COOPERATIVE INSTITUTE HANDBOOK

Date of Review 11/13/12

National Oceanic and Atmospheric Administration

Cooperative Institute Interim Handbook

Version 4.0, July 2013

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ACRONYMS

AA	Assistant Administrator
BOP	Business Operating Plan
CFDA	Catalog of Federal Domestic Assistance
CFR	Code of Federal Regulations
CI	Cooperative Institute
CICM	Cooperative Institute Committee Memorandum
CRADA	Cooperative Research and Development Agreement
DAO	Department Administrative Order
DOC	Department of Commerce
DOO	Department of Organization Order
EO	Executive Order
FALD	Federal Assistance Law Division
FFO	Federal Funding Opportunity
FPO	Federal Program Officer
FRN	*Federal Register* Notice
GMD	Grants Management Division
GMS	Grants Management Specialist
GOL	Grants Online
GO	Grants Officer
LO	Line Office
LOI	Letter of Intent
MOA	Memorandum of Agreement
NACI	National Agency Check and Inquires
NAO	NOAA Administrative Order
NEC	NOAA Executive Council
NEPA	National Environmental Protection Act
NESDIS	National Environmental Satellite, Data, and Information Service
NMFS	National Marine Fisheries Service
NOAA	National Oceanic and Atmospheric Administration
NOS	National Ocean Service
NWS	National Weather Service
OAR	Office of Oceanic and Atmospheric Research
OGC	Office of General Counsel
OMB	Office of Management and Budget
RC	Research Council
RFA	Request for Applications
SAB	NOAA Science Advisory Board

1. INTRODUCTION

A. Purpose.

The Cooperative Institute (CI) *Handbook* (hence known as *Handbook*) outlines procedures for establishing, soliciting, awarding, maintaining, reviewing, renewing, and closing National Oceanic and Atmospheric Administration (NOAA) CIs. This *Handbook* is intended to aid the internal management of NOAA and does not intend to create any rights, benefits, or liabilities with respect to the public or any third party enforceable at law against NOAA, the DOC, or its officers. This *Handbook* is an evergreen document and may be modified through updates as needed to account for changes to policy or procedures.

B. Authority.

1. This *Handbook* is issued pursuant to the authority of NAO 216-107 and applies to all NOAA CIs established after the effective date of NAO 216-107 and those established competitively prior to that date. At the end of the continuation period for each CI, as described in NOAA's CI Transition Plan (September 27, 2005, available at http://www.nrc.noaa.gov/ci), each CI will be sunsetted according to the procedures described in Chapter 6 of this *Handbook*. This *Handbook* is being issued as supplemental operating unit-specific policies and procedures to cover items not covered by the *DOC Manual* (as per Chapter 2.D) to address programmatic requirements for the NOAA CIs, and does not conflict with the provisions of the *DOC Manual.*

2. NOAA studies climate and global change; ensures protection of coastal oceans and management of marine resources; provides weather and water services; supports commerce and transportation services; and manages worldwide environmental data. NOAA provides financial assistance for CIs through the following LOs:

    a. National Environmental Satellite, Data, and Information Service (NESDIS). NESDIS observes the environment by operating a national satellite system.
    b. National Marine Fisheries Service ((NMFS)NOAA Fisheries)). NMFS administers programs that support the domestic and international conservation and management of living marine resources, including fisheries management and development, trade and industry assistance activities, enforcement, as well as protected species and habitat conservation operations.
    c. Office of Oceanic and Atmospheric Research (OAR). OAR conducts research related to the oceans and inland waters, the lower and upper atmosphere, and the Earth.
    d. National Ocean Service (NOS). NOS is the Nation's principal advocate for coastal and ocean stewardship through partnerships at all levels to support and provide the science, information, management, and leadership necessary to balance the environmental and economic well-being of the Nation's coastal resources and communities.
    e. National Weather Service (NWS). NWS reports the weather of the United States and its possessions and provides weather forecasts and warnings to the general public.

C. NOAA CI Policy and Background.

1. In 2003, the NOAA Science Advisory Board (SAB) conducted a review of agency research activities, which recommended in part that NOAA develop an agency-wide policy for managing all CIs[1] and bring these institutes under a common procedural structure (Moore et al. 2004). The recommendation stated that:

> *NOAA should establish a process by which Joint Institutes and other cooperative arrangements with extramural partners are established and maintained. This process should include approach-specific criteria, including:*
>
> - *Demonstrated track record of working with NOAA scientists on research projects;*
> - *Demonstrated commitment (in terms of resources and facilities) and track record to a long term collaborative research environment/culture;*
> - *Nationally recognized expertise within the appropriate disciplines needed to conduct the collaborative/interdisciplinary research;*
> - *Unique capabilities in a mission-critical area of research for NOAA;*
> - *Established programs of excellence that support graduate education in the appropriate disciplines; and*
> - *Well-developed business plan including fiscal and human resource management as well as strategic planning and accountability.*
>
> *The guidelines should also define the review process, the renewal process, and sunset clauses".* (Moore et al. 2004)

2. NOAA assigned responsibility for the implementation of this recommendation to the NOAA Research Council (RC). In August 2004, the RC formed a working group, which wrote the "Proposed NOAA Policy and Process for Creating and Managing Cooperative Institutes". After an extensive internal review and approval process, NOAA published this document in the *Federal Register* on March 8, 2005 (70 FRN 11195) to request public comments through April 4, 2005. Following the public comment period, the working group drafted two documents that incorporated many of the recommendations it received from the public: (1) a NAO that describes NOAA's CI policy, and (2) a CI *Handbook* that describes NOAA's procedures for implementing the policy. The CI policy, upon which the procedures in this *Handbook* are based, was approved by the DOC Under Secretary for Oceans and Atmospheres (hereafter referred to as the Under Secretary) and issued on September 2, 2005[1].A second *Federal Register* notice (FRN) was published on December 2, 2005, to announce the policy and request comments on the *Handbook*.

> *In November, 2012 this Handbook was updated to incorporate changes implemented via CI Committee Memoranda as well as changes related to an updated NOAA Strategic Plan. This revised version was approved by the NOAA Research Council on [insert approval date].*

[1] Cooperative Institutes (CIs) are identical to Joint Institutes (JIs). NOAA refers to these partnerships as CIs.

D. Responsibilities.

1. Multiple groups have responsibilities relating to CIs. The general responsibilities of these groups are described here. Specific responsibilities associated with each aspect of the CI program are listed in the beginning of each chapter.

    a. Under Secretary – The Under Secretary approves, if appropriate, internal NOAA requests for establishing CIs that have been recommended by the NOAA RC and the NOAA Executive Council (NEC).

    b. NEC/NEP – The NEC/NEP reviews RC recommendations for the establishment of new CIs and forwards any recommendations to the Under Secretary. (Additional information about the NEC is at http://www.ppi.noaa.gov/councils.htm.)

    c. RC - The RC reviews recommendations from LOs for establishing CIs, designates the LO that is responsible for maintaining the CI, approves the review guidelines for renewals and approves the recommendation for renewal, approves and oversees the termination process, and provides general oversight of the CI program. (Additional information about the RC is available at http://www.nrc.noaa.gov.)

    d. CI Committee – The CI Committee is a Standing Committee of the RC that ensures compliance with the CI NAO and CI *Handbook*, and when requested, will provide information to assist the RC with general program oversight. The CI Committee is responsible for proposing major procedures pertaining to NOAA-wide management of CIs and the implementation of the CI policy to the RC for approval. (Minor procedures may be submitted to the RC for approval at the discretion of the Committee chairperson.) The CI Committee provides assistance to the RC with all procedures that require RC involvement and provides aggregate financial and performance information on the NOAA CIs upon request of the RC and/or any NOAA office.

    e. Responsible LO - The LO assigned by the RC during the establishment process of the CI has the primary responsibility of managing the CI award. This responsibility includes oversight of the initial CI competition process, CI project(s) performance report(s), funding of the CI throughout the award period, and managing the renewal review process and termination process, if necessary. The responsible LO is allowed to determine how it will manage the responsibilities described in this *Handbook*. In most cases, a LO will designate one person, described as a LO CI Program Manager in this *Handbook*, who may also be the Federal Program Officer (FPO) on one or more CI awards managed by the LO. If CI funding is provided by multiple LOs, the primary LO involves the other LOs when making any recommendations for reviewing, renewing or terminating the CI. If a CI links one or more NOAA entities with a nearby research institution, or if there is a particularly strong connection with one or more NOAA offices, then the responsible LO ensures that the directors of those offices as well as the LO CI program manager, or their representatives, are involved jointly (with representatives of the parent institution) in setting the research goals of the CI and participating in the review process to establish or continue a CI.

