

FERS Retirement Contributions Program

FY 2015 Request for Applications

APPLICATION DEADLINE: October 15, 2014



United States
Department of
Agriculture

National Institute
of Food and
Agriculture

NATIONAL INSTITUTE OF FOOD AND AGRICULTURE; U.S. DEPARTMENT OF AGRICULTURE

FERS RETIREMENT CONTRIBUTIONS PROGRAM

INITIAL ANNOUNCEMENT

CATALOG OF FEDERAL DOMESTIC ASSISTANCE: This program is listed in the Catalog of Federal Domestic Assistance under 10.500.

DATES: Applications must be received by **5:00 p.m. Eastern Time on October 15, 2014**. Comments regarding this request for applications (RFA) are requested within 6 months from the issuance of this notice. Comments received after that date will be considered to the extent practicable.

STAKEHOLDER INPUT: The National Institute of Food and Agriculture (NIFA) seeks your comments about this RFA. We will consider the comments when we develop the next RFA for the program, if applicable, and we'll use them to meet the requirements of section 103(c)(2) of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7613(c)(2)). Submit written stakeholder comments by the deadline set forth in the DATES portion of this Notice to: Policy and Oversight Division, Office of Grants and Financial Management (OGFM), NIFA/USDA, Stop 2271, 1400 Independence Avenue, SW, Washington, DC 20250-2271; fax: (202) 401-1804; or e-mail: policy@nifa.usda.gov. (This e-mail address is intended only for receiving comments regarding this RFA and not requesting information or forms.) In your comments, please state that you are responding to the FERS Retirement Contributions Program RFA.

EXECUTIVE SUMMARY: NIFA requests applications for the FERS Retirement Contributions Program (FERS) for fiscal year (FY) 2015 to defray the FERS Retirement costs to the 1862 Land-Grant institutions for the former Schedule A Appointments who conduct agricultural extension work. This RFA is being released prior to the passage of an appropriations act for FY 2015. Enactment of continuing resolutions (CR) or an appropriations act may affect the availability or level of funding for this program. Subject to any 2015 Continuing Resolution, funds will be distributed to the institutions on a quarterly basis and according to the amounts allocated in FY 2014. Adjustments will be made to the allocations for FY 2015 once the FY 2015 appropriations are finalized. The amount available for support of this program in FY 2014 was \$1,130,479. Funds are to be distributed through grants to the institutions on a quarterly basis. The specific distributions are included in Appendix A of this RFA. In FY 2015, subject to the availability of funds and the applicant having met the previous year's reporting requirements, quarterly payments will be issued.

This notice identifies the objectives for FERS project/program, the eligibility criteria for projects/program and applicants, and the application forms and associated instructions needed to apply for a FERS grant.

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PART I—FUNDING OPPORTUNITY DESCRIPTION

A. Legislative Authority and Background

The Consolidated Appropriations Act, 2014 (P.L. 113-76) provides funds for the retirement costs of the former Schedule A Appointments at the 1862 land-grant institutions. These funds are allocated to the 1862 Land-Grant institutions with former Schedule A Appointments based on each institution's relative share of the total payments to OPM during the previous year.

The separate allocation of funds for this purpose is being phased out over a 10-year period, beginning in FY 2008. The amount available for this program is reduced each year by \$376,826 and this same amount is added to the funds available for distribution under the Smith-Lever Act, Section 3(b) and (c), statutory formula.

The Schedule A 213.3113 (a) (1) was issued by the U.S. Office of Personnel Management (OPM) for the United States Department of Agriculture (USDA) to employ individuals in the Cooperative Extension Service (CES) as a joint appointment between USDA and the Land-Grant institution. The official title of Schedule A appointees includes the title Agent (e.g., Agent/Cooperative Extension Director; Agent/Cooperative Extension Educator) as by law only agents with a Schedule A appointment were eligible to participate in the Federal benefit plan(s).

Employment is dependent upon an individual's appointment in the CES at the university. The appointment must be a regular position with at least 50 percent of the staff's time dedicated to extension projects, and the appointee must work and be paid over a 12 month period.

Agents in the Cooperative Extension program are not classified under the General Schedule (GS) classification system or any other Federal pay system. The positions are classified by the employing land-grant institution, and the salary is established according to policies and procedures at the institution.

The OPM has the authority and responsibility for issuing rules and regulations covering Schedule A appointments and resulting benefits. OPM has delegated to the USDA the responsibility for overseeing and managing Cooperative Extension Schedule A appointments and the accompanying Federal benefits, (e.g., retirement and insurance plans). The Human Resources Division (HRD)/Metropolitan Services Branch (MSB) with Administrative and Financial Management (AFM) of the Agricultural Research Service (ARS) carries out this function for USDA.

