

National Policy Requirements

By signing this Agreement or accepting funds under this Agreement, the recipient assures that it will comply with applicable provisions of the national policies on the following topics:

1. NONDISCRIMINATION

- a. On the basis of race, color, or national origin, in Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d, et seq.), as implemented by DoD regulations at 32 CFR part 195.
- b. On the basis of sex or blindness, in Title IX of the Education Amendments of 1972 (20 U.S.C. 1681, et seq.). (Applicable to Educational Institutions only)
- c. On the basis of age, in the Age Discrimination Act of 1975 (42 U.S.C. 6101, et seq.), as implemented by Department of Health and Human Services regulations at 45 CFR part 90.
- d. On the basis of handicap, in Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), as implemented by Department of Justice regulations at 28 CFR part 41 and DoD regulations at 32 CFR part 56.

2. Live Organisms. For human subjects, the Common Federal Policy for the Protection of Human Subjects, codified by the Department of Health and Human Services at 45 CFR part 46 and implemented by the Department of Defense at 32 CFR part 219.

3. Environmental Standards.

- a. Comply with the applicable provisions of the Clean Air Act (42 U.S.C. 7401, et. Seq.) and Clean Water Act (33 U.S.C. 1251, et. seq.), as implemented by Executive Order 11783 [3 CFR, 1971-1075 Comp., p. 799] and Environmental Protection Agency (EPA) rules at 40 CFR part 15. In accordance with the EPA rules, the Recipient further agrees that it will:
 - Not use any facility on the EPA's List of Violating Facilities in performing any award that is nonexempt under 40 CFR 15.5, as long as the facility remains on the list.
 - Notify the awarding agency if it intends to use a facility in performing this award that is on the List of Violating Facilities or that the Recipient knows has been recommended to be placed on the List of Violating Facilities.
- b. Identify to the awarding agency any impact this award may have on the quality of the human environment, and provide help the agency may need to comply with the National Environmental Policy Act (NEPA, at 42 U.S.C. 4231, et. seq.) and to prepare Environmental Impact Statements or other required environmental documentation. In such cases, the recipient agrees to take no action that will have an adverse environmental impact (e.g., physical disturbance of a site such as breaking of ground) until the agency provides written notification of compliance with the environmental impact analysis process.

4. Officials Not to Benefit. No member of or delegate to Congress, or resident commissioner, shall be admitted to any share or part of this Agreement or to any benefit arising from it, in accordance with 41 U.S.C. 22.

5. Preference for U.S. Flag Carriers. Travel supported by U.S. Government funds under this Agreement shall use U.S. -flag air carriers (air carriers holding certificates under 49 USC 41102) for international air transportation of people and property to the extent that such service is available, in accordance with the International Air Transportation Fair Competitive Practices Act of 1974 (49 USC 40118) and the interpretative guidelines issued by the Comptroller General of the United States in the March 31, 1981, amendment to the Comptroller General Decision B138942.

6. Cargo Preference. The recipient agrees that it will comply with the Cargo Preference Act of 1954 (46 U.S.C. 1241), as implemented by Department of Transportation regulations at 46 CFR 381.7, which require that at least 50 percent of equipment, materials or commodities procured or otherwise obtained with U.S. Government funds under this agreement, and which may be transported by ocean vessel, shall be transported on privately owned U.S.-flag commercial vessels, if available.

7. Military Recruiters. As a condition for receipt of funds available to the Department of Defense (DoD) under this award, the recipient agrees that it is not an institution of higher education (as defined in 32 CFR part 216) that has a policy or practice that either prohibits, or in effect prevents:

(A) The Secretary of a Military Department from maintaining, establishing, or operating a unit of the Senior Reserve Officers Training Corps (in accordance with 10 U.S.C. 654 and other applicable Federal laws) at that institution (or any sub element of that institution);

(B) Any student at that institution (or any sub element of that institution) from enrolling in a unit of the Senior ROTC at another institution of higher education;

(C) The Secretary of a Military Department or Secretary of Homeland Security from gaining access to campuses, or access to students (who are 17 years of age or older) on campuses, for purposes of military recruiting in a manner that is at least equal in quality and scope to the access to campuses and to students that is provided to any other employer; or

(D) Access by military recruiters for purposes of military recruiting to the names of students (who are 17 years of age or older and enrolled at that institution or any sub element of that institution); their addresses, telephone listings, dates and places of birth, levels of education, academic majors, and degrees received; and the most recent educational institutions in which they were enrolled. If the recipient is determined, using the procedures in 32 CFR part 216, to be such an institution of higher education during the period of performance of this agreement, the Government will cease all payments of DoD funds under this agreement and all other DoD grants and cooperative agreements to the recipient, and it may suspend or terminate such grants and agreements unilaterally for material failure to comply with the terms and conditions of award.

ARTICLE 24

Reporting Requirements

1. Interim and Final Reports - The recipient shall submit monthly performance reports to the CAM and LPMs for each program beginning 30 days after award of the COA. The performance report will be sent electronically, and will provide a general update on the progress of each of the programs. Recipient format for the report is acceptable.

The recipient will deliver (electronically and in hard copy) a final report to the CAM no later than 90 days following the conclusion of each year of performance. Recipient format for the reports is acceptable. All reports/documents must be marked with the distribution statement B, provided below.

DISTRIBUTION STATEMENT : Distribution authorized to U.S. Government agencies only in order to protect information not owned by the U.S. Government and marked with a statement of a legal property right as proprietary. Other requests for this document will be referred to the CAM (U.S. Army RDECOM, ATTN: AMSRD-PES, Louie Lopez, APG, MD 21005).

2. **JOINT PAPERS AND PRESENTATIONS:** Periodic joint papers and presentations will be given if/when determined necessary by the CAM.
3. **JOURNAL ARTICLES:** Journal articles in general and joint RDECOM/Recipient journal articles are strongly encouraged as a major reporting mechanism of this research effort.
4. **FINANCIAL REPORTING:** Federal Financial Report (SF 425): Annual and Final Reports

Reporting period end dates fall on the end of the calendar year for annual reports (12/31) and the end date of the Agreement project or period for the final report. Annual reports are due 30 days after the reporting period end date, and the final report is due 90 days after the end date of the Agreement.

All financial reports shall be submitted to the Agreement Administration Office identified in Block 6 of the SF 26. Copies of the forms and instructions may be found on the Internet at http://www.whitehouse.gov/omb/grants_forms.

The Recipient shall make distribution of the Annual and Final (SF425) Reports as follows:

- Cooperative Agreement Manager - 1 original plus 1 copy;
- Agreement Administration Office - 1 copy
- Agreements Officer - 1 copy

Note: The SF 425 is a single form that consolidates and replaces the Federal Cash Transaction Report (FACTOR or SF 272/SF 272A) and the Financial Status Report (FSR or SF 269/SF 269A).

The Recipient shall submit an annual financial report to the CAM electronically. The report will summarize (a) by cost element the total funds programmed and expended during the year for the administrative management offices, (b) the funded and expended cost for each program, (c) by cost element the total funds programmed and expended during the year for any programs, including additional/supplemental funding received from other sources. This report will be due no later than 120 calendar days after the completion of each year.