f. NOAA Grants Management Division (GMD) – GMD is responsible for conducting the administrative and financial review of all recommended proposals for financial assistance. The GMD also works with the CI Committee to clarify and propose procedures related to the management of the CI awards. The NOAA Grants Officer (GO) in GMD is solely responsible for obligating funds and is the approving official for all funding actions. (Additional information on GMD is available at http://www.ago.noaa.gov/grants/.)

g. CI Director - The CI Director is responsible for oversight of all NOAA-funded activities associated with the CI, including the submission of any required proposals and reports associated with the CI award, the renewal review, and working with the responsible LO to address any problems. The Director SHALL be a faculty member of the host/lead institution in good standing and shall be appointed by the processes of the lead/host university.

h. SAB – The SAB is a Federal Advisory Committee with responsibility to advise the Under Secretary on long- and short-range strategies for research, education, and the application of science to resource management and environmental assessment and prediction. It functions as the official reviewing authority for the CI program, including approvals for science reviewers and making recommendations after the renewal review. (Additional information about the SAB is available at http://www.sab.noaa.gov.)

E. CI Handbook Amendment Procedure.

1. The CI Committee is responsible for maintaining and updating the *Handbook* when required. Amendments to the *Handbook* require approval by the NOAA RC and the CI Committee. External proposals for amendments or revisions may be submitted to the CI Committee for review and submission to the RC in accordance with the procedures set forth herein. All approved revisions (corrections or updates) to the *Handbook* will be made by the CI Committee only after they have been distributed to NOAA for review and comment prior to final approval by the Research Council.

2. When necessary, the CI Committee will issue a CI Committee Memorandum (CICM) to clarify or provide additional details about the procedures described in this *Handbook*. CICMs, numbered sequentially, will be posted on the NOAA CI website (http://www.nrc.noaa.gov/ci) and distributed to the appropriate NOAA and/or CI officials. CICMs must be evaluated according to the process in Section 1.E.a. prior to incorporation into the *Handbook*.

2. COOPERATIVE INSTITUTES

A. Description.

1. A CI is a NOAA-supported, non-federal organization that has established an outstanding research program in one or more areas that are relevant to the NOAA mission. CIs are established at research institutions that also have a strong education program with established graduate degree programs in NOAA-related sciences. A CI engages in research directly related to NOAA's long-term mission needs that require substantial involvement of one or more research units within the parent organization or other organizations and one or more NOAA programs. The CI provides significant coordination of resources among all non-government partners and promotes the involvement of students and postdoctoral scientists in NOAA-funded research. The CI provides mutual benefits with value provided by all parties.

2. CI development and implementation are guided by a set of principles which help to describe the intent and functions of CIs within NOAA and to outside partners and stake holders. The guiding principles are:[2]

    a. NOAA CIs provide a long-term institutional relationship between NOAA and external academic partners to support research directly linked to NOAA's mission, particularly where NOAA does not have sufficient internal capabilities or capacity.
    b. NOAA CIs support graduate education and professional scientific training of a workforce well-versed in NOAA disciplines, and provide opportunities for students to interact with NOAA scientists.
    c. NOAA CIs promote strong collaborations between NOAA and academic scientists, particularly when groups of CI and NOAA scientists are needed.
    d. NOAA CIs provide a mechanism to allow external partners to address emerging needs and evolving NOAA research priorities.
    e. NOAA CIs are established competitively to institutions with outstanding national and international expertise in NOAA-relevant disciplines.
    f. NOAA CIs promote long-term relationships at the highest level between university administrators and NOAA leadership.

3. NOAA and its related CIs have benefited from many ongoing partnerships since 1967, when the Environmental Science Services Administration (NOAA's predecessor) began supporting its first CI. Since that time, NOAA has built valuable partnerships with many CIs across the United States that have created mutual benefits for NOAA and the CI.

4. As described in a review report by the NOAA SAB, CIs "provide the mechanism for a unique set of partnerships that help leverage the research that NOAA needs to fulfill its mission in serving the Nation's needs" (Moore et al. 2004, p. 20). These partnerships provide resources that may not exist within NOAA. Working with NOAA, CIs help to bring scientists from NOAA's applied research programs together with academic and research faculty and students. These collaborations foster a better understanding of natural sciences and environmental processes

[2] CICM #11 CI Guiding Principles

necessary to address research and mission-related needs for the direct benefit of NOAA. Congress empowered the Secretary of Commerce in P.L. 108-7 to designate Joint and Cooperative Institutes to provide agency personnel, services, research, education, training and outreach under cooperative agreements. This authority was reauthorized and extended to futurity under 118 Stat. 71 (January 23, 2004). The authority is unique because it expands the purpose for which Federal funds may be used under an award to include the use of personnel, services and facilities of universities and other organizations. This authority is described in more detail in Chapter 3.

B. Benefits.

1. The CI provides mutual benefits with value added by all parties. NOAA research benefits through establishing collaborations with outstanding academic and research institutions. These relationships benefit NOAA by providing resources and opportunities that are relevant to NOAA's mission but generally extend beyond the agency's typical capacities. NOAA funding is beneficial to the CI and its parent research institution(s) (e.g., a university) since it is used primarily to support and expand research capabilities and capacity and to support the education mission, which benefits NOAA as well.

2. In addition to the broad research benefits of establishing a CI, there are other benefits that NOAA derives from these relationships that may not be obvious. It is sometimes not well recognized that formal agreements between NOAA and the CI are usually joined at the highest levels – between the DOC Under Secretary and the President or equivalent position, at the CI's parent institution(s). The partnership thus involves all of NOAA and all parts of the parent institution(s). Within the parent institution(s), these may be Institutes, Colleges or Departments. Within NOAA these may be one or more LOs with their specific research units, science centers, or laboratories.

3. Beyond the central, cutting-edge, daily research conducted by CI scientists, CIs provide many other benefits to NOAA, such as:
    a. Faculty in NOAA mission areas. Most parent institutions have many well-recognized faculty in NOAA mission areas providing NOAA extraordinary access to specialized expertise, particularly in cross-discipline areas, such as the economic impact of weather and climate forecasts or environmental ethics.
    b. Joint training and outreach activities. These activities allow NOAA and the CI to tap into experienced personnel with distinguished careers in education and training. The combination of NOAA's dispersed network of research and operations units with the outreach/extension networks of Universities and other nonprofit research institutions allows special access to decision makers and the public seeking environmental services and advice.
    c. Education and training for NOAA's human capital needs. The NOAA Strategic Human Capital Management Plan states: "As society evolves, it is imperative that NOAA continues to have the scientific, technical, and administrative expertise necessary to accomplish NOAA's mission." The scientific expertise needed includes not only the natural sciences such as meteorology, geochemistry, oceanography and fisheries science, but also the social sciences such as sociology, demography and economics. CIs can provide important training grounds for future employees, by supporting students

and post-doctoral researchers in NOAA-related projects. In some cases, students supported under CI projects have been subsequently hired by NOAA. In other instances, CI-trained individuals continue to work at academic institutions, but apply their expertise to questions with implications to NOAA's mission areas. Both career pathways are important for NOAA to nurture and maintain.

d. Capital construction projects for research offices and labs are often cost-shared by CI universities. Furthermore, universities work with NOAA to secure outside construction funds from State and other Federal budgets or from private foundations. Often the parent institution(s) will provide land and leased space for the project as a partnership contribution.

e. Debt financing of major capital equipment for research and development. This is a way to add new research capability to meet new research challenges. Some CI universities - through their affiliated Research Foundations - often have bonding authority. This allows private investors to support large (multi-million dollar) research capital equipment projects.

4. In addition to the many benefits of this partnership to NOAA, there are significant benefits to the CI and the parent institution, particularly since a CI is primarily funded with a cooperative agreement. The primary benefits are derived from the annual funding that the CI receives throughout the award period and the efficient process that is used to transfer NOAA funding to the CI, even though the funding may vary annually. The funding transfer is efficient because one long-term cooperative agreement is used to transfer NOAA and other Federal agencies' funding for any NOAA-sponsored project, resulting in a relatively quick transfer. This efficiency occurs because the extensive review conducted during the initial competition or renewal of a CI eliminates the need to compete any specific research projects since the initial review process determined that this CI was qualified to perform research that was described in the CI's omnibus proposal.