Effective January 31, 2003, the authority to grant Schedule A Excepted Appointments to CES employees was terminated. P. L. 107-171, Farm Security and Rural Investment Act of 2002, dated May 13, 2002, Section 7220, terminated the Schedule A appointing authority used by USDA to grant a companion Federal appointment and Federal benefits to state/university employees of the Cooperative Extension Service. The law allowed the CES Federal appointees that were employed on the day before the date of the enactment of the Act, (i.e., May 12, 2002), to: a) continue to accrue Federal creditable service for retirement; and b) participate in the

following benefits as long as the employees continued their employment with the Cooperative Extension Service:

- 1) The Federal Employees Health Benefits Program (FEHB);
- 2) The Federal Employees' Group Life Insurance Program (FEGLI);
- 3) The Civil Service Retirement System (CSRS);
- 4) The Federal Employee Retirement System (FERS);
- 5) The Thrift Savings Plan (TSP); and
- 6) The Federal Long Term Care Insurance Program (FLTCIP)

The Federal Office of Workers Compensation Program (OWCP) is the only Federal program that will not continue as it is not a program that the dual appointee was vested in. Claims already on file with the Department of Labor (DOL) Office of Workers Compensation Office will continue to be processed by the DOL. Using a formula based in the prior year's injury or illness claims, NIFA will pay these claims on behalf of each institution and charge that institution by reducing its annual retirement allocation by the amount remitted. If the amount of claims paid exceeds the institution's annual retirement allocation, NIFA will bill the institution for any OWCP costs in excess of the annual retirement allocation.

Changes and new features for the current Federal Benefits programs such as FEHB, FEGLI, TSP and FLTCIP will be offered to the CES organizations and employees that are eligible to participate in the affected program(s). However, former Federal appointees cannot participate in new Federal benefit programs that were not in effect as of May 12, 2002.

Effective January 31, 2003, CES can no longer grant Schedule A Federal appointments to new employees because they no longer have a Federal appointment authority available to make new Federal appointments. Former CES Schedule A appointees may be reappointed to another CES organization and continue their benefits as long as they do not have a break in service.

Under the Federal Funding Accountability and Transparency Act (FFATA), the U.S. Office of Management and Budget (OMB) was required to develop and maintain a public searchable data base for all Federal financial assistance awards, and Federal agencies are required to report specific data elements which will be collected via these applications (e.g., Dun and Bradstreet Data Universal Numbering (DUNS) numbers, legal name of institution, legal address, and congressional district). OMB makes this information available at www.usaspending.gov.

Please note that the submission of this application package does not change the following:

- Delegated authorities of the State Extension Director
- How funds are managed at your institution
- Indirect costs and tuition remission are unallowable costs

The USDA NIFA home page for FERS is:

<http://nifa.usda.gov/business/awards/formula/smithlever.html>.

B. Purpose

The purpose of this funding is to defray the FERS retirement costs to the 1862 Land-Grant institutions for former Schedule A appointees performing agricultural extension work.

PART II—AWARD INFORMATION

A. Available Funding

Subject to any 2015 Continuing Resolution, funds will be distributed to the institutions on a quarterly basis and according to the amounts allocated in FY 2014. Adjustments will be made to the allocations for FY 2015 once the FY 2015 appropriations are finalized. The amount available for support of this program in FY 2014 was **\$1,130,479**.

Awards issued as a result of this RFA will have designated the Automated Standard Applications for Payment System (ASAP), operated by the Department of Treasury's Financial Management Service, as the payment system for funds. For more information see www.nifa.usda.gov/business/method_of_payment.html.

B. Type of Application

In FY 2015, submit applications to the FERS Program as a “new” application.

PART III—ELIGIBILITY INFORMATION

A. Eligible Applicants

Applications may only be submitted by 1862 Land-Grant institutions that are making payments to the U.S. Office of Personnel Management for FERS retirement costs for the former Schedule A Appointments. See Appendix A for the list of eligible institutions. Award recipients may subcontract to organizations not eligible to apply provided such organizations are necessary for the conduct of the project. Failure to meet an eligibility criterion by the time of application deadline may result in the application being excluded from consideration or, even though an application may be reviewed, will preclude NIFA from making an award.

B. Cost Sharing or Matching

Section 3(e)(1) of the Smith-Lever Act (7 U.S.C. §343(e) (1)) states, with regard to institutions in the 50 states, “no allotment shall be made to a State under subsection (b) or (c), and no payments from the allotment shall be made to a State, in excess of the amount that the State makes available out of non-Federal funds for cooperative extension work.” However, section 3(e)(4) of the Smith-Lever Act (U.S.C. §343(e)(4)) provides that “Effective beginning for fiscal year 2003, in lieu of the matching funds requirement of paragraph (1), the insular areas of [American Samoa,] the Commonwealth of Puerto Rico, Guam, [Micronesia, the Northern Marianas Islands,] and the Virgin Islands of the United States shall provide matching funds from non-Federal sources in an amount equal to not less than 50 percent of the formula funds distributed by the Secretary to each of the insular areas, respectively, under this section..... The Secretary may waive the matching fund requirement [of 50 percent] for any fiscal year if the Secretary determines that the government of the insular area will be unlikely to meet the matching requirement for the fiscal year.” See Part IV.B.4. for information about how to request a waiver.

