

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

June 9, 2016

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

VIA Electronic Mail
cox@sunyocc.edu

SUBJECT: GRANT NO: NRC-HQ-84-16-G-0006

Dear Mr. Cox:

Pursuant to the authority contained in the Federal Grant and Cooperative Agreement Act of 1977, as amended, and the Atomic Energy Act of 1954, as amended, the Nuclear Regulatory Commission (NRC) hereby awards to Onondaga Community College (hereinafter referred to as the "Grantee" or "Recipient"), the sum of \$149,619.00 to provide support for the "Onondaga NET Scholars Program" entitled "Program Description."

This award is effective July 1, 2016 and shall apply to expenditures made by the Recipient furtherance of program objectives during the period beginning with the effective date of July 1, 2016 and ending June 30, 2018.

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 \$17,500.00 in cost share. Please ensure your cost share conforms to the provisions in 2 CFR 200, and is reported on the semi-annual Federal Financial Report.

Based on the pre-award compliance review conducted by NRC's Small Business and Civil Rights Office (SBCR), your institution is placed in a periodic status pending resolution of concerns raised during the review. Within 60 days, SBCR will conduct a periodic review to ensure compliance with applicable Civil Rights statutes. Your cooperation with SBCR is essential. The continued eligibility of Federal financial assistance is conditioned upon compliance with anti-discrimination regulations.

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

Please sign the enclosed grant to acknowledge your receipt of the award, and return as a pdf file to Ms. Erika Eam by email at Erika.Eam@nrc.gov.

Attachments:

Attachment A – Schedule

Attachment B – Program Description

Attachment C – Standard Terms and Condition

Sincerely yours,

A handwritten signature in cursive script that reads "Erika Eam".

Erika Eam
Grants Officer
Resources & Grants Team
Acquisition Management Division

TEMPLATE - ADMIN

SUNSI REVIEW COMPLETE

JUN 14 2016

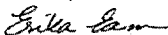
ADM002

Grant and Cooperative Agreement

CHOOSE ONE:

- ☐ COOPERATIVE AGREEMENT
- ☒ GRANT

CHOOSE ONE: ☒ EDUCATION ☐ FACILITIES ☐ RESEARCH ☐ SDCR ☐ TRAINING

1. GRANT/COOPERATIVE AGREEMENT NUMBER NRC-HQ-84-16-G-0006		2. SUPPLEMENT NUMBER		3. EFFECTIVE DATE 07/01/2016		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 US NRC - HQ Mailing Address: ACQUISITION MANAGEMENT DIVISION MAIL STOP TWFN-5E03 WASHINGTON DC 20555-0001			
7. TAXPAYER IDENTIFICATION NO. (TIN)				9. PRINCIPAL INVESTIGATOR/ORGANIZATION'S PROJECT OR PROGRAM MGR. (Name & Phone) Mr. Tad Cox, cost@sunyocc.edu			
8. COMMERCIAL & GOVERNMENT ENTITY (CAGE) NO.							
10. RESEARCH, PROJECT OR PROGRAM TITLE Onondaga NET Scholars Program							
11. PURPOSE See Schedule							
12. PERIOD OF PERFORMANCE (Approximately) 07/01/2016 through 06/30/2018							
13A.		AWARD HISTORY		13B.		FUNDING HISTORY	
PREVIOUS		\$0.00		PREVIOUS		\$0.00	
THIS ACTION		\$149,619.00		THIS ACTION		\$149,619.00	
CASH SHARE		\$17,500.00		TOTAL		\$149,619.00	
NON-CASH SHARE		\$0.00					
RECIPIENT SHARE		\$0.00					
TOTAL		\$149,619.00					
14. ACCOUNTING AND APPROPRIATION DATA 2016-X0200-IUPMRU-84-84D002-52-S-164-T8458-4110							
PURCHASE REQUEST NO.		JOB ORDER NO.		AMOUNT		STATUS	
OCHCO-16-0166							
15. POINTS OF CONTACT							
	NAME		MAIL STOP	TELEPHONE	E-MAIL ADDRESS		
TECHNICAL OFFICER	NANCY V. HEBRON-ISREAL			301-287-0718	Nancy.Hebron-Isreal@nrc.gov		
NEGOTIATOR							
ADMINISTRATOR	ERIKA EAM			301-415-8180	Erika.Eam@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:				18. APPLICABLE ENCLOSURE(S), IF CHECKED:			
<input type="checkbox"/> NO CHANGE IS MADE TO EXISTING PROVISIONS				<input type="checkbox"/> PROVISIONS <input type="checkbox"/> SPECIAL CONDITIONS			
<input type="checkbox"/> FDP TERMS AND CONDITIONS AND THE AGENCY-SPECIFIC REQUIREMENTS APPLY TO THIS GRANT				<input type="checkbox"/> REQUIRED PUBLICATIONS AND REPORTS			
UNITED STATES OF AMERICA				COOPERATIVE AGREEMENT RECIPIENT			
CONTRACTING/GRANT OFFICER ERIKA EAM 		DATE 06/09/2016		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>DUNS Number: 053723334</p> <p>Payment will be made through the Automated Standard Application for Payment (ASAP.gov) unless the recipient has failed to comply with the program objectives, award conditions, Federal reporting requirements or other conditions specified in 2 CFR 200.</p> <p>Payment:</p> <p>ASAP GRANT FUNDS REIMBURSEMENT SYS</p> <p>US TREASURY</p> <p>Period of Performance: 07/01/2016 to 06/30/2018</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 July 1, 2016. The estimated completion date of this Grant is June 30, 2018.

2. Funds obligated hereunder are available for program expenditures for the estimated period: July 1, 2016 – June 30, 2018.

A. GENERAL

1. Total Estimated NRC Amount:	\$149,619.00
2. Total Obligated Amount:	\$149,619.00
3. Cost-Sharing Amount:	\$17,500.00
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 § 200.308.

Category	Year 1	Year 2	Total
Personnel	\$2,562.00	\$2,594.00	\$5,156.00
Fringe Benefits	\$487.00	\$493.00	\$980.00
Supplies	\$940.00	\$940.00	\$1,880.00
Other (scholarship/tuition)	\$70,000.00	\$70,000.00	\$140,000.00
Total Direct Charges	<u>\$73,989.00</u>	<u>\$74,027.00</u>	<u>\$148,016.00</u>
Indirect Rate Charges	<u>\$798.00</u>	<u>\$805.00</u>	<u>\$1,603.00</u>
Total	\$74,787.00	\$74,832.00	\$149,619.00

A.4 AMOUNT OF AWARD AND PAYMENT PROCEDURES

1. The total estimated amount of this Award is \$167,119.00 for the two year period; inclusive of \$17,500.00 in cost share.

