

ANNOUNCEMENT OF FEDERAL FUNDING OPPORTUNITY

EXECUTIVE SUMMARY

- **Federal Agency Name:** National Institute of Standards and Technology (NIST), Department of Commerce
- **Funding Opportunity Title:** Recovery Act Measurement Science and Engineering Fellowship Program
- **Announcement Type:** Initial
- **Funding Opportunity Number:** 2009-NIST-ARRA-MSE-Fellowship-01
- **Catalog of Federal Domestic Assistance (CFDA) Number:** 11.609
- **Dates:** All applications, paper and electronic, must be **received** no later than 3:00 p.m. Eastern Daylight Saving Time on Monday, July 27, 2009. Late applications will neither be reviewed nor considered.
- **Proposal Submission Address:**
 - Paper submission: National Institute of Standards and Technology
100 Bureau Drive, Stop 1060
Gaithersburg, MD 20899-1060
 - Electronic submission: www.grants.gov
- **Funding Opportunity Description:** The National Institute of Standards and Technology (NIST) is establishing a financial assistance program for awardees to develop and implement with NIST a measurement science and engineering fellowship program as part of NIST's activities implementing the American Recovery and Reinvestment Act of 2009 (ARRA, or Recovery Act), P.L. 111-5, 123 Stat. 115. The fellowship program is intended to promote training and practical experience in science and engineering, and to advance NIST's mission to promote U.S. innovation and industrial competitiveness by advancing measurement science, standards, and technology in ways that enhance economic security and improve our quality of life.
- **Total Amount to be Awarded:** Up to \$20 million in cooperative agreements.
- **Anticipated Amounts:** NIST anticipates making 1-5 awards for a period of performance of up to 3 years.
- **Funding Instrument:** Cooperative Agreement
- **Who Is Eligible:** This program is open to U.S. institutions of higher education; U.S. hospitals; U.S. non-profit organizations; U.S. commercial organizations; and state, local, and Indian tribal governments.

- **Cost Sharing Requirements:** None

FULL ANNOUNCEMENT TEXT

I. Funding Opportunity Description

A. Program Objectives

The primary program objectives of the NIST Recovery Act Measurement Science and Engineering Fellowship Program are:

1. To provide opportunities for scientists and engineers in training to perform research in broad areas of measurement science at NIST through research fellowships called Research Training Fellowships. Research Training Fellowships will be offered to qualified undergraduate students and graduate students at U.S. universities and colleges, and to postdoctoral researchers, in fields of science and engineering that contribute to NIST's measurement science programs.
2. To provide opportunities for practicing scientists and engineers in the public and private sectors to perform research in broad areas of measurement science at NIST through research fellowships called Senior Research Fellowships. Senior Research Fellowships will be offered to qualified scientists and engineers working at U.S. private firms, U.S. non-profit organizations, U.S. universities and colleges, and other organizations in fields of science and engineering that contribute to NIST's measurement science programs.

NIST intends this financial assistance program to address both types of opportunities listed above through a single cooperative agreement, or through more than one cooperative agreement.

Through the cooperative agreement(s), the program will advance purposes established in Section 3 of the Recovery Act by:

- creating jobs,
- promoting economic recovery,
- providing investments needed to increase economic efficiency by spurring technological advances in science, and
- by making investments in areas of research that will provide long-term economic benefits.

NIST performs a broad range of research, measurements, modeling, and other activities to support its broad measurement science and engineering programs in ten operating units comprising the NIST laboratories: Technology Services (TS, www.ts.nist.gov), NIST Center for Neutron Research (NCNR, www.ncnr.nist.gov), NIST Center for Nanoscale Science and Technology (CNST, www.cnst.nist.gov), Electronics and Electrical Engineering Laboratory (EEEL, www.eeel.nist.gov), Manufacturing Engineering Laboratory (MEL, www.mel.nist.gov), Chemical Science and Technology Laboratory (CSTL, www.cstl.nist.gov), Physics Laboratory (PL, www.physics.nist.gov), Materials Science and Engineering Laboratory (MSEL, www.msel.nist.gov), Building Fire and Research Laboratory (BFRL, www.bfrl.nist.gov), and Information Technology Laboratory (ITL, www.itl.nist.gov). Descriptions of NIST measurement science and engineering programs can be found at the Websites for each of the

