



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

August 1, 2014

Dr. Audeen Fentiman  
Purdue University  
155 South Grant Street  
Lafayette, Indiana 47907

VIA Electronic Mail  
[fentiman@purdue.edu](mailto:fentiman@purdue.edu)

SUBJECT: GRANT NO: NRC-HQ-84-14-G-0039

Dear Dr. Fentiman:

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 Purdue University (hereinafter referred to as the "Grantee" or "Recipient"), the sum of \$391,620.00 to provide support for "Nuclear Engineering and Health Physics Fellowship at Purdue University" 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, 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.

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. M'Lita Carr by email at [MLita.Carr@nrc.gov](mailto:MLita.Carr@nrc.gov).

Sincerely yours,

*Erika Eam*

Erika Eam  
Grants Officer  
Research & Grants Team  
Acquisition Management Division

Attachments:  
Attachment A – Schedule  
Attachment B – Program Description  
Attachment C – Standard Terms and Conditions

**TEMPLATE - ADM001**

**SUNSI REVIEW COMPLETE**

**AUG 01 2014**

**ADM002**

ACKNOWLEDGED:  
Purdue University

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

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

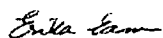
Date: \_\_\_\_\_

# 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-0039		2. SUPPLEMENT NUMBER		3. EFFECTIVE DATE 08/01/2014		4. COMPLETION DATE	
5. ISSUED TO NAME/ADDRESS OF RECIPIENT (No., Street, City/County, State, Zip) PURDUE UNIVERSITY 155 SOUTH GRANT STREET LAFAYETTE IN 479072114				6. ISSUED BY US 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 & Phone) AUDEEN FENTIMAN FENTIMAN@PURDUE.EDU; 765-494-1970			
8. COMMERCIAL & GOVERNMENT ENTITY (CAGE) NO.							
10. RESEARCH, PROJECT OR PROGRAM TITLE Nuclear Engineering and Health Physics Fellowship at Purdue University							
11. PURPOSE SEE SCHEDULE							
12. PERIOD OF PERFORMANCE (Approximately)							
13A.		AWARD HISTORY		13B.		FUNDING HISTORY	
PREVIOUS		\$0.00		PREVIOUS		\$0.00	
THIS ACTION		\$391,620.00		THIS ACTION		\$391,620.00	
CASH SHARE		\$0.00		TOTAL		\$391,620.00	
NON-CASH SHARE		\$0.00					
RECIPIENT SHARE		\$0.00					
TOTAL		\$391,620.00					
14. ACCOUNTING AND APPROPRIATION DATA 2014-X0200-IUPMRU-84-84D002-51-K-164-T8458-4110							
PURCHASE REQUEST NO.		JOB ORDER NO.		AMOUNT		STATUS	
OCHCO-14-0246							
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	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: <input type="checkbox"/> NO CHANGE IS MADE TO EXISTING PROVISIONS <input type="checkbox"/> FDP TERMS AND CONDITIONS AND THE AGENCY-SPECIFIC REQUIREMENTS APPLY TO THIS GRANT				18. APPLICABLE ENCLOSURE(S), IF CHECKED: <input type="checkbox"/> PROVISIONS <input type="checkbox"/> SPECIAL CONDITIONS <input type="checkbox"/> REQUIRED PUBLICATIONS AND REPORTS			
UNITED STATES OF AMERICA				COOPERATIVE AGREEMENT RECIPIENT			
CONTRACTING/GRANT OFFICER ERIKA EAM 		DATE 07/29/2014		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>Delivery: 08/01/2014</p> <p>Delivery Location Code: NRCHQ</p> <p>US NUCLEAR REGULATORY COMMISSION-MAIL PROCESSING CENTER</p> <p>4930 BOILING BROOK PARKWAY</p> <p>ROCKVILLE MD 20852 USA</p> <p>Payment:</p> <p style="padding-left: 40px;">ASAP GRANT FUNDS REIMBURSEMENT SYS</p> <p style="padding-left: 40px;">US TREASURY</p>				

**ATTACHMENT A - SCHEDULE****A.1 PURPOSE OF GRANT**

The purpose of this Grant is to provide support to the "Nuclear Engineering and Health Physics Fellowship at Purdue University" 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, 2018.