5. NOAA funding is beneficial to the CI because it is used primarily to support and expand research capabilities and capacity and to support the education mission of the CI and the parent research institution, which benefits NOAA as well. This funding supports outstanding scientists and post-doctoral scientists, enhances computing resources, and purchases laboratory equipment at the research institution. The CIs may also leverage NOAA support to secure additional Federal and private support, providing a mutual benefit to the CI and NOAA. The parent institution also benefits from NOAA funding for indirect costs, which are often used to support general institution expenses such as support for libraries and institution-wide research infrastructure. Another benefit to the research institution is support for their education mission through direct student and faculty funding, and research support that provides opportunities for student involvement.

C. Structure.

1. CIs are units within an academic or non-profit, degree-granting research institutions that meet the criteria listed in Section 3.C.2. Where it is consistent with University policy, the CI Director shall be a tenured faculty member in good standing otherwise, the CI Director shall hold a permeate research faculty position within the University. The CI can consist of multiple member institutions (*e.g.,* multiple universities). For CIs that are consortia, NOAA maintains a single award with the lead academic entity but reserves the right to establish a separate award for

each supporting institution or to a joint venture established among the institutions. In either case, the consortium will determine how the lead administrative entity will be determined. In some cases, the lead Director may rotate among the institutions or a co-director structure may be used. The CI typically has a chief administrator who is responsible for all administrative aspects of the CI.

2. NOAA encourages CIs to have at least two advisory boards: an Executive Board and a Council of Fellows. The Executive Advisory Board consists of senior management officials/employees from NOAA and the CI to provide, among other things, "One NOAA" oversight and direction to the CI, and communicate NOAA policies, priorities, coordination of opportunities and performance matters. The Executive Board shall also review and comment on the CI Annual Performance Report.

3. The Council of Fellows consists of mid- and senior-level scientists from NOAA, the CI and the parent organization(s). The Council of Fellows may be the principal vehicle for the CI concept development, program strategy, annual research plans, peer review, resource allocation, research and technology coordination, and achieving the overarching goal of regional and disciplinary integration. **In the case of a consortium CI, the Council of Fellows must contain at least one member from each of the consortium members**

4. Initial CI awards have an award period of five years, with a potential renewal period of up to five additional years upon successful completion of a scientific and administrative review held in year four of the initial five year award period. During and after the current award, CIs remain eligible to apply for other CI competitive announcements.

5. CIs have strong educational components with established graduate degree programs in one or more NOAA-related fields, and they promote student and postdoctoral involvement in research projects.

6. Researchers and support staff associated with the CI are employees of the parent institution and may or may not be considered employees of the CI as a unit of the research institution. The designation of a CI employee is determined by the CI Director. For example, a faculty member within an academic department at the CI's parent institution may collaborate with NOAA through the CI, but may or may not be considered a CI employee by the university. University and CI employees designated by the research institution are not NOAA or Federal employees.

7. NOAA encourages CI and NOAA employees to be collocated to stimulate and support collaborative research. When these employees are collocated, federal employees are not authorized to supervise CI and/or other university employees, including students. Federal employees, however, may provide technical leadership on collaborative projects that involve CI employees. Supervisory activities, such as approving leave and time forms, resolving employee conflicts, and determining individual compensation are performed by an employee of the CI or the parent institution. For annual evaluations, federal employees may provide input to the CI's evaluation process. Their input, however, is limited to an evaluation of the employee's contribution to collaborative projects, which is provided to the CI supervisor. Collocation requires federal employees to ensure that reliable safeguards exist to avoid sharing information restricted to federal employees. Because CIs can hire foreign scientists, NOAA also requires federal facilities to ensure that foreign scientists have no access to facilities and information

restricted to United States citizens. (See Chapter 4 for more information about collocation issues.)

8. Activities at CIs shall be organized into three tasks.

    a. Task I. Task I activities are related to the management of the CI, as well as general education and outreach activities. This task also includes support of postdoctoral and visiting scientists conducting research that is approved by the CI Director in consultation with NOAA, and is relevant to NOAA's mission goals.

    b. Task II. Task II research activities usually involve on-going direct collaboration with NOAA scientists. This collaboration typically is fostered by the collocation of federal and CI employees.

    c. Task III. Task III research activities require minimal collaboration with NOAA scientists.

9. Funding for Task I is provided annually by NOAA to the CI, pending the availability of funds. Throughout the award period, funding for additional Task I activities, as well as Task II and Task III activities is added to the CI award as amendments which are submitted by the CI and approved by NOAA. Thus, the CI award functions as an administrative vehicle established jointly with a research institution to more closely link research in NOAA with research in the institution and partner institutions. Because the CI is established through a rigorous competitive process, funding for any amendment associated with one of the approved scientific themes is not required to undergo a competitive merit review process. NOAA still must review each amendment, however, to determine if the project description is scientifically sound and the budget is appropriate for the proposed research. (See Chapter 4 in this *Handbook* for more information on these reviews.)

3. ESTABLISHING NEW CIs.

CIs are established through a competitive process that originates with an internal NOAA request presented jointly to the NOAA RC by LOs. Any competitive announcement for new CIs must be approved by the Under Secretary. When awarded, NOAA will provide funding to the CI using the most appropriate funding instrument, in most cases a cooperative agreement. If more than one institution makes up the CI, then usually a single cooperative agreement to the primary institution will be made but NOAA reserves the right to provide each partner a separate award from NOAA or NOAA to make an award to a formal joint venture established by the institutions. All current or past CIs are eligible to apply for new CI awards.

Institutions awarded the new CI award will adopt the naming structure of "Cooperative Institute". Should a previous Joint Institute (JI) submit a successful application and be awarded the CI award, the JI will enter into a new MOA under the Cooperative Institute nomenclature.

A. Responsibilities.

1. LO(s) – LOs propose new CIs jointly with all relevant LO(s) to the RC. They prepare a proposal request for new CIs and give proposal briefings to the RC and the NEC/NEP.

2. LO – The responsible LO is designated by the RC and is responsible for managing the entire establishment process.

3. GMD – GMD is responsible for the review of all Federal Funding Opportunities (FFO's) and the administration and monitoring of any financial assistance provided to the CI in close coordination with the LO.

4. RC – The RC may propose new CIs in collaboration with any relevant LO(s). The RC reviews new CI proposals from LOs and provides approval before further NOAA review by the NEC and the Under Secretary. The RC selects the LO responsible for managing the entire establishment process based on a recommendation from the LO proposal.

5. CI Committee – The CI Committee provides advice to LOs throughout the establishment process and reviews the FFO[3] notice before it is published.

6. NEC – The NEC/NEP reviews NOAA proposals for new CIs that have been recommended by the RC. NOAA CI proposals approved by the NEC/NEP will be forwarded to the Under Secretary for approval.

B. Proposing a New CI.

1. CIs are established based on a proposal submitted by any lead LO in consultation with other LO's and NOAA programs. (See Appendix A for an outline of the proposal.) The proposal is submitted to the RC for review. The establishment process may also begin with the RC requesting that a

[3] See Appendix F; CICM #9 Revised Guidance for Publication of Competitive Announcements, revised March 07, 2011.

LO submit a proposal for a CI. After approval by the RC, the proposal undergoes additional review by the NEC and the Under Secretary. The Under Secretary gives final approval to establishing a CI. After Under Secretary approval, the responsible LO organizes a competition to select the CI.

2. The establishment process is initiated with a proposal submitted jointly by one or more NOAA LOs to the NOAA RC. The NOAA LO(s) must jointly prepare any proposal submission to ensure that LO needs in planning and execution of NOAA's activities are considered.

3. Each LO proposal shall follow the template provided in Appendix A. The proposal includes information on the rationale for the CI; a recommendation of the responsible LO; a list of NOAA Programs, and LOs that may participate in the CI activities; and an estimate of annual funding, including a reasonable amount of Task I base funding. Task I funding may be used to fund administrative activities, and other education and outreach activities, including postdoctoral and visiting scientists conducting research that is relevant to the CI and NOAA, but at the direction of the CI Director in coordination with NOAA. The LO proposal should clearly identify which LOs will provide the annual base funding throughout the entire award.