laboratories and at www.nist.gov . All the Laboratories have research and measurement programs at the NIST Laboratories in Gaithersburg, Maryland. Several laboratories also have research and measurement programs at the NIST laboratories in Boulder, Colorado: EEEL, CSTL, PL, MSEL, and ITL, and CSTL has research operations at the Hollings Marine Laboratory in Charleston, South Carolina.

Additional information about NIST can be found at: www.nist.gov.

A recipient of a NIST Recovery Act Measurement Science and Engineering Fellowships Program award will work jointly with NIST to publicize NIST measurement science opportunities, including those listed below. A recipient will identify candidates for fellowships from any U.S. educational institution or other entities such as a non-profit or for-profit organization. NIST and the recipient will collaborate in selecting Fellows for particular research opportunities based on cooperatively developed criteria. The recipient will provide all stipends, benefits, administrative support, and other expenses associated with the fellowship using the funds from the cooperative agreement.

A recipient may cooperate with any U.S. institution of higher education and other organizations to support Fellows to collaborate with NIST programs in Gaithersburg, Maryland, Boulder, Colorado or Charleston, South Carolina. Any participating undergraduate or graduate student must also be enrolled in an academic program acceptable to both the recipient and to NIST. The recipient is responsible for ensuring the Fellows are available to work on-site at NIST programs in Gaithersburg, Maryland, Boulder, Colorado or Charleston, South Carolina.

Candidates for fellowships through these programs should be able to make significant contributions to NIST measurement science and engineering programs, collaborating with NIST scientists and engineers at the NIST Laboratories, commensurate with the level of training and experience of the type of fellowship. For example, Senior Research Fellows are expected to perform at the level of an independent researcher working with minimal guidance from NIST staff, while undergraduate Research Training Fellows will require substantial direct guidance and training from NIST staff. The successful applicants for fellowships must demonstrate excellence in the areas of science and engineering relevant to their proposed work, and commensurate with the particular type of fellowship.

NIST expects applicants to possess the necessary background competencies to ensure that the research, education, training, and outreach aspects of the Program can be appropriately fulfilled. A successful applicant is also expected to possess organizational capability related to science and technology programs and management. In addition, applicants should take into account the unique role of measurement science and standards in development and implementation of a successful fellowship program proposal.

B. Program Authorization

Authority: 15 U.S.C. § 272(b) and (c), 15 U.S.C. § 278g-1(a),(b), 15 U.S.C. § 278(h), P.L. 111-5, 123 Stat. 115.

II. Award Information

The funding instrument used in this program will be a cooperative agreement.

Proposals will be considered for cooperative agreements with durations between one and three years, subject to the availability of funds, satisfactory progress, and the continuing relevance to the objectives of NIST. The anticipated level of funding is up to \$20,000,000 (\$20 million) total for the fellowships program. NIST anticipates making one to five awards. Projects are expected to start by January 2010.

NIST will determine whether to fund one award for the full amount; to divide available funds into multiple awards of any size, and negotiate scopes of work and budgets as appropriate; or not to select any proposal for funding, upon completing the selection process described below.

III. Eligibility Information

1. Eligible Applicants

This program is open to U.S. institutions of higher education; U.S. hospitals; U.S. non-profit organizations; U.S. commercial organizations; and state, local, and Indian tribal governments.

2. Cost Sharing or Matching Requirement

None

IV. Application/Proposal and Submission Information

1. Application Package

The forms listed in 2.a. through 2.e. below are available as part of the Grants.gov application package and can be completed through the download application process. Requests for paper copies of the application package can be made to Christopher Hunton at 301-975-5718 or christopher.hunton@nist.gov or to Sue Li at 301-975-8817 or sue.li@nist.gov.