2. Funds obligated hereunder are available for program expenditures for the estimated period: August 1, 2014 – July 31, 2018.

**GENERAL**

1. Total Estimated NRC Amount:	\$391,620.00
2. Total Obligated Amount:	\$391,620.00
3. Cost-Sharing Amount:	\$000,000.00
4. Activity Title:	Nuclear Engineering and Health Physics Fellowship at Purdue University
5. NRC Project Officer:	Nancy Hebron-Isreal
6. DUNS No.:	072051394

**A.3 BUDGET**

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

	<b>Year 1</b>	<b>Year 2</b>	<b>Year 3</b>	<b>Year 4</b>
Personnel	\$ 72,000.00	\$ 72,000.00	\$ 72,000.00	\$ 72,000.00
Travel	\$ 000.00	\$ 4,190.00	\$ 000.00	\$ 4,490.00
Other (Tuition)	<u>\$ 23,810.00</u>	<u>\$ 23,810.00</u>	<u>\$ 23,810.00</u>	<u>\$ 23,810.00</u>
Total Direct Cost	\$ 95,810.00	\$100,000.00	\$ 95,810.00	\$100,000.00
Indirect Cost	<u>\$ 000.00</u>	<u>\$ 000.00</u>	<u>\$ 000.00</u>	<u>\$ 000.00</u>
Total	\$ 95,810.00	\$100,000.00	\$ 95,810.00	\$100,000.00

All travel must be in accordance with the Purdue University Travel Regulations or the US Government Travel Policy absent Grantee's travel regulation.

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

1. The total estimated amount of this Award is \$391,620.00 for the four year period.

2. NRC hereby obligates the amount of \$391,620.00 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**

### **PROGRAM DESCRIPTION**

The previous funding not only provided strong support for the Nuclear Engineering (NE) and Health Physics (HP) graduate programs in our two schools, but also provided opportunities for the faculty members and the graduate students from both schools to work together to synergistically enhance our programs. We had a very positive experience with the previous funding and accumulated extensive experiences to manage this grant. The funding size and the procedures for this proposal will be similar to last funding period; however, minor changes will be made for the procedures to maximize the benefit of the funding to the students, to the schools, and to the Nuclear Industry.

**Number, Size, and Description of Fellowships:** The proposed program will fund four 2-year Ph.D. fellowships and two 2-year M.S. fellowships. Each Ph.D. fellowship will offer a yearly stipend of \$25,000 (\$2,083 per month), and full tuition, which at Purdue will be \$9,686.50 for in-state students and \$29,029.00 for out-of-state students. Grant funds will cover \$7,000 of the tuition charges, and the rest will be covered by a Graduate Tuition Scholarship provided by Purdue's Graduate School. The Ph.D. fellowship will also provide \$1,000 per year to cover special fees charged to engineering students. Finally, in the second year, each Ph.D. Fellow will have an allowance of \$1,400 to attend professional conferences where he or she will present research and build a professional network. Masters students will have a stipend of \$22,000 per year (\$1,833 per month) and all of the other benefits offered to the Ph.D. fellows (tuition, fees, and travel to conferences after the first year).

In addition to receiving financial support, each Fellow, whether in Nuclear Engineering or Health Physics, will be nurtured by a major professor and two or three other faculty members on his or her advisory committee. Each Fellow will be encouraged to take advantage of many opportunities for professional development offered to all engineering graduate students at Purdue and will be involved in a special mentoring program developed for students in the Nuclear Engineering and Health Physics Fellowship Program. The major professor and advisory committee will guide the Fellow's academic career, including thesis or dissertation research. The major professor and advisory committee will make a special effort to encourage the fellows to present research results at professional conferences and in journal articles.

Professional development opportunities offered to graduate students at Purdue include workshops and courses in communications, ethics and responsible conduct of research, proposal writing, and preparing for faculty positions. Within the College of Engineering, each graduate program has an active graduate student organization which offers several leadership opportunities. Through the American Nuclear Society Student Branch and the Health Physics Society Purdue Student Branch, students have an opportunity to participate in outreach activities to students in other disciplines and to the public. Fellows will be strongly encouraged to participate in the various professional development and outreach activities, since each of these experiences will be of value to the Fellows as they grow into leadership positions in the nuclear industry.

