



## **REVISION OF THE NATIONAL SCIENCE FOUNDATION (NSF) COOPERATIVE AGREEMENT FINANCIAL & ADMINISTRATIVE TERMS AND CONDITIONS (CA-FATC) EFFECTIVE NOVEMBER 12, 2020**

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Effective November 12, 2020, 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 11/12/20.

A 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, at [policy@nsf.gov](mailto:policy@nsf.gov).

### **Significant Changes**

- **Project Reporting Requirements, Article 15.** This article has been updated in accordance with 2 CFR §200.344(i) to reflect that if the awardee does not submit all performance reports within one year of the period of performance end date, NSF must report the awardee's material failure to comply with the terms and conditions of the award with the OMB-designated integrity and performance system (currently FAPIIS). NSF may also pursue other enforcement actions per 2 CFR §200.339.
- **Reporting Subawards and Executive Compensation, Article 19.** This article has been revised in accordance with 2 CFR Appendix A to Part 170.
- **System for Award Management and Universal Identifier Requirements, Article 20.** This article has been revised in accordance with 2 CFR Appendix A to Part 25.
- **Termination and Enforcement, Article 33.** Consistent with 2 CFR §200.340, this article has been updated to emphasize the ability of NSF to terminate awards, to the greatest extent authorized by law, when the award no longer effectuates the program goals or NSF priorities.
- **Section 889 of the *National Defense Authorization Act (NDAA)* for Fiscal Year (FY) 2019, Article 50.** Consistent with 2 CFR §200.216 and §200.471, this new article prohibits the use of Federal assistance funding on certain telecommunications and video surveillance services or equipment.

## **Clarifications and Other Changes**

- **Overall Document.** Throughout the document, websites and references have been updated for consistency with 2 CFR §200 to reflect current information. References to Uniform Guidance Frequently Asked Questions (FAQs) have been removed until such time as revised FAQs become available.
- **Pre-award Costs, Article 4.** This article has been updated in accordance with 2 CFR §200.458. If pre-award costs are charged to the award, these costs must be charged to the initial budget period, unless otherwise specified in the award notice.
- **Equipment, Article 6.** This article has been updated to reflect that the annual and final inventory reports for Federally-owned Property should be submitted to the NSF Property Administrator, Division of Administrative Services (DAS), using the NSF Central Property Inventory Repository (CPIR) system. The article also has been updated to specify disposition instructions, when requested by NSF.
- **Project Changes, Article 8.** Flow down provisions for subrecipients have been updated for consistency with the revisions made throughout the document.
- **Procurement Standards, Article 9.** This article has been updated to remove the reference to Section 806 of the NDAA for 2018, as 2 CFR §200.320 was revised to incorporate this coverage.
- **Allowable Costs, Article 12.** This article has been updated to include coverage for Institutions of Higher Education regarding the use of the negotiated F&A rate that is in effect at the time of the initial award throughout the life of the award. The article also has been updated with information on publication and printing costs. Such costs must be charged in accordance with 2 CFR §200.461, unless otherwise specified in the award notice.
- **Payments, Article 13.** This article has been revised to reference 2 CFR §200.305 for instructions on submission of interest remittances.
- **Federal Tax Obligations, Article 22.** This article has been updated to reference the *Commerce, Justice, Science and Related Agencies Appropriations Act, 2020*.
- **Unpaid Federal Tax Liability, Article 23.** This article has been updated to reference the *Commerce, Justice, Science and Related Agencies Appropriations Act, 2020*.
- **Criminal Convictions, Article 24.** This article has been updated in accordance with the *Financial Services and General Governmental Appropriations Act, 2020*. The awardee affirms that the corporation has not been convicted of a felony criminal violation under any Federal law within the preceding 24 months.

- **Program Income, Article 27.** This article has been updated to state that the awardee is not accountable to NSF with respect to program income earned from license fees and royalties for copyrighted material, patents, patent applications, trademarks and inventions made under a Federal Award to which 37 CFR part 401 is applicable.
- **Recipient Integrity and Performance Matters, Article 45.** This article has been revised to remind recipients of NSF responsibilities to report an awardee's failure to submit all required reports in FAPIIS as specified in Article 15.
- **Resolution of Conflicting Conditions, Article 54.** This article has been updated to clarify which requirements must be followed if there is any inconsistency between 2 CFR §200, these cooperative agreement financial and administrative conditions, the PAPPG, and any cited program solicitation.