, advisement meetings, or other services to support their success.
- NET Career Prep: Students will participate in a special career preparation and technical occupational systems seminar to help prepare to enter careers in nuclear energy. In addition, Nine Mile Point Nuclear Power Plant will provide co-ops and other opportunities for NET Scholars to identify occupational paths in the industry and to prepare for career entry.

**Section 2: Recruitment activities to attract a large, diverse pool of applicants; Selection process to ensure the most qualified applicants are selected on academic merit, considering financial need, participation of minorities, women, persons with disabilities.**

The recruitment plan is designed to attract an academically talented, diverse applicant pool via the following core activities: (1) Outreach to high school counselors, STEM teachers, and students through communications, program partners, and college fairs; (2) Outreach to adult learners through community partners, including CNY Works, the local One Stop Center that assists displaced workers; and (3) Communications (web site, social media, and publications). High school students will be recruited by Admissions Counselors who visit over 100 schools each year and staff in STEM support programs, such as the Collegiate Science, Technology, and Entry Program (CSTEP), Louis Stokes Alliance for Minority Participation (LSAMP), and Ying Tri-Region Science Fair, which serves 24 counties in New York.

Onondaga is unique among many community colleges in that it offers an on-campus housing option, making the College an option for students from beyond the immediate service area. In addition to serving three plants in the area, Onondaga can attract students who are preparing for career opportunities at R.E. Ginna Nuclear Power Plant, or Indian Point 2 and Indian Point 3 nuclear power plants north of New York City.

Application Review and Selection: Students will complete a brief online scholarship application. Responses will be automatically compiled into a database. The admissions office will screen them for eligibility and forward to the PI and Scholarship Committee consisting of NET/ELT faculty, the Nine Mile Point Training Director, the NMP Manager of Maintenance and Training Director, the NMP Senior Human Resources Consultant, and a member of the OCC Enrollment Management team. The Committee will use a rubric to evaluate applications based on commitment to a nuclear energy career, past academic performance (GPA), previous academic or work experience, diversity and level of financial need. Students recommended for scholarships will meet with the PI to confirm acceptance and submit the NRC commitment form.

**Section 3: Identify an evaluation plan that will provide information on the effectiveness of the project in attracting, preparing, and retaining individuals for nuclear careers...**

<p><b>Criterion 3: Feasibility and completeness of Evaluation Plan to measure effectiveness of the scholarship program (15 pts)</b></p>
---

The program evaluation questions to be answered are: (1) Did the NET Scholars program increase the number of applicants to the NET program; (2) Did the scholarship support the level of academic achievement, persistence, and completion; (3) Did scholarship recipients secure



employment in the industry at a higher rate than non-recipients; and (4) Did Onondaga's NUCP graduates perform better in their initial training than non-NUCP graduates? In order to answer these questions, qualitative and quantitative data will be collected and formative and summative evaluations will be conducted. The number of applications and applicant characteristics and goals will be collected. Enrollment data, student GPAs, retention, graduation rates, and NUCP certification pass rates will be documented. Qualitative data will be collected via a questionnaire that NET Scholars complete upon entry and at the conclusion of each year to support planning and improvement. NET Scholars' performance in co-ops and internships will be assessed via employer and student evaluation forms. Members of the Advisory Committee will complete a questionnaire to identify opportunities for improvement. Employment and satisfaction data will be collected via the annual graduate survey. In addition, Onondaga will work with nuclear industry partners to confirm employment of graduates upon completion and gather performance data to assess whether NUCP graduates were better prepared for their initial training than non-NUCP graduates. The report will be prepared by the PI and Office of Institutional Planning, Assessment, and Research, reviewed by the Advisory Committee, and submitted to NRC.

**Section 4: State if scholarships are an integrated element of a State or regional strategic plan including innovative approaches...consortia, partnerships...shared programs...**

**Criterion 4: Institutional support, sustainability; num./quality of students served (25pts)**

NET Scholars is aligned with the Central New York Regional Economic Development Council's strategic plan (<http://regionalcouncils.ny.gov/content/central-new-york>) to support high-demand industries, and the State University of New York's (<http://www.suny.edu/powerofsuny/>) plan.

State and local sponsors have invested over \$100 million in capital construction funds over the past 15 years to upgrade and expand facilities on the Onondaga campus in response to dramatic enrollment growth and demand for new programs such as this. This investment included construction of the Whitney Applied Technology Center, where the NET classrooms and labs are now located. The College has four classrooms and 1092 square feet of lab space in Whitney to support the NET program. Onondaga hired a new faculty member to coordinate the program and a new fulltime faculty member was hired in spring 2014 (see attached CVs). Onondaga anticipates that employment demand within the industry will help attract students in future years, and, even without scholarships, the program will be operationally self-sustaining. The NET program can serve 24 new students annually, and scholarships will help support approximately half of the entering cohort to attract academically talented students and half the returning cohort to promote fulltime enrollment and encourage high achievement.

The NET Scholars program will support the long-term sustainability of the NET program by helping to raise awareness of the program and promote careers available in nuclear energy among prospective students, guidance counselors, teachers, and families. The NET Scholars program will support NET students over the next 2 years as the college builds its recruitment pipeline and alumni base within the program. In addition, OCC Foundation (OCCF) is working to build its endowment to increase its annual support for student scholarships. OCCF's capital campaign that concluded in 2012 generated over \$5 million for the scholarship endowment. However, the amount is insufficient to meet the level of need among students. OCCF will support NET students and has committed to continuing to build its support (see attached letter). The NRC grant will help close the gap in funding need among students over the next two years. In addition, CENG Corporate and Nine Mile Point Nuclear Power Station each contributed \$38,000 for a total contribution of \$76,000 in scholarship support, which will help Onondaga serve more students in year 2 and help ensure that students entering in 2015 have the

opportunity to continue to receive support to complete their degrees as second-year students.