2. NRC hereby obligates the amount of \$149,619.00 for program expenditures during the period set forth above and in support of the Budget above. NRC is not obligated to reimburse the Grantee for the expenditure of amounts in excess of the total obligated amount.

3. Payment shall be made to the Recipient in accordance with procedures set forth in the Automated Standard Application for Payments (ASAP) Procedures set forth below.

ATTACHMENT B - PROJECT DESCRIPTION

Onondaga Nuclear Technology (NET) Scholars

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

Onondaga Community College (Onondaga, OCC), a public two-year college jointly sponsored by the State University of New York (SUNY) and Onondaga County and accredited by Middle States Commission on Higher Education, serves nearly 12,000 students annually and attracts a diverse student body, including recent high school graduates, working adults, and veterans. Located in the geographic center of the state, OCC is ideally situated to meet the needs of the nuclear energy industry in New York. Its five-county service area is home to Exelon Corp.'s Nine Mile Point Nuclear Station (NMP), a dual unit plant located in Oswego County less than an hour from the main campus. In addition, OCC is about 95 miles from R.E. Ginna Nuclear Power Plant in Ontario County and is centrally located to serve New York and the northeast region. OCC's on-campus housing enables it to accommodate students from well beyond its service area.

OCC offers nearly 50 degree and certificate programs, including its Nuclear Technology A.A.S. (NET), the only two-year program in New York developed to meet the needs of the nuclear energy industry. OCC's NET A.A.S. program was developed in response to a critical need identified by Nine Mile Point Nuclear Power Station (NMP) and its owner, 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, the former owner of NMP, and the involvement of employees from NMP, OCC developed its NET A.A.S degree in full alignment with the NEI Nuclear Uniform Curriculum Program and established state-of-the-art labs.

Scholarships/Tuition: OCC's NET A.A.S. program has the capacity to enroll between 12 and 24 students annually, enabling it to adapt to fluctuations in workforce demand. OCC's fulltime annual tuition (2015-16) is \$4,430, plus \$584 in fees. In 2014, the NRC awarded OCC its first Trade School and Community College Scholarship grant to support the NET Scholars program, a new scholarship program designed to encourage academically talented students to enroll in the NET A.A.S. program, complete academic enrichment activities, and engage in work-based learning activities in partnership with Nine Mile Point Nuclear Station (NMP) to prepare for careers in the nuclear energy industry. With support from the NRC and contributions from NMP and CENG (now Exelon), OCC awarded scholarships to 34 students, including 11 continuing students and 10 new students in 2014-15, and 12 continuing students and 9 new students in 2015-16. To date 11 recipients have graduated, 14 are expected to graduate in 2016, and the fall 2015 cohort will enter their second year in 2016-17. The NET Scholars program achieved its recruitment, completion, and career entry objectives for the period. However, the structure of the first iteration of the program, in which first-year students received awards of up to 50% of tuition and fees and second year students received full awards, left some students with unmet financial need, detracting from the goal of removing financial barriers for students.

In the FY2016 grant cycle, OCC plans to build upon the successful track record of the NET Scholars program and make improvements to support the needs of students and employer partners. OCC will select up to 8 new students and up to 8 returning students as NET Scholars annually, for a total of 20 to 24 NET Scholars to be supported over the two-year period. OCC will increase the award cap available to first-year students to scholarship awards equivalent to up to

100% of the maximum award amount allowable under NRC guidelines (up to \$5,000 per year or \$10,000 over the two-year period). This modification in award cap aligns with the financial need of students, anticipated hiring needs of the employers in closest proximity to OCC, and the overall goals of the NRC program to “develop a workforce capable of supporting the design, construction, operation, and regulation of nuclear facilities and the safe handling of nuclear materials.” This approach reflects scholarship best practices cited by the Nuclear Energy Institute to promote high achievement and encourage top students to prepare for careers in the nuclear industry. NRC awards will be sufficient to cover tuition and nearly 100% of fees, closing the gap between the cost of attendance and students’ estimated family contributions and reducing the need for NET scholars to hold part-time jobs during the semester. This will enable NET Scholars to dedicate more time to their studies and academic support and enrichment activities, and serve as an incentive to encourage students to excel. In addition to the NET Scholars program, all NET students will have the opportunity to apply for scholarships through the OCC Foundation.

Management Structure: OCC has the capacity and management structure in place to support the program. The NET program coordinator, Prof. Tab Cox, will serve as principal investigator and will report to OCC’s Provost, who will provide administrative oversight. The NET Program Advisory Committee, which meets twice per year, will continue to review and support curriculum development, program assessments, admission criteria, and career preparation. Co-chaired by Nine Mile Point (NMP) Maintenance and Technical Training Manager, Ron Leski, and Professor Tab Cox, the Committee includes industry representatives, including NMP Training Director, Jeff Gerber, NMP Sr. Human Resources Consultant, Kris Smith; educational institutions, including transfer colleges and secondary schools; and STEM faculty. The NET Scholarship Committee will include several members of the NET Advisory Committee, including the NMP Training Director, NMP Sr. Human Resources Consultant, and OCC STEM faculty.

Onondaga’s Vice President of Enrollment Development and Communications, the Marketing and New Media Director, and the Financial Aid 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. The Financial Aid Office is committed to continuous improvement, and the Director worked with the PI over the past year to streamline the award administration process. OCC is approved to administer scholarships awarded by the U.S. Department of Energy Nuclear Energy University Program (NEUP), and OCC is administering a National Science Foundation Scholarship to support students in STEM programs. OCC 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 Financial Services Department and Grants Administration Office will support grant reporting, accounting, and evaluation.

