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

RESEARCH TERMS AND CONDITIONS
AGENCY-SPECIFIC TERMS AND CONDITIONS
JULY 2010

Agency Home Page: http://www.nifa.usda.gov/
Managing a Grant (contains award-related information):
http://www.nifa.usda.gov/business/awards/awardterms.html

ARTICLE 1. AWARDS COVERED BY THE RESEARCH TERMS AND CONDITIONS

All research and research-related awards (i.e., research, education, and extension) to institutions of higher education, hospitals, other non-profit organizations and for-profit organizations. The terms and conditions will apply to all awards (grants, cooperative agreements, and special projects) funded by NIFA *except:* 1) Formula Funded Programs; 2) the 1890 Facilities Program; and 3) the Small Business Innovation Research Program; as well as 4) awards to individuals.

ARTICLE 2. PRIOR APPROVAL REQUIREMENTS NOT INCLUDED IN THE GENERAL T&CS

Subcontracts

No more than 50 percent of the total dollars of this award may be subcontracted to another party(ies) without prior written approval of the Authorized Departmental Officer (ADO) except subcontracts to Federal agencies. **Any subcontract awarded to a Federal agency under this award must have prior written approval of the ADO.** To request approval a justification for the proposed subcontractual arrangements, a performance statement, and a **detailed budget and narrative** for the subcontract must be submitted to the **ADO with an AR signed letter of commitment**.

No-cost Extension of Time

More than one no-cost extension or an extension of more than 12 months is required. The extension(s) **must be approved in writing by the ADO.** The awardee should prepare and submit **a written request (which must be received no later than 10 days prior to the expiration date of the award) to the ADO** identified in Block 14 of the Award Face Sheet, Form NIFA-2009. ADO information is as follows:

Awards Management Branch
Office of Extramural Programs
National Institute of Food and Agriculture
U.S. Department of Agriculture
STOP 2271
1400 Independence Avenue, S.W.
Washington, D.C. 20250-2271
Telephone: (202) 401-4986
Facsimile: (202) 401-1804
Email: awards@nifa.usda.gov

The request must contain, at a minimum, the following information:

a. The length of additional time required to complete project objectives and a justification for the extension (see last paragraph of this article);
b. A summary of progress to date (a copy of the most recent "Research Work Unit/Project Description Progress Report," Form AD-421, and, where applicable, the attachment is acceptable provided the information is current);
c. An estimate of funds expected to remain unobligated on the scheduled expiration date;
d. A projected timetable to complete the portion(s) of the project for which the extension is being requested; and
e. Signature of the Authorized Representative (AR) and the Project Director/Principal Investigator (PD/PI). Any request received by the agency that does not meet this requirement will be returned for the necessary signature(s).

Requests for no-cost extensions of time after expiration date. NIFA may consider and approve requests for no-cost extensions of time up to 120 days following the expiration of the award. These will be approved only for extenuating circumstances, as determined by NIFA. The awardee's AR must submit the requirements identified in a. through e. of this section as well as an "extenuating circumstance" justification and a description of the actions taken by the awardee to minimize these requests in the future.

The fact that funds are expected to remain unobligated at the expiration of the award is not in itself sufficient justification to receive an extension of time unless otherwise authorized in the program legislation. Normally, no single extension may exceed 12 months and only in exceptional cases will more than one extension be considered. The award period (including any subsequent authorized extensions of time), shall not exceed any applicable statutory limit as well as any expiring appropriation limitation (see Article 7.).

Funding Period

Statutory language or agency policy may limit the maximum potential funding period (including any awards transferred from another institution or organization). The funding period will commence on the effective date cited in the award instrument. Any such limitation also applies to subcontracts made under awards subject to a funding period limitation.

Extension to Submit a Final Federal Financial Report, Form SF-425

Request submitted PRIOR to the end of the 90-day period following the award expiration date. The request should include a provisional report (showing unliquidated obligations), justification for not submitting a final by the initial due date, and the anticipated date for submission of a final report. Note that any extension of time is subject to expiring appropriations (see Article 7.) or other statutory or agency policy limitations (see Funding Period in this Article). Funds will remain available for drawdown during an approved extension of time.

Request submitted FOLLOWING the end of the 90-day period following the award expiration date. Such requests will only be considered, up to 30 days after the due date, in extenuating circumstances. This request should include a provisional report (showing unliquidated obligations) as well as an anticipated submission date for the final report, a justification for the late submission, and a justification for the extenuating circumstances. Note that any extension of time is subject to expiring appropriations (see Article 7.) or other statutory or agency policy limitations (see Funding Period in this Article).

ARTICLE 3. UNALLOWABLE DIRECT CHARGES ASIDE FROM THOSE IN OMB CIRCULARS A-21 (2 CFR Part 220)/A-122 (2 CFR Part 230)

Fixed Equipment and Real Property

No funds awarded under the authorities of Sec. 2(b), 2(c)(1)(A), and 2(c)(1)(B) of Pub. L. No. 89-106, as amended, may be used for the renovation or refurbishment of research spaces; the purchase or installation of fixed equipment in such spaces; or for the planning, repair, rehabilitation, acquisition, or construction of a building or facility.

Indirect Costs and Tuition Remission

Statutory language may limit or prohibit the amount of allowable indirect costs. If such language applies to this award, the limit is identified on the budget as appropriate. When indirect costs are limited, the indirect costs allowable will be the lesser of the following amounts: (1) the Federally approved negotiated indirect cost rate and base, or (2) the limit identified in the statutory language. **Note: Any limitation or prohibition of indirect costs on the awardee also applies to subcontracts under the funded awards.**

> Indirect costs and tuition remission costs are unallowable if this award is issued under the authority of Sec. 2(c)(1)(B) of the Act of August 4, 1965, Pub. L. No. 89-106; Sec. 1472, Sec. 1475(d), and Sec. 1480 of the National Agricultural Research, Extension and Teaching Policy Act of 1977 (NARETPA), as amended, Pub. L. No. 95-113); and the Smith-Lever Act of May 8, 1914, as amended. This limitation also applies to subcontracts made under awards subject to any of these authorities.

Meals

Business meals may not be charged as project costs when individuals decide to go to breakfast, lunch, or dinner together when no need exists for continuity of a meeting. Such activity is considered to be an entertainment cost. In contrast, it is NIFA policy that a formal group meeting being conducted in a business atmosphere may charge meals to the project if such activity maintains the continuity of the meeting and to do otherwise will impose arduous conditions on the meeting participants. Note: Meals consumed while in official travel status do not fall in this category. They are considered to be per diem expenses and should be reimbursed in accordance with the organization's established travel policies.

Equipment

Expenditures for the acquisition or improvement of general and special purpose equipment is allowable, without prior agency approval, if the cost of the equipment is appropriately prorated among the activities to be benefitted.

Personal Injuries

Grant funds cannot be used for compensation for injuries to persons or loss, theft, or damage to property during project activities.

ARTICLE 4. CONTACT INFORMATION FOR TECHNICAL MATTERS

Questions regarding technical matters should be referred to: the programmatic contact person identified in Block 14 of the Award Face Sheet (Form NIFA-2009).

ARTICLE 5. CONTACT INFORMATION FOR ADMINISTRATIVE MATTERS

Questions regarding administrative matters should be referred to: the administrative contact person identified in Block 14 of the Award Face Sheet (Form NIFA-2009).

ARTICLE 6. CONTACT INFORMATION FOR INTELLECTUAL PROPERTY MATTERS

Questions regarding intellectual property matters (this does **not** include questions and issues regarding Interagency Edison) should be referred to:

Director, Office of Planning and Accountability
National Institute of Food and Agriculture, USDA
STOP 2213
1400 Independence Avenue, S.W.
Washington, D.C. 20250-2213
Telephone: (202) 720-5623
Facsimile: (202) 720-7714
E-mail: rmacdonald@nifa.usda.gov

Interagency Edison (iEdison) can be accessed at http://www.iEdison.gov. An overview of the iEdison invention reporting process, an iEdison tutorial, and extensive help text can be found as links on the iEdison home page. Requests for detailed instructions or other questions regarding Interagency Edison should be directed to:

Division of Extramural Inventions & Technology Resources (DEITR)
National Institutes of Health (NIH)
6705 Rockledge Drive, Suite 310, MSC 7980
Bethesda, Maryland 20892-7980
Telephone: (301) 435-1986
Facsimile: (301) 480-0272
E-mail: Edison@nih.gov

ARTICLE 7. OTHER REQUIREMENTS (NOT SPECIFIED ELSEWHERE)

Expiring Appropriations

Generally, the appropriated funds that support awards expire after 5 years and the account is closed. This means that in the fifth year following an appropriation, any award funds that have not been drawdown by August 31 of that year by the awardee are **subject to be returned to the Department of the Treasury.** To determine the appropriation year of award funds, see block 17. Funds Chargeable of the Award Face Sheet (Form NIFA-2009). This block contains a two-digit fiscal year followed by a financial data code (FDC). In the following example, "08-823-33610," the first two numbers "08" represent the fiscal year "2008." In this example it means that the funds must be drawndown by August 31 of the year 2013.

NIFA awards supported with funds from other Federal agencies (reimbursable funds). NIFA may require that all draws and reimbursements for awards supported with reimbursable funds (from other Federal agencies) be completed prior to June 30th of the 5th fiscal year after the period of availability for obligation ends to allow for the proper billing, collection, and close-out of the associated interagency agreement before the appropriations expire. The June 30th requirement also applies to awards with a 90-day period concluding on a date after June 30th of that fifth year.

Appropriations cannot be restored after expiration of the account.

If you have questions about whether an applicable appropriation will expire after 5 years, contact the Administrative Point of Contact identified in block 14 of the Award Face Sheet, Form NIFA-2009.

Genetic Resources from Outside of U.S.

If this project will use genetic resources from outside the United States, it is strongly recommended that the Project Director (PD) seek information regarding any required prior informed consent from and benefit-sharing with the appropriate host country authorities. For further information, see "Information for U.S. Government Funded Researchers Collecting In Situ Genetic Resources Outside the United States," housed on the U.S. Department of State's web site at http://www.state.gov/g/oes/rls/or/25962.htm or contact the Plant Exchange Office, ARS, USDA, http://www.barc.usda.gov/psi/ngrl/peo.htm or the National Animal Germplasm Program, http://www.barc.usda.gov/psi/ngrl/peo.htm, as appropriate.

Research Misconduct

All research awards issued by NIFA are subject to the Federal Policy on Research Misconduct published at 65 FR 76260. The following definitions will be utilized when applying this policy:

Research misconduct means the fabrication, falsification, or plagiarism in proposing, performing, or reviewing research, or in reporting research results. Research misconduct does not include honest error or difference or opinion.

Fabrication is making up data or results and recording or reporting them.

Falsification means manipulating research materials, equipment, or processes, or changing or omitting data or results such that the research is not accurately represented in the research record.

Plagiarism is the appropriation of another person's ideas, processes, results or words without giving appropriate credit.

Research means all basic, applied, and demonstration research in all fields of science, engineering, mathematics, education, linguistics, medicine, psychology, social sciences, statistics, and research involving human subjects or animals.

Research institutions includes all organizations using Federal funds for research, including, for example, colleges and universities, intramural Federal research laboratories, Federally funded research and development centers, national user facilities, industrial laboratories, or other research institutes.

Research record is the record of data or results that embody the facts resulting from scientific inquiry, and includes, but is not limited to, research proposals, laboratory records, both physical and electronics, progress reports, abstracts, theses, oral presentations, internal reports, and journal articles.

To report allegations of research misconduct see http://www.nifa.usda.gov/business/awards/researchmiscon.html.

ARTICLE 8. REVISED BUDGETS REQUIREMENTS

When, in accordance with Article 25. of the Research Terms and Conditions, it is necessary to request approval of a budget revision the revised budget must be submitted in a manner that clearly articulates the changes (i.e., it need not be submitted on the budget form that was used in the application process; the revisions need only be clearly identified). All changes must reflect PD/PI and AR concurrence (i.e., must contain the signature of the PD/PI and AR).

ARTICLE 9. TECHNICAL REPORTING

A. Patents and Inventions including Plant Variety Protection: The central point of contact within NIFA for questions and issues pertaining to patents and inventions including plant variety protections (PVP) (this does **not** include questions and issues regarding Interagency Edison) is:

Director, Office of Planning and Accountability
National Institute of Food and Agriculture, USDA
STOP 2213
1400 Independence Avenue, S.W.
Washington, D.C. 20250-2213
Telephone: (202) 720-5623
Facsimile: (202) 720-7714
E-mail: rmacdonald@nifa.usda.gov

Invention Disclosure and Related Information Requirements. 37 CFR Part 401.14(c)(1) requires the disclosure of each subject invention to the Federal Agency within two months after the inventor discloses it in writing to contractor personnel responsible for such matters. Under 35 USC 201(d), an invention means any invention or discovery which is or may be patentable or otherwise protectable under Title 35 of the US Code, or any novel variety of plant which is or may be protectable under the Plant Variety Protection Act (7 USC 2321 et seq), pursuant to 37 CFR 401.2(c). Invention disclosure statements pursuant to 37 CFR Part 401.14(c) shall be made by creating an invention record using Interagency Edison. If possible, all supporting documentation shall also be submitted electronically using Interagency Edison. Any required paper correspondence should be sent to the NIFA central point of contact as above.

Invention Disclosure

Electronic Submission Via Interagency Edison Web Interface: Interagency Edison (iEdison) can be accessed at http://www.iEdison.gov. An overview of the iEdison invention reporting process, an iEdison tutorial, and extensive help text can be found as links on the iEdison home page. Requests for detailed instructions or other questions regarding Interagency Edison should be directed to:

Division of Extramural Inventions & Technology Resources (DEITR)
National Institutes of Health (NIH)
6705 Rockledge Drive, Suite 310, MSC 7980
Bethesda, Maryland 20892-7980
Telephone: (301) 435-1986
Facsimile: (301) 480-0272
E-mail: Edison@nih.gov

The report of the invention and a copy of the signed invention disclosure must be reported electronically through the Interagency Edison Web interface. To submit the signed disclosure electronically requires that it be rendered as a PDF or TIFF file. The signed disclosure should contain a brief description of the original invention including the Title, Inventor(s) Name(s), and source of Federal support used (e.g., Agency Award Number). After the report and disclosure are received in the iEdison system, NIFA will have access to a copy of the disclosure document.

Other Invention, Patent, and Utilization Reporting Information

Electronic Submission Via Interagency Edison Web Interface: The Interagency Edison is to be used to exact any changes to the disposition of the invention, including title election or non-election, assignment of rights to third parties, patent application(s) or PVP(s), and patents or PVP(s) received.

As with the invention disclosure, iEdison also supports electronic submission of documents required for several other aspects of the Bayh-Dole reporting process, as detailed below.

1. Once a patent or PVP is applied for and an application serial number is available, an executed confirmatory license to the Government must be submitted. Such a license must also be submitted in instances where the invention has been licensed but not patented (as is the case of biological materials). For this purpose, iEdison provides a confirmatory license template (https://s-edison.info.nih.gov/iEdison/license.jsp) that can be submitted via facsimile.

2. Commensurate with patent or PVP application or issued patent or PVP certificate, the awardee organization must submit a copy of the portion of the patent or PVP application that contains the "Government Support Clause," offering proof of formal acknowledgment of Government support of the underlying invention. For PVP applications, the government support clause must be inserted in Exhibit E, block 11 of the application.

3. Requests for assignment of rights to third parties (e.g., the inventor) must include certification by the inventor. The certification process is defined and can be carried out as described under the USDA/NIFA link on the iEdison home page (http://www.iEdison.gov). The signed certification must be submitted to the NIFA office listed above via facsimile (preferable) or U.S. Mail.

4. Requests for waiver of the domestic manufacturing requirement must be submitted to the NIFA office listed above via facsimile (preferable) or U.S. Mail, including a detailed justification.

Title Election and Patent or PVP Submission: Within two years of an invention disclosure, a recipient must resolve the title to the invention, that is, either elect to retain invention rights or waive rights. Should the recipient decide to elect title, recipient must file a non-provisional patent or PVP application, or notify this agency of its intentions pursuant to 37 CFR Part 401.14(c)(2) and (3). If the recipient fails to either 1) notify the Government of its intentions or 2) exercise its option to file for a patent within the specified time periods, then the Government may exercise its right of ownership pursuant to 37 CFR Part 401.14(d)(1) and (2).

The Government shall not be entitled to publicly disclose or publish research results except under any one of the following circumstances:

(1) The award recipient publicly discloses or gives permission for publication; or

(2) The award recipient does not elect to file for a U.S. patent or PVP on such results, pursuant to 37 CFR Part 401.14(c)(2) and (3); or

(3) After the award recipient files for a U.S. patent or PVP pursuant to 37 CFR Part 401.14(c)(3).

"Publications" include publicly accessible databases such as Genbank; and "research results" include genome maps and sequences.

B. Grant Reporting

NIFA is incrementally transitioning from its existing reporting system, Current Research Information System (CRIS), to a new reporting system, REEport, during FYs 2010 and 2011. Initial reporting (item a. below) for this grant is to be submitted through the existing CRIS system. Annual progress and final reporting (items b. and c. below) on this grant is to be done through the new REEport system. The use of REEport for annual progress and final technical reports is expected to be implemented in early 2011 and will certainly be in place by the time these reports are due for this award. However, up to date information on the transition from CRIS to REEport can be found on NIFA's web site at http://www.nifa.usda.gov/business/reeport_imp.html.

Review the following guidance closely regarding reporting requirements.

a. Initial Documentation in the CRIS Database--

Current Research Information System (CRIS)
All projects **must** be documented in CRIS. The NIFA contact for all CRIS documentation is:

Current Research Information System
National Institute of Food and Agriculture
U.S. Department of Agriculture
STOP 2270
1400 Independence Avenue, S.W.
Washington, D.C. 20250-2270
Telephone: (202) 690-0009
Fax: (202) 690-0634
E-mail: cris@nifa.usda.gov

NIFA WILL NOT RELEASE FUNDS FOR THIS PROJECT UNTIL THE REQUIRED INFORMATION HAS BEEN RECEIVED ELECTRONICALLY BY CRIS.

Information collected in the "Work Unit Description" (Form AD-416), and "Work Unit Classification" (Form AD-417), is required upon project initiation for all **NEW** awards in CRIS. This information is requested by the appropriate NIFA Program Manager.

Awardees are requested to submit data electronically. To submit forms electronically, the CRIS forms web site can be accessed through the CRIS web site or accessed directly at: http://cwf.uvm.edu/cris.

Technical questions regarding the online completion of the reports should be directed to the CRIS office at (202) 690-0009 or via email at cris@nifa.usda.gov.

Questions regarding report content should be directed to the programmatic contact person identified in Block 14 of the Award Face Sheet (Form NIFA-2009).

INITIAL CRIS DOCUMENTATION MUST BE FULLY COMPLETED AND SUBMITTED INTO CRIS ***BEFORE OCTOBER 1, 2010*** IN ORDER TO ALLOW TRANSITION TO THE REEPORT SYSTEM FOR THIS FUNCTION. **Failure to submit initial documentation by October 1, 2010 will result in delayed reporting and therefore further delay the release of the funding.**

The transition from CRIS to REEport will entail the transfer of existing data in the CRIS system to REEport and then the termination of the applicable CRIS functionality. For the existing projects that reported initial documentation in CRIS, the awardees will submit progress reports to REEport.

b. Annual Progress Reports.

REEport

All projects **must** report annually into the REEport system. The NIFA contact for all REEport documentation is:

REEport
National Institute of Food and Agriculture
U.S. Department of Agriculture
STOP 2213
1400 Independence Avenue, S.W.
Washington, D.C. 20250-2213
Telephone: (202) 690-0009
Fax: (202) 720-7714
E-mail: reeport@nifa.usda.gov

The annual Progress Report includes a summary of outputs, outcomes/impacts, publications, participants, target audiences, and project modifications.

Each year the award is active, the REEport system will notify the awardee or designated contact electronically of upcoming reporting requirements. An annual Progress Report must be completed in accordance with instructions accompanying the request and/or those provided on the REEport data entry website referenced in item d. Reports must be submitted electronically utilizing access information (e.g., login information) provided in the REEport request for a progress report.

An annual Progress Report is due 90 calendar days after the award's anniversary date (i.e., one year following the month and day of which the project period begins and each year thereafter up until a final report is required). An annual Progress Report covers the most recent one-year period. **The following information, when applicable, must be included in the Project Modifications section of the annual Progress Report.**

(1) A comparison of actual accomplishments with the goals established for the reporting period (where the output of the project can be expressed readily in numbers, a computation of the cost per unit of output should be submitted if the information is considered useful);

(2) The reasons for slippage if established goals were not met; and

(3) Additional pertinent information including, when appropriate, analysis and explanation of cost overruns or unexpectedly high unit costs.

Failure to submit an annual Progress Report within 90 calendar days after the award's anniversary date may result in grant funds being withheld until the report has been submitted as specified.

c. Final Technical Report

In the month that an award is due to expire, a request notification for the Final Technical Report will be sent electronically to the award contact designated in REEport. The Final Technical Report is required within 90 calendar days after the expiration or termination of the award. The Final Technical Report covers the entire period of performance of the award and must describe progress made during the entire timeframe of the project instead of covering accomplishments made only during the final reporting segment of the project. In addition to supplying the information required under item b. of this article, the final report must include the following when applicable:

Identify equipment purchased with any Federal funds under the award and indicate subsequent use of such equipment.

Failure to submit an acceptable Final Technical Report within 90 calendar days after the award's anniversary date may result in funds being withheld for other active NIFA grants for which the Project Director(s) under this award are also named as well as prevent the award of future NIFA grants until the required report has been received in REEport and approved by NIFA.

d. Use of Reported Information and Accessing REEport

Please note the vital importance of preparing well written progress and technical reports. Information reported into CRIS and subsequently in REEport is used extensively by NIFA for describing the work NIFA funds, in planning and defending its budget, assessing its programs, and communicating project results. This depends on quality reports written in lay terms. Reported information is also used by State scientists and administrators and is available to the public on the worldwide web. The reported project information is available via the REEIS web site at: http://www.reeis.usda.gov/.

To input information into REEport, go to http://portal.nifa.usda.gov, login as prompted, and select the REEport application.

C. Release of Animal or Plant Genome Sequence Data and Distribution of Animal or Plant Genomic Resources.

All investigators funded by NIFA must submit animal or plant genome and protein sequence data and distribute animal or plant genomic resources generated by NIFA funding as described below. Genome sequences, protein sequences, and genomic resources must be available to all **for use without restriction**. Pre-publication release of genome sequence data has been of tremendous benefit to the scientific research community and NIFA strives to ensure that such rapid release of sequence data continues. NIFA strongly encourages the entire scientific community to recognize that the continued success of the system of pre-publication data release requires active community-wide support. **There should be no restrictions** on the use of the genomic sequence data, but the best interests of the community are served when all act responsibly to promote the highest standards of respect for the

scientific contributions of others. Investigators are also encouraged to collaborate and make information available via the relevant worldwide web sites.

a. NIFA supports the currently accepted community standards (Bermuda and Ft. Lauderdale agreements; www.wellcome.ac.uk/assets/wtd003207.pdf) for rapid release of genome sequences following the current guidelines for quality assessment as described by the National Institutes of Health (NIH) National Human Genome Research Institute (NHGRI) at: www.genome.gov/10000923 and www.genome.gov/10001812). Recipients of NIFA funding who submit genome sequencing data to public nucleotide sequence databases must report this fact as part of the final reporting requirements.

Large-insert clone-based projects: DNA sequence assemblies of 2kb or greater are to be deposited in a pre-existing public nucleotide sequence database (such as GenBank: www.ncbi.nlm.nih.gov) within 24 hours of generation. Sequence traces from these projects are to be deposited in a trace archive (such as the National Center for Biotechnology Information {NCBI} Trace Repository) within one week of production.

Whole genome shotgun projects: Sequence traces from whole genome shotgun projects are to be deposited in a trace archive (NCBI Trace Repository or Ensembl Trace Server) within one week of production. Whole genome assemblies are to be deposited in a public nucleotide sequence database as soon as possible after the assembled sequence has met a set of quality evaluation criteria.

Expressed sequence tags (EST), full-length cDNA sequences, plasmid sequences, etc.: Other nucleotide sequences such as ESTs, full-length cDNA sequences, etc. must be submitted to a pre-existing public nucleotide sequence database (such as Genbank: www.ncbi.nlm.nih.gov) according to the currently accepted community standards (Bermuda and Ft. Lauderdale agreements) following the current guidelines for quality assessment. At a minimum, these sequences should be deposited within one month of production and quality assessment.

b. *Other Community Resource Projects:* A community resource project is defined as a research project specifically devised and implemented to create a set of data (e.g., single nucleotide polymorphisms, SNP; haplotype maps; etc.), reagents, or other material(s) (e.g., plant genetic stocks) whose primary utility will be as a resource for the broad scientific community. NIFA requires that results of community resource projects be made immediately available for free and unrestricted use by the scientific community as soon as the quality of these resources is verified. At the same time, it is crucial that the scientific community recognizes and respects the important contribution made by the scientists who carry out community resource projects.

c. *Microarray Projects:* NIFA requires that data collection and analysis for microarray projects comply with the Minimum Information about Microarray (MIAME; www.mged.org) guidelines. NIFA also encourages use of the MIAME checklist (www.mged.org/Workgroups/MIAME/miame_checklist.html) to enable unambiguous interpretation of the data and potential verification of the conclusions. Data from microarray projects funded by NIFA must be submitted to a pre-existing public repository for microarray data (such as Gene Expression Omnibus {GEO}: www.ncbi.nlm.nih.gov/geo) as part of the process for publishing the experimental results in a peer-reviewed scientific journal. Data from plant microarrays should also be submitted to the PLEXdb (www.plexdb.org/) to enable comparative analysis with additional plant gene expression data sets. If the Project Director

decides not to publish the microarray data generated with NIFA funding, NIFA requires the Project Director to submit the microarray data to a pre-existing public repository for microarray data within six months after performing quality control tests on the data or upon termination of the NIFA funding, whichever comes first.

d. *Protein Sequence:* Protein sequences generated with NIFA funding must be deposited in a pre-existing public database (such as the Universal Protein Resource {UniProt}: www.uniprot.org) as part of the process for publishing the experimental results in a peer-reviewed scientific journal. If the Project Director decides not to publish the protein sequence data generated with NIFA funding, NIFA requires the Project Director to submit the protein sequence data to a pre-existing public database within six months after performing quality control tests on the data or upon termination of the NIFA funding, whichever comes first.

e. If NIFA funding produces additional genomic resources (libraries, biological reagents, software, plant genetic stocks, etc.) these should be made available to the public as soon as their quality is verified according to community standards. Budgeting and planning for short-term and long-term distribution of these resources and the timing of release to a clearly identified community of users as well as to the scientific community as a whole should be as described in the original application or in a revised plan of work prior to funding. The description should be specific and describe what, how, and when the community would have public access to the information and deliverables from the project. Resources generated from NIFA funding must be available to all segments of the scientific community, including industry and the international community. A reasonable charge is permissible for distribution, but the fee structure must be outlined prior to funding. If accessibility differs between industry and the academic community, the differences must be clearly described in the original application or in a revised plan of work prior to funding.

f. When the project involves the use of proprietary data or materials from other sources, the data or materials resulting from research supported by this program must be readily available without any restrictions to the users (no reach-through rights). The terms of any usage agreements should be stated clearly in the application or revisions prior to funding.

Release or Distribution of Animal Quantitative Trait Loci (QTL): Information pertaining to animal QTL that were generated with NIFA funding must be deposited into a pre-existing, public database as part of the process for publishing the experimental results in a peer-reviewed scientific journal. If the Project Director decides not to publish the animal QTL data generated with NIFA funding, NIFA requires the Project Director to submit the animal QTL data to a pre-existing, public database within six months after performing quality control tests on the data or upon termination of NIFA funding, whichever comes first.

Release or Distribution of Plant Germplasm. If plant germplasm was developed with NIFA support, these resources should be available to other researchers for validation of published results or additional research. Distribution of plant germplasm for commercial purposes may be limited by the producer of the germplasm. Researchers are strongly encouraged to deposit germplasm, transgenic plants, mutants, plant populations generated for mapping projects, etc. into the National Plant Germplasm System or Stock Center. NIFA encourages Project Directors to confer with the Crop Curators and Crop Germplasm Committees in the USDA National Plant Germplasm System (NPGS) (www.ars-grin.gov/npgs/index.html) regarding the desirability of depositing genetic stocks and experimental plant populations generated by NIFA funding in the NPGS genebanks.

Dissemination of Project Results. The recipient must notify the technical contact, via a listing clearly labeled with the award number, of any Worldwide Web-based materials resulting from the work.

ARTICLE 10. FINANCIAL REPORTING

All questions relating to financial reports should be submitted to:

Awards Management Branch
Office of Extramural Programs, NIFA
U.S. Department of Agriculture
STOP 2271
1400 Independence Avenue, S.W.
Washington, D.C. 20250-2271
Telephone: (202) 401-4986
Facsilime: (202) 401-1804
Email: awards@nifa.usda.gov (preferred method)

Federal Financial Report

A "Federal Financial Report," Form SF-425, is due on a **quarterly basis no later than 30 days following the end of each reporting period. A final "Federal Financial Report," Form SF-425, is due 90 days after the expiration date of this award.** The report must be submitted to the Awards Management Branch (AMB). The preferred method of submission is as a portable document format (PDF) attachment to an email sent to the email address noted above.

(1) All drawdowns must be made within 90 days after the expiration date of the award and before the final SF-425 is submitted.

(2) The report shall be completed on a single award basis.

(3) Both cash management information (lines 10(a) through 10(c)) and financial status information (lines 10(d) through 10(o)) on the form are to be completed.

(4) The awardee shall report program outlays and program income on the same accounting basis (i.e., cash or accrual) that it uses in its normal accounting system.

(5) When submitting a financial report, the total matching contribution, if required, should be shown in Item 12., Remarks.

(6) Final Financial Report - The final SF-425 report must not show any unliquidated obligations. If the awardee still has valid obligations that remain unpaid when the SF-425 is due, it shall request an extension of time to submit the report. See Article 2. Further, when a final report is overdue (beyond the 90-day period following the award expiration date and not covered by an approved extension of the due date for submission of the report), the award will be placed on ``manual review," which restricts the awardee's ability to draw funds. If any remaining funding is needed by the awardee, the awardee must contact AMB and request a draw providing AMB with justification and documentation to support the draw. Such draw requests will only be approved in extenuating circumstances, as determined by NIFA.

See Article 7. for Expiring Appropriations.

ARTICLE 11. INCREMENTAL FUNDING ACTIONS

Competitive Renewals

The request for continued support should contain all the required elements of a proposal as described in the applicable request for proposals including a progress report. The application cover page should indicate, along with the prior NIFA award number, that the proposal is a renewal. The renewal proposal will proceed through the competitive review process in the same manner as other proposals.

Noncompetitive Renewals and Continuations

For noncompetitive renewal grants, the request should contain all the required elements of a proposal as described in the applicable request for a proposal including a progress report. The application cover page should indicate, along with the prior NIFA award number, that the proposal is a renewal.

For continuation grants, the request for continued support should contain all the required elements of a proposal as described in the applicable request for a proposal including a proposed budget and narrative for the ensuing period, and the requirement that an annual progress report detailing all work performed to date be electronically submitted through the CRIS system within 90 days prior to the end of the current budget period, i.e., current expiration date of the award. Untimely submission of this report may delay processing of the award and failure to submit these reports will likely result in the restriction of the funding increment.