2. Content and Form of Application/Proposal Submission

Complete applications/proposals must include the following forms and documents:

- a. SF-424, Application for Federal Assistance
- b. SF-424A, Budget Information - Non-Construction Programs
- c. SF-424B, Assurances - Non-Construction Programs
- d. CD-511, Certification Regarding Lobbying
- e. SF-LLL, Disclosure of Lobbying Activities (IF APPLICABLE)

Applications must include a Proposal Narrative and a Budget Narrative. Applications that are submitted without a Proposal Narrative and/or a Budget Narrative will be rejected. There is no set format for the Proposal Narrative and the Budget Narrative; however, they must be word-processed documents written by the applicant. The Proposal Narrative should describe in depth the scope of the proposal, its goals, the methods and equipment to be used, its schedule, the personnel working on the project and their qualifications, and the institutional capabilities of the applicant. The Budget Narrative should detail the funds requested, their purposes, and the timetable for using the funds.

The Proposal Narrative is limited to 25 pages. There is no page limit for the budget narrative.

The applicant is responsible for ensuring that the application is complete and that it conforms to the requirements of this notice.

Each applicant must submit one signed original and two paper copies of the complete application. Facsimile, electronic mail, and other forms of electronic application submissions will not be accepted.

Proposals may be structured in any way that the applicant believes will best present the proposed project.

The applicant should address the following issues:

- a. **Qualifications:** Proposals should include a description of the institution's qualifications for conducting the proposed project. Applicant institutions must ensure the availability of students for on-site work experiences in Gaithersburg, Maryland, Boulder, Colorado and Charleston, South Carolina. For training fellowships, the Fellows must work on site at NIST concurrent with their academic programs.
- b. **Needs Assessment:** Proposals should include an explanation of the needs to be met by the proposed project or problems to be solved as a result of conducting the proposed project.
- c. **Objectives:** Proposals should include a description of expected project outcomes and benefits to the participating Fellows and organizations expressed in measurable terms.
- d. **Evaluation:** Proposals should include plans for measuring success or determining the degree to which the project objectives were met.
- e. **Other:** Applicants may provide additional information, which is not required to conform to a prescribed format. For example, applicants may wish to describe any plans for continuing the project with necessary funding beyond the Federal funding currently requested. In addition, applicants may wish to describe the application criteria they plan to use in selecting the different types of Fellows for the program (undergraduate, graduate, post-doctoral, senior).
- f. **Proposal Budget:** Applicants should use the SF-424A to complete the budget submission. In addition to the SF-424A, applicants must provide a detailed budget narrative to explain fully and justify all proposed project funding including each level of fellowship (undergraduate, graduate, post-doctoral, and senior) and other resources. Applications should contain budget estimates for the cost of each type of fellowship, using the following assumptions about the different levels of fellowships::

Research Training Fellowships -- Undergraduate: Working as a Fellow 200 hours per semester during the academic year (9 months) and 400 hours during the summer (3 months).

Cost elements to include in the annual budget:

- Proposed stipend or wage at a rate commensurate with student employment at comparable levels of experience and responsibility. Rates may differ depending on class level (freshman through senior).
- Full tuition assistance at the in-state rate,
- Fringe benefits, and
- Indirect costs.

Research Training Fellowships – Graduate: Working as a Fellow 20 hours per week during the academic year and 40 hours per week in the summer (3 months).

Cost elements to include in annual budget:

- Stipend or wage (equivalent to what a research assistant in the student's given department would receive),
- Full tuition assistance at the in-state rate,
- Fringe benefits (which may include fees and health insurance), and

- Indirect costs.

Research Training Fellowships – Postdoctoral: Working as a Fellow 40 hours per week year-round.