The NET program, developed in full alignment with the NEI Nuclear Uniform Curriculum Program, is housed in the Whitney Applied Technology Center, a 200,000 square-foot building constructed in 1999 that features smart classrooms and extensive lab space. NET students benefit from campus facilities and support services, including library, student center, regional higher education center, events and athletic center, and four residence halls. Support services include a Veterans Affairs Office that has been recognized as a national model, Office of Accessibility Resources to ensure accessibility for students with disabilities, Advisement Center, and a recently expanded Learning Center that provides study skills development and tutoring free of charge. In addition to services available to all students, such as mathematics diagnostic testing and tutoring, NET Scholars will benefit from additional support, as outlined below.

- Advisement, Mentoring, Orientation: NET faculty will host information sessions and meetings

to review program requirements and related career paths. NET faculty will serve as advisors to NET students to support academic and career planning. All Scholars will be assigned a faculty mentor to monitor their progress and encourage their participation in workshops and other opportunities. NET Scholars will participate in an orientation to connect with faculty, peers and other organizations, such as Phi Theta Kappa Honor Society.

- Summer Bridge: Students must have completed Math 114 or 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 3.0 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 career preparation activities, such as Plant Operator Selection System (POSS) and Power Plant Maintenance Positions Selection System (MASS) exam prep and exams, career information sessions, and workshops to complete resumes and prepare for interviews. 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; Process to ensure the most qualified applicants selected on academic merit, considering financial need, participation of the traditionally underrepresented

Recruitment/Selection Process: The NET Scholars program will be widely promoted among high school students and prospective adult learners, with targeted outreach to encourage economically disadvantaged students and students traditionally underrepresented in the nuclear industry to apply. 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; (3) Communications (promotion via the web, social media, and publications); (4) Promotion at events, including Open House, Financial Aid Night and financial aid workshops, and (5) Additional targeted outreach to encourage traditionally underrepresented students, and students with disabilities to apply.

OCC recruiters who visit over 100 schools each year will actively promote the program to high school students, teachers, and guidance counselors and ensure that communications about the program are inclusive and encourage students traditionally underrepresented in the nuclear industry to apply. Staff in STEM support programs, including staff in the New York State-funded Collegiate Science, Technology Entry Program (C-STEP) and National Science Foundation Louis Stokes Alliance for Minority Participation (LSAMP) program, will promote the program to encourage economically disadvantaged and underrepresented students to apply. Partners, such as CNY Works (the local One Stop), will promote the opportunity to adult learners. OCC will engage current NET Scholars and alumni in the industry as ambassadors to promote the program. OCC offers an on-campus housing option, making it an option for students who are preparing for career opportunities at nuclear power plants throughout the northeast.

Application Review and Selection: All students who apply for entry into OCC's NET degree program will be encouraged to apply for a scholarship via the online scholarship application, which collects information on academic achievement, highest level of mathematics completed, work experience that demonstrates their potential to succeed in the NET program, academic and career goals, and ways in which the scholarship will support their goals. Scholarship applications will be distributed to the Scholarship Committee consisting of NET/ELT faculty, Nine Mile Point Training Director, the NMP Manager of Maintenance and Training Director, NMP Senior Human Resources Consultant, member of the OCC Enrollment Management team, and STEM faculty. The Committee will use a rubric to evaluate applications based on commitment to a nuclear energy career, academic performance (GPA and highest level of mathematics completed), academic or work experience, diversity and level of financial need, as determined by the OCC Financial Aid Department. Students recommended for scholarships will meet with the PI to confirm acceptance and submit the NRC commitment form.

Section 3: Evaluation plan will provide information on effectiveness of the project in attracting, preparing, and retaining individuals for nuclear careers...

The program evaluation questions to be answered are: (1) Did the NET Scholars program encourage a diverse pool of high achieving students to apply to the NET program; (2) Did the scholarship support academic achievement, persistence, and completion; (3) Did scholarship recipients secure employment in the industry at a higher rate than non-recipients; and (4) Did OCC'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 will be collected. Enrollment data, student GPAs, retention, graduation rates, and NUCP certification pass rates will be documented. Qualitative data will be collected via the NET Scholars application and a questionnaire completed at the end 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, OCC 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 PI will prepare the report with the assistance of Financial Aid, Financial Services, and Grants Office, reviewed by the Advisory Committee, and submitted to NRC.

Section 4: Scholarships are an element of a regional strategic plan...

The NET Scholars program is aligned with the CNY 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.

Section 5: Arrangements with non-federal partners that provide additional support...

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 OCC 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 located. OCC has four classrooms and 1,092 square feet of lab space in Whitney to support the NET program. OCC hired a new faculty member to coordinate the program and a new fulltime

faculty member was hired in spring 2014 (see attached CVs). As noted in the budget narrative and above in Section 1, NMP and CENG (now Exelon), have made significant contributions to the development of the NET A.A.S. curriculum, the NET lab, work-based learning experiences, including paid internships, and ongoing program support and instruction.

The NET program has the capacity to enroll between 12 and 24 students annually, enabling the program to target annual enrollment based on changes in industry need. OCC 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. Scholarships will help the program to attract a diverse pool of academically talented students, promote fulltime enrollment, encourage high achievement, and reduce financial barriers for students. The scholarships will contribute to the program's long-term sustainability by helping to promote awareness of careers in nuclear energy among prospective students, guidance counselors, teachers, and families, and by making the program accessible to financially needy students, as OCC continues to build its recruitment pipeline and scholarship endowment. OCC Foundation (OCCF) has been working to build its endowment to increase its support for scholarships. OCCF manages more than 150 funds and awarded over \$850,000 to OCC students this past year. However, given the level of need among students, OCCF does not have the resources to award full scholarships, and most awards currently range between \$200 and \$3000. This project will leverage previous investments made by CENG and NMP, including up to \$37,000 in scholarship funds. Support from the NRC and NMP will enable OCC to award scholarships to up to 24 NET students over the two-year period, while OCCF continues to build its capacity (see attached letters).

OCC's strong partnership with Nine Mile Point (NMP) Nuclear Power Plant will help the program remain aligned with industry needs. NMP 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 OCC campus. OCC faculty worked with NMP to review 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. It models several of the coolant control systems at the plant and simulates scenarios students will face, providing them with an advantage before they arrive on site. The equipment also is available for training current employees. NMP employees generously volunteer their time on the Advisory Committee and Scholarship Committee, supervising co-ops/internships, and assessing student performance.

OCC is a member of a number of consortia that will enable it to 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 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 to support the success of underrepresented students. As a member of the P-TECH consortium, OCC is working with the Syracuse City School District's Institute of Technology to enable students to prepare for OCC's ELT or MET program in 9th grade. This innovative program could also serve as a pathway to the NET program.