4. The RC will evaluate each LO proposal by considering information in the proposal, NOAA's Next Generation Strategic Plan, NOAA's Goals and NOAA's Enterprise Objectives and any other information relevant to the establishment of the proposed CI[4]. If the proposal is approved, the RC assigns the CI to the LO recommended in the proposal, or another LO deemed to be more appropriate. This LO becomes the responsible LO referenced throughout this *Handbook*. A favorable RC review of the proposal results in a recommendation to the NEC/NEP for its review and approval.

5. The LO(s) requesting a CI will be responsible for making all NEC/NEP presentations and providing any additional information needed by the NEC/NEP. If the review by the NEC/NEP is favorable, a recommendation is provided to the DOC Under Secretary, who must approve the establishment of any new NOAA CI before a competitive announcement can be published.

6. After Under Secretary approval, the responsible LO manages the establishment process and administers the CI award according to the procedures described in this *Handbook* and the *DOC Manual*. The specific LO works with the RC, FALD, GMD, and the relevant LO to draft the Notice of Federal Funding Opportunity (FFO) announcing the availability of financial assistance funds for the new CI. (See the next section for more information on writing these documents.)

The CI Committee estimates that the establishment process will take approximately 20 months (Fig. 1[5]), so LOs should plan accordingly. NOAA expects to notify the CI of its award at least six months prior to the proposed starting date of the five-year award.

[4] The 5-year Research Plan and the 20-year Research Vision are available at http://www.nrc.noaa.gov/Reports.htm.
[5] CICM #7 Revised time line for establishing a new CI, revised March 01, 2011

	MONTHS																			
ACTIVITY	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
Programs and LO(s) write and submit prospectus for a new CI to the CI Committee				X																
Research Council Review				x																
NEC/NEP Review and NOAA Administrator Approval					x															
Write and publish competitive announcement for a new CI with funding under $100million at Grants.gov; for competitive announcement for new CI's over $100million FALD reviews the FFO.																				
Accept Applications																				
Review Applications												X								
Submit Application Package to Grants Management Division / Award Processing Time												x		X						
Announce Award														x						
Begin Research Planning with CI and Writing of MOA																				
CI Award Begins																				x

Figure 1. Timeline for Establishing a New CI.

C. Preparing and Publishing the Federal Funding Opportunity and *Federal Register* Notice.

1. Upon approval of the new CI proposal by the Under Secretary, the responsible LO will prepare the FFO in consultation with the proposing LO(s) to announce the competition to the public: the FFO, which includes the program requirements, evaluation criteria, peer/merit review process and selection factors to be posted on the Grants.gov website. The FFO shall include the appropriate Catalog of Federal Domestic Assistance (CFDA; http://www.cfda.gov) number, 11.432, for this program. The requirement for these documents is described in Chapter 19 of the *DOC Manual* (http://www.osec.doc.gov/oam/archive/gmd_updated-doc.html). The responsible LO should contact the CI Committee Chairperson to obtain a copy of a current FFO to use as a guide for writing the new FFO document. To ensure that the FFO is written properly and is consistent with the information described in this *Handbook*, all FFO's draft must be submitted to the CI Committee for approval before publication in Grants.gov.

2. The following list of items shall be included as measures for NOAA's standard evaluation criteria or selection factors for CI awards:

    a. in the case of institutions and/or principal investigators currently or recently funded by NOAA, a demonstrated record of outstanding performance working with NOAA scientists on research projects,

b. a demonstrated commitment (in terms of resources and facilities) to enhance existing NOAA and university resources to foster a long-term collaborative research environment/culture,
c. internationally recognized expertise within the appropriate disciplines needed to conduct the collaborative/interdisciplinary research,
d. unique capabilities in a mission-critical area of research for NOAA,
e. a strong education program with established graduate degree programs in NOAA-related sciences that also encourage student participation in NOAA-related research studies,
f. a well-developed business plan including fiscal and human resource/capital management as well as strategic planning and accountability,
g. a summary of clearly stated goals to be achieved during the five-year period, which reflect NOAA's strategic plan, long-term goals and enterprise-wide capabilities,
h. collocation with or near a NOAA facility (if NOAA determines that it is beneficial for a particular research need),
i. formation of consortia with other universities and research institutions, including Minority Serving Institutions and universities with strong departments that can contribute to the proposed activities of the CI,
j. consolidation of administrative and oversight activities associated with any existing CIs funded by NOAA already at the parent institution into one CI, when possible, and
k. substantial investment by the applicant, as demonstrated by an increased cost sharing contribution.

3. In addition to the NOAA standard competitive evaluation criteria and selection factors (provided by the GMD), NOAA may include specific scientific and technical requirements as a prerequisite for the new CI (e.g., space weather, marine ecosystem research).

4. NOAA maintains flexibility in defining the research topics (themes) of the CI because of the diverse nature of NOAA research. For some CIs, a regional research focus may be appropriate, while at others a larger global perspective may be necessary to address problems related to phenomena with large temporal and spatial scales.

5. In addition to an estimate of the available funding for research, each FFO must include the amount of Task I funding that will be provided by NOAA to cover minimum administrative costs for a twelve-month funding period. Task I support may also include funding for postdoctoral and visiting scientists, workshops, education and outreach activities, with the condition that the activities are relevant to NOAA's mission long-term goals and enterprise-wide objectives and the CI's approved themes, and receive prior approval from the LO CI Program Manager. Activities funded with Task I funding are under the direction of the CI Director in coordination with NOAA. Base and project funding must be paid by the various LOs that execute the research activities of the NOAA Programs that use the CI and not be limited to the LO assigned to manage the CI award. The FFO should also provide a good-faith estimate of the estimated annual research funding that NOAA expects to provide under the cooperative agreement.

6. If relevant, the FFO shall include any information about available NOAA office space for CI employees or NOAA's desire to place NOAA employees at the CI, in support of enhancing collaborations. The FFO should include an estimate of the number of people for which NOAA

will provide office space at the location owned or leased by NOAA and/or the number of NOAA employees that NOAA expects to relocate to the CI.

7. To reduce the burden on research institutions of writing complete proposals, the responsible LO may use a pre-proposal or Letter of Intent (LOI) stage to identify promising applicants that will be invited to submit full proposals. The LOI process invites applicants to submit a 1-2 page white paper summarizing their intent. Specifics for an LOI will be provided in the FFO and will be evaluated by NOAA and if appropriate an applicant will be invited to submit a full proposal. Full proposals will be evaluated by a panel of internal and/or external experts selected by the LO in consultation with the relevant LO(s), according to the procedures described in the *DOC Manual* (Chapter 8) on competitive awards.

D. Cost Sharing.

To stress the collaborative nature and investment of a CI by both NOAA and the research institution, cost-sharing is a selecting factor. Applicants will be able to propose how the cost sharing will be achieved. Acceptable cost-sharing items include, but are not limited to, offering a modified indirect cost rate, waiver of indirect costs assessed against base funds, indirect costs, and full or partial support of the CI director and administrative staff.

E. New CI Proposals.

1. CI proposals are submitted using the standard NOAA grant application kit (http://www.ago.noaa.gov/grants/appkit.shtml) of various Federal forms (SF424, A, B, C, D (or the SF424R&R series); CD511; SFLLL, if the recipient lobbies Congress), a project description that includes sufficient information to address all the evaluation criteria identified in the FFO, a budget, and a budget justification. The project description shall include a thorough explanation of all proposed themes and tasks. The proposal should also identify the capabilities and capacity of the CI to conduct research in the theme areas described in the FFO, as well as a summary of clearly stated goals to be achieved during the five-year period, which reflect NOAA's strategic plan and long-term goals and enterprise-wide objectives. Additional elements of the proposal may be requested in accordance with NOAA GMD policies.

2. The budget should represent a reasonable estimate of funding required to support the CI during the proposed five year funding period and that will be required to support the activities described in the FFO, including an estimate of the number of required personnel. Institutions proposing a CI should use the funding information listed in the FFO to guide their proposed budgets. Upon approval of the CI award, NOAA will use this budget to set the maximum amount of funding that can be obligated with this award. Prior to the obligation of any funding, the CI will submit specific project descriptions and budgets for NOAA review, as described in Section 4.C.

3. To assist the reviewers with evaluating the overall qualification of the Principal Investigator(s), the project description should include a business plan that describes the fiscal and human resource/capitol management as well as strategic planning and accountability. For CIs that are academic consortia, the business plan should describe the governance structure among the

supporting academic institutions, how the research will be coordinated, and who will be the primary contact (administrative lead) for the CI research activities.