PART IV—APPLICATION AND SUBMISSION INFORMATION

A. Electronic Application Package

Only electronic applications may be submitted via Grants.gov to NIFA in response to this RFA. We urge you to submit early to the Grants.gov system. For an overview of the Grants.gov application process see www.grants.gov/web/grants/applicants/grant-application-process.html.

New Users of Grants.gov

Prior to preparing an application, we recommend that the Project Director/Principal Investigator (PD/PI) first contact an Authorized Representative (AR, also referred to as Authorized Organizational Representative or AOR)¹ (see B.,1.,d. of this Part to determine if the organization is prepared to submit electronic applications through Grants.gov. If not (e.g., the institution/organization is new to the electronic grant application process through Grants.gov), then you must complete the one-time registration process PRIOR to submitting an application. It can take as long as 2 weeks to complete the registration process so it is critical to begin as soon as possible. In such situations, the AR should go to **“Register” in the top right corner of the Grants.gov web page (or go to www.grants.gov/web/grants/register.html) for information on registering the institution/organization with Grants.gov.** Item 2. below mentions the “NIFA Grants.gov Application Guide.” Part II., 1. of the NIFA Grants.gov Application Guide contains additional explanatory language regarding the registration process.

Steps to Obtain Application Package Materials

To receive application materials:

1. You must download and install a version of Adobe Reader compatible with Grants.gov to access, complete, and submit applications. For basic system requirements and download instructions, see www.grants.gov/web/grants/support/technical-support/software/adobe-reader-compatibility.html. Grants.gov has a test package that will help you determine whether your current version of Adobe Reader is compatible.
2. To obtain the application package from Grants.gov, go to www.grants.gov/web/grants/applicants/apply-for-grants.html. Under Step 1 click on “Download a Grant Application Package,” and enter the funding opportunity number **USDA-NIFA-OP-004679** in the appropriate box and click “Download Package.” From the search results, click “Download” to access the application package.

The application package contains the “NIFA Grants.gov Application Guide.” This guide contains an introduction and general Grants.gov instructions, information about how to use a

¹The Authorized Representative (AR) must have the authority to represent and bind the organization for any agreement (i.e., the individual who is authorized to commit the awardee’s time and other resources to the project, to commit the awardee to comply with the terms and conditions of the award instrument including those set out herein, and to otherwise act for or on behalf of the awardee institution or organization).

Grant Application Package in Grants.gov, and instructions on how to complete the application forms.

If you require assistance to access the application package (e.g., downloading or navigating Adobe forms) **or submitting the application**, refer to resources available on the Grants.gov website (www.grants.gov/web/grants/applicants/applicant-resources.html).

Grants.gov assistance is also available at:

Grants.gov customer support

800-518-4726 toll-free or 606-545-5035

Business Hours: 24 hours a day, 7 days a week. Closed on [federal holidays](#).

Email: support@grants.gov

Grants.gov iPortal: Top 10 requested help topics (FAQs), searchable knowledge base, self-service ticketing and ticket status, and live web chat (available 7 am - 9 p.m. ET). Get help now!

Have the following information available when contacting Grants.gov:

- Funding opportunity number (FON)
- Name of agency to which you are applying
- Specific area of concern

See www.nifa.usda.gov/funding/electronic.html for additional resources for applying electronically.

B. Content and Form of Application Submission

You should prepare electronic applications following Parts V and VI of the NIFA Grants.gov Application Guide. This guide is part of the corresponding application package (see Section A. of this part). The following is **additional information** needed to prepare an application in response to this RFA. **If there is discrepancy between the two documents, the information contained in this RFA is overriding.**

Note the attachment requirements (e.g., PDF) in Part III, Section 3. of the guide. ANY PROPOSALS THAT ARE NON-COMPLIANT WITH THE REQUIREMENTS (e.g., content format, PDF file format, file name restrictions, and no password protected files) WILL BE AT RISK OF BEING EXCLUDED FROM NIFA REVIEW. Partial applications will be excluded from NIFA review. We will accept subsequent submissions of an application until the established deadline in the RFA (see Part V, 2.1 of the NIFA Grants.gov Application Guide for further information).

Grants.gov provides online tools to assist if you do not own PDF-generating software. You will find PDF conversion software at <http://test.grants.gov/web/grants/support/technical-support/software/pdf-conversion-software.html>.

For any questions related to the preparation of an application, review the NIFA Grants.gov Application Guide and the applicable RFA. If assistance is still needed for preparing application forms content, contact:

- Email: electronic@nifa.usda.gov
- Phone: 202-401-5048
- Business hours: Monday through Friday, 7 a.m. – 5 p.m. ET, excluding federal holidays.

Each grant application must contain a(n):

- “Application for Federal Assistance,” Form SF-424 R&R Cover Sheet
- Key Contacts Form.
- NIFA Supplemental Information Form.