Section 6: NRC Service Agreement: OCC will require that NET Scholars accept service agreement terms and OCC will not impose any additional restrictions.

ATTACHMENT C – STANDARD TERMS AND CONDITIONS**The Nuclear Regulatory Commission's
Standard Terms and Conditions for U.S. Nongovernmental Recipients****Preface**

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

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

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

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

I. Mandatory General Requirements

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

1. Applicability of 2 CFR Part 200

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

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

2. Award Package

The Recipient is obligated to conduct project oversight as may be appropriate, to manage the funds with prudence, and to comply with the provisions outlined in 2 CFR Part 200. Within this framework, the Principal Investigator (PI) named on the award face page, is responsible for the scientific or technical direction of the project and for preparation of the project performance reports. This award is funded on a cost-reimbursement basis, not to exceed the amount

awarded as indicated on the face page, and is subject to a refund of unexpended grant funds to the NRC.

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

Subawards

Appendix II to Part 200 Contract Provisions for Non-Federal Entity Contracts Under Federal Awards

Sub-recipients, sub-awardees, and contractors have no relationship with NRC under the terms of this grant/cooperative agreement. All required NRC approvals must be directed through the Recipient to NRC. See 2 CFR § 200.318.

Nondiscrimination

This provision is applicable when work under the grant/cooperative agreement is performed in the U.S. or when employees are recruited in the U.S.

The Recipient agrees to comply with the non-discrimination requirements below:

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. §§ 2000d et seq.), which prohibits discrimination on the grounds of race, color, or national origin in any program or activity receiving federal financial assistance.
- Title IX of the Education Amendments of 1972 (20 U.S.C. §§ 1681 et seq.), which prohibits discrimination on the basis of sex in any education program or activity receiving federal financial assistance.
- Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794), which prohibits discrimination on the basis of disability in any program or activity receiving federal financial assistance.
- The Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 6101 et seq.), which prohibits discrimination on the basis of age in any program receiving federal financial assistance.
- The Americans with Disabilities Act of 1990 (42 U.S.C. §§ 12101 et seq.), which prohibits recipients from discriminating on the basis of disability in employment (Title I); State and local government services (Title II); and places of public accommodation and commercial facilities (Title III).
- Parts II and III of E.O. 11246, as amended by E.O. 11375, 11478, 12086, 12107, 13279, 13665, and 13672, which prohibits federal contractors and federally assisted construction contractors and subcontractors, who do over \$10,000 in Government business in one year, from discriminating in employment decisions on the basis of race, color, religion, sex, or national origin and requires that government contractors take

affirmative action to ensure that equal opportunity is provided in all aspects of their employment.

- E.O.13166, "Improving Access to Services for Persons with Limited English Proficiency," which clarifies that national origin discrimination under Title VI includes discrimination on the basis of limited English proficiency (LEP) and requires that the recipient take reasonable steps to ensure that LEP persons have meaningful access to programs and activities.
- Any other applicable non-discrimination law(s).

Generally, Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e et seq, provides that it shall be an unlawful employment practice for an employer to discharge any individual or otherwise to discriminate against an individual with respect to compensation, terms, conditions, or privileges of employment because of such individual's race, color, religion, sex, or national origin. However, Title VII, 42 U.S.C. § 2000e-1(a), expressly exempts from the prohibition against discrimination on the basis of religion, a religious corporation, association, educational institution, or society with respect to the employment of individuals of a particular religion to perform work connected with the carrying on by such corporation, association, educational institution, or society of its activities.

Modifications/Prior Approval

NRC's prior written approval may be required before a Recipient makes certain budget modifications or undertakes particular activities. If NRC approval is required for changes in the grant or cooperative agreement, it must be requested and obtained from the NRC Grants Officer in advance of the change or obligation of funds. All requests for NRC prior approval, including requests for extensions to the period of performance, must be made, in writing (which includes submission by e-mail), to the designated Grants Officer at least 30 days before the proposed change. The request must be signed by the authorized organizational official. Failure to obtain prior approval, when required, from the NRC Grants Officer, may result in the disallowance of costs, or other enforcement action within NRC's authority.

Lobbying Restrictions

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

The Recipient will comply with provisions of 31 U.S.C § 1352. This provision generally prohibits the use of Federal funds for lobbying in the Executive or Legislative Branches of the Federal Government in connection with the award, and requires disclosure of the use of non-Federal funds for lobbying.

The Recipient shall submit a completed "Certification Regarding Lobbying" form, regardless of dollar value.

If applicable, the Recipient receiving in excess of \$100,000.00 in Federal funding shall submit a completed Standard Form (SF-LLL), "Disclosure of Lobbying Activities" for any persons engaged in lobbying activities, as discussed at 31 U.S. Code § 1352 – Limitation on use of appropriated funds to influence certain Federal contracting and financial transactions. The form concerns the use of non-Federal funds for lobbying within 30 days following the end of the calendar quarter in which there occurs any event that requires disclosure or that materially affects the accuracy of the information contained in any disclosure form previously filed. If the

Recipient must submit the SF-LLL, including those received from sub-recipients, contractors, and subcontractors, to the Grants Officer.

Debarment And Suspension – (See 2 CFR Part 180; 2 CFR § 200.205; 2 CFR § 200.113; and 2 CFR Part 200, Appendix II.)

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

- (1) Are presently excluded or disqualified from covered transactions by any Federal department or agency;
- (2) Have been convicted within the preceding three-year period preceding this proposal 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 the recipient's present responsibility;
- (3) Are presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1)(b); or
- (4) Have had one or more public transactions (Federal, State, or local) terminated for cause or default within the preceding three years.
- (5) The Recipient agrees that, unless authorized by the Grants Officer, it will not knowingly enter into any subaward or contracts under this grant/cooperative agreement with a person or entity that is not included on the System for Award Management (SAM) (<https://www.sam.gov>).

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

Debarment, Suspension, Ineligibility, and Voluntary Exclusion

The Recipient certifies that neither it nor its principals is presently excluded or disqualified from participation in this transaction by any Federal department or agency. The policies and procedures applicable to debarment, suspension, and ineligibility under NRC-financed transactions are set forth 2 CFR Part 180 and 2 CFR Part 200.

