



2024 NSF POLICY OFFICE WEBINAR SERIES

Revision of the NSF Award Conditions to Implement the Revised 2 CFR



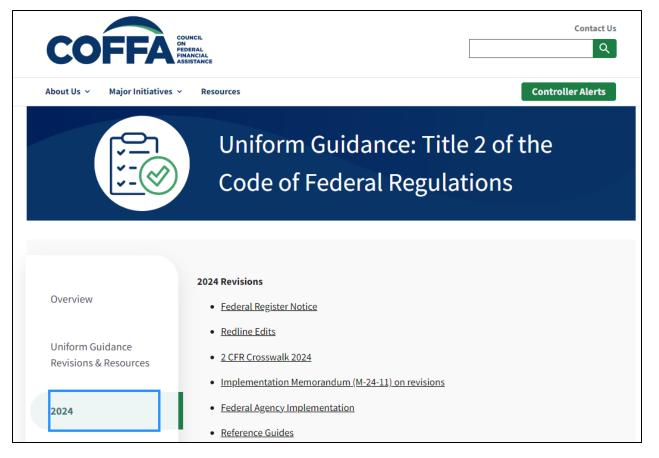


- Jean Feldman, Head, Policy Office
 - Division of Institution and Award Support
 - Office of Budget, Finance and Award Management



Revising 2 CFR – Background

- The Office of Management and Budget (OMB) directed agencies to incorporate 2 CFR revisions by October 1, 2024.
 - NSF will apply 2 CFR to new awards and funding amendments to existing awards made on or after October 1, 2024.
- The Council on Federal Financial Assistance (COFFA) has included revisions and associated documents on its website.







- Grant General Conditions (GC-1)
- Cooperative Agreement Financial and Administrative Conditions (CA-FATC)
- Cooperative Agreement Modifications and Supplemental Financial and Administrative Terms and Conditions for Major Multi-User Research Facility Projects and Federally Funded Research and Development Centers
- Cooperative Agreement Modifications and Supplemental Financial and Administrative Terms and Conditions for Mid-Scale Research Infrastructure Projects
- Special Terms and Conditions for Administration of NSF Conference or Travel Grants (FL 26)
- Small Business Innovation Research (SBIR)/Small Business Technology Transfer (STTR) Terms and Conditions
- International Research Terms and Conditions (IRTC)
- Special Terms and Conditions for Administration of NSF Conference or Travel Awards Made to International Organizations (FL 26 for IRTC)





- Unless otherwise specified, the Grant General Conditions (GC-1) will apply to all recipients of NSF grant awards, including:
 - Institutions of Higher Education (IHEs);
 - Non-profit, non-academic organizations;
 - For-profit organizations (other than Small Business Innovation Research/Small Business Technology Transfer recipients);
 - State and local governments; and
 - Tribal Nations.
- The Research Terms and Conditions (RTC) will no longer be referenced in awards made on or after October 1, 2024.
- In the case of any inconsistency between the coverage contained in the NSF Proposal and Award Policies and Procedures Guide and 2 CFR (including 2 CFR part 200), the coverage specified in 2 CFR applies.

Revising 2 CFR – NSF Implementation Process (Cont'd)



• The following statement will appear on NSF program pages:

NSF Financial Assistance awards (grants and cooperative agreements) made on or after October 1, 2024, will be subject to the applicable set of award conditions, dated October 1, 2024, available on the <u>NSF website</u>. These terms and conditions are consistent with the revised guidance specified in the <u>OMB Guidance for Federal Financial Assistance</u> published in the Federal Register on April 22, 2024.

 The following will appear as a header in each PAPPG (NSF 24-1) Chapter:

In the case of any inconsistency between the coverage contained in the NSF *Proposal and Award Policies and Procedures Guide* and 2 CFR (including 2 CFR part 200), the coverage specified in 2 CFR applies.

Summary of Changes Made to the GC-1



Recipient Responsibilities and Federal Requirements

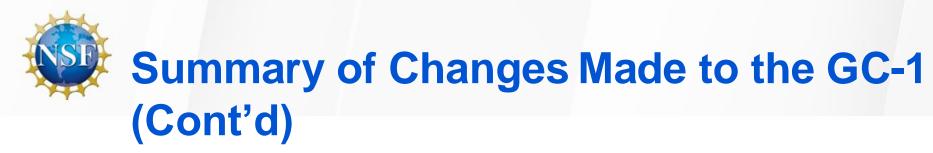
- Clarified to note that unless otherwise specified, GC-1 applies to all recipient types.
- Updated to cross-reference recipient responsibilities to notify NSF when a significant development that could impact the award occurs between project reporting dates.

Prior Approval Requirements

- Specific information on flow down provisions has been removed, given that the recipient is responsible for addressing the relevant requirements in subaward instruments.
 - GC-1 also has been revised to consolidate the prior approval requirements in one location in the document.

Participant Support Costs

 Updated to incorporate the revised definition of participant support costs specified in 2 CFR § 200.1.