The following is an optional form:

- Attachment Form

The NIFA Grants.gov Application Guide includes instructions for additional forms that are not needed for an application in response to this RFA. Complete and submit only the forms associated with the funding opportunity package and as instructed below.

1. **SF 424 R&R Cover Sheet**

Information related to the questions on this form is dealt with in detail in Part V, 2. of the NIFA Grants.gov Application Guide. The following are additional instructions.

- a. **Field 1. Type of Submission** – Check “application.”
- b. **Field 8. Type of Application** – Enter “new.”
- c. **Field 15. Estimated Project Funding** – For item a. enter your institution’s FY 2015 allocation as listed in Appendix A to this announcement.

2. **Key Contacts Form**

Information related to the questions on this form is dealt with in detail in Part VI, 4. of the NIFA Grants.gov Application Guide.

- a. **Contact 1 Project Role:** Enter the contact information for the State Extension Director.
- b. **Contact 2 Project Role:** Enter the contact information for the State Extension Director’s designee.
- c. **Contact 3 Project Role:** Enter the contact information for the Business Office Manager/Administrator.
- d. **Contact 4 Project Role:** Enter the contact information for the person responsible for drawdowns.

3. **Supplemental Information Form**

Information related to the questions on this form is dealt with in detail in Part VI, 1. of the NIFA Grants.gov Application Guide. The following are additional instructions.

- a. **Field 2. Program to which you are applying.** Enter the program code name (i.e., enter “FERS Contributions Program”) and the program code (i.e., enter “FERS”).
- b. **Field 8. Conflict of Interest List.** Do not attach a conflict of interest list.

4. **Attachment Form**

Information related to the questions on this form is dealt with in detail in Part VI, 5. of the NIFA Grants.gov Application Guide. The following are additional instructions.

Matching funds Waiver Request (Optional)

If your institution is applying for a matching funds waiver, prepare a request in PDF format (see Part III, Section 3. of the guide for attachment requirements). Include the following elements in the request:

- a. a request to waive matching requirements under this RFA;
- b. a statement of the fiscal year(s) for which the waiver is requested;
- c. a statement of the exact dollar amount of waiver being requested by fiscal year and how the amount was computed (by matching fund category);
- d. a statement of why the waiver is requested;
- e. documentation supporting the need for a waiver (i.e., newspaper articles/clippings or State budgets); and
- f. the university's efforts to meet future matching needs.

The documentation should include the university's approved budget for the program for both the current and previous budget cycles. It may also submit items such as a statement from the State asserting what portion of the required match amount the State contribution to the institution will cover, a schedule of projected cash flows showing what portion of the matching funds the university will have available or other documents such as letters from State or institution budget personnel or newspaper articles. In requesting the waiver, the institution must consider the availability of all permissible forms of matching in detail.

C. Submission Dates and Times

Instructions for submitting an application are included in Part IV, Section 1.9 of the NIFA Grants.gov Application Guide.

Applications must be received by Grants.gov by **5:00 p.m. Eastern Time on October 15, 2014**. Applications received after this deadline will normally not be considered for funding.

If you have trouble submitting an application to Grants.gov, you should FIRST contact the Grants.gov Help Desk to resolve any problems. Keep a record of any such correspondence. See Part IV, A. for Grants.gov contact information.

We send email correspondence to the AR regarding the status of submitted applications. Therefore, we strongly encourage applicants to provide accurate e-mail addresses, where designated, on the SF-424 R&R Application for Federal Assistance.

If the AR has not received correspondence **from NIFA** regarding a submitted application within 30 days of the established deadline, contact the Agency Contact identified in Part VII of the

applicable RFA and request the proposal number assigned to the application. **Failure to do so may result in the application not being processed and funding being held. Once the application has been assigned a proposal number, you should cite this number on all future correspondence.**

D. Funding Restrictions

1. Approved NIFA FERS Retirement Contributions Programs

NIFA FERS retirement allocations may only be used to support FERS retirement costs for former Schedule A Appointments.

2. Matching

Section 3(e)(1) of the Smith-Lever Act (7 U.S.C. §343(e)(1) states, with regard to institutions in the 50 states, “no allotment shall be made to a State under subsection (b) or (c), and no payments from the allotment shall be made to a State, in excess of the amount that the State makes available out of non-Federal funds for cooperative extension work.” However, section 3(e)(4) of the Smith-Lever Act (U.S.C. §343(e)(4) provides that “Effective beginning for fiscal year 2003, in lieu of the matching funds requirements of paragraph (1), the insular areas of [American Samoa,] the Commonwealth of Puerto Rico, Guam, [Micronesia, the Northern Marianas Islands,] and the Virgin Islands of the United States shall provide matching funds from non-Federal sources in an amount equal to not less than 50 percent of the formula funds distributed by the Secretary to each of the insular areas, respectively, under this section. The Secretary may waive the matching fund requirement [of 50 percent] for any fiscal year if the Secretary determines that the government of the insular area will be unlikely to meet the matching requirement for the fiscal year.”