Drug-Free Workplace

The Recipient must be in compliance with The Federal Drug Free Workplace Act of 1988. The policies and procedures applicable to violations of these requirements are set forth in 41 U.S.C. §§ 8101-8106.

Implementation of E.O.13224 – Executive Order on Terrorist Financing

The Recipient is reminded that U.S. Executive Orders and U.S. law prohibits transactions with, and the provision of resources and support to, individuals and organizations associated with terrorism. It is the legal responsibility of the Recipient to ensure compliance with these Executive Orders and laws. This provision must be included in all contracts/sub-awards issued under this grant/cooperative agreement.

The Recipient must comply with E.O. 13224, Blocking Property and Prohibiting Transactions with Persons who Commit, Threaten to Commit, or Support Terrorism. Information about this Executive Order can be found at:

Implementation of Executive Order 13224 Blocking Property and Prohibiting Transactions With Persons Who Commit, Threaten To Commit, or Support Terrorism amended by E.O. 13268, 13284, and 13372.

Procurement Standards - 2 CFR §§ 200.318-200.326

Sections 200.318 - 200.326 set forth standards for use by Recipients in establishing procedures for the procurement of supplies and other expendable property, equipment, real property and other services with Federal funds. These standards are furnished to ensure that such materials and services are obtained in an effective manner and in compliance with the provisions of applicable Federal statutes and executive orders. No additional procurement standards or requirements will be imposed by the Federal awarding agencies upon Recipients, unless specifically required by Federal statute, executive order, or approved by OMB.

Travel and Transportation

Travel must be in accordance with the Recipient's Travel Regulations or the U.S. Government Travel Policy and Regulations at: <http://www.gsa.gov/portal/category/21222> and the per diem rates set forth at: <http://www.gsa.gov/portal/content/104877>, absent Recipient's travel regulations. Travel and transportation costs for the grant must be consistent with provisions as established in 2 CFR § 200.473-474.

All other travel, domestic or international, must not increase the total estimated award amount for the grant.

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 Recipient'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 for the grant.

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 Recipient's policies and practices. Travel by first-class travel is not authorized unless prior approval is obtained, in writing, 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 Recipient will comply with the provisions of the Fly America Act (49 U.S.C 40118), as implemented at 41 CFR §§ 301-10.131 through 301-10.143.

Property Standards

Property standards of this award shall follow provisions as established 2 CFR §§ 200.310-200.316.

Intangible Property

Intangible and intellectual property of this award shall generally follow provisions established in 2 CFR § 200.315.

Inventions Report - The Bayh-Dole Act (P.L. 96-517) affords Recipients the right to elect and retain title to inventions they develop with funding under an NRC grant award ("subject inventions"). In accepting an award, the Recipient agrees to comply with applicable NRC policies, the Bayh-Dole Act, and its Government-wide implementing regulations found at Title 37, Code of Federal Regulations (CFR) Part 401. A significant part of the regulations require that the Recipient report all subject inventions to the awarding agency (NRC) as well as include an acknowledgement of federal support in any patents.

Patent Notification Procedures - If the NRC or its Recipients, without making a patent search, knows (or has demonstrable reasonable grounds to know) that technology covered by a valid United States patent has been or will be used without a license from the owner, E.O. 12889 requires NRC to notify the owner. If the Recipient uses or has used patented technology under this award without license or permission from the owner, the Recipient must notify the Grants Officer. This notice does not imply that the Government authorizes and consents to any copyright or patent infringement occurring under the financial assistance.

Data, Databases, and Software - The rights to any work produced or purchased under a NRC federal financial assistance award, such as data, databases or software are determined by Subpart D of 2 CFR Part 200. The Recipient owns any work produced or purchased under a NRC federal financial assistance award subject to NRC's right to obtain, reproduce, publish or otherwise use the work or authorize others to receive, reproduce, publish or otherwise use the data for Government purposes.

Copyright - The Recipient may copyright any work produced under a NRC federal financial assistance award subject to NRC's royalty-free nonexclusive and irrevocable right to reproduce, publish or otherwise use the work or authorize others to do so for Government purposes. Works jointly authored by NRC and Recipient employees may be copyrighted, but only the part authored by the Recipient is protected because, under 17 U.S.C. § 105, works produced by Government employees are not copyrightable in the United States. On occasion, NRC may ask the Recipient to transfer to NRC its copyright in a particular work when NRC is undertaking the primary dissemination of the work. Ownership of copyright by the Government through assignment is permitted under 17 U.S.C. § 105.

Record Retention and Access

Recipient shall follow established provisions in 2 CFR §§ 200.333-337.

Conflict Of Interest

Conflict of Interest standards for this award will follow the Organizational Conflict of Interest (OCOI) requirements set forth in Section 170A of the Atomic Energy Act of 1954, as amended, and provisions set forth at 2 CFR § 200.112, Conflict of Interest.

Dispute Review Procedures

- a. Any request for review of a notice of termination or other adverse decision should be addressed to the Grants Officer. It must be postmarked or transmitted electronically no later than 30 days after the postmarked date of such termination or adverse decision from the Grants Officer.
- b. The request for review must contain a full statement of the Recipient's position and the pertinent facts and reasons in support of such position.
- c. The Grants Officer will promptly acknowledge receipt of the request for review and shall forward it to the Director, Office of Acquisition Management Division, unless otherwise delegated, who shall appoint an intra-agency Appeal Board to review a recipient appeal of an agency action, if required, which will consist of the program office director, the Deputy Director of Office of Administration, and the Office of General Counsel.
- d. Pending resolution of the request for review, the NRC may withhold or defer payments under the award during the review proceedings.
- e. The review committee will request the Grants Officer who issued the notice of termination or adverse action to provide copies of all relevant background materials and documents. The committee may, at its discretion, invite representatives of the Recipient and the NRC program office to discuss pertinent issues and to submit such additional information as it deems appropriate. The chairman of the review committee will insure that all review activities or proceedings are adequately documented.
- f. Based on its review, the committee will prepare its recommendation to the Director, Office of Administration, who will advise the parties concerned of his/her decision.

Remedies for Noncompliance

Termination of this award will follow provisions as established and described above in "Dispute Review Process" in 2 CFR §§ 200.338-342.