F. Grants Online

The responsible LO will manage the CI competition through NOAA Grants Online (https://grantsonline.rdc.noaa.gov), according to the procedures for processing all competitive awards in GOL. Instructions for using GOL for competitive grants are provide in the training materials at http://www.corporateservices.noaa.gov/grantsonline/gol_training.html.

G. Memorandum of Agreement.

1. To promote consistency among all NOAA CIs, NOAA will use an MOA. A draft MOA must be submitted by the successful research institution(s) to NOAA within six months of the date the CI is selected[6]. This process will be completed by the responsible LO. The MOA describes the working relationship between NOAA and the CI and represents a broad agreement between the parent institution(s) and NOAA on how the CI will operate. The MOA contains much of the information contained in the business plan. (A sample MOA outline is provided in Appendix B.) This MOA should include information on issues such as administration, membership, the use of advisory committees, use of facilities, administrative expectations of the CI, human resource relationships, and procedures for review of projects and proposals. For CIs comprised of several supporting academic institutions, the MOA must also identify an administrative lead entity. The term of the MOA must coincide with the CI award period of the cooperative agreement. The President, or equivalent position, at the CI's parent institution(s) and the Under Secretary sign the MOA. The LO submits the draft MOA to the CI Committee and the Federal Assistance Law Division for clearance and then to the Under Secretary for approval and signature.

2. LOs should follow LO procedures for approval and clearance of MOAs. When the MOA has been signed by all parties, the LO contacts the GMD Officer assigned to this award and request that the MOA be incorporated into the CI award as a term and condition of the award.

H. Designation under 118 Stat. 71

1. The Under Secretary is delegated the authority granted to the Secretary of Commerce (DOO 10-15) to enter into cooperative agreements with the Joint and Cooperative Institutes as designated by the [Under Secretary] to use the personnel, services, or facilities of universities and other organizations for research, education, training, and outreach to carry out the mission of NOAA. 118 Stat. 71 (January 23, 2004).

2. Congress included this language in P. L. 108-7 (February 20, 2003), and reauthorized it in futurity under 118 Stat. 71 (January 23, 2004) to empower the Secretary of Commerce to designate and use certain CIs to provide the agency with personnel services, research, education, training and outreach under a cooperative agreement. This authority is unique because it expands the purposes for which the funds may be used under a cooperative agreement to include the use of

[6] CICM #8: Revision of MOA Guidance, revised February 28, 2011.

personnel, services and facilities of the research/parent institutions without the requirement to execute a separate procurement contract or other funding instrument.

3. CIs for which NOAA expects to use the personnel, services, or facilities of the research/parent organization to directly carry out specific research, education, training and outreach objectives of NOAA must be designated in accordance with 118 Stat. 71 by the Under Secretary. This designation is required if CI and NOAA scientists are collocated and collaborate on NOAA-funded research. Without this designation, certain collaborations with CIs will be limited under a cooperative agreement (e.g., absent such a designation, NOAA is not authorized to fund procurement or lease arrangements with a CI under a cooperative agreement).

4. The purpose of the designation for the CI is to expand the authority under the Federal Grants and Cooperative Agreement Act by providing specific authority to permit NOAA to use a cooperative agreement to obtain personnel services, procure services and lease facilities and other research platforms from the CI. The authority, however, is not broader than the purposes and scope of work under the award or the MOA incorporated into the award, and cannot be used to circumvent competitive requirements for goods or services. There must be a nexus with the CI cooperative agreement. For example, NOAA would be permitted to obligate funds under a cooperative agreement for CI staff to develop data or perform other types of research relating to NOAA's needs if such development or research is part of the approved terms of the award or award themes. However, if the activity becomes one of actual product development and distribution, the use of the CI cooperative agreement is not authorized since the activity extends beyond research, education, training, and outreach.

5. This designation also permits NOAA to accept funds from other Federal agencies under an Economy Act agreement even if the originating agency does not have financial assistance authority to make grants or cooperative agreements.

I. Performance Measures.

1. NOAA uses performance measures to provide a method of assessing the quality of research being conducted by CIs. As soon as the CI applicant is recommended for future funding, the responsible LO will work with the CI to create a list of mutually acceptable performance measures that will be incorporated into the MOA and the conditions of the award. Performance measures may be proposed by the CI in the original proposal, as well. The CI will report on these measures in the annual performance report. NOAA will review these values annually, or more frequently if necessary, to ensure that the CI is performing at an acceptable level of performance.

2. Performance measure are tailored to capture general and specific outcomes at each CI: suggested additional performance measure categories include
    i. Annual Performance Reports – these reports should cover all projects currently under way at the CI. Each report should include specifics on project milestones and future research avenues.
    ii. Publications – number and type of publications produced by research projects currently under way at the CI

iii. Personnel Support - number and type of personnel supported by research projects currently under way at the CI.
iv. Graduation Rate - number and type of graduating students who received support from research projects currently under way at the CI.
v. Student employment tracking upon graduation

4. MAINTAINING COOPERATIVE INSTITUTE AWARDS

CI awards are managed by the responsible LO designated by the RC. After managing the competition for new CIs, the LO has the responsibility of managing the award and reporting on activities associated with the award to the CI Committee. There are many activities that are associated with award management throughout the year, and the LO ensures that there are sufficient resources to manage each CI award. If a LO manages more than one CI, it is recommended that the LO designate a CI Program Manager that serves as the primary LO contact for all CI activities, including a general understanding of the research being conducted at the CI and the administrative aspects of managing the MOA and the award(s), such as using GOL to process CI research amendments and funding requests.

A. Responsibilities.

1. Responsible LO – The responsible LO manages all programmatic aspects of the CI award in consultation with the NOAA GMD.

2. GMD – The GMD Grant Management Specialists review, and incorporate proposals or changes to an award as amendments or in accordance with GMD policy. The NOAA Grants Officer or Designee approves all amendments and changes subject to NOAA and Departmental grants policies and rules.

3. CI Program Manager – The CI Program Manager is the primary LO contact for all CIs managed by the LO, and is responsible for overseeing the processes associated with managing all CI awards within the LO.

4. RC – The RC monitors CI activities and sponsorships from within NOAA through LO and CI Committee reports on CI program activities. Further the R/C approves all policy changes proposed by the Ci Committee, below.

5. CI Committee – The CI Committee compiles summary reports of CI program activities and funding levels for the RC and provides advice to LOs on managing CI awards. The CI Committee is also responsible for issuing memoranda regarding policy and procedures and other relevant information related to managing all CI awards.

B. General Description of Activities.

The responsible LO ensures that all proposals/amendments/funding requests are processed through NOAA's GOL system after they are submitted by the CI parent institution(s) through Grants.gov. In addition to the FPO responsibilities, the LO CI Program Director is also involved with developing and establishing research linkages between NOAA and the CI, reviewing annual performance, attending and organizing annual NOAA-CI meetings, working with the CI to manage reviews, and monitoring research performance for all LO CIs.

C. Submitting CI Project Amendments Under the CI Institutional Award.

1. When a CI is established, the original proposal includes a description of expertise, capabilities, and research capacity available at the CI that the CI proposes to use to conduct research in specific research areas of interest to NOAA. Aside from the annual base funding, no other funding is required to be obligated under the award. Instead, additional funding is allocated to the CI for research and specific support throughout the award period after consultation with NOAA programs that have available funding or in response to NOAA competitive announcements. The subsequent projects are submitted by the CI's parent institution(s) through Grants.gov, using the FFO number provided by the responsible LO.

2. Prior to the beginning of the CI award, the responsible LO will discuss the process for submitting project amendments described in this *Handbook*, including the use of Grants.gov. The LO will also ensure that the CI begins working with the NOAA laboratories and/or programs that will provide initial research funding. After consultation with these laboratories and/or programs, the CI requests funding for research support by submitting new amendment(s). New project amendments should include all items detailed in appendix G (i.e. a project description, detailed budget justification and detailed budget for each particular research activity). These requests are submitted to the responsible LO through Grants.gov. If any NOAA office anticipates a budget reduction for approved subsequent project amendment for the funding year, the NOAA office should contact the LO CI Program Manager and the CI director immediately to discuss the shortfall. The CI Program Manager will work with the NOAA office to ensure that the CI has been notified.

