

**National Science Foundation  
Federal Demonstration Partnership (FDP) Phase IV  
Agency Specific Requirements  
Effective June 01, 2007**

**National Science Foundation website address:** <<http://www.nsf.gov>> **OMB Circulars referenced in the FDP Terms and Conditions are available electronically at the following address:**  
<<http://www.whitehouse.gov/OMB/circulars/index.html>>

**Article 1. Awards Covered by the FDP IV Terms and Conditions:**

Grant awards made to participating FDP organizations. The FDP Terms and Conditions do not apply to NSF cooperative agreements and fellowship awards.

**Article 2. Prior approval requirements not included in the General FDP T&C's:**

In accordance with Article 13 below, the grantee must obtain written approval from the cognizant:

- a. NSF Program Officer prior to the reallocation of funds budgeted for participant or trainee support costs (see NSF Award & Administration Guide Chapter V.B.8.)
- b. NSF Grants Officer prior to:
  1. modifying the amount of cost sharing reflected on Line M of the approved grant budget (see Article 12 below.)
  2. extending the expiration date of any Small Grant for Exploratory Research (SGER) award (see [Grant Proposal Guide \[GPG\] Chapter II.D.1](#)).

Unless otherwise specified in the award, no additional prior approvals are required.

**Article 3. Categories of costs aside from those identified in A-21/A-122 that are unallowable as direct charges:**

None.

**Article 4. Contact information for technical matters:**

Questions of a programmatic or technical nature should be directed to the cognizant NSF program officer identified in the award notice.

## **Article 5. Contact information for administrative matters:**

Questions of an administrative nature should be directed to the cognizant NSF grants specialist identified in the NSF award notice.

## **Article 6. Contact information for intellectual property:**

Questions regarding intellectual property matters should be directed to the NSF Office of the General Counsel at 703.292-8060.

## **Article 7. Revised Budget Requirements:**

Revised budgets, when required, must be submitted electronically through use of the NSF FastLane System at <http://www.fastlane.nsf.gov/>. Consult the NSF [GPG Chapter III.D.](#) and [AAG Chapter II.C.2](#) for further instructions.

## **Article 8. Format, Content and Timing of Technical Reporting:**

### *a. Annual Project Reports*

1. Submission Requirement. Annual project reports are required for both standard and continuing awards.<sup>1</sup>
2. Content of Annual Project Reports. Unless otherwise specified in the award, grantees are required to submit annual reports electronically via the project reporting system in FastLane. The NSF FastLane system may be accessed at <https://www.fastlane.nsf.gov/fastlane.jsp>. The content requirements for annual project reports are specified in the FastLane system and may be supplemented in the award document.
3. Timing of Annual Project Reports. Unless otherwise specified in the award, annual project reports shall be submitted at least three months prior to the end of the current budget period. It should be noted that the final annual report serves as the project's final report and must be submitted in accordance with paragraph b below. Failure to submit timely reports will delay processing of funding increments.

### *b. Final Project Report*

1. Submission Requirement. Unless otherwise specified in the award, the grantee shall submit a Final Project Report within 90 days following the expiration date of the award.
2. Content of Final Project Report. Unless otherwise specified in the award, grantees shall submit final reports electronically via the project reporting system in FastLane. The NSF Fastlane system may be accessed at: <https://www.fastlane.nsf.gov/fastlane.jsp>.

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<sup>1</sup> Submission of an "interim" report via the NSF FastLane system does not constitute compliance with the annual reporting requirement.

3. Additional Requirements. The grantee also shall provide to the cognizant NSF Program Officer, within 90 days following the expiration date of the award, any unique reports or other end products specified in the award (e.g., special cost sharing reports), including report requirements set forth in any NSF brochure, guide, solicitation, etc. referenced in the award as being directly related to either the award or administration of the award.

#### **Article 9. Form and Timing of Final Financial Reporting:**

All grantees shall submit a Federal Cash Transactions Report (FCTR) (SF-272) by the 10th day of the 2nd month (i.e. Feb. 10, May 10, Aug. 10, and Nov. 10) following the end of each quarter. All FCTRs must be submitted electronically via use of the Financial Administration Functions in FastLane available at <https://www.fastlane.nsf.gov/jsp/homepage/fauologin.jsp>.

Beginning in July 2007, grantees will have the option of submitting the NSF Federal Financial Report (FFR) in lieu of the FCTR. The FFR will remain an optional reporting form for the FCTR until the FFR is adopted as the standard report for the Federal government. At that time the FCTR will be deactivated and the FFR will become the required expenditure reporting format.

#### **Article 10. Additional documentation besides progress reports needed to trigger incremental funding:**

Unless specified in the award notice, no additional documentation is required to trigger award of the next increment of funding.