Cost elements to include in annual budget:

- Stipend or wage,
- Relocation expenses, (optional and usually limited to \$5,000 per Fellow),
- Other miscellaneous expenses (travel, conferences, training),
- Fringe benefits (including health insurance), and
- Indirect costs.

Senior Research Fellowships: Working as a Fellow 40 hours per week year-round.

Cost elements to include in annual budget:

- Ranges of stipends or wages, commensurate with varying levels of experience and skill,
- Relocation expenses, (optional and usually limited to \$5,000 per Fellow),
- Other miscellaneous expenses (travel, conferences, training),
- Fringe benefits (including health insurance), and
- Indirect costs.

Each proposal should include necessary costs to provide oversight of the program. All successful applicants will be required to have a Program coordinator. Responsibilities of the successful applicant's Program coordinator include: serving as a single point of contact for the various organizations participating in the Program, for Program applicants and participants, and for NIST scientists and engineers; assisting Fellows, their home organizations, and NIST advisors in implementing the program and resolving any difficulties that may arise; and serving as the signatory on all agreements between NIST, the Administering Organization, and each Fellow. The number of Fellows and number of hours worked are purely illustrative and do not reflect any commitment as to the number of Fellowships that may be approved under any resulting cooperative agreement.

3. Submission Dates and Times

All applications must be **received** no later than 3:00 p.m. Eastern Daylight Savings Time on Monday, July 27, 2009. This deadline applies to any mode of proposal submission, including courier, express mailing, and electronic. Do not wait until the last minute to submit a proposal. NIST will not make any allowances for late submissions, including incomplete Grants.gov registration. Late applications will not be reviewed nor considered.

Important: All applicants, both electronic and paper, should be aware that adequate time must be factored into applicant schedules for delivery of the application. Electronic applicants are advised that volume on Grants.gov is currently extremely heavy, and if Grants.gov is unable to accept applications electronically in a timely fashion, applicants are encouraged to exercise their option to submit applications in paper format. Paper applicants should allow adequate time to ensure a paper application will be received on time, taking into account that guaranteed overnight carriers are not always able to fulfill their guarantees.

4. Executive Order 12372 (Intergovernmental Review of Federal Programs)

Applications under this program are not subject to Executive Order 12372, "Intergovernmental Review of Federal Programs."

5. Funding Restrictions

None

6. Other Submission Requirements

Applications that are sent via surface mail should be sent to:

Jason Boehm
National Institute of Standards and Technology
100 Bureau Drive, Stop 1060
Gaithersburg, MD 20899-1060

Paper submissions require an original and two (2) copies. Instructions for Applying Electronically:

The following forms are available as part of the Grants.gov application kit and can be completed through the download application process.

- SF-424, Application for Federal Assistance
 - SF-424A, Budget Information – Non-construction Programs
 - SF-424B, Assurances – Nonconstruction Programs
 - CD-511, Certification Regarding Lobbying
 - SF-LLL, Lobbying Disclosure (if applicable)
- The list of certifications and assurances referenced in item number 21 of the SF-424 is contained in the SF-424B.

In order for an application to be considered complete, it must meet all the application documentation requirements stated in the Federal Funding Opportunity notice.

Applicants may choose to scan or create the necessary documents and then attach them to the application in Grants.gov. Applicants should carefully follow specific Grants.gov instructions to ensure the attachments will be accepted by the Grants.gov system. A receipt from Grants.gov indicating a proposal is received does not provide information about whether attachments have been received.

For further information or questions regarding applying electronically for this announcement, please contact Christopher Hunton at 301-975-5718, e-mail address Christopher.Hunton@nist.gov or Sue Li at 301-975-8817.

