



**REVISION OF THE NATIONAL SCIENCE FOUNDATION (NSF)
AGENCY SPECIFIC REQUIREMENTS TO THE RESEARCH
TERMS AND CONDITIONS**

EFFECTIVE JANUARY 14, 2013

Effective January 14, 2013, awards made to organizations subject to 2 CFR (Code of Federal Regulations) Part 215 will incorporate by reference the *Research Terms & Conditions* dated June, 2011 and the *NSF Agency Specific Requirements* dated January, 2013. The *Research Terms & Conditions* will not be applied to NSF cooperative agreements or to NSF fellowship awards made to individuals.

Unless otherwise noted in a specific article, the *NSF Agency Specific Requirements* apply to all new NSF grants and funding amendments to existing NSF grants 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 Changes to the NSF Agency Specific Requirements to the Research Terms and Conditions, dated 01/13

- **Federal Tax Obligations, Article 20, Unpaid Federal Tax Liability, Article 21, and Criminal Convictions, Article 22**, 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*.
- **Non-Federal Audits, Article 26**, 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 Agency Specific Requirements to the Research Terms and Conditions, 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.

- **Format, Content and Timing of Technical Reporting, Article 8**, 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 17, and System for Award Management and Universal Identifier Requirements, Article 18**, 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.
- **Payment, Article 23**, 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.
- **Equipment, Article 27**, 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.
- **Intangible Property, Article 28**, 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.