Equipment

- Revised to specify that, unless specifically identified in the award as exempt property, title to equipment purchased or fabricated under the award conditionally vests upon acquisition in the recipient for consistency with 2 CFR § 200.313(a).
- Unless NSF provides alternative disposition instructions no later than 120 days after the end date of the NSF-supported project for which it was acquired, NSF grants unconditional title to equipment in the recipient or subrecipient.
- NSF reserves the right to transfer the title to the Federal Government or a third party named by the Federal Government at any time during the award period or in disposition instructions issued no later than 120 days after the end date of the NSFsupported project for which it was acquired.
- The required inventory information for Federally-owned property has been updated for consistency with 2 CFR § 200.313.





Allowable Costs

 Expanded to include references to the cost principles that are applicable to IHEs and non-profit, non-academic organizations.

Payments

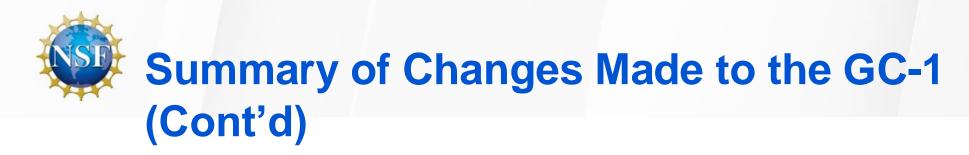
 Recipient requests for payment updated to emphasize the requirements in 2 CFR § 200.305 regarding timing of payments

Project Reporting Requirements

- Language included that addresses significant developments that occur between project reporting due dates.
- The OMB-designated integrity and performance system has changed from Federal Awardee Performance and Integrity System to SAM.gov.

Responsible and Ethical Conduct of Research

Incorporated into GC-1 and only applies to IHEs.





Reporting Subawards and Executive Compensation

Incorporates the revised award term from Appendix A to Part 170.

System for Award Management (SAM.gov) and Universal Identifier Requirements

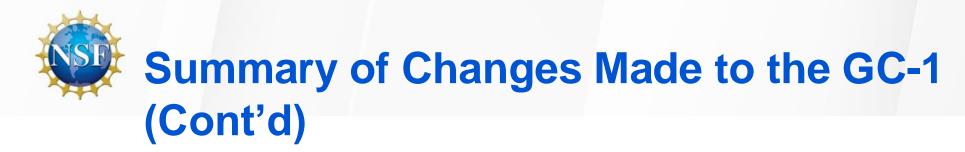
Incorporates the revised award term from Appendix A to Part 25.

Academic Technology Transfer and Commercialization of University Research

Incorporated into GC-1 and only applies to IHEs.

Copyrighted Material

• The term "nontransferable" has been deleted and the royalty-free license rights language has been updated for consistency with the revised 2 CFR part 200.





Program Income

• Full definition of program income from 2 CFR § 200.1 has been incorporated for greater transparency.

Intangible Property

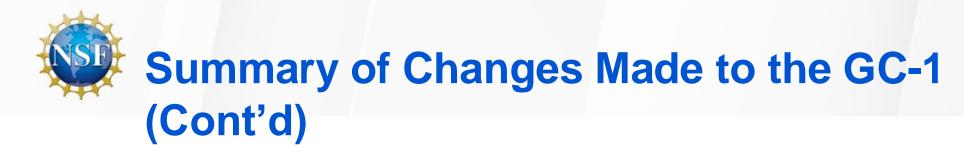
 Links to the National Institute of Standards and Technology (NIST) Bayh-Dole Regulations for Federal Funding Inventions and the current Interagency Domestic Manufacturing Waiver Form have been added to this term and condition.

Audit and Records

 Language has been added from 2 CFR § 200.337 regarding right of access to records of the recipient and subrecipient pertinent to the Federal award.

Termination and Enforcement

 Updated for consistency with the suspension and termination requirements contained in the revised 2 CFR part 200.





Whistleblower Protection

 Information on the overall requirements and applicability of 41 U.S.C. § 4712 has been incorporated for greater transparency.

Build America, Buy America

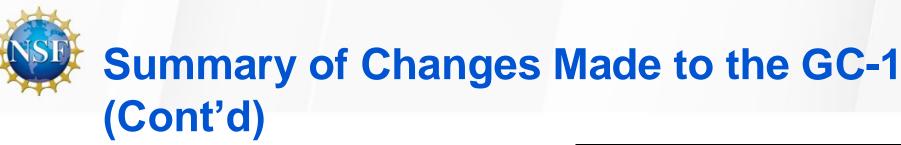
• Updated for consistency with 2 CFR part 184.

Foreign Financial Disclosure Report (FFDR) (CHIPS and Science Act of 2022)

• Incorporated into GC-1 and applies only to IHEs.

Resolution of Conflicting Conditions

- Updated to indicate if GC-1 is silent on a specific area covered by 2 CFR (including 2 CFR part 200), 2 CFR applies.
- A new provision also has been added indicating the order of precedence should there be an inconsistency between 2 CFR (including 2 CFR part 200) and the NSF Proposal and Award Policies and Procedures Guide (PAPPG).