Applicants are strongly encouraged to start early and not to wait until the approaching due date before logging on and reviewing the instructions for submitting an application through Grants.gov. The Grants.gov registration process must be completed before a new registrant can apply electronically. If all goes well, the registration process takes from 3 to 5 business days. If problems are encountered, the registration process can take up to 2 weeks or more. Applicants must have a Dun and Bradstreet Data Universal Numbering System (DUNS) number and must be registered with the Federal Central Contractor Registry and with a Credential Provider, as explained on the Grants.gov web site. After registering, it may take several days or longer from the initial log-on before a new Grants.gov system user can submit an application. Only authorized individual(s) will be able to submit the application, and the system may need time to process a submitted application. Applicants should save and print the proof of submission they receive from Grants.gov. If problems occur while using Grants.gov, the applicant is advised to (a) print any error message received, and (b) call Grants.gov directly at 800-518-4726 for immediate assistance. Grants.gov hours of operation are Monday-Friday, 7:00 a.m. to 9:00 p.m. Eastern Daylight

Time (EDT) (except for Federal holidays). For assistance with using the Grants.gov, you may also contact support@grants.gov.

Please refer to important information in “Submission Dates and Times” above to help ensure your application is received on time.

V. Application/Proposal Review Information

The applications will be evaluated and scored on the basis of the following evaluation criteria:

1. Technical merit of the proposal: Assesses whether the proposal accurately addresses the program goals and objectives. (40 pts)
2. Overall qualifications of the applicant: This assesses whether the applicant possesses the necessary education, experience, training, facilities, and administrative resources to accomplish the project. (30 pts)
3. Project costs: The proposal budget is evaluated to determine if it is realistic and commensurate with the project needs and time-frame. (30 pts)

2. Selection Factors.

The Selecting Official shall recommend award based upon the rank order and recommendations of the reviewers and upon one or more of the following factors:

- a. Availability of Federal funds;
- b. Redundancy;
- c. Balance/distribution of funds to ensure fellowship opportunities for all types of fellowships and scientific research areas described in the Funding Opportunity Description section of this Notice;
- d. Logistical concerns that would be detrimental to the success or timely completion of the proposal objectives; and
- e. Applicant's prior award performance.

Therefore, the highest scoring proposals may not necessarily be selected for an award. If an award is made to an applicant that deviates from the scores of the reviewers, the Selecting Official will justify the selection in writing based on selection factors described above.

3. Review and Selection Process

Initial Screening of all Applications: All timely submitted applications received in response to this announcement will be reviewed to determine whether they are complete and responsive to the scope of the stated objectives of the Program. Incomplete or non-responsive applications will not be reviewed for technical merit. NIST will retain one copy of each incomplete or non-responsive application for three years for record keeping purposes. The remaining copies will be destroyed.

Each complete and responsive application will be reviewed by at least three independent, objective NIST employees, who are knowledgeable in the subject matter of this announcement and its objectives and who

are able to conduct a review based on the Evaluation Criteria for the Program as described in this notice. The reviewers will reach a consensus score resulting in a rank order of applications and make recommendations for funding to the Selecting Official. In making final selections, the Selecting Official (Chief Scientist, NIST) will select funding recipients based upon the rank order of the proposals and the selection factors. The final award of cooperative agreements will be made by the NIST Grants Officer in Gaithersburg, Maryland, based on compliance with application requirements as published in this notice, compliance with applicable legal and regulatory requirements, and whether the recommended applicants are determined to be responsible. Unsatisfactory performance on any previous Federal award may result in an application not being considered for funding. Applicants may be asked to modify objectives, work plans, or budgets, and provide supplemental information required by the agency prior to award. The decision of the Grants Officer is final.

4. Additional Information

- a. Applicants may not submit replacement and/or revised pages and/or documents for any portion of a proposal once that portion has been submitted unless specifically requested by NIST.
- b. One copy of each incomplete, nonresponsive, or non-selected proposal will be retained for three (3) years for record keeping purposes and the other three (3) copies will be destroyed. After three (3) years the remaining copy will be destroyed.

VI. Award Administration Information

1. Anticipated Announcement and Award Date.

NIST plans to make awards by the end of September 2009.