3. An annual CI science plan and estimated budget for Task II activities is strongly encouraged for CIs assigning multiple personnel to multiple long term collaborative research projects (particularly co-located CI employees/facilities) that are funded on an incremental basis, as deemed appropriate by the CI's sponsoring L.O. The annual science plan and budget should be negotiated with the LO that is supporting these activities. Since collaborations with NOAA laboratories typically involve many projects conducted by many CI scientists, it is more efficient for NOAA and the CI working with laboratories to submit one annual science plan that describes all the Task II research activities that will be conducted during the year instead of a separate proposal for each project. CIs submitting an annual science plan with an estimated annual budget for all projects are subject to only one technical and legal review; whereas, a full technical review and legal review is required for each individual proposal requesting personnel and research costs if submitted separately. Each science plan shall include the research objective(s) for each main project, the appropriate research theme(s), key personnel, project description(s), detailed budget justification for all projects, and a total estimated budget that includes all projects and estimated personnel costs for the entire life of the project.

4. All proposals/amendments for CI research and activities, including any annual CI science plan, must be written by the CI parent/research institution CI. Coordination with the collaborating NOAA office is required prior to submitting all proposals/amendments, except those in response to a competitive announcement. The CI shall also consult with the LO CI Program Manager and the FPO for the award to ensure that any proposed projects are consistent with the terms of the award and the MOA.
    a. All proposals/amendments for CI research and activities, including any annual CI science plan must include the standard SF424, SF424A ,SF424B, the CD-511 forms package, and a copy of the current approved negotiated indirect cost rates unless otherwise indicated in the FFO.

b. Reprogramming/rebudgeting action request: The uniqueness of a Cooperative Institute award is the fact that funds are allocated by individual projects.
    i. Prior approval is required when the cumulative transfer exceeds 10% of the total (Federal and non-Federal shares) budget last approved for awards with a Federal share exceeding $100,000.
    ii. Re-programming/re-budget of funds for Cooperative Institute awards will include a revised SF24A identifying the approved original budget in column 1 and the amount to be reprogrammed/re-budgeted in column 2, and cumulative in column 3; please note that the bottom line approved dollar amount should not change.
    iii. Failure to submit the request on the required form will result in a delay and could result in a rejection of the request from Grants Online if not received timely.

5. The establishment of the CI provides the parent institution(s) and NOAA with an efficient mechanism for transferring funding for research at the CI as well as the ability to provide NOAA and the CI with access to expertise throughout NOAA and the entire CI's parent institution(s). For this reason, the CI is encouraged to work with the CI program manager to identify other NOAA programs that may be interested in supporting research at the CI using funding from NOAA. In this way, the research capabilities and capacity at the CI can be used by the entire agency.

D. Submitting Proposals for Competitive Announcements under the CI Institutional Award MOA

Proposals may also be submitted in direct response to other NOAA competitive announcements using the FFO number provided in the competitive announcement. **At the time of submission,** each competitive proposal application package submitted by a CI PI that has been approved by the University must include a cover letter describing the intent to incorporate the terms of the CI Memorandum of Agreement (MOA). The cover letter will specify the name of the Cooperative Institute, the current CI cooperative agreement number, and the NOAA-approved research theme and task that applies to the proposal. Each CI is required to attach a list of competitive awards issued under the MOA in their institutional award annual report in the appendix section. Performance reports for these projects must also be included in the appendix, although the official report will be submitted to the funding office.

Should the proposal be competitively selected, the NOAA program FPO in charge of the competition must contact the LO responsible for that CI for instructions on how to associate the new award in Grants Online.[7]

E. Processing CI Project Amendments.

1. After the institutional CI award has been established, the responsible LO processes all funding awarded to the CI using GOL. This section describes the procedures for processing CI project

[7] Guidance for Competitive Proposal submission (http://www.nrc.noaa.gov/ci/policy/docs/Competitive-Award-Guidance.pdf)

amendments that are received after the CI has been established. (Most of these processes are described in Sections D through J in Chapter 8 of the *DOC Manual.*)

2. NOAA encourages the parent institution(s) of the CI (e.g., a university) to submit all project amendments through the CI award if they are related to the research themes approved by NOAA. The parent institution(s), however, ultimately determines which project amendments are submitted through the CI award.

3. All CI project amendments are submitted to the responsible LO unless they are submitted in response to an advertised NOAA competitive announcement, which will provide a separate FFO number, or the responsible LO has directed the CI to submit to another LO. Because the original CI award was competed, no additional competition is required for funding provided to the CI for any approved themes/MOA/activities throughout the CI institutional award period. Instead, CI project amendments submitted to NOAA are reviewed for technical and/or costs matters, unless the funding exceeds the institutional award total.

4. Annually, the responsible LO and the CI should review the amount of funding that has been awarded to the CI to ensure that funding for the following year will not exceed the original funding limit (described in 3.E.2) of the CI award. If the CI expects to exceed this limit, then it must submit a request to the responsible LO through Grants.gov to increase the award limit. The request shall explain why an increase is necessary and include a general budget and budget justification to increase the funding limit of the award. The responsible LO will review the request, and upon recommendation by the LO CI Program Manager, the FPO will forward the request to the NOAA GO for final approval.

5. The CI's parent institution(s) submits proposals to NOAA through Grants.gov using a FFO number provided by the responsible LO. Submissions should be in accordance with the request for application (RFA) process determined by the LO CI Program Manager and defined in GOL. The RFA will at least require a project description, a budget and a budget justification and standard SF424 forms and indirect cost rate information. Proposals submitted to Grants.gov are transferred automatically to NOAA's GOL system for NOAA evaluation and processing. More information about GOL and Grants.gov is available through the GMD webpage, http://www.ago.noaa.gov/grants/.

6. Upon receipt of each project amendment, the responsible LO prepares the application for submission to GMD using GOL. (In some cases, the LO may request assistance with GOL processing from the funding program.) The LO ensures that the project amendment has been reviewed by at least one NOAA employee with the appropriate technical background to evaluate the proposed project and project budget. Applications that are not recommended for funding are returned to the CI. The Recommendation for Funding Memo (Appendix C) documents this review process and provides the LO with additional information that can only be obtained from the NOAA program that has reviewed the proposed project and provided funding. This information is needed to process the project amendment in GOL. The LO forwards the application package, including the "Recommendation for Funding Memo", to the NOAA Grants Management Specialist (GMS), who prepares the grant package for review by the DOC Office of General Counsel /Federal Assistance Law Division (OGC/FALD). The DOC Office of Legislative and Intergovernmental Affairs is also notified of the award for congressional action purposes. After approval by the NOAA GMS, NOAA will amend the CI award and incorporate the

project description and budget into the original award. The parent institution of the CI will be notified through Grants Online when the project amendment has been approved and is ready for electronic acceptance of the funding and any new award terms associated with the project amendment.

7. Because the CIs work with multiple NOAA LOs, it may be necessary for the responsible LO to award funding provided by other LOs when processing the project amendment application for funding from the CI. For these transfers, LOs will follow the current NOAA business rules for the use of funds from other LOs or Financial Management Centers (e.g., Business Operating Plans (BOPs) or direct cite funding).

F. CI Access to Federal Facilities and Systems

For those individuals that will be collocated and require access to NOAA facilities or NOAA Information Technology systems, they will be required to obtain a *National Agency Check with Inquiries (NACI)*. The NACI is the basic and minimum investigation required on all new Federal employees (or collaborators) consisting of a National Agency Check with written inquiries and searches of records covering specific areas of an individual's background during the past five years (inquiries sent to current and past employers, schools attended, references, and local law enforcement authorities). The NOAA facilities manager, or his/her designate, will be responsible for obtaining and maintaining all appropriate clearances for CI employees.