#### **NSF Agency Specific Requirements**

#### **Article 11. Payments: Reference FDP Article 22**

- a. Requests for payment must be made electronically via use of the FastLane Financial Functions, Cash Request process.<sup>2</sup> Grantees should request payments in amounts necessary to meet their current needs, pursuant to the guidelines contained in [31 CFR Part 205](#). Unless otherwise specified in the award, the grantee agrees to comply with all applicable Treasury regulations and National Science Foundation implementing and reporting procedures, which are outlined in AAG Chapter III.
- b. In accordance with [2 CFR § 215.22](#), where appropriate, grantees are required to maintain advances of Federal funds in interest-bearing accounts. For grantees not subject to the Cash Management Improvement Act (CMIA), (State agencies or instrumentalities) interest earned on Federal advances deposited in interest bearing accounts shall be remitted annually to<sup>3</sup>:

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<sup>2</sup> Grantees may contact the Division of Financial Management at (703) 292-8280 for information on using the FastLane Cash Request System.

<sup>3</sup> In keeping with Electronic Funds Transfer rules [[31 CFR Part 206](#)], interest should be remitted to the DHHS Payment Management System through an electronic medium such as the FEDWIRE Deposit System. Grantees that do not have this capability should submit payment by check.

Department of Health and Human Services (DHHS)  
Payment Management System  
P.O. Box 6021  
Rockville, MD 20852

- c. Interest amounts up to \$250 per year may be retained by the grantee for administrative expenses. Interest earned on advance payments to other than State agencies shall be reported to NSF on the *Federal Cash Transactions Report*, SF 272 (if payments are made in accordance with paragraph a. above). The requirement to remit interest annually to DHHS does not apply to grantees subject to the Cash Management Improvement Act (CMIA), Subpart A—Rules Applicable to Federal Assistance Programs Included in a Treasury-State Agreement.

## **Article 12. Cost Sharing: Reference FDP Article 23**

### a. *General*

1. The grantee must cost share in accordance with any amount specified on Line M of the award budget. Cost sharing participation in other projects may not be counted towards meeting the specific cost sharing requirements of the award, and must come from nonfederal sources.
2. Should the grantee become aware that it may be unable to provide the cost sharing of at least the amount identified on Line M of the NSF award budget, it must: a) immediately provide written notification to the Grants Officer of the situation; and b) indicate steps it plans to take to secure replacement cost sharing; or c) indicate the plans it has to either continue or phase out the project in the absence of cost sharing.
3. Should NSF agree to the organization's proposed plans, the NSF Grants Officer will modify the award accordingly, including, if appropriate, reducing the amount of NSF support. Should the organization's plans be unacceptable to NSF, the award may be subject to termination. NSF modifications to proposed cost sharing revisions are made on a case-by-case basis.
4. Failure by the organization to notify NSF, in accordance with paragraph 2. above, may result in the disallowance of some or all of the costs charged to the award; the subsequent recovery by NSF of some or all of the NSF funds provided under the award; possible termination of the award; and may constitute a violation of the terms of the award so serious as to provide grounds for subsequent suspension or debarment.

### b. *Cost Sharing Records*

The grantee must maintain records of all project costs that are claimed by the grantee as cost sharing as well as records of costs to be paid by the Government. Such records are subject to audit. Acceptable forms of cost sharing contributions are those that meet the criteria identified in [2 CFR § 215.23](#). Unless otherwise specified in the award, approval is given to include unrecovered

indirect costs (also known as facilities and administrative costs for colleges and universities) as part of cost sharing or matching contributions. If the grantee's cost participation includes in-kind contributions, the basis for determining the valuation for volunteer services and donated property must be documented.

c. *Cost Sharing Reports*

Unless otherwise required by the award or requested by NSF, the actual cost participation by the grantee, while subject to documentation and audit, need not be reported to NSF. In cases, however, where the cost-sharing amount reflected on Line M of the award budget is \$500,000 or more, the amount of cost sharing must be documented (on an annual and final basis) and certified by the Authorized Organizational Representative via use of the Notification and Request Module in the NSF FastLane System. Such notifications must be submitted at least 90 days:

1. prior to the end of the current budget period to meet the annual notification requirement; and
2. following the expiration of the award to meet the final notification requirement.