Performance and Financial Monitoring and Reporting - 2 CFR §§ 200.327-329

Recipient Financial Management systems must comply with the provisions in 2 CFR § 200.302.

- Payment – 2 CFR § 200.305
- Cost Share or Matching – 2 CFR § 200.306
 - Recipients are to be careful with providing excessive cost share or match since at the end of the grant, if the identified match has not been provided, then a portion of the federal share may be required to be returned to the Government.
- Program Income – 2 CFR § 200.307
 - Earned program income, if any, will be added to funds committed to the project by the NRC and Recipient and used to further eligible project or program objectives or be deducted from the total project cost for the grant, as directed by the Grants Officer or indicated in the terms and conditions of the award.

- Revision of Budget and Program Plans – 2 CFR § 200.308
 - The Recipient is required to report deviations from the approved budget and program descriptions in accordance with – 2 CFR § 200.308(b) and request prior written approval from the Project Officer and the Grants Officer.
 - The Recipient is not authorized to re-budget between direct costs and indirect costs without written prior approval of the Grants Officer.
 - The Recipient is authorized to transfer funds among direct cost categories up to a cumulative 10 percent of the total approved budget. The Recipient is not allowed to transfer funds if the transfer would cause any Federal appropriation to be used for purposes other than those consistent with the original intent of the appropriation.
 - Allowable Costs – 2 CFR §§ 200.403
- See section 2 CFR §§ 200.330-332 for Subrecipient Monitoring and Management.

FEDERAL FINANCIAL REPORTS

Federal Financial Reports (SF-425) are semi-annually, for the periods ending March 31 and September 30. Reports are due within 30 calendar days following the end of the reporting period and must be emailed to the Project Officer at the email addressed indicated in the Notice of Award, and to the Grants Officer at:

Grants_FFR.Resource@nrc.gov. (NOTE: *There is an underscore between Grants and FFR in the email address.*) The SF-425 form and instructions are available at the following URL: http://www.whitehouse.gov/omb/grants_forms/.

PERFORMANCE PROGRESS REPORTS

The performance (technical) reports indicated below are subject to 2 CFR §200.328.

Trade Schools and Community College Scholarships

Performance reports must be submitted semi-annually, for the periods ending March 31 and September 30, or any portion thereof, regardless of the award date. Reports are due within 30 days following the end of each reporting period and must be emailed to the Project Officer at the email addressed indicated in the Notice of Award, and to the Grants Officer at: Grants_PPR.Resource@nrc.gov. (NOTE: *There is an underscore between Grants and PPR in the email address.*)

Final Reports - The Recipient is required to submit final reports, both Financial (SF-425) and Performance (SF-PPR, SF-PPR-B, SF-PPR-E) within 90 days of the grant expiration. In addition to these reports, a final SF-428, Tangible property report, is also required, if applicable. The final PPR (for Scholarship, Fellowship, and Trade School and Community College Scholarship awards) must include the names of all students with up to date contact information (mailing address, telephone/cell phone, email address). The reports must be emailed to the Project Officer at the email addressed indicated in the Notice of Award, and to the Grants Officer at: Grants_FFR.Resource@nrc.gov and Grants_PPR.Resource@nrc.gov. (NOTE: *There is an underscore between Grants and FFR and Grants and PPR in the email addresses.*)

Period of Performance – 2 CFR § 200.309

The recipient may charge to the Federal award only allowable costs incurred during the period of performance and any costs incurred before the NRC or pass-through entity made the Federal award that was authorized by the NRC or pass through entity.

Unless otherwise authorized in 2 CFR Part 200 or by special award condition, any extension of the award period can only be authorized by the Grants Officer in writing. Assurances of funding from other than the Grants Officer shall not constitute authority to obligate funds for programmatic activities beyond the expiration date.

The NRC Grant Officer may authorize a no cost extension of the period of performance. The recipient must submit a no cost extension request no less than 30 days prior to the award end date. Any request for a no cost extension after the grant has expired will not be approved. However, the NRC has no obligation to provide any additional prospective or incremental funding. Any modification of the award to increase funding and/or to extend the period of performance is at the sole discretion of the NRC.

Automated Standard Application For Payments (ASAP) Procedures

Unless otherwise stated, Recipient payments are made using the Department of Treasury's Automated Standard Application for Payment (ASAP) system, ASAP.gov, through preauthorized electronic funds transfers. To receive payments, Recipients are required to enroll with the Department of Treasury, Financial Management Service, and Regional Financial Centers, which allows them to use the on-line method of withdrawing funds from their ASAP established accounts. The following information is required to make ASAP withdrawals: (1) ASAP account number – the award number found on the cover sheet of the award; (2) Agency Location Code (ALC) – 31000001; and Region Code. Recipients enrolled in the ASAP system do not need to submit a "Request for Advance or Reimbursement" (SF-270).

II. Audit Requirements**Audits**

Organization-wide or program-specific audits are performed in accordance with the Single Audit Act of 1996, as amended, and as implemented by 2 CFR Part 200, Subpart F—AUDIT REQUIREMENTS. Recipients are subject to the provisions of this subpart if they expend \$750,000 or more in a year in Federal awards. See 2 CFR 200.501.

The Form SF-SAC and the Single Audit Reporting packages for fiscal periods ending on or after January 1, 2008 are submitted online, as follows:

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

Organizations expending less than \$750,000 a year are not required to have an annual audit for that year but must make their grant-related records available to NRC or other designated officials for review or audit.

III. Programmatic Requirements

The recipient is responsible for providing documentation to the NRC that tracks each student's progress in achievement of the academic program for which federal funds were provided. This includes: (1) ensuring the service agreement is signed by the student prior to providing support; (2) providing the NRC with student contact information upon student entry into the program, upon completion or withdrawal from the program, and upon request by the NRC; and (3) monitoring the student's fulfillment of the service agreement for the duration of the award. The NRC shall be notified immediately if a student is not fulfilling the academic program or the service agreement.

Grant Performance Metrics

The Office of Management and Budget requires all Federal Agencies providing funding for educational scholarships and fellowships as well as other educational related funding to report on specific metrics. These metrics are part of the Academic Competitiveness Council's (ACC) 2007 report and specifically relates to Science, Technology, Engineering, and Mathematics (STEM) curricula.

As part of the OMB requirements indicated above (for metric reporting), the recipient shall address the following questions and submit responses with the required progress reports:

Trade School and Community College Scholarship 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.