NIFA may consider and approve matching waivers submitted by 1862 Land-Grant Institutions in insular areas. Please note that these matching funds may be used for any extension activity identified in the state plan of work.

3. Indirect Costs and Tuition Remission

In accordance with section 1473 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. §3319), indirect costs and tuition remission are unallowable as FERS retirement contribution formula grant expenditures.

E. Other Submission Requirements

You should follow the submission requirements noted in Part IV, Section 1.9 of the NIFA Grants.gov Application Guide.

For information about the **status of a submitted application**, see Part III, Section 6. of the NIFA Grants.gov Application Guide.

PART V—APPLICATION REVIEW REQUIREMENTS

A. General

NIFA will review submitted documents to determine if all program, financial, and administrative requirements have been met and are current.

B. Organizational Management Information

Specific management information relating to an applicant shall be submitted on a one time basis, with updates on an as needed basis. This requirement is part of the responsibility determination prior to the award of a grant identified under this RFA, if such information has not been provided previously under this or another NIFA program. We will provide you forms for use in fulfilling these requirements as part of the preaward process. Although an applicant may be eligible, there are factors that may exclude an applicant from receiving federal financial and nonfinancial assistance and benefits under this program (e.g., debarment or suspension of an individual involved or a determination that an applicant is not responsible based on submitted organizational management information).

PART VI—AWARD ADMINISTRATION

A. General

All current program and administrative requirements must be met by the eligible institution, before funding will be released. The Capacity Grants Branch, Awards Management Division, OGF, will notify the institutions when all requirements have been met or approved.

Within the limit of funds available for such purpose, the NIFA awarding official shall make grants to those responsible, eligible applicants. All funds granted by NIFA under this RFA may be used only for the purpose for which they are granted in accordance with the approved application and budget, regulations, terms and conditions of the award, applicable federal cost principles, and USDA assistance regulations (parts 3015 and 3019 of 7 CFR).

B. Award Notice

The award document will provide pertinent instructions and information including, at a minimum:

1. Legal name and address of performing organization or institution to whom the director has issued an award under the terms of this request for applications;
2. Title of project;
3. Name(s) and institution(s) of PDs chosen to direct and control approved activities;
4. Identifying award number and the Federal Agency Identification Number assigned by NIFA;
5. Project period, specifying the amount of time NIFA intends to support the project;
6. Total amount of financial assistance approved for the award;
7. Legal authority(ies) under which the award is issued;
8. Appropriate Catalog of Federal Domestic Assistance (CFDA) number;
9. Applicable award terms and conditions (see www.nifa.usda.gov/business/awards/awardterms.html to view NIFA award terms and conditions);
10. Approved budget plan for categorizing allocable project funds to accomplish the stated purpose of the award; and

11. Other information or provisions deemed necessary by NIFA to carry out its respective awarding activities or to accomplish the purpose of a particular award.

C. Administrative and National Policy Requirements

Several federal statutes and regulations apply to grant applications considered for review and to project grants awarded under this program. These include, but are not limited to, the ones listed below. Note that the list includes current documents however some of these documents may cease to exist and new ones put in place with the December 26, 2014 implementation of the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards.

2 CFR Part 220—Cost Principles for Educational Institutions (OMB Circular A-21).

2 CFR Part 225—Cost Principles for State, Local, and Indian Tribal Governments (OMB Circular A-87).

2 CFR Part 230—Cost Principles for Non-profit Organizations (OMB Circular A-122).

7 CFR Part 1, subpart A—USDA implementation of the Freedom of Information Act.

7 CFR Part 3—USDA implementation of OMB Circular No. A-129 regarding debt collection.

7 CFR Part 15, subpart A—USDA implementation of Title VI of the Civil Rights Act of 1964, as amended.

7 CFR Part 331 and 9 CFR Part 121—USDA implementation of the Agricultural Bioterrorism Protection Act of 2002.

7 CFR Part 3015—USDA Uniform Federal Assistance Regulations, implementing OMB directives (i.e., OMB Circular Nos. A-21, A-87, and A-122, now codified at 2 CFR Parts 220, 225 and 230), and incorporating provisions of 31 U.S.C. 6301-6308 (formerly the Federal Grant and Cooperative Agreement Act of 1977, Pub. L. No. 95-224), as well as general policy requirements applicable to recipients of departmental financial assistance.

7 CFR Part 3016—USDA implementation of Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments.

7 CFR Part 3017—USDA implementation of Governmentwide Debarment and Suspension (Nonprocurement).

7 CFR Part 3018—USDA implementation of Restrictions on Lobbying. Imposes prohibitions and requirements for disclosure and certification related to lobbying on recipients of federal contracts, grants, cooperative agreements, and loans.

7 CFR Part 3019—USDA implementation of OMB Circular A-110, Uniform Administrative Requirements for Grants and Other Agreements With Institutions of Higher Education, Hospitals, and Other Nonprofit Organizations (2 CFR Part 215).