2. Award Notices.

Successful finalists will receive a cooperative agreement award document from the Grant Officer. The document will be mailed via surface mail in triplicate. The recipient should have an authorized official at the organization sign and return two copies to the address listed in the award document. The award document will also include the standard terms and conditions, general terms and conditions (if any), and special award conditions (if any) that are applicable.

3. Administrative and National Policy Requirements. .

The Department of Commerce Pre-Award Notification Requirements for Grants and Cooperative Agreements: The Department of Commerce Pre-Award Notification Requirements for Grants and Cooperative Agreements, which are contained in the Federal Register Notice of February 11, 2008 (73 FR 7696), are applicable to this solicitation. On the form SF-424, the applicant's 9-digit Dun and Bradstreet Data Universal Numbering System (DUNS) number must be entered in item 8.c. Organizational DUNS. The DUNS number provided MUST be the DUNS number for the entity within the applying institution that will be responsible for drawing down funds from the Automated Standard Application for Payment System (ASAP). Institutions that provide incorrect DUNS numbers may experience significant delays in receiving funds.

Collaborations with NIST Employees: All proposals should include a description of any work proposed to be performed by an entity other than the applicant, and the cost of such work should ordinarily be included in the budget.

If any applicant proposes any activities involving specific NIST employees, the statement of work should include a statement of this intention, a description of the collaboration, and prominently identify the NIST employee(s) involved. Any collaboration by a NIST employee must be approved by appropriate NIST management and is at the sole discretion of NIST. Prior to beginning the merit review process, NIST will verify the approval of the proposed collaboration. Any unapproved collaboration will be stricken from the proposal prior to the merit review.

Use of NIST Intellectual Property: If the applicant anticipates using any NIST-owned intellectual property to carry out the work proposed, the applicant should identify such intellectual property. This information will be used to ensure that no NIST employee involved in the development of the intellectual property will participate in the review process for that competition. In addition, if the applicant intends to use NIST-owned intellectual property, the applicant must comply with all statutes and regulations governing the licensing of Federal government patents and inventions, described at 35 U.S.C. §§ 200-212, 37 CFR Part 401, 15 CFR § 14.36, and in Section B.21 of the Department of Commerce Pre-Award Notification Requirements, 73 FR 7696 (February 11, 2008). Questions about these requirements may be directed to the Counsel for NIST, 301-975-2803.

Any use of NIST-owned intellectual property by an applicant is at the sole discretion of NIST and will be negotiated on a case-by-case basis if a project is deemed meritorious. The applicant should indicate within the statement of work whether it already has a license to use such intellectual property or whether it intends to seek one.

If any inventions made in whole or in part by a NIST employee arise in the course of an award made pursuant to this notice, the United States government, acting through NIST, may retain its ownership rights in any such invention. Disposition of NIST's retained rights in such inventions will be determined solely by NIST, and may include, but is not limited to, the grant of a license(s) to parties other than the applicant to practice such inventions, or placing NIST's retained rights into the public domain.

Collaborations Making Use of Federal Facilities: All applications should include a description of any work proposed to be performed using Federal facilities. If an applicant proposes use of NIST facilities, the statement of work should include a statement of this intention and a description of the facilities. Any use of NIST facilities must be approved by appropriate NIST management and is at the sole discretion of NIST. Prior to beginning the merit review process, NIST will verify the availability of the facilities and approval of the proposed usage. Any unapproved facility use will be stricken from the proposal prior to the merit review. Examples of some facilities that may be available for collaborations are listed on the NIST Technology Services web site, <http://ts.nist.gov/>.

Research Projects Involving Human Subjects, Human Tissue, Data or Recordings Involving Human Subjects: Any proposal that includes research involving human subjects, human tissue, data or recordings involving human subjects must meet the requirements of the Common Rule for the Protection of Human Subjects, codified for the Department of Commerce at 15 CFR Part 27. In addition, any proposal that includes research on these topics must be in compliance with any statutory requirements imposed upon the Department of Health and Human Services (DHHS) and other federal agencies regarding these topics, all regulatory policies and guidance adopted by DHHS, the Food and Drug

Administration, and other Federal agencies on these topics, and all Presidential statements of policy on these topics.