A special mentoring program will be established for the Nuclear Engineering and Health Physics Fellows at Purdue. It will be designed to help the Fellows to integrate themselves into the nuclear industry while still in school, making it more likely that they will remain in the industry for the long term. Members of the Nuclear Engineering and Health Physics faculties at Purdue are active in the American Nuclear Society and the Health Physics Society. In addition, they have long-term relationships with many of the national laboratories, the Department of Energy, the Nuclear Regulatory Commission, vendors, and utilities. Faculty members who volunteer to serve as mentors for the Fellows will make special efforts to introduce the Fellows to their contacts within the professional societies, government agencies, national labs, and nuclear industry. They will help Fellows build their professional networks at national conferences and make it possible for Fellows to interact with speakers from the nuclear industry who visit campus. In addition, the mentors will identify opportunities for internships for the Fellows at national laboratories, government agencies, or industrial facilities.

**Recruitment Activities and Marketing Strategies:**

Applicants for the Nuclear Engineering and Health Physics Fellowship at Purdue will be recruited from Purdue and from other institutions as we did before. At Purdue, we will certainly recruit from the Nuclear Engineering and Health Physics undergraduate programs. However, since the nuclear industry also needs people with knowledge of other fields such as physics, chemistry, mechanical engineering, materials engineering, electrical engineering, etc., we will recruit Purdue students finishing their undergraduate degrees in those fields as well. In order to develop a large pool of strong applicants for the Fellowship program, we will make students aware of the Fellowship program, all of its advantages, and the commitment of 6 months of employment in the nuclear industry for each year of fellowship support received. It is important to note that the commitment to work in the nuclear industry can also be seen as an opportunity for employment in a high-paying job within an exciting industry. Some of the strategies for recruiting Purdue students include:

- Making presentations about nuclear energy and the nuclear industry in regularly scheduled seminar programs for disciplines other than Nuclear Engineering and Health Physics
- Holding a widely publicized special presentation on the Nuclear Engineering and Health Physics Fellowship Program for students from our two schools and any others that are interested at lunch time with free food
- Promoting the Fellowship Program through the student branches of various professional societies on campus, especially the Purdue student branches of the American Nuclear Society and Health Physics Society
- Making a special effort to advertise the Fellowship Program to organizations that serve underrepresented groups such as Women in Engineering, Minority Engineering Program, Society of Women Engineers (SWE), National Society of Black Engineers (NSBE), Society of Hispanic Professional Engineers (SHPE), and so on. These organizations are very active on the Purdue campus. For example, NSBE was formed at Purdue, and Purdue's graduate engineering program has been ranked top four in the nation by Hispanic Business Magazine over the past five years for its strong support of Hispanic students.
- Both Nuclear Engineering and Health Physics will maintain a database of undergraduate students who are likely to be eligible for the M.S. and Ph.D. Fellowships, and faculty members will contact those students directly to make them aware of the Fellowship.

Recruiting applicants for the Fellowships from other institutions will build on many existing recruiting programs at the College and University levels. Four existing campus-based programs that will be utilized to recruit students are described below.