7 CFR Part 3021—USDA implementation of Governmentwide Requirements for Drug-Free Workplace (Grants).

7 CFR Part 3022—Research Institutions Conducting USDA-Funded Extramural Research; Research Misconduct.

7 CFR Part 3052—USDA implementation of OMB Circular No. A-133, Audits of States, Local Governments, and Nonprofit Organizations.

7 CFR Part 3407—USDA procedures to implement the National Environmental Policy Act of 1969, as amended.

7 CFR 3430—Competitive and Noncompetitive Non-formula Financial Assistance Programs--General Award Administrative Provisions.

29 U.S.C. 794 (section 504, Rehabilitation Act of 1973) and 7 CFR Part 15b (USDA implementation of statute) —prohibiting discrimination based upon physical or mental handicap in federally-assisted programs.

35 U.S.C. 200 et seq. —Bayh Dole Act, controlling allocation of rights to inventions made by employees of small business firms and domestic nonprofit organizations, including universities, in federally-assisted programs (implementing regulations are contained in 37 CFR Part 401).

Administrative Guidelines

Guidelines for the administration of this program are published as Chapter III, Financial Operations, of the Administrative Handbook for Cooperative Extension Work, which may be accessed at www.nifa.usda.gov/business/awards/formula/manuals/coopextension.pdf. Please note that any instructions in this RFA supersede policies and procedures identified in this manual.

NIFA prepared draft guidance entitled “National Institute of Food and Agriculture (NIFA) Federal Assistance Policy Guide.” The draft guidance discusses the statutory and regulatory responsibilities of recipients of Federal funds administered by NIFA. This draft guidance compiles and updates the statutory, regulatory, policy guidance previously distributed to Capacity Grant recipients as Administrative Manuals. The draft NIFA Federal Assistance Policy Guide also addresses procedures and policies followed by NIFA in the administration of Federal assistance. In other words, the Policy Guide is a single, comprehensive guidance document applicable to NIFA grants, cooperative agreements, endowments, and other financial assistance. NIFA intends to publish a final version of the Policy Guide to reflect any public comments, as well as the requirements of the Agricultural Act of 2014 and USDA's implementation of the Office of Management and Budget “OMB Uniform Guidance: Cost Principles, Audit, and

Administrative Requirements for Federal Awards”. When appropriate, NIFA will post the Policy Guide on the NIFA web site (www.nifa.usda.gov/business/managing_grant.html).

Requirement for Central Contractor Registration (CCR)

Unless you are exempted from this requirement under 2 CFR 25.110, you as the recipient must maintain the currency of your information in the CCR until you submit the final financial report required under this award or receive the final payment, whichever is later. This requires that you review and update the information at least annually after the initial registration, and more frequently if required by changes in your information or another award term.

In July 2012, the System for Award Management (SAM), a new system that combines eight federal procurement systems, including the CCR, and the Catalog of Federal Domestic Assistance (CFDA) into one new system, was implemented. The CCR activities are now being conducted through SAM (the CCR website will redirect users to SAM). Those organizations that need to register are to now visit <https://www.sam.gov/sam/>. Those organizations that already have a CCR registration are to visit the SAM website and should note the following:

- You’ll create a new SAM User ID and Password.
- Your CCR permissions will be verified via your email account.
- Your CCR registration information (Entity Information) will be waiting for you in SAM.

Requirement for Data Universal Numbering System (DUNS) Numbers

If you are authorized to make subawards under this award, you:

1. Must notify potential subrecipients that no entity (see definition in paragraph C of this award term) may receive a subaward from you unless the entity has provided its DUNS number to you.
2. May not make a subaward to an entity unless the entity has provided its DUNS number to you.

Definitions - For purposes of this award term:

1. *Central Contractor Registration (CCR)* means the Federal repository into which an entity must provide information required for the conduct of a business as a recipient. The CCR activities are now being conducted through SAM (see above).
2. *Data Universal Numbering System (DUNS) number* means the nine-digit number established and assigned by Dun and Bradstreet, Inc. (D&B) to uniquely identify business entities. A DUNS number may be obtained from D&B by telephone (currently 866-705-5711) or the Internet (currently at <http://fedgov.dnb.com/webform>).
3. *Entity*, as it is used in this award term, means all of the following, as defined at 2 CFR part 25, subpart C:

- a. A Governmental organization, which is a State, local government, or Indian Tribe;
- b. A foreign public entity;
- c. A domestic or foreign nonprofit organization;
- d. A domestic or foreign for-profit organization; and
- e. A Federal agency, but only as a subrecipient under an award or subaward to a non-Federal entity.

4. *Subaward:*

- a. This term means a legal instrument to provide support for the performance of any portion of the substantive project or program for which you received this award and that you as the recipient award to an eligible subrecipient.
- b. The term does not include your procurement of property and services needed to carry out the project or program (for further explanation, *see* Sec .210 of the attachment to OMB Circular A-133, “Audits of States, Local Governments, and Non-Profit Organizations”).