1. All CI employees co-located at NOA facilities will be subject to NOAA operating status changes with respect to emergency and non-emergency closures.
    a. Emergency Closures: All CI employees co-located within NOAA facilities shall be subject to evacuation or preemption from use for designated emergencies (including Natural disasters, fires, floods, civil unrest, etc.). During emergency closures, CI employees should maintain contact with their NOAA counterparts to remain aware of changes to closures (such as reopening, limited work schedules, etc.). CI employees will be subject to the rules and regulations of their employing university with regards to leave and pay during emergency closures. CI employees with access to support resources through their employing university may continue to conduct work on collaborative research at a site other than the NOAA facility if the University is permitting such work or is open to conduct normal business. In no event may a CI employee access any NOAA facility if that facility is closed for an emergency and all NOAA federal employees and contractors have been dismissed or told not to report for duty.
    b. Non-emergency closures: In the event that a NOAA facility housing co-located CI employees is closed for non-emergency purposes (routine maintenance, government furlough, non-federal state holiday) CI employees shall be bound by their university's operating status and policies regarding timekeeping, attendance, and work product. Generally, CI employees may continue to conduct their collaborative research at alternate university facilities during scheduled closure periods, and may continue to use federal IT resources, provided that no Federal employees are required to provide support to the CI employee. In certain LIMITED cases, CI employees MAY be able to access NOAA facilities that are closed to federal employees for non-emergency reasons. Such access will be documented to CI employees in advance of the closure if appropriate.

c. Foreign Nationals: If the performance of a grant award requires recipient organization personnel to have routine access to Federally-controlled facilities and/or Federally-controlled information systems (for purpose of this term "routine access" is defined as more than 180 days), such personnel must undergo the personal identity verification credential process. In the case of foreign nationals, the DOC will conduct a check with U.S. Citizenship and Immigration Services' (USCIS) Verification Division, a component of the Department of Homeland Security (DHS), to ensure the individual is in a lawful immigration status and that he or she is eligible for employment within the United States. Any items or services delivered under a financial assistance award shall comply with DOC personal identity verification procedures that implement Homeland Security Presidential Directive 12, "Policy for a Common Identification Standard for Federal Employees and Contractors", FIPS PUB 201, and OMB Memorandum M-05-24. The recipient shall ensure that its subrecipients and contractors (at all tiers) performing work under this award comply with the requirements contained in this term[i].

2. NOAA Email address –Email account holders who are not NOAA federal employees will have the term "NOAA Affiliate" displayed after their email name. This includes employees of contractors, grantees, cooperative institutes, collaborators, universities, and other federal agencies.
    a. CI employees co-located in NOAA facilities are expected to complete all NOAA IT security training requirements.
    b. CI employees located on university campuses or working in university research facilities will be barred from using a NOAA.gov email account, and must comply with the regulations of their respective universities.
    c. Examples:
        Jane Doe (NOAA Federal) Jane.Doe@noaa.gov
        John Doe (NOAA Affiliate) John.Doe@noaa.gov

G. CI Use of Federal Property

1. The collocation of Federal and non-Federal employees provides opportunities for non-Federal employees to use Federal property, including laboratory equipment, computer systems, and government vehicles. The use of this equipment will be governed by all relevant Federal statutes and regulations, including those governing deemed exports, as well as all NOAA policies and procedures pertaining to the use of any federally owned or leased equipment.

2. All personnel having access to NOAA Information Technologies and any research computer system(s) connecting to NOAA networks or systems (including but not limited to, email, web servers, networked computer processing and data storage, high performance computers, etc.) must comply with all NOAA IT security policies.

3. CI personnel may be authorized by NOAA to use government vehicles for activities under an award provided the use is allocable to the award and the FPO approves the use in accordance with the following guidelines and criteria and terms and conditions of the CI award:

    a. operation is for an official purpose ("home-to-work" is not an official purpose);

b. NOAA provides for the education of potential drivers on the prohibitions against using Government-owned vehicles for personal purposes, and that any personal use will result in an immediate suspension of all driving privileges and may result in disciplinary action;

c. NOAA provides for the education of potential drivers on the necessary of safe and economical operation of vehicles, including obedience to all laws and proper care and maintenance of the vehicles;

d. all drivers possess a valid and appropriately classed, state-issued drivers license;

e. NOAA provides detailed instructions of how drivers should act in case of an accident; and

Non-Government drivers possess must operate under documented university adequate liability insurance coverage and understand that they are responsible for making repairs in accordance with university policy.

4. For each occurrence, a written determination by the FPO, or their designate, that the above criteria are satisfied must be included in the institutional award file according to procedures coordinated with the NOAA Property Team Leader/Vehicle Management Property Board of Review.

5. If the responsible LO determines that there will be opportunities for non-Federal employees associated with the CI award to use government vehicles, then they must request that GMD add the following special award condition to the CI award: "If a Recipient, in executing performance under this award, will be driving a Federally owned or leased automobile, the Recipient must obtain prior approval from the Federal Program Officer, or their designate, and provide proof of insurance or, if a governmental entity, provide a copy of the statutory authority covering its liabilities connected with use of a Federal Government vehicle in amounts of at least $300,000 per person and $500,000 per occurrence for bodily injury, and $25,000 per occurrence for property damage.

H. Federal Use of CI Property

1. The use of property owned or leased by the parent CI institution (e.g., a university) by Federal employees shall be governed by the policies and procedures of the parent institution and the CI, including any policies described in the MOA.

I. Use of NOAA Logo[8]

1. The use of an official seal, emblem, insignia or logo by an outside organization is governed by Department Administrative Order (DAO) 201-1. Specifically, Section 5.04 of the DAO states that:

[8] Use of the Department's emblems or logos is subject to legal review and clearance in accordance with LO policies and procedures. For advice on emblem or logo use, the LO should contact the General Law Division, Office of the Assistant General Counsel for Administration, at (202) 482-5391.

Permission to use DOC seals, emblems, insignia, and logos may not be granted to outside organizations without the written approval of the head of the operating unit that originated and is authorized to use the seal, emblem, insignia, or logo, and the concurrence of the Assistant General Counsel for Administration, who will review the request for any possible appearance of endorsement, conflict of interest, and related issues, and the Office of Chief Counsel for Technology who will review the request to ensure the DOC's trademark interests are being protected. Use of the DOC seal is governed by the provisions in Section 5 of DAO 201-17.

2. NOAA has developed a standard award condition (SAC) which will be incorporated in all CI awards covering the use of the DOC (including NOAA) seals, emblems insignia and logos.

3. Requests to use a DOC seal, emblem, insignia, or logo shall meet the following criteria:

    a. use of the symbol by the outside party must satisfy some interest of the DOC;
    b. the use may not result in embarrassment to the DOC;
    c. there must be no conflict with trademark rights; and
    d. there can be no endorsement of or favoritism toward the entity using the symbol or other appearance of impropriety.

4. The use of DOC seals, emblems, insignia and logos by CI's is restricted to scientific posters and written presentation materials, as well as small brochures, booklets and conference agendas[9]. The Joint and Cooperative Institutes may place the NOAA emblem on the following items, in a manner consistent with the terms and uses prescribed below:

    a. SCIENTIFIC POSTERS AND WRITTEN PRESENTATION MATERIALS (e.g., electronic presentations, overhead projections, handouts) conveying exclusively research findings from projects funded under a Joint or Cooperative Institute agreement, authored jointly by a NOAA scientist and a participating Institute scientist.

    b. SMALL BROCHURES, BOOKLETS, AND CONFERENCE AGENDAS (fewer than 10 pages) published by a Joint or Cooperative Institute for public outreach efforts in support of one or more of NOAA's missions (e.g., information to protect the public or inform the public about ways to protect the oceans or atmosphere), and/or providing exclusively descriptive information about the establishment of the Institute and/or exclusively research findings, authored jointly by NOAA and Institute scientists, from projects funded under a Joint or Cooperative Institute agreement. Brochures and booklets are to be authored jointly by NOAA and the Institute. Conference agendas are to reflect the presentation of scientific research funded by a Joint or Cooperative Institute agreement.

    c. CI WEB PAGES hosted by the CI's lead sponsoring university may include the NOAA Logo on the Home Page and About Us page, in accordance with established university policies and procedures for displaying logos of agencies providing funding to the university[10].

5. Use of the NOAA emblem must be accompanied by the following statement:

[9] CICM #5: Use of Official NOAA Emblem, October 31, 2008
[10] This policy was updated per direction from DoC-OGC/Administration; 13 Feb. 2013.

THE NOAA® EMBLEM IS A REGISTERED TRADEMARK OF THE U.S. DEPARTMENT OF COMMERCE, USED WITH PERMISSION.

a. Where use of the NOAA emblem is not permitted under this SAC, the Joint and Cooperative Institutes may use the following statement:

This ___[insert item]___ is supported through funding from the National Oceanic and Atmospheric Administration.