- The Big 10 Expo is an annual program held in the early fall that attracts hundreds of potential graduate students to Purdue's campus. Highly ranked universities from around the nation send recruiters to the Expo. As the reputation of the Expo has grown, increasingly stronger students are attending. Top graduate school prospects are eligible for travel scholarships to attend the Expo, increasing the number of potential graduate students in attendance qualified for a Purdue Nuclear Engineering and Health Physics Fellowship. In addition to attending the Expo to talk with students, faculty members from Nuclear Engineering and Health Physics will provide information on the Fellowship to be sent to Expo participants in advance of the event.
- A second campus recruitment program that focuses on external candidates is the HBI (Historically Black Institution) Visitation. Held in November, this program brings top graduate school prospects from minority serving institutions to campus for a 2-day visit. Purdue is now an associate member of AMIE (Advancing Minorities' Interest in Engineering), a consortium of Historically Black Colleges and Universities (HBCUs) with ABET-accredited engineering programs and corporations and government agencies that employ their graduates. We will be working with AMIE members to make their students aware of Purdue's Nuclear Engineering and Health Physics Fellowship Program and encourage students to visit the Purdue campus.
- Two other programs that will be used to recruit external candidates for the Fellowship Program are SURF (Summer Undergraduate Research Fellowship) and SROP (Summer Research Opportunity Program). SURF is a program managed by the College of Engineering involving 150-200 top undergraduate students from across the nation in a 10-week research program each summer. Students work in a laboratory with a faculty member, and Nuclear Engineering faculty members are active in the SURF program. SROP is a university wide program similar to SURF but focused on all STEM (science, technology, engineering, and math) disciplines rather than just engineering. Both Nuclear Engineering and Health Physics faculty are eligible to participate in SROP.

#### **Selection Process:**

A Purdue Nuclear Engineering and Health Physics Fellow Selection Panel was established with two faculty members from Nuclear Engineering and two from Health Physics, including the Principal Investigators on this proposal. Evaluation of the applicants will be based on selection criteria that are weighted strongly on academic merit, but other criteria will also be considered, including financial need and potential to contribute to diversity among the graduate student population. The weighting of the different selection criteria will be determined by the selection panel prior to beginning the annual evaluation of new fellowship applications. The fellowship application form and guidelines for its completion will be available on the web at least three months prior to the deadline for applications. Mentor applications will also be created so that Nuclear Engineering and Health Physics faculty can be considered for a mentoring role with a Fellow. The role and expectations of both the fellow and faculty mentor will be specified on the application forms. The Fellow's mentor will not necessarily be the same person as



his or her Major Professor who acts as an academic advisor guiding the thesis or dissertation research.

**Eligibility Criteria:**

- i. Applicants for a Fellowship must have applied to, or specified their intention to apply to, the Nuclear Engineering or Health Physics graduate program at Purdue.
- ii. Applicants must be US citizens.
- iii. Applicants must have an undergraduate degree grade point average (GPA) of 3.3 or greater out of 4.0, or the equivalent.
- iv. Applicants must be willing to commit to working 6 months in the nuclear industry in exchange for each year or partial year of support
- v. Applicants must intend to complete a graduate degree program (masters or doctorate)

**Holistic Selection Criteria:**

- vi. Undergraduate grade point average (GPA)
- vii. Graduate Record Examination (GRE) scores
- viii. Quality of undergraduate university attended
- ix. Relevance and quality of the undergraduate degree program pursued to the candidate's intended graduate program of study
- x. Undergraduate academic awards and honors
- xi. Other awards and honors
- xii. Undergraduate research experience (e.g. SURF)
- xiii. Community involvement and citizenship
- xiv. Demonstrated leadership qualities or experience
- xv. References
- xvi. Statement of interest in graduate study program
- xvii. Statement on intended career goals
- xviii. Statement on diversity
- xix. Willingness to work with a mentor and fulfill other specified expectations of a Fellow. (e.g. completing summer internships and attending conferences).

**Management Structure:**

The Nuclear Engineering and Health Physics Fellowship program at Purdue will be managed within the existing university administrative framework, following the rules governing funded programs and taking advantage of the many established administrative tools and support organizations. At the school level, the Co-PIs will manage the Fellowship program in close collaboration with the graduate committees for the Nuclear Engineering and Health Physics programs. Management of the Fellowship program will entail the following:

- Developing and implementing or overseeing implementation of an aggressive marketing and recruiting program as described earlier in this proposal.
- Preparing and disseminating application materials
- Developing expectations of a Fellow's mentor.
- Developing a process for identifying mentors and matching Fellows with the appropriate mentors
- Establishing and leading a Selection Panel; ensuring that all applicants considered meet the selection criteria and that the selection process is conducted in accordance with university policies

- Coordinating with the graduate committees in Nuclear Engineering and Health Physics to ensure that students selected as Fellows meet the criteria for admission to the relevant graduate program and are properly processed
- Working with the graduate administrator in each school to collect and analyze data required for evaluation of the effectiveness of the Fellowship program
- Coordinating contacts with national laboratories, nuclear utilities, government agencies, radiation detection device manufacturers, or other entities that are likely to offer summer internships to the Fellows; ensuring that Fellows and their mentors are aware of the internships and facilitating placement of the Fellows,
- Serving as liaisons with the director of the Fellowship program at the NRC, prepare semi-annual progress reports on the Fellowship program, and prepare the final report at the end of the project.