**Article 13. Revision of Budget & Program Plans: Reference FDP Article 25**

a. The grantee must obtain written approval from the cognizant NSF Program Officer prior to the reallocation of funds budgeted for participant or trainee support costs (see [AAG Chapter V.B.8.](#)) Participant support costs are direct costs for items such as stipends or subsistence allowances, travel allowances and registration fees paid to or on behalf of participants or trainees (but not employees) in connection with meetings, conferences, symposia or training projects. (See also [AAG Chapter V.C.5](#)) Grantee organizations must account for participant support costs separately. Note: No indirect costs normally may be charged against participant support costs. (See [AAG Chapter V.D.1b.](#))

b. The grantee must obtain prior written approval from the cognizant NSF Grants Officer prior to modifying the amount of cost sharing reflected on Line M of the approved grant budget (see Article 12 above).

c. The grantee must obtain prior written approval from the cognizant NSF Grants Officer prior to the extension of a Small Grant for Exploratory Research (SGER) award (see [GPG Chapter II.D.1](#)).

d. The prior approval requirements identified in the FDP Terms and Conditions can be submitted electronically to NSF via use of the NSF FastLane system (<https://www.fastlane.nsf.gov/>). The grantee is required to use FastLane to process these types of transactions as well other types of grant-related notifications stipulated in [AAG Exhibit II-1](#).

## **Article 14. Intangible Property: Reference FDP Article 36**

a. *Dissemination of Project Results.* NSF expects significant findings from education activities or research it supports to be promptly submitted for publication with authorship that accurately reflects the contribution of those involved. NSF expects investigators to share with other researchers, at no more than incremental cost and within a reasonable time, the data, samples, physical collections, and other supporting materials created or gathered in the course of the work. It also encourages recipients to share software and inventions or otherwise act to make the innovations they embody widely useful and usable. Adjustments and, where essential, exceptions may be allowed to safeguard the rights of individuals and subjects, the validity of results, or the integrity of collections or to accommodate legitimate interests of investigators.

b. *Patent Rights Clause.* NSF's standard patent rights clause, published at 45 CFR 650.4(a), shall be substituted for the referenced patent clause (37 CFR 401.14). The grantee shall also include this clause in all subawards for experimental, developmental or research awards, regardless of the type of subgrantee organization. The NSF clause is identical to that prescribed in the Department of Commerce (DOC) guidance at 37 CFR 401.14(a) except that:

1. pursuant to section 401.5(d) of the DOC guidance (37 CFR 401.5(d)), NSF has added to paragraph (b) of the clause a stipulation that the Foundation reserves the right to direct a grantee to transfer to a foreign government or research performer such rights to any subject invention as are required to comply with any international treaty or agreement identified when the grant is made as being applicable to the assisted research;

2. as permitted by section 401.5(f) of the DOC guidance (37 CFR §401.5(f)), NSF has added a subparagraph to the end of paragraph f. of the clause to require grantees or their representatives to send NSF confirmations of the Government licenses for subject inventions and the pages of any United States patent applications that contain the Federal support clause; and

3. since NSF normally uses the same clause for all subcontractors, the first two subparagraphs of paragraph g. of the clause specified in the DOC guidance have been reduced to one.

c. *Communications.* All communications required by the Patent Rights clause must be submitted through the iEdison Invention Information Management System maintained by the National Institutes of Health unless prior permission for another form of submission is obtained from the Patent Assistant at [patents@nsf.gov](mailto:patents@nsf.gov) or at Office of the General Counsel, National Science Foundation, 4201 Wilson Boulevard, Arlington, VA 22230.

## **Article 15. Termination and Enforcement: Reference FDP Article 60**

a. A grant may be suspended or terminated in whole or in part in any of the following situations:

1. by NSF when the grantee has materially failed to comply with the terms and conditions of the grant;
2. by NSF when the Foundation has other reasonable cause;
3. by NSF when ordered by the Deputy Director under NSF's regulation on Research Misconduct (45 CFR Part 689)
4. by NSF and the grantee by mutual agreement (if NSF and the grantee cannot reach an agreement, NSF reserves the right to unilaterally terminate the grant); or
5. by the grantee on written notice to NSF setting forth the reasons for such action, the effective date, and, in the case of partial termination, the portion to be terminated or suspended (with the understanding that if NSF determines that the unexpired portion will not accomplish the purposes of the grant it may suspend or terminate the entire grant).

b. Suspensions and terminations will be processed in accordance with NSF [AAG Chapter VII.A.](#)

## **Article 16. Government Permits and Activities Abroad**

a. For grants that include activities requiring permits from appropriate Federal, state, or local government authorities, the grantee should obtain any required permits prior to undertaking the proposed activities.

b. The grantee should assure that activities carried on outside the U.S. are coordinated as necessary with appropriate U.S. and foreign government authorities and that necessary licenses, permits or approvals are obtained prior to undertaking proposed activities. NSF does not assume responsibility for grantee compliance with the laws and regulations of the country in which the work is to be conducted.