



**NATIONAL SCIENCE FOUNDATION
FOREIGN AND INTERNATIONAL AWARDEE CONDITIONS FOR
NON-RESEARCH PROJECTS
January 2003**

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1. Type of Award

The award letter specifies a pre-determined fixed amount of NSF support for the “non-research” project described in the referenced proposal, as amended. NSF anticipates that the full award amount referenced in the award letter will be paid without regard to the actual cost subsequently incurred.

Payment is subject to the awardee’s acceptance and compliance with the award terms and conditions which include undertaking the proposed activity and the timely delivery to NSF of any required reports. The awardee also agrees to the prudent management of all expenditures and actions affecting the award.

2. Awardee Responsibilities and Federal Requirements

a. The awardee has full responsibility for the conduct of the “non-research” project or activity supported under this award and for adherence to the award conditions. Although the awardee is encouraged to seek the advice and opinion of NSF on special problems that may arise, such advice does not diminish the awardee's responsibility for making sound scientific and administrative judgments and should not imply that the responsibility for operating decisions has shifted to NSF. The awardee is responsible for notifying NSF about: (1) any allegation of scientific misconduct that it concludes has substance and requires an investigation in accordance with NSF misconduct regulations published at 45 CFR 689; or (2) any significant problems relating to the administrative or financial aspects of the award.

b. By acceptance of this award, the awardee agrees to comply with these Award Conditions to the prudent management of all expenditures and actions affecting the award. Documentation for each expenditure or action affecting this award must reflect appropriate organizational reviews or approvals that should be made. Organizational reviews are intended to help assure that expenditures are necessary and reasonable for the conduct of the “non-research” project, and that this support:

1. is consistent with award terms and conditions;
2. is consistent with NSF and awardee policies;
3. represents effective utilization of resources; and
4. does not constitute a significant project change.

c. The awardee is responsible for ensuring that all appropriate personnel receives a copy of the award conditions, including: the award letter, these general terms and conditions, any special terms and conditions and any subsequent changes in the award conditions. These award conditions are made available to the awardee by NSF, in electronic form (http://www.nsf.gov/home/grants/grants_gac.htm), and may be duplicated, copied or otherwise reproduced by the awardee as appropriate. This provision does not alter the awardee's full responsibility for conduct of the “non-research” project and compliance with all award terms and conditions. Award letters are available electronically via the NSF FastLane System at <http://www.fastlane.nsf.gov/>.

3. Payments

a. The awardees may receive payments under this award through one of the following methods listed below. The awardee may contact the Division of Financial Management at (703) 292-8280 for additional information. In all cases an awardee should request payments in amounts necessary to meet their current needs, pursuant to the procedures contained in 31 CFR Part 205. The awardee agrees to comply with all applicable Treasury regulations and National Science Foundation implementing and reporting procedures, which are outlined in GPM Chapter IV.

1. Electronic fund transfers by the Automated Clearing House Payment System. Requests are made electronically via NSF's FastLane Cash Request System under the Financial Administration function. To participate in FastLane Cash Request, the awardee must have an account in a United States bank or use a foreign bank with a branch that is licensed to operate in the United States. Banking information must be provided to the NSF Division of Financial Management on form SF3881. The SF3881, ACH Vendor/Miscellaneous Payment Enrollment Form, may be found at <http://www.nsf.gov/bfa/dga/policy/docs/sf3881.xls>.

2. Fedwire Transactions. Grantees are required to mail the form SF270, Request for Advance or Reimbursement, to the NSF Division of Financial Management, Room 575 or fax to 703-292-9005. After approval, payments are electronically transmitted to a United States affiliate bank for subsequent transfer to the awardee's bank. The SF270 form may be found at <http://www.nsf.gov/bfa/dga/policy/docs/sf270.xls>.

3. United States Treasury Checks. Following receipt and approval of SF270, Request for Advance or Reimbursement, a United States Treasury check is mailed to the United States Department of State for transfer to the United States Embassy of the awardee's country.

b. Awardees shall maintain advances of Federal funds in interest bearing accounts, unless (1), (2) or (3) apply.

(1) The awardee receives less than \$120,000 in U.S. Federal awards per year.

(2) The best reasonably available interest bearing account would not be expected to earn interest in excess of \$250 per year on Federal cash balances.

(3) The depository would require an average or minimum balance so high that it would not be feasible within the expected Federal and non-Federal cash resources.

Interest earned on Federal advances deposited in interest bearing accounts shall be remitted annually to:

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

* 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. Awardees that do not have this capability should use a check. Interest amounts up to \$250 per year may be retained by the awardee 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).

4. Annual Project Report

- a. *Submission Requirement.* An annual project report is required.
- b. *Content of Annual Project Reports.* Unless otherwise specified in the award, awardees 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/>. The content requirements for annual project reports are specified in the FastLane system.
- c. *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 funding period. Failure to submit timely reports may delay processing of funding increments.

5. Final Report

- a. *Final Project Report.*
 1. *Submission Requirements.* Unless otherwise specified in the award, the awardee shall submit a Final Project Report within 90 days following the expiration of the award.
 2. *Content of Final Project Reports.* Unless otherwise specified in the award, awardees 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/>.
 3. *Additional Requirements.* The awardee also shall provide to the cognizant NSF Program Officer, within 90 days following the expiration 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 this award.
- b. *Final Expenditure Report.* All awardees shall submit a Federal Cash Transaction Report (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/>.

6. Audit and Records

- a. Financial records, supporting documents, statistical records, and other records pertinent to this award shall be retained by the awardee for a period of three years from submission of the Final Project Reports specified in Article 5.

1. Records that relate to audits, appeals, litigation or the settlement of claims arising out of the performance of the project shall be retained until such audits, appeals, litigation or claims have been disposed of.

2. Records relating to projects subject to special project income provisions shall be retained until three years from the end of the awardee's fiscal year in which the award requirement for reporting income expires.

b. Unless court action or audit proceedings have been initiated, the awardee may substitute microfilm copies of original records.

c. The Director of the National Science Foundation and the Comptroller General of the U.S., or any of their duly authorized representatives, shall have access to any pertinent books, documents, papers and records of the awardee organization and of the performing organization, if different, to make audits, examinations, excerpts and transcripts.

7. Site Visits

NSF, 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 NSF on the premises of the awardee or a contractor under an award, the awardee shall provide and shall require its contractors to provide all reasonable facilities and assistance for the safety and convenience of the Government representatives in the performance of their duties. All site visits and evaluations shall be performed in such a manner that will not unduly delay the work.

8. Termination

a. Any termination action taken by NSF must be issued by an NSF Grants Officer and will be in accordance with this article and GPM Section 910.

b. The award may be terminated in whole or in part in any of the following situations:

1. by NSF when the awardee has materially failed to comply with the terms and conditions of the award;

2. by NSF when the Foundation has other reasonable cause;

3. by NSF when ordered by the Deputy Director under NSF's Regulation on Misconduct in Science and Engineering [45 CFR Part 689];

4. by NSF and the awardee by mutual agreement (if NSF and the awardee cannot reach an agreement, NSF reserves the right to unilaterally terminate the award); or

5. by the awardee 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 (with the understanding that if NSF determines that the unterminated portion will not accomplish the purposes of the award, it may terminate the entire award).

c. Normally, action by NSF to terminate an award will be taken only after the awardee has been informed by NSF of any deficiency on its part and given an opportunity to correct it; but NSF may immediately terminate the award without notice when it believes such action is reasonable to protect the interests of the Government.

d. No costs incurred after the effective date of a termination will be allowable, except those costs which, in the opinion of NSF, the awardee could not reasonably avoid or eliminate, or which were otherwise authorized by the termination notice, provided such costs would otherwise be allowable under the terms of the award.

e. Within 30 days of the termination date, the awardee will furnish a summary of progress under the award and an itemized accounting of costs incurred prior to the termination date or pursuant to d, above. Final allowable costs under a termination settlement shall be in accordance with the terms of the award, including this article, and giving due consideration to the progress under the award. In no event will the total of NSF payments under a terminated award exceed the award amount, or the NSF pro rata share of the total project costs when cost-sharing was anticipated, whichever is less.

f. A notice of termination other than by mutual agreement and/or the final settlement amount may be subject to review pursuant to Article 9.

9. Termination Review Procedure

a. A request for review of a notice of termination or settlement should be addressed to the Director, Division of Grants and Agreements, National Science Foundation, 4201 Wilson Blvd., Arlington, VA, 22230. It must be postmarked no later than 30 days after the date of the letter notifying the awardee of the termination or settlement.

b. The request for review must contain a full statement of the awardee's position and the pertinent facts and reasons in support of such position.

c. Review of a notice of termination or settlement will be conducted in accordance with GPM Section 923.

d. Pending resolution of the request for review, the notice of termination shall remain in effect.

10. Sense of the Congress on Use of Funds

It is the sense of the Congress that, to the greatest extent practicable, all equipment and products purchased with funds made available in this Act should be American-made” and require the Foundation to notify awardees of that statement.