



## NATIONAL SCIENCE FOUNDATION (NSF)

### **Revision of the Small Business Innovation Research (SBIR)/Small Business Technology Transfer (STTR) Phase I Grant General Conditions (SBIR/STTR-I)**

**Effective January 14, 2022**

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Effective January 14, 2022, new NSF Phase I SBIR/STTR grants will begin referencing, and are subject to, the Small Business Innovation Research/Small Business Technology Transfer Phase I Grant General Conditions (SBIR/STTR-I) dated 01/14/2022.

Unless otherwise noted in a specific article, the SBIR/STTR Phase I Grant General Conditions apply to new NSF Phase I SBIR/STTR grants awarded on or after January 14, 2022.

A summary of the changes is included below. Any questions regarding these changes may be directed to the cognizant SBIR/STTR Program Director.

#### **Overall Document**

- Editorial changes have been made to either clarify or enhance the intended meaning of a sentence or section.
- Websites and references have been updated for consistency with 2 CFR §200, the NSF Proposal & Award Policies & Procedures Guide and to reflect current information.

#### **Significant Changes**

- **Project Reporting Requirements, Article 10.** This article has been updated in accordance with 2 CFR §200.344(i) to reflect that if the grantee does not submit all performance reports within one year of the period of performance end date, NSF must report the grantee'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.
- **Procurement Standards, Article 14.** This entirely new article communicates that the grantee is responsible for compliance with the procurement standards identified in 2 CFR §200.317-327.
- **Reporting Fraud, Waste, and Abuse, Article 19.** This is a new article that describes the process for reporting fraud, waste and abuse to NSF's Office of Inspector General (OIG).

- **Reporting Subawards and Executive Compensation, Article 20.** This article has been revised in accordance with 2 CFR Appendix A to Part 170.
- **System for Award Management and Universal Identifier Requirements, Article 21.** This article has been revised in accordance with 2 CFR Appendix A to Part 25.
- **Termination and Enforcement, Article 27.** 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.
- **Non-Discrimination Statutes, Article 29.** This is a new article that describes the statutes that apply as it pertains to non-discrimination provisions.
- **Fee Payments, Article 45.** This is a new article that describes the allowability of fee payments.
- **Section 889 of the National Defense Authorization Act (NDAA) for Fiscal Year (FY) 2019, Article 46.** 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.
- **Limitation of Funds, Article 47.** This is a new article communicates that the awardee bears the risk of making its own obligations, expenditures, or commitments above the current obligation of funds on the award.
- **Resolution of Disagreements and Disputes, Article 48.** This new article describes the process for resolving disagreements and disputes under that grant that are not resolved through informal discussions.
- **Partnerships with Foreign Collaborators, Article 52.** This new article identifies the requirements for awardees to notify NSF of advanced knowledge of proposed or funded awardee activities with foreign entities.
- **Government Permits and Activities Abroad, Article 53.** This new article notifies awardees of the communication and compliance requirements when undertaking proposed activities outside the US.

#### **Clarifications and Other Changes**

- **Significant Project Changes, Article 6.** Flow down provisions for subrecipients have been updated for consistency with the revisions made throughout the document.
- **Pre-award Costs, Article 7.** This article has been updated in accordance with 2 CFR §200.458. If pre-award costs are charged to the grant, these costs must be charged to the initial budget period, unless otherwise specified in the award notice.

- **Payments, Article 11.** This article has been revised to reference 2 CFR §200.305 for instructions on submission of interest remittances.
- **Unpaid Federal Tax Liability, Article 22.** This article has been updated to reference the Financial Services and General Governmental Appropriations Act, 2020.
- **Criminal Convictions, Article 23.** This article has been updated in accordance with the Financial Services and General Governmental Appropriations Act, 2020. The grantee affirms that the corporation has not been convicted of a felony criminal violation under any Federal law within the preceding 24 months.
- **Resolution of Conflicting Conditions, Article 38.** This article has been updated to clarify which requirements must be followed if there is any inconsistency between 2 CFR §200, these grant general conditions, the PAPPG, and any cited program solicitation.
- **Recipient Integrity and Performance Matters, Article 39.** This article has been revised to remind recipients of NSF responsibilities to report a grantee's failure to submit all required reports in FAPIIS as specified in Article Payments.