The Co-PIs are particularly well positioned to manage the NRC Fellowship program at Purdue. Audeen Fentiman is a Professor of Nuclear Engineering and the Associate Dean for Graduate Education in the College of Engineering. Linda Nie is an Assistant Professor and the Director of the Health Physics Program which is housed within the School of Health Sciences. They are familiar with and have access to the tools and services at the University, College, and School levels that will allow them to manage the Fellowship program effectively, as they did before.

#### **Evaluation Plan:**

The College of Engineering at Purdue has a Graduate Program Database in which progress of all graduate students is tracked from the time they enter a program until they graduate. The first job the student takes after graduation is also noted. This database will be used to track Nuclear Engineering students, and the same information will be kept for Health Physics students. In addition, program managers will keep track of the following data for the Fellowship program over the next four years:

- total number of applicants who meet the requirements in the years that a fellowship is offered
- number and percentage of women in the applicant pool
- number and percentage of members from federally recognized minorities in the applicant pool
- number and percentage of Fellows who complete their M.S. degree
- number and percentage of Fellows who complete their Ph.D. degree
- number of M.S. Fellows who immediately enter a Ph.D. program and percentage whose Ph.D. program is related to the nuclear industry
- first employer of Fellows after graduation
- number and percentage of M.S. and Ph.D. Fellows who accept employment in the nuclear field.

#### **Tuition, Fees and Other Pertinent Costs:**

In-state tuition and fees: \$9,686.50 per year. Out-of-state tuition and fees: \$29,029.00 per year. Additional fee: \$1,405 per year for students enrolled in the College of Engineering.

**Will Fellowships Be Integrated with a State or Regional Partnership:** No

**Arrangements with Non-Federal Entities:** None

**Statement of Service Agreement:**

Purdue will require individual Fellowship students to accept the service agreement terms in the Funding Opportunity Announcement. Students must agree "to serve six months in nuclear-related employment for each full or partial year of academic support."

**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 CRF 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.

#### **§ 215.13 Debarment And Suspension.**

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

- (1) Are presently excluded or disqualified from covered transactions by any Federal department or agency;

(2) Have been convicted within the preceding three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, tax evasion, receiving stolen property, making false claims, or obstruction of justice; commission of any other offense indicating a lack of business integrity or business honesty that seriously and directly affects your present responsibility;

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

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

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

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

'Debarment, Suspension, Ineligibility, and Voluntary Exclusion

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

**Drug-Free Workplace**

The Grantee must be in compliance with The Federal Drug Free Workplace Act of 1988. The policies and procedures applicable to violations of these requirements are set forth in 41 USC 702.

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

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

Award Grantees must comply with Executive Order 13224, Blocking Property and Prohibiting Transactions with Persons who Commit, Threaten to Commit, or Support Terrorism. Information about this Executive Order can be found at: [www.fas.org/irp/offdocs/eo/eo-13224.htm](http://www.fas.org/irp/offdocs/eo/eo-13224.htm).

**Procurement Standards. § 215.40-48**

Sections 215.41 through 215.48 set forth standards for use by Grantees in establishing procedures for the procurement of supplies and other expendable property, equipment,

real property and other services with Federal funds. These standards are furnished to ensure that such materials and services are obtained in an effective manner and in compliance with the provisions of applicable Federal statutes and executive orders. No additional procurement standards or requirements shall be imposed by the Federal awarding agencies upon Grantees, unless specifically required by Federal statute or executive order or approved by OMB.

### **Travel**

Travel must be in accordance with the Grantee's Travel Regulations or the US Government Travel Policy and Regulations at: [www.gsa.gov/federaltravelregulation](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.