**Criterion 5: Innovation through consortia, partnerships...to increase students reached through distance learning, shared courses, facility sharing, etc. (5 pts)**

Onondaga's strong partnership with CENG and Nine Mile Point (NMP) Nuclear Power Plant will help the program remain aligned with industry needs. CENG employees have dedicated many hours to developing the NET degree program. NMP employees serve as adjunct instructors in the NET program and are teaching four of the NET courses on the Onondaga campus. Onondaga faculty are working with NMP to review existing courses to ensure that they meet all ACAD 08-006 requirements and to incorporate the Lab-Volt equipment into the NET240 instrumentation and control course. This equipment was identified in partnership with NMP and will model several of the coolant control systems at the plant. CENG trainers will be on campus to help fully integrate the Lab-Volt laboratories into the curriculum. The equipment will simulate scenarios that students will face in the workplace, providing them with an advantage before they arrive on site. The equipment will also be available to support training of current employees.

Onondaga is a member of a number of consortia that will enable it to widely promote the NET A.A.S. and NET Scholars program, including the Say Yes to Education Collaborative, a network supported by the CNY Regional Economic Development Council that is working to strengthen alignment among high schools, colleges, and employers. As member of the Louis Stokes Alliance for Minority Participation (LSAMP), NET faculty will have the opportunity to work with faculty at partner colleges and universities to increase enrollment and success of underrepresented students. Onondaga's unique partnership with Dr. Nelson Ying Tri-Region Science and Engineering Fair will enable the college to promote the NET program via the science fair and STEM-related activities in TRSEF's 24-county service area. As a member of the P-TECH consortium, Onondaga is working with the Syracuse City School District's Institute of Technology to enable students to prepare for Onondaga's ELT or MET program in 9<sup>th</sup> grade. This innovative program could also serve as a pathway to the NET program.

**Section 5: Arrangements with other non-federal entities that provide support...**

**Criterion 6: Amount, type of leveraged funding initiated due to this announcement. (5 pts)**

The project leverages the 2011 NRC Education Grant (\$161,377), and a \$250,000 investment by CENG, which includes \$50,000 in 2011, \$50,000 in 2012, and \$112,000 in 2013 to support lab equipment, and an additional **\$38,000 CENG corporate awarded in 2014 to support this NRC Scholarship application (see letter)** to create the NET Scholarship Fund. **Nine Mile Point Nuclear Station matched this amount with a grant of \$38,000 to leverage this NRC grant**, for a total of **\$76,000** to support scholarships for NET students. CENG and Nine Mile Point (NMP) employees generously volunteered their time to support curriculum development, faculty development, and installation of the NET lab and have committed to continuing to serve on the Advisory Committee and the Scholarship Committee, to establishing and supervising co-ops and internships, and to providing assessments of students. In addition, the NSF S-STEM PI has agreed to collaborate with the NET Scholars PI (who has also served on the STEM Scholars Review Committee). The NET Scholars program will leverage between \$3000 and \$7000 per year from the NSF STEM to support NET students. NET Scholars will also be considered for the Community Scholars program through the OCCF, with anticipated support of \$4,000 for NET students. In addition, the time contributed by CENG, Onondaga staff, and community partners will be leveraged to support NET Scholars.

## **Section 6: NRC Service agreement commitment**

OCC will require NET Scholars accept service agreement terms, without additional restrictions.

## **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 Regulatory Commission (NRC) 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](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/a133.html> [http://www.whitehouse.gov/omb/circulars/a133\\_compliance/08/08toc.aspx](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.

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.

#### **Debarment And Suspension 2 CFR 215.13**

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](http://www.fas.org/irp/offdocs/eo/eo-13224.htm).

#### **Procurement Standards. § 2 CFR 215.40-48**

Sections 215.40 through 215.48 set forth procurement 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](http://www.gsa.gov/federaltravelregulation) and the per diem rates set forth at: [www.gsa.gov/perdiem](http://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.

### **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.

#### **Termination and Enforcement**

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



**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.

**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.

- Allowable Costs – 2 CFR 215.27

**b. Federal Financial Reports**

The Grantee shall submit a "Federal Financial Report" (SF-425) on a semi-annual basis for the periods ending March 31 and September 30, 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](mailto: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 the Chief Human Capital Officer (OCHCO) 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 31<sup>st</sup> is due by April 30<sup>th</sup> or any portion thereof. The submission for the six month period ending September 30<sup>th</sup> is due by October 31<sup>st</sup> 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 OCHCO grant awards, in addition to the above customary performance progress report requested on the SF-PPR, SF-PPR-B, and SF-PPR-E forms, OCHCO requires the following metrics to be reported on by the awardee as follows:

#### **Trade Schools and Community Colleges Performance Metrics**

1. How many 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 certification or are licensed in their field of study?
  - 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 procured employment in the nuclear industry?
  - a. Response is the number of students, for this reporting period and cumulative to the grant.

#### **Unsatisfactory Performance**

Failure to perform the work in accordance with the terms of the award and maintain at least a satisfactory performance rating 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 there under, 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, 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.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, 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.