NIST will accept the submission of proposals containing research activities involving human subjects. The human subjects research activities in a proposal will require approval by Institutional Review Boards (IRBs) possessing a current registration filed with DHHS and to be performed by institutions possessing a current, valid Federal-wide Assurance (FWA) from DHHS that is linked to the cognizant IRB. In addition, NIST as an institution requires that IRB approval documentation go through a NIST administrative review; therefore, research activities involving human subjects are not authorized to start within an award until approval for the activity is issued in writing from the NIST Grants Officer. NIST will not issue a single project assurance (SPA) for any IRB reviewing any human subjects protocol proposed to NIST.

President Obama has issued Exec. Order No. 13,505, (74 FR 10667, March 9, 2009), revoking previous Executive Orders and Presidential statements regarding the use of human embryonic stem cells in research. NIST will follow any guidance issued by the National Institutes of Health (NIH) pursuant to the Executive Order and will develop its own procedures based on the NIH guidance before funding research using human embryonic stem cells. NIST will follow any additional policies or guidance issued by the current Administration on this topic.

Research Projects Involving Vertebrate Animals: Any proposal that includes research involving vertebrate animals must be in compliance with the National Research Council's "Guide for the Care and Use of Laboratory Animals," which can be obtained from National Academy Press, 2101 Constitution Avenue, NW., Washington, DC 20055. In addition, such proposals must meet the requirements of the Animal Welfare Act (7 U.S.C. § 2131 et seq.), 9 CFR Parts 1, 2, and 3, and if appropriate, 21 CFR Part 58. These regulations do not apply to proposed research using pre-existing images of animals or to research plans that do not include live animals that are being cared for, euthanized, or used by the project participants to accomplish research goals, teaching, or testing. These regulations also do not apply to obtaining animal materials from commercial processors of animal products or to animal cell lines or tissues from tissue banks.

Notification of Recovery Act Requirements: Recovery Act limitations are applicable to the projects funded in this Notice. Recipients must comply with the following three provisions of the Recovery Act, as applicable, and any other terms required by the Act or that may be added to the recipient's award pursuant to guidance implemented by the Office of Management and Budget.

Buy American Recovery Act Provision: Unless waived by DOC, none of the funds appropriated or otherwise made available by the Recovery Act, may be used for a project for the construction, alteration, maintenance, or repair of a public building or public work unless all of the iron, steel, and manufactured goods used in the project are produced in the United States. This provision shall be applied in a manner consistent with United States obligations under international agreements.

Davis Bacon Act: Under Section 1606 of the Recovery Act, projects using Recovery Act funds require the payment of not less than the prevailing wages under the Davis-Bacon Act to "all laborers and mechanics employed by contractors and subcontractors on projects funded directly by or assisted in whole or in part by and through the Federal Government."

False Claims Act: Each recipient or sub-recipient awarded funds under the Recovery Act shall promptly refer to an appropriate 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.

Ensuring Responsible Spending of Recovery Act Funds. The agency expects that programs under this notice will be implemented in compliance with any guidance that the Office of Management and Budget may issue to implement the President's Memorandum for the Heads of Executive Departments and Agencies of March 20, 2009, Ensuring Responsible Spending of Recovery Act Funds, 74 FR 12531 (Mar. 25, 2009).

Best Practices to Promote Equality of Opportunity. Pursuant to OMB Guidance (see, "Updated Implementing Guidance for the American Recovery and Reinvestment Act of 2009," April 3, 2009) and consistent with the Recovery Act and other applicable laws, DoC encourages recipients to implement best practices to promote equality of opportunity, to provide opportunities for small and disadvantaged businesses, including veteran-owned small businesses and service disabled veteran-owned small businesses, and to follow sound labor practices.