Federal Agency Identification Number (FAIN)

A FAIN is a unique number federal agencies assign to federal financial assistance awards. NIFA assigns a FAIN to each award and includes it in block 8. of the award document (NIFA-2009). Awardees must document the assigned FAIN on each subaward under the Federal award.

D. Expected Program Outputs and Reporting Requirements

1. Reporting Subawards and Executive Compensation

In accordance with the Office of Management and Budget guidance published in the Federal Register (FR), 75 FR 55663, on September 14, 2010, “Requirements for Federal Funding Accountability and Transparency Act Implementation,” awardees must comply with the requirements of this award term.

a. Reporting of first-tier subawards

1. **Applicability.** Unless you are exempt as provided in paragraph d. of this award term, you must report each action that obligates \$25,000 or more in Federal funds that does not include Recovery funds (as defined in section 1512(a)(2) of the American Recovery and Reinvestment Act of 2009, Pub. L. 111-5) for a subaward to an entity (see definitions in paragraph e. of this award term).

2. **Where and when to report.**

i. You must report each obligating action described in paragraph a.1. of this award term to www.fsr.gov.

ii. For subaward information, report no later than the end of the month following the month in which the obligation was made. (For example, if the obligation was made on November 7, 2013, the obligation must be reported by no later than December 31, 2013.)

3. **What to report.** You must report the information about each obligating action that the submission instructions posted at www.fsrcs.gov specify.

b. Reporting Total Compensation of Recipient Executives

1. **Applicability and what to report.** You must report total compensation for each of your five most highly compensated executives for the preceding completed fiscal year, if—

i. the total Federal funding authorized to date under this award is \$25,000 or more;

ii. in the preceding fiscal year, you received--

(A) 80 percent or more of your annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the transparency Act, as defined at 2 CFR 170.320 (and subawards); and

(B) \$25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and

iii. The public does not have access to information about the compensation of the Executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986. (To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at <http://www.sec.gov/answers/execomp.htm>).

2. **Where and when to report.** You must report executive total compensation described in paragraph b.1. of this award term:

i. As part of your registration profile at <https://www.sam.gov/sam/>.

ii. By the end of the month following the month in which this award is made, and annually thereafter.

c. Reporting of Total Compensation of Subrecipient Executives

1. **Applicability and what to report.** Unless you are exempt as provided in paragraph d. of this award term, for each first-tier subrecipient under this award, you shall report the names and total compensation of each of the subrecipient's five most highly compensated executives for the subrecipient's preceding completed fiscal year, if--

i. In the subrecipient's preceding fiscal year, the subrecipient received--

(A) 80 percent or more of its annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and

(B) \$25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts), and Federal financial assistance subject to the Transparency Act (and subawards); and

ii. The public does not have access to information about the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986. (To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at www.sec.gov/answers/execomp.htm).

2. Where and when to report. You must report subrecipient executive total compensation described in paragraph c.1. of this award term:

i. To the recipient.

ii. By the end of the month following the month during which you make the subaward. For example, if a subaward is obligated on any date during the month of October of a given year (i.e., between October 1 and 31), you must report any required compensation information of the subrecipient by November 30 of that year.

d. Exemptions

If, in the previous tax year, you had gross income, from all sources, under \$300,000, you are exempt from the requirements to report:

1. Subawards, and
2. The total compensation of the five most highly compensated executives of any subrecipient.

e. Definitions

For purposes of this award term:

1. Entity means all of the following, as defined in 2 CFR Part 25:
 - i. A Governmental organization, which is a State, local government, or Indian tribe;
 - ii. A foreign public entity;
 - iii. A domestic or foreign nonprofit organization;
 - iv. A domestic or foreign for-profit organization;
 - v. A Federal agency, but only as a subrecipient under an award or subaward to a non- Federal entity.

2. Executive means officers, managing partners, or any other employees in management positions.
3. Subaward:
 - i. This term means a legal instrument to provide support for the performance of any portion of the substantive project or program for which you received this award and that you as the recipient award to an eligible subrecipient.
 - ii. The term does not include your procurement of property and services needed to carry out the project or program (for further explanation, see Sec. ---- .210 of the attachment to OMB Circular A-133, "Audits of States, Local Governments, and Non-Profit Organizations").
 - iii. A subaward may be provided through any legal agreement, including an agreement that you or a subrecipient considers a contract.
4. Subrecipient means an entity that:
 - i. Receives a subaward from you (the recipient) under this award; and
 - ii. Is accountable to you for the use of the Federal funds provided by the subaward.
5. Total compensation means the cash and noncash dollar value earned by the executive during the recipient's or subrecipient's preceding fiscal year and includes the following (for more information see 17 CFR 229.402(c)(2)):
 - i. Salary and bonus.
 - ii. Awards of stock, stock options, and stock appreciation rights. Use the dollar amount recognized for financial statement reporting purposes with respect to the fiscal year in accordance with the Statement of Financial Accounting Standards No. 123 (Revised 2004) (FAS 123R), Shared Based Payments.
 - iii. Earnings for services under non-equity incentive plans. This does not include group life, health, hospitalization or medical reimbursement plans that do not discriminate in favor of executives, and are available generally to all salaried employees.
 - iv. Change in pension value. This is the change in present value of defined benefit and actuarial pension plans.
 - v. Above-market earnings on deferred compensation which is not tax-qualified.
 - vi. Other compensation, if the aggregate value of all such other compensation (e.g. severance, termination payments, value of life insurance paid on behalf of the employee, perquisites or property) for the executive exceeds \$10,000.