J. Intellectual Property Rights at NOAA Cooperative Institutes

1. Inventions. The rights to any invention made by a University employee or other nonprofit research organization (referred to as "University") at an Institute under the cooperative agreement with NOAA are determined by the Bayh-Dole Act, Pub. L. 96-517, as amended, and codified in 35 U.S.C. 200 *et seq*. The specific rights and responsibilities are described in more detail in 37 CFR Part 401 and in particular, in the standard patent rights clause in 37 CFR 401.14. However, for the convenience of the parties, the following summary is provided.

    a. Ownership
        (1) University - The University has the right to own any invention made (conceived or first reduced to practice) by its employees. The University may not assign its rights to a third party without the permission of the DOC unless it is to a patent management organization which may include the University's Research Foundation. The University's ownership rights are subject to the Government's nonexclusive paid-up license.
        (2) Department - If the University elects not to own or does not elect rights or file a patent application within the time limits set forth in the standard patent rights clause, DOC may request an assignment of all rights, which is normally subject to a limited royalty free nonexclusive license for the University. DOC owns any invention made solely by its employees but may license the University in accordance with the procedures in 37 CFR Part 404.
        (3) Inventor - If neither the University nor the Department is interested in owning an invention by a University employee, the University, with the written concurrence of DOC Patent Counsel, may allow the inventor to own the invention subject to certain restrictions as described in 37 CFR 401.9.
        (4) Joint inventions - Inventions made jointly by a University employee and a NOAA employee will be owned jointly by the University and DOC. However, DOC may transfer its rights to the University as authorized by 35 U.S.C. 202(e) and 37 CFR 401.10 if the University is willing to patent and license the invention in exchange for a share of "net" royalties based on the number of inventors (e.g., 50-50 if there is one University and DOC employee). The agreement will be prepared by DOC Patent Counsel and may include other provisions, such as a royalty free license to the Government and certain other entities.

(5) CRADAs - Ordinarily, a University employee will not perform any research for NOAA under a cooperative research and development agreement (CRADA) with a third party. However, if such an employee is permitted to do so while located at a NOAA facility or laboratory, the University's rights to any invention made by its employees under the CRADA may be limited to recognize the contributions of the third party. In particular, the University may be required to negotiate a license with the third party under which the third party would receive, as a minimum, the same rights as if the invention was made by a Government employee under the CRADA. If this requirement is imposed on a University, NOAA will make an "exceptional circumstances" determination in accordance with 37 CFR 401.3(e), which is appealable under 37 CFR 401.4.

b. Responsibilities

(1) Reporting-Within 2 months of when its employee reports the invention to the University's office responsible for patent matters, the University will send the invention disclosure to DOC Patent Counsel (HCHB Room 4835, Washington, DC 20230, telephone: 202-482-8010) and the appropriate DOC program office.

(2) Electing-Within 2 years of reporting the invention to DOC, the University will notify DOC Patent Counsel of its decision whether or not it wishes to own the invention.

(3) Filing-Within 1 year of notifying DOC that it wishes to own the invention, the University will file a patent application (either a provisional or non-provisional) and promptly send a copy of the application to DOC Patent Counsel. Any foreign or international application must usually be filed within 10 months of the first filed application in the United States. The University will ensure that any U.S. application contains the required statement of Government support. The University will also promptly send the required confirmatory Government license to DOC Patent Counsel who shall record that license in the PTO. If the University decides to discontinue the prosecution of any patent application or not pay a maintenance fee or defend a reexamination, it shall notify DOC Patent Counsel of that fact in sufficient time (but not less than 30 days) for the Government to respond to any outstanding requirement or letter from a patent office. However, if the University is filing a continuing application, it needs only to notify DOC Patent Counsel of this and provide a copy of the continuing application with the appropriate confirmatory license. Upon issuance of any application, the University will promptly provide a copy of the patent to DOC Patent Counsel.

(4) Any request for an extension of time should be sent to DOC Patent Counsel in advance of the expiration of the time period. Of course, the University has other responsibilities and duties set forth in the standard patent rights clause, which have not been described. The University is expected to comply with all the requirements of this clause and 37 CFR Part 401.

2. Data, Databases and Software. The rights to any work produced or purchased under the cooperative agreement with NOAA are determined by 15 CFR 24.34 and 15 CFR 14.36. Such works may include data, databases or software.

3. The University owns any work produced or purchased under the cooperative agreement subject to NOAA's right to obtain, reproduce, publish or otherwise use the work or authorize others to receive, reproduce, publish or otherwise use the data for Government purposes. If the work is a database, the University is expected to make it widely available on a non-discriminatory basis.

4. The University may copyright any work produced under the cooperative agreement subject to NOAA's royalty-free nonexclusive and irrevocable right to reproduce, publish or otherwise use the work or authorize others to do so for Government purposes. Works jointly authored by NOAA and University employees may be copyrighted but only the part authored by the University employee is protected because, under 17 U.S.C. 105, works produced by Government employees are not copyrightable in the United States. If the contributions of the authors cannot be separated, the copyright status of the joint work is questionable. On occasion, NOAA may ask the University to transfer to NOAA its copyright in a particular work when NOAA is undertaking the primary dissemination of the work. Ownership of copyright by the Government through assignment is permitted by 17 U.S.C. 105.

K. Annual Meeting.

NOAA facilitates a 2-3 day annual meeting, held in the Washington, D.C. area, for all the CI Directors, their Chief Administrators, Business Manager, Research Administrators, and NOAA employees involved with NOAA CIs. The primary purpose of this meeting is for NOAA and CI management to discuss important CI-related topics, including CI involvement with NOAA research planning, grants management, NOAA organizational changes, and research being conducted at the CIs. The annual meeting is organized by the Chair of the CI Directors Committee and their administrative staff. Input is solicited from the CIs, NOAA CI Committee and NOAA during the planning process to ensure that the meeting includes any specific topics of importance to the CIs and NOAA. While NOAA programs that sponsor CI projects are encouraged to send a representative to this meeting, all LO CI program managers are expected to attend.

L. Performance Progress Reports.

1. All CIs are required to submit an annual performance progress report during the life of the award through GOL. The reports are due as follows
    a. Initial report is due 30 days after the close of the ninth month
    b. All subsequent reports are due 30 days after the anniversary date of the active award period
    c. The final report is due 90 days after the anniversary date and should include a summary of all projects completed during the last active award period.
    d. The annual performance progress report describes accomplishments associated with all projects and activities during the award year.

2. The CI Program Office in consultation with the CI Committee will publish guidelines on the CI website that describe the information that shall be included, if applicable, in the annual CI performance progress report, and is consistent with 15 Code of Federal Regulations (CFR) Parts 14.51 and 14.52. These guidelines will promote consistent reporting requirements for all CIs

and ensure that NOAA receives information to monitor CI performance and compile performance data statistics.

3. Performance progress reports are reviewed by the responsible LO for accuracy. Each project within the report is also reviewed by the NOAA sponsor for performance and interaction between the NOAA sponsor, the NOAA lab and the CI PI.

4. Upon receipt of an annual performance progress report, the responsible LO will coordinate a review of the report to ensure that the CI's performance is acceptable. Any deficiencies should be discussed with the CI immediately. If corrective action is necessary, then the LO will coordinate actions with GMD to determine the magnitude of the required corrective actions and decide whether the CI should submit an improvement plan or if the problems can be solved easily. This plan shall describe how the CI will correct the problems within a period that should not exceed one year. If the CI is unable to improve performance at the end of the improvement period, then the LO should begin the process to terminate the CI described in Chapter 7 of this *Handbook*.

5. AWARD RENEWALS AND REVIEWS

NOAA will fulfill its responsibility to maintain a long-term relationship with a CI beyond the initial five-year period by providing an award to a CI for up to five additional years, based on the results of an extensive renewal review. This review will typically occur at the beginning of the fourth year of the first five-year cooperative agreement. The renewal review will evaluate both scientific and administrative performance using a panel of internal and external experts in areas of science, science management, and grants management that are relevant to the CI. This review is also consistent with the DOC Institutional Award review process described in the *DOC Manual*.

A. Responsibilities.

1. LO – The LO manages the renewal review and coordinates with NOAA SAB, RC, and the CI. The LO executes the renewal process if appropriate.

2. SAB – The SAB is the official reviewing authority that approves science reviewers, and makes recommendation(s) regarding the quality of science and management of the CI to the Under Secretary and the responsible LO Assistant Administrator (AA) after the review.

3. RC – The RC is the final authority for renewal conditions.

4. CI – The CