



**American Recovery and Reinvestment Act of 2009
Individual Fellowship Terms and Conditions
June 2009**

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Article 1. National Science Foundation American Recovery and Reinvestment Act of 2009 (ARRA) (Public Law 111-5) Award Term

- a. This award is funded under the American Recovery and Reinvestment Act of 2009 (ARRA) (Public Law 111-5). ARRA funding should be considered one-time funding.
- b. NSF will monitor ARRA funds, and, if, after 12 months, the first stipend payment has not been requested, NSF may consider reducing or terminating the award.

Article 2. No-Cost Extensions

If additional time beyond the established expiration date of the grant is required by the fellow to assure adequate completion of the original scope of work within the funds already made available, a formal request must be submitted to NSF via FastLane at: www.fastlane.nsf.gov. The request must be submitted to NSF at least 45 days prior to the expiration date of the grant. The request must explain the need for the extension and include an estimate of the unobligated funds remaining and a plan for their use. The plan must adhere to the previously approved objectives of the project. Fellows are not authorized to extend an award that contains a zero balance.

Article 3. Travel

(Due to the complexity of the travel requirements, fellows are encouraged to consult with their institution's sponsored projects office – or equivalent – regarding any travel issues.)

a. Allowability of Travel Expenses

1. Expenses for transportation, lodging, subsistence and related items incurred by fellows (see AAG Chapter V.B.4) who are in travel status on business related to an NSF-supported project are allowable as prescribed in the governing cost principles. The requirements for prior approval detailed in the governing cost principles are waived.

2. Except as provided in the governing cost principles, the difference between economy airfare and a higher-class airfare is unallowable. A train, bus or other surface carrier may be used in lieu of, or as a supplement to, air travel at the lowest first-class rate by the transportation facility used. If such travel, however, could have been performed by air, the allowance will not normally exceed that for jet economy airfare.

b. Use of U.S.-Flag Air Carriers

1. In accordance with the Fly America Act (49 USC 40118), any air transportation to, from, between, or within a country other than the U.S. of persons or property, the expense of which will be assisted by NSF funding, must be performed by or under a code-sharing arrangement with a U.S.-flag air carrier if service provided by such a carrier is available (see Comptroller General Decision B-240956, dated September 25, 1991). Tickets (or documentation for electronic tickets) must identify the U.S. flag air carrier's designator code and flight number.

2. For the purposes of this requirement, U.S.-flag air carrier service is considered available even though:

(a) comparable or a different kind of service can be provided at less cost by a foreign-flag air carrier;

(b) foreign-flag air carrier service is preferred by, or is more convenient for, NSF or traveler; or

(c) service by a foreign-flag air carrier can be paid for in excess foreign currency.

3. The following rules apply unless their application would result in the first or last leg of travel from or to the U.S. being performed by a foreign-flag air carrier:

(a) a U.S.-flag air carrier shall be used to destination or, in the absence of direct or through service, to the farthest interchange point on a usually traveled route.

(b) if a U.S.-flag air carrier does not serve an origin or interchange point, a foreign-flag air carrier shall be used only to the nearest interchange point on a usually traveled route to connect with a U.S. flag air carrier.

c. *Use of Foreign-Flag Air Carriers*

There are limited circumstances under which use of a foreign-flag air carrier is permissible. These circumstances are outlined below:

1. *Airline "Open Skies" Agreements:* A foreign flag air carrier may be used if the transportation is provided under an air transportation agreement between the United States and a foreign government, which the Department of Transportation has determined meets the requirements of the Fly America Act. For example, in 2008, the U.S. entered into an "Open Skies" Agreement with the European Union. This Agreement gives European Community airlines (airlines of Member States) the right to transport passengers and cargo on flights funded by the U.S. government, when the transportation is between a point in the United States and any point in a Member State or between any two points outside the United States. In accordance with the Agreement, however, a U.S.-flag air carrier must be used if: (a) transportation is between points for which there is a city-pair contract fare in effect for air passenger transportation services; or (b) transportation is obtained or funded by the Secretary of Defense or the Secretary of a Military Department. The conditions for use of a Member State airline apply to non-Federal employees as well (e.g., fellows). So, even though fellows are ineligible for city-pair contract fares, they must still use a U.S.-flag air carrier if a city-pair contract fare exists. For information on other "open skies" agreements in which the United States has entered, please refer to GSA's website: http://www.gsa.gov/Portal/gsa/ep/contentView.do?contentType=GSA_BASIC&contentId=24833&noc=T

2. *Involuntary Rerouting:* Travel on a foreign-flag carrier is permitted if a U.S.-flag air carrier involuntarily reroutes the traveler via a foreign-flag air carrier, notwithstanding the availability of alternative U.S.-flag air carrier service.

3. *Travel To and From the U.S.*

Use of a foreign-flag air carrier is permissible if the airport abroad is:

(a) the traveler's origin or destination airport, and use of U.S.-flag air carrier service would extend the time in a travel status by at least 24 hours more than travel by a foreign-flag air carrier; or

(b) an interchange point, and use of U.S.-flag air carrier service would increase the number of aircraft changes the traveler must make outside of the U.S. by two or more, would require the traveler to wait four hours or more to make connections at that point, or would extend the time in a travel status by at least six hours more than travel by a foreign-flag air carrier.

4. *Travel Between Points Outside the U.S.*

Use of a foreign-flag air carrier is permissible if:

- (a) travel by a foreign-flag air carrier would eliminate two or more aircraft changes en route;
- (b) travel by a U.S.-flag air carrier would require a connecting time of four hours or more at an overseas interchange point; or
- (c) the travel is not part of the trip to or from the U.S., and use of a U.S.-flag air carrier would extend the time in a travel status by at least six hours more than travel by a foreign-flag air carrier.

5. *Short Distance Travel.* For all short distance travel, regardless of origin and destination, use of a foreign-flag air carrier is permissible if the elapsed travel time on a scheduled flight from origin to destination airport by a foreign-flag air carrier is three hours or less and service by a U.S.-flag air carrier would double the travel time.

Article 4. Rights to Inventions or Writings

NSF claims no rights to any inventions or writings that may result from its fellowship awards. However, Fellows should be aware that NSF, other Federal agencies, or private parties may acquire such rights through other grant support. Fellows at foreign institutions should be aware that specific provisions regarding allocations of intellectual property rights apply to particular countries, and Fellows should be cognizant of any such provisions before commencing work.

Article 5. Payments

In order to receive payments from the fellowship, the fellow must complete the [Faststart Direct Deposit Form](#) (Form 1379). The form must be signed and submitted to the NSF Division of Financial Management (DFM) by: email (NSFForm1379@nsf.gov), fax (703) 292-9006; or mail to:

National Science Foundation
DFM Accounts Payable Section
4201 Wilson Blvd., Stafford II, Rm. 605
Arlington, Virginia 22230

The fellow should insert the name of the cognizant program officer at the top of the form. The fellow's home address should be provided, as well as the name of their bank located in the United States. The fellow's signature is required as it certifies the accuracy of the information contained on the form and states that the individual has read the Privacy Act Statement. The fellow also must attach a copy of a voided check to ensure banking information is correct (a deposit slip may not be substituted as it may contain different information).

No funds will be released to the fellow without submission of this information.

Should the fellow wish to receive the first stipend payment prior to arrival at the host institution, they will need to submit the [Request for Stipend Advance Form](#) (Form 929). If approved, the next stipend payment will not be released until the second month that the fellow is at the host site.

Upon arrival at the foreign site, the fellow must complete, and have their host institution sign, the [Fellowship Starting Certificate](#) (Form 349). NSF will then establish a payment schedule for the fellowship and each month, the fellow's living allowance and health insurance allowance will be deposited into the U.S. bank account listed on Form 1379.

Reimbursement for travel expenses may be requested, as needed, by completing the [Travel Certificate for Fellows](#) (Form 524). Reimbursement may be requested shortly before the travel commences and/or for multiple trips, if they all occur within a short period of time. In addition to travel costs, the fellow may use the travel allowance for other relocation expenses, such as storage fees and security deposits. The amount of the request must be listed in the Remarks section and that amount is what will be transferred to the fellow's bank account. Receipts do not need to be sent to NSF but should be retained for record-keeping and audit purposes.

Special Allowance funds (such as for materials or equipment) should also be requested using Form 524. In the Remarks box, the fellow must indicate that they are requesting funds from their Special Allowance; only those funds that are needed immediately should be requested. If the Special Allowance is under \$25,000, NSF may include the Special Allowance as a lump sum with the first stipend payment. The fellow will then be responsible for keeping an accounting of the expenses. This may be done by developing a spread sheet or some other mechanism that is most efficient for the fellow. As a reminder, the expenses under this category were previously agreed upon during the budget negotiation with the cognizant NSF Program Officer. The fellow should keep all receipts along with their accounting records in case of an audit.

It is the fellow's responsibility to ensure that the NSF Program Officer always has current contact information for the fellow. Failure to provide current information could result in delay of payments to the fellow. Payments are usually made within 3 to 4 business days after the request is submitted. Stipends are typically paid around the 20th of the preceding month (for example, September 20th for October's stipend). Should payment not be received within a week of requesting it or on the expected schedule, the fellow should immediately contact the NSF Program Officer.

Article 6. Project Reporting Requirements

a. Annual Project Reports

1. Submission Requirement. Fellows are required to submit an annual project report.
2. Content of Annual Project Reports. Fellows 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.

b. Final Project Report

1. Submission Requirement. Unless otherwise specified in the award, the fellow 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, the fellow 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>.
3. In addition, at the end of the fellowship tenure period, Fellows must submit (by fax or email) to the cognizant NSF Program Officer the [Fellowship Termination Certificate and Grant Fiscal Report](#) (NSF Form 453).

Article 7. Publications

Fellows are responsible for assuring that an acknowledgment of NSF support:

1. is made in any publication (including World Wide Web pages) of any material based on or developed from the fellowship-supported research, in the following terms:

"This material is based upon work supported by the National Science Foundation under Award No. (NSF award number)."

2. is orally acknowledged during all news media interviews, including popular media such as radio, television and news magazines.

Fellows are responsible for assuring that every publication of material (including World Wide Web pages) based on or developed under this award, except scientific articles or papers appearing in scientific, technical or professional journals, contains the following disclaimer:

"Any opinions, findings, and conclusions or recommendations expressed in this material are those of the author(s) and do not necessarily reflect the views of the National Science Foundation."

Fellows are responsible for assuring that the cognizant NSF Program Officer is provided access to, either electronically or in paper form, a copy of every publication of material based on or developed under this award, clearly labeled with the award number and other appropriate identifying information, promptly after publication.

Article 8. Liability

NSF cannot assume any liability for accidents, illnesses or claims arising out of any work supported by an award or for unauthorized use of patented or copyrighted materials. The fellow is advised to take such steps as may be deemed necessary to insure or protect themselves and their property.

Article 9. Sharing of Findings, Data and Other Research Products

Fellows are expected to agree to complete and open sharing of data and material in an expeditious manner. Fellows are responsible for compliance with the following NSF guidelines on sharing of findings, data, and other research products:

NSF expects significant findings from research and education activities it supports to be promptly submitted for publication, with authorship that accurately reflects the contributions of those involved. It expects fellows 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 fellows 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 NSF-supported fellows.

Article 10. Government Permits and Activities Abroad

- a. For awards that include activities requiring permits from appropriate Federal, state, or local government authorities, the fellow should obtain any required permits prior to undertaking the proposed activities.
- b. The fellow must comply with the laws and regulations of any foreign country in which research is to be conducted. Areas of potential concern include: (1) requirements for advance approval to conduct research or surveys; (2) special arrangements for the participation of foreign scientists and engineers; and (3) special visas for persons engaged in research or studies. NSF does not assume responsibility for the fellow's compliance with the laws and regulations of the country in which the work is to be conducted.
- c. The fellow also 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 the proposed activities.

Article 11. Referrals to the NSF Office of the Inspector General

The fellow shall promptly refer to the NSF Inspector General any credible evidence that a principal, employee, agent, contractor, sub-grantee, subcontractor, or other person has submitted a false claim under the False Claims Act or has committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct involving those funds.