PART VII—AGENCY CONTACT

For questions regarding FERS projects/program and the Retirement Contributions Program:

Dr. Susan Shockey; National Program Leader; Division of Family and Consumer Sciences; Institute of Youth, Family, and Community; National Institute of Food and Agriculture; U.S. Department of Agriculture; STOP 2250; 1400 Independence Avenue, SW; Washington, DC 20250-2250) Telephone: (202) 690-2674; Fax: (202) 720-9366; Email: sshockey@nifa.usda.gov.

For questions relating to the completion of the grants.gov forms:

Brenda Barnett, Branch Chief, Capacity Grants, Awards Management Division (AMD), Office of Grants and Financial Management (OGFM), National Institute of Food and Agriculture (NIFA); U.S. Department of Agriculture (USDA), Stop 2271, 1400 Independence Avenue, SW, Washington, DC 20250-2271; Telephone: (202) 401-6520; Fax: (202) 401-1804; E-mail: formulagrantsquestions@nifa.usda.gov.

For questions relating to REEport forms and submissions:

Planning, Accountability, and Reporting Staff, National Institute of Food and Agriculture (NIFA); U.S. Department of Agriculture (USDA), Stop 2213, 1400 Independence Avenue, SW, Washington, DC 20250-2213; Telephone: (202) 690-0009; Fax: (202) 690-0634; E-mail: REEport@nifa.usda.gov.

PART VIII—OTHER INFORMATION

The USDA NIFA home page for the FERS is:

www.nifa.usda.gov/business/awards/formula/smithlever.html

Appendix A

UNITED STATES DEPARTMENT OF AGRICULTURE				
NATIONAL INSTITUTE OF FOOD AND AGRICULTURE				
FY 2014 Distribution of Funds to Eligible Institutions				
for Federal Employees Retirement System (FERS)*				
Award # 2014-41310				
* Amounts listed below are actual FY 2014 allocations. Adjustments will be made to FY 2015 allocations upon enactment of a FY 2015 Appropriations Act.				
Institution	State	Grant Number	FY 2014 Allocation	FY 2014 Required Match
Tuskegee University	AL	2014-41310-08902	\$ 7,617	\$ 7,617
University of Arizona	AZ	2014-41310-00300	39,621	39,621
University of Arkansas	AR	2014-41310-00400	35,217	35,217
University of California	CA	2014-41310-00500	3,723	3,723
Colorado State University	CO	2014-41310-00600	23,877	23,877
University of Georgia	GA	2014-41310-01000	5,992	5,992
University of Idaho	ID	2014-41310-01200	24,747	24,747
Iowa State University	IA	2014-41310-01500	75,686	75,686
Kansas State University	KS	2014-41310-01600	74,590	74,590
University of Kentucky	KY	2014-41310-01700	44,950	44,950
Kentucky State University	KY	2014-41310-08907	9,658	9,658
University of Maine	ME	2014-41310-01900	5,261	5,261
University of Maryland	MD	2014-41310-02000	1,886	1,886
University of Minnesota	MN	2014-41310-02300	204,048	204,048
Mississippi State University	MS	2014-41310-02400	7,831	7,831
University of Missouri	MO	2014-41310-02500	26,251	26,251
Montana State University	MT	2014-41310-02600	9,536	9,536
University of Nevada	NV	2014-41310-02800	10,207	10,207
Rutgers University	NJ	2014-41310-03000	18,025	18,025
New Mexico State University	NM	2014-41310-03100	30,466	30,466
North Carolina State University	NC	2014-41310-03300	19,672	19,672
North Dakota State University	ND	2014-41310-03400	16,352	16,352
Oklahoma State University	OK	2014-41310-03600	32,649	32,649
Oregon State University	OR	2014-41310-03700	64,925	64,925
Clemson University	SC	2014-41310-04100	16,371	16,371
University of Tennessee	TN	2014-41310-04300	241,826	241,826
Utah State University	UT	2014-41310-04500	13,513	13,513
University of Vermont	VT	2014-41310-04600	20,710	20,710
Virginia Polytechnic Institute & State University	VA	2014-41310-04700	21,572	21,572
Washington State University	WA	2014-41310-04800	17,849	17,849
University of Wisconsin	WI	2014-41310-05000	5,851	5,851
TOTAL			\$ 1,130,479	\$ 1,130,479