As part of the PPR, include the following information for each student support under this award:

1. Student Name
2. Years of Support
3. Cumulative Support in Dollars
4. Estimated Graduation Date
5. Status
6. Up to date student contact information (mailing address, telephone/cell phone, email address) for students no longer participating in the program, i.e. transferred programs, graduated, withdrew, etc.
7. Up to date student contract information, for all students at time of grant expiration, i.e. Final PPR.

Examples of status could be:

"Employed in Nuclear Industry", if so, where;
"Looking for employment", if so, how long;
"Deferred due to continuing education", if so, what degree;
"Employed by Non-Nuclear", if so, where; and
"Dropped out of program"

Unsatisfactory Performance

Failure to perform the work in accordance with the terms of the award and maintain at least a satisfactory performance rating may result in designation of the Recipient as high risk and the assignment of special award conditions. Further action may be required as specified in the standard term and condition entitled "Remedies for Noncompliance."

Failure to comply with the award provisions may result in a negative impact on future NRC funding. In addition, the Grants Officer may withhold payments; change the method of payment from advance to reimbursement; impose special award conditions; suspend or terminate the grant.

Other Federal Awards With Similar Programmatic Activities

The Recipient will immediately notify the Project Officer and the Grants Officer in writing if after award, other financial assistance is received to support or fund any portion of the program description stated in the NRC award. NRC will not pay for costs that are funded by other sources.

Prohibition Against Assignment By The Recipient

The Recipient will not transfer, pledge, mortgage, or otherwise assign the award, or any interest to the award, or any claim arising under the award, to any party, banks, trust companies, or other financing or financial institutions without the written approval of the Grants Officer.

Site Visits

The NRC, through authorized representatives, has the right to make site visits to review project accomplishments and management control systems and to provide technical assistance as required. If any site visit is made by the NRC on the premises of the Recipient or contractor under an award, the Recipient shall provide and shall require his/her contractors to provide reasonable access to all facilities and provide necessary assistance for the safety and convenience of the Government representative in the performance of his/her official duties.

IV. Additional Requirements

Criminal and Prohibited Activities

The Program Fraud Civil Remedies Act (31 U.S.C. §§ 3801-3812), provides for the imposition of civil penalties against persons who make false, fictitious, or fraudulent claims to the Federal government for money (including money representing grant/cooperative agreements, loans, or other benefits).

False statements (18 U.S.C. § 287), provides that whoever makes or presents any false, fictitious, or fraudulent statements, representations, or claims against the United States shall be subject to imprisonment of not more than five years and shall be subject to a fine in the amount provided by 18 USC §287.

False Claims Act (31 U.S.C. § 3729 et seq.), provides that suits under this Act can be brought by the government, or a person on behalf of the government, for false claims under federal assistance programs.

Copeland "Anti-Kickback" Act (18 U.S.C. § 874), prohibits a person or organization engaged in a federally supported project from enticing an employee working on the project from giving up a part of his compensation under an employment contract.

American-Made Equipment and Products

Recipients are encouraged to purchase American-made equipment and products with funding provided under this award.

Increasing Seat Belt Use in the United States

E.O. 13043, amended by E.O. 13652, requires Recipients to encourage employees and contractors to enforce on-the-job seat belt policies and programs when operating company-owned, rented or personally-owned vehicle.

Federal Leadership of Reducing Text Messaging While Driving

E.O. 13513 requires Recipients to encourage employees, sub-awardees, and contractors to adopt and enforce policies that ban text messaging while driving company-owned, rented vehicles or privately owned vehicles when on official Government business or when performing any work for or on behalf of the Federal Government.

Federal Employee Expenses

Federal agencies are barred from accepting funds from a Recipient to pay transportation, travel, or other expenses for any Federal employee unless specifically approved in the terms of the award. Use of award funds (Federal or non-Federal) or the Recipient's provision of in-kind goods or services, for the purposes of transportation, travel, or any other expenses for any Federal employee may raise appropriation augmentation issues. In addition, NRC policy prohibits the acceptance of gifts, including travel payments for Federal employees, from Recipients or applicants regardless of the source.

Minority Serving Institutions (MSIs) Initiative

Pursuant to E.O.s 13230 and 13270, amended by E.O. 13316 and 13385, 13532, 13592, 13555, 13515, and 13621, NRC is strongly committed to broadening the participation of MSIs in its financial assistance program. NRC's goals include achieving full participation of MSIs in order to advance the development of human potential, strengthen the Nation's capacity to provide high-quality education, and increase opportunities for MSIs to participate in and benefit from Federal financial assistance programs. NRC encourages all applicants and Recipients to include meaningful participations of MSIs. Institutions eligible to be considered MSIs are listed on the Department of Education website: <http://www.ed.gov/about/offices/list/ocr/edlite-minorityinst.html>

Research Misconduct

Scientific or research misconduct refers to the fabrication, falsification, or plagiarism in proposing, performing, or reviewing research, or in reporting research results. It does not include honest errors or differences of opinions. The Recipient organization has the primary responsibility to investigate allegations and provide reports to the Federal Government. Funds expended on an activity that is determined to be invalid or unreliable because of scientific misconduct may result in a disallowance of costs for which the institution may be liable for

repayment to the awarding agency. The Office of Science and Technology Policy at the White House published in the Federal Register on December 6, 2000, a final policy that addressed research misconduct. The policy was developed by the National Science and Technology Council (65 FR 76260). The NRC requires that any allegation be submitted to the Grants Officer, who will also notify the OIG of such allegation. Generally, the Recipient organization shall investigate the allegation and submit its findings to the Grants Officer. The NRC may accept the Recipient's findings or proceed with its own investigation. The Grants Officer shall inform the Recipient of the NRC's final determination.

Publications, Videos, and Acknowledgment of Sponsorship

Publication of the results or findings of a research project in appropriate professional journals and production of video or other media is encouraged as an important method of recording and reporting scientific information. It is also a constructive means to expand access to federally funded research. The Recipient is required to submit a copy to the NRC and when releasing information related to a funded project include a statement that the project or effort undertaken was or is sponsored by the NRC. The Recipient is also responsible for assuring that every publication of material (including Internet sites and videos) based on or developed under an award, except scientific articles or papers appearing in scientific, technical or professional journals, contains the following disclaimer:

"This [report/video] was prepared by [Recipient name] under award [number] from [name of operating unit], Nuclear Regulatory Commission. The statements, findings, conclusions, and recommendations are those of the author(s) and do not necessarily reflect the view of the [name of operating unit] or the US Nuclear Regulatory Commission."

Trafficking In Victims Protection Act Of 2000 (as amended by the Trafficking Victims Protection Reauthorization Act of 2003)

Section 106(g) of the Trafficking In Victims Protection Act Of 2000 (as amended as amended, directs on a government-wide basis that:

"...any grant, contract, or cooperative agreement provided or entered into by a Federal department or agency under which funds are to be provided to a private entity, in whole or in part, shall include a condition that authorizes the department or agency to terminate the grant, contract, or cooperative agreement, without penalty, if the recipient or any subrecipient, or the contractor or any subcontractor (i) engages in severe forms of trafficking in persons or has procured a commercial sex act during the period of time that the grant, contract, or cooperative agreement is in effect, or (ii) uses forced labor in the performance of the grant, contract, or cooperative agreement." (See 22 U.S.C. §7104(g).)

EXECUTIVE COMPENSATION REPORTING

2 CFR § 170.220 directs agencies to include the following text to each grant award to a non-federal entity if the total funding is \$25,000 or more in Federal funding.

Reporting Subawards and Executive Compensation.

a. Reporting of first-tier subawards.

1. *Applicability.* Unless you are exempt as provided in paragraph d. of this award term, you must report each action that obligates \$25,000.00 or more in Federal funds that does not include

Recovery funds (as defined in section 1512(a)(2) of the American Recovery and Reinvestment Act of 2009, Pub. L. 111-5) for a subaward to an entity (see definitions in paragraph e. of this award term).

2. Where and when to report.

i. You must report each obligating action described in paragraph a.1. of this award term to <http://www.fsrs.gov>.

ii. For subaward information, report no later than the end of the month following the month in which the obligation was made. (For example, if the obligation was made on November 7, 2010, the obligation must be reported by no later than December 31, 2010.)

3. *What to report.* You must report the information about each obligating action that the submission instructions posted at <http://www.fsrs.gov> specify.

b. Reporting Total Compensation of Recipient Executives.

1. *Applicability and what to report.* You must report total compensation for each of your five most highly compensated executives for the preceding completed fiscal year, if—

i. the total Federal funding authorized to date under this award is \$25,000.00 or more;

ii. in the preceding fiscal year, you received—

(A) 80 percent or more of your annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR § 170.320 (and subawards); and

(B) \$25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR § 170.320 (and subawards); and

iii. The public does not have access to information about the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986. (To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at <http://www.sec.gov/answers/execomp.htm>.)

2. *Where and when to report.* You must report executive total compensation described in paragraph b.1. of this award term:

i. As part of your registration profile at <http://www.sam.gov>.

ii. By the end of the month following the month in which this award is made, and annually thereafter.

c. Reporting of Total Compensation of Subrecipient Executives.

1. *Applicability and what to report.* Unless you are exempt as provided in paragraph d. of this award term, for each first-tier subrecipient under this award, you shall report the names and total compensation of each of the subrecipient's five most highly compensated executives for the subrecipient's preceding completed fiscal year, if—

i. in the subrecipient's preceding fiscal year, the subrecipient received—

(A) 80 percent or more of its annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR § 170.320 (and subawards); and

(B) \$25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts), and Federal financial assistance subject to the Transparency Act (and subawards); and

ii. The public does not have access to information about the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986. (To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at <http://www.sec.gov/answers/execomp.htm>.)

2. *Where and when to report.* You must report subrecipient executive total compensation described in paragraph c.1. of this award term:

i. To the recipient.

ii. By the end of the month following the month during which you make the subaward. For example, if a subaward is obligated on any date during the month of October of a given year (i.e., between October 1 and 31), you must report any required compensation information of the subrecipient by November 30 of that year.

d. *Exemptions*

If, in the previous tax year, you had gross income, from all sources, under \$300,000.00, you are exempt from the requirements to report:

i. Subawards,

and

ii. The total compensation of the five most highly compensated executives of any subrecipient.

e. *Definitions.* For purposes of this award term:

1. *Entity* means all of the following, as defined in 2 CFR Part 25:

i. A Governmental organization, which is a State, local government, or Indian tribe;

ii. A foreign public entity;

- iii. A domestic or foreign nonprofit organization;
- iv. A domestic or foreign for-profit organization;
- v. A Federal agency, but only as a subrecipient under an award or subaward to a non-Federal entity.

2. *Executive* means officers, managing partners, or any other employees in management positions.

3. *Subaward*:

- i. This term means a legal instrument to provide support for the performance of any portion of the substantive project or program for which you received this award and that you as the recipient award to an eligible subrecipient.
- ii. The term does not include your procurement of property and services needed to carry out the project or program (for further explanation, see Sec. ____ .210 of the attachment to OMB Circular A-133, "Audits of States, Local Governments, and Non-Profit Organizations")
- iii. A subaward may be provided through any legal agreement, including an agreement that you or a subrecipient considers a contract.

4. *Subrecipient* means an entity that:

- i. Receives a subaward from you (the recipient) under this award; and
- ii. Is accountable to you for the use of the Federal funds provided by the subaward.

5. *Total compensation* means the cash and noncash dollar value earned by the executive during the recipient's or subrecipient's preceding fiscal year and includes the following (for more information see 17 CFR § 229.402(c)(2)):

i. *Salary and bonus*.

ii. *Awards of stock, stock options, and stock appreciation rights*. Use the dollar amount recognized for financial statement reporting purposes with respect to the fiscal year in accordance with the Statement of Financial Accounting Standards No. 123 (Revised 2004) (FAS 123R), Shared Based Payments.

iii. *Earnings for services under non-equity incentive plans*. This does not include group life, health, hospitalization or medical reimbursement plans that do not discriminate in favor of executives, and are available generally to all salaried employees.

iv. *Change in pension value*. This is the change in present value of defined benefit and actuarial pension plans.

v. *Above-market earnings on deferred compensation which is not tax-qualified*.

vi. Other compensation, if the aggregate value of all such other compensation (e.g., severance, termination payments, value of life insurance paid on behalf of the employee, perquisites or property) for the executive exceeds \$10,000.00.