



REVISION OF THE NATIONAL SCIENCE FOUNDATION (NSF) COOPERATIVE AGREEMENT FINANCIAL AND ADMINISTRATIVE TERMS AND CONDITIONS (CA-FATC)

EFFECTIVE JANUARY 14, 2013

Effective January 14, 2013, new NSF cooperative agreements and funding amendments to existing NSF cooperative agreements will begin referencing and are subject to the *Cooperative Agreement Financial and Administrative Terms and Conditions (CA-FATC)* dated 01/13. The complete text of the CA-FATC conditions (as well as other NSF grant policy issuances) is available electronically on the NSF website.¹

Unless otherwise noted in a specific article, the CA-FATC apply to all new NSF cooperative agreements and funding increments on existing NSF cooperative agreements awarded on or after January 14, 2013.

A comprehensive summary of the changes is included below. Any questions regarding these changes may be directed to the Policy Office, Division of Institution and Award Support, on (703) 292-8243 or by e-mail to policy@nsf.gov.

Significant Change to the NSF Cooperative Agreement Financial and Administrative Terms and Conditions (CA-FATC) dated 01/13

- **Federal Tax Obligations, Article 23, Unpaid Federal Tax Liability, Article 24, and Criminal Convictions, Article 25**, are all new Articles which implement terms and conditions on Federal tax obligations/liability and felony conviction. These award terms were added to implement provisions included in the *Commerce, Justice, and Related Agencies Appropriations Act of 2012*.
- **Audit and Records, Article 31**, has been supplemented with a new paragraph that specifies that awards issued by NSF meet the definition of "Research and Development" at OMB Circular A-133 §.105. As such, auditees should identify NSF awards as part of the R&D cluster on the Schedule of Expenditures of Federal Awards (SEFA).

Clarifications and Other Changes to the NSF Cooperative Agreement Financial and Administrative Terms and Conditions (CA-FATC), dated 01/13

- **Overall document** has been modified to incorporate minor editorial changes to either clarify or enhance the intended meaning of a sentence or section or ensure consistency with other NSF policy documents.
- **Equipment, Article 6**, has been updated to clarify the inventory requirements and procedures for reporting on NSF-owned equipment. In addition, the financial statement reporting requirement language has been removed from the Article, as it now will be implemented through an award-specific clause.

¹ The Policy Office website address is: <http://www.nsf.gov/bfa/dias/policy/>

- **Payments, Article 14**, has been revised to reference the Award Cash Management Service (ACM\$). ACM\$ will be implemented during FY 2013 and will replace the current FastLane Cash Request service. ACM\$ will end the cash pooling method of award payments. Instead, awardees will submit award level detail with each payment request.
- **Project Reporting Requirements, Article 16**, has been updated to state that project reports must contain information on all activities of the project, including any activities to address the broader impacts criterion that are not intrinsic to the research.
- **Reporting Subawards and Executive Compensation, Article 20, and System for Award Management and Universal Identifier Requirements, Article 21**, have been updated to reflect that, as of July 2012, the Central Contractor Registration (CCR) has become the System for Award Management (SAM). All requirements related to CCR mentioned in the Articles now apply to and must be completed in SAM.
- **Program Income, Article 27**, has been updated to parallel language in the *Award and Administration Guide* Chapter III.D.4.
- **Patent Rights, Article 29**, has a revised footnote which reminds awardees that, in view of the U.S. Supreme Court decision in Stanford v. Roche, employee assignment agreements should include a present conveyance of rights in order to effectively convey patent rights to the institution.