 Revised to solely list those requirements that are applicable to NSF grants and has been renamed National Policy Requirements for Recipients of NSF Awards.

Prior Approval Matrix

- Updated for consistency with the revised 2 CFR part 200.
- Revised to solely list those requirements that are applicable to NSF grants and has been renamed the NSF Prior Approval Matrix.

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This listing of statutory/regulatory/and e applicable to a specific award.	xecuti	ive requirements is p	provided for information purp	ooses only and may not reflec	t all requireme	nts that are		
Statutory/Regulatory/and Executive Based Requirements			Type of Award	Type of Recipient	Specific Situation			
a) Nondiscrimination								
By signing or accepting funds under the a prohibiting discrimination:	greem	nent, the recipient ag	ees that it will comply with ap	plicable provisions of the follo	owing, national	policies		
a. On the basis of race, color, or national origin, in 1964 (42 U.S.C. 2000d, et seq.), as implemented by		l of the Civil Rights Act of	Grants, cooperative agreements, and other financial assistance All			All		
45 CFR Part 611 b. On the basis of race, color, religion, sex, or nati 11246, as implemented by Department of Labor n				NSF Prior Approval N October 1, 2024				
c. On the basis of sex or blindness, in Title IX of th 1972 (20 U.S.C. 1681, et seq.).							ce NSF Reference (where applicable)	Required or Waived
45 CFR Part 618	Prior Written Approval (prior approval)* Cost sharing					200.407 200.407(a)	PAPPG** Chapter VII.C	
	_	Use of unrecovered indire	ct costs, including indirect costs on cost	sharing		200.306(c)	VILG	Waived
d. On the basis of age, in the Age Discrimination A seq.), as implemented by Department of Health ar	Use of current fair market value to determine the value of recipient or subrecipient contributions of services and					200.306(d)(2)		Waived
at 45 CFR part 90.		donations of property for the purposes of cost sharing Costs of the fair market value of equipment or other capital assets and fair rental charges for land when the award supports activities that require use of equipment, buildings or land						Required
45 CFR Part 617 e. On the basis of handicap, in:	Progra	am Income	200.407(b)	PAPPG Chapter VIII.D.4				
e. On the basis or handicap, in:	Use of program income during the period of performance (addditive method)					200.307(b)(2)		Waived
Section 504 of the Rehabilitation Act of 1973 (29 Department of Justice regulations at 28 CFR Part 4 SCFR Part 605	Revision of budget and program plans					200.407(c) 200.308(f)(1)	PAPPG Chapter	Described
		Change in the scope or the objective of the project or program 200					VII.B.1.a PAPPG Chapter	Required
43 LFK Part 605		Change in Principal Investigator (PI) and any co-PIs identified by name or position on the project				200.308(f)(2)	VII.B.2	Required
		Disengagement from the project for more than three months, or a 25 percent reduction in time and effort devoted to the project over the course of the period of performance, by the approved PI				200.308(f)(3)	PAPPG Chapter VII.B.2.a	Required
		Inclusion, unless waived, o	of costs that require prior approval in acc	cordance with Subpart E as applicable		200.308(f)(4)	GC-1*** Term and Condition No. 11	Waived ¹
		Transfer of funds budgete	d for participant support costs to other b	udget categories		200.308(f)(5)	GC-1 Term and Condition No. 3	Required ²
		Transfer of funds into the	participant support cost category			200.456	PAPPG Chapter X.A.3	Waived ³
		Subaward activities not included in the proposal and approved in the award; this requirement does not apply to procurement transactions for goods and services.				200.308(f)(6)	PAPPG Chapter VII.B.4	Required
		Changes in the total appro	wed cost-sharing amount			200.308(f)(7)	PAPPG Chapter VII.C	Required
		Need arises for additional	Federal funds to complete the project			200.308(f)(8)	PAPPG Chapter VI.E.5	Required
		Transferring funds betwee	n the construction and non-construction	work under a Federal award		200.308(f)(9)	GC-1 Term and Condition No. 2	Required
			on of the period of performance by up to	12 months		200.308(g)(2)	PAPPG Chapter VI.D.3.c	Waived
			ension of more than 12 months			200.308(f)(10)	PAPPG Chapter VI.D.3.c	Required
			ndar days before the start date of the av			200.308(g)(1)	PAPPG Chapter X.A.2.b	Waived
		Incur project costs more th	nan 90 calendar days before the start da	ite of the award		200.308(g)(1)	PAPPG Chapter X.A.2.b	Required







NSF Proposal and Award Policies and Procedures Guide (PAPPG) (NSF 24-1)

https://new.nsf.gov/policies/pappg/24-1

NSF Award Conditions

https://www.nsf.gov/awards/managing/award_conditions.jsp?org=NSF

National Policy Requirements for Recipients of NSF Awards

https://www.nsf.gov/bfa/dias/policy/gc1/policyreqs/oct24.pdf

Prior Approval Matrix for Recipients of NSF Awards

https://www.nsf.gov/bfa/dias/policy/gc1/priorapprovals/oct24.pdf

Council on Federal Financial Assistance (COFFA)

https://www.cfo.gov/coffa/