### **Procurement Standards**

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

### **Intangible and Intellectual Property**

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

### **Inventions Report**

The Bayh-Dole Act (P.L. 96-517) affords Grantees the right to elect and retain title to inventions they develop with funding under an NRC grant award ("subject inventions"). In accepting an award, the Grantee agrees to comply with applicable NRC policies, the Bayh-Dole Act, and its Government-wide implementing regulations found at Title 37,

Code of Federal Regulations (CFR) Part 401. A significant part of the regulations require that the Grantee report all subject inventions to the awarding agency (NRC) as well as include an acknowledgement of federal support in any patents. NRC participates in the trans-government Interagency Edison system (<http://www.iedison.gov>) and expects NRC funding Grantees to use this system to comply with Bayh-Dole and related intellectual property reporting requirements. The system allows for Grantees to submit reports electronically via the Internet. In addition, the invention must be reported in continuation applications (competing or non-competing).

#### **Patent Notification Procedures**

Pursuant to EO 12889, NRC is required to notify the owner of any valid patent covering technology whenever the NRC or its financial assistance Grantees, without making a patent search, knows (or has demonstrable reasonable grounds to know) that technology covered by a valid United States patent has been or will be used without a license from the owner. To ensure proper notification, if the Grantee uses or has used patented technology under this award without license or permission from the owner, the Grantee must notify the Grants Officer. This notice does not necessarily mean that the Government authorizes and consents to any copyright or patent infringement occurring under the financial assistance.

#### **Data, Databases, and Software**

The rights to any work produced or purchased under a NRC federal financial assistance award are determined by 2 CFR 215.36. Such works may include data, databases or software. The Grantee owns any work produced or purchased under a NRC federal financial assistance award subject to NRC's right to obtain, reproduce, publish or otherwise use the work or authorize others to receive, reproduce, publish or otherwise use the data for Government purposes.

#### **Copyright**

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

#### **Records Retention and Access Requirements**

For records of the Grantee shall follow established provisions in 2 CFR 215.53.

#### **Organizational Prior Approval System**

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



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

**Conflict Of Interest Standards**

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

**Dispute Review Procedures**

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

**Termination and Enforcement**

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

**Monitoring and Reporting § 215.50-53**

- a. Grantee Financial Management systems must comply with the established provisions in 2 CFR 215.21
  - Payment – 2 CFR 215.22
  - Cost Share – 2 CFR 215.23

- Program Income – 2 CFR 215.24
  - Earned program income, if any, shall be added to funds committed to the project by the NRC and Grantee and used to further eligible project or program objectives or deducted from the total project cost allowable cost as directed by the Grants Officer or the terms and conditions of award.
- Budget Revision – 2 CFR 215.25
  - The Grantee is required to report deviations from the approved budget and program descriptions in accordance with 2 CFR 215.25 and request prior written approval from the Program Officer and the Grants Officer.
  - The Grantee is not authorized to rebudget between direct costs and indirect costs without written approval of the Grants Officer.
  - The Grantee is authorized to transfer funds among direct cost categories up to a cumulative 10 percent of the total approved budget. The Grantee is not allowed to transfer funds if the transfer would cause any Federal appropriation to be used for purposes other than those consistent with the original intent of the appropriation.
- 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 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 customary performance progress report requested on the SF-PPR, SF-PPR-B, and SF-PPR-E forms, HR requires the following metrics to be reported on by the awardees as follows:

### **Fellowship Awards**

1. How many graduate students have been sponsored by NRC funding?
  - a. Response is the number of students, for this reporting period and cumulative to the grant.
2. How many students, supported by NRC funding, have received M.S. or equivalent degrees?
  - a. Response is the number of students, for this reporting period and cumulative to the grant.
3. How many students, supported by NRC funding, have received Ph.D. or equivalent degrees?
  - a. Response is the number of students, for this reporting period and cumulative to the grant.
4. How many students, supported by NRC funding, have accepted a job and are employed in the nuclear industry?
  - a. Response is the number of students, for this reporting period and cumulative to the grant.
5. How many items have students produced, for example, Professional Journal articles, publications, patents, or conference reports?
  - a. Response is the type and number of items, 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.