Funding Availability and Limitation of Liability: The funding periods and funding amounts referenced in this notice and request for applications are subject to the availability of funds, as well as to Department of Commerce and NIST priorities at the time of award. The Department of Commerce and NIST will not be held responsible for application preparation costs. Publication of this notice does not obligate the Department of Commerce or NIST to award any specific grant or cooperative agreement or to obligate all or any part of available funds. No funding is anticipated at this time to provide further support beyond the award period to any project that may receive funds under this program.

4. Reporting Requirements.

Reporting requirements are described in the Department of Commerce Financial Assistance Standard Terms and Conditions dated March, 2008, found on the Internet at:
<http://oamweb.ossec.doc.gov/docs/GRANTS/DOC%20STCsMAR08Rev.pdf>.

(a) The references in Sections A.01 and B.01 of the Department of Commerce Standard Terms and Conditions dated March 2008 to "Financial Status Report (SF-269)" and "SF-269" are hereby replaced with the "Federal Financial Report (SF-425)" and "SF-425," respectively, as required by the Office of Management and Budget (OMB) (73 FR 61175, October 15, 2008). As authorized under 15 CFR §§ 14.52 and 24.41, the OMB-approved SF-425 shall be used in the place of the SF-269 and SF-272 under the uniform administrative requirements and elsewhere under awards in this program where such forms are referenced.

(b) **Programmatic Requirements-Performance (Technical) Reports**
Unless otherwise specified in the award provisions, each research or senior fellow shall submit a brief report on his or her experiences and accomplishments during their fellowship within 30 days after the end of the work at NIST.

(c) In addition, as set out in Section 1512(c) of the Recovery Act, no later than ten (10) days after the end of each calendar quarter, any recipient that receives funds under the Recovery Act from NIST must submit a report to NIST that contains:

- (1) The total amount of Recovery Act funds received from NIST;

(2) The amount of Recovery Act funds received that were expended or obligated to projects or activities.

(3) A detailed list of all projects or activities for which Recovery Act funds were expended or obligated, including--

(A) The name of the project or activity,

(B) A description of the project or activity,

(C) An evaluation of the completion status of the project or activity,

(D) An estimate of the number of jobs created and the number of jobs retained by the project or activity, and

(E) For infrastructure investments made by State and local governments, the purpose, total cost, and rationale of the agency for funding the infrastructure investment with funds made available under the Recovery Act, and name of the person to contact at the agency if there are concerns with the infrastructure investment.

(4) Detailed information on any subcontracts or subgrants awarded by the recipient to include the data elements required to comply with the Federal Funding Accountability and Transparency Act of 2006 (PL 109-282), allowing aggregate reporting on awards below \$25,000 or to individuals, as prescribed by the Director of the Office of Management and Budget.

Recipients that must report information in accordance with paragraph (d) above must register with the Central Contractor Registration database (<http://www.ccr.gov/>) or complete other registration requirements as determined by the Director of the Office of Management and Budget. Section 1512(d) further requires that no later than thirty (30) days after the end of each calendar quarter, NIST must make the information in reports submitted under section 1512(c) of the Recovery Act as outlined above publicly available by posting the information on a Web site. OMB Memo M-09-10, "Initial Implementing Guidance for the American Recovery and Reinvestment Act of 2009," which can be accessed at <http://www.recovery.gov/>, provides information on requirements for Federal agencies under the Recovery Act. Recipients must also comply with any additional guidance which may be forthcoming related to responsibilities of recipients of grants and cooperative agreements under the Recovery Act.

VII. Agency Contact(s)

Questions should be directed to the following contact persons:

Subject Area	Point of Contact
Administrative, budget, cost-sharing, and eligibility questions	Jason Boehm Phone: 301-975-8678 Fax: 301-216-0529 E-mail: jason.boehm@nist.gov
Project evaluation criteria and other programmatic questions	Jason Boehm Phone: 301-975-8678 Fax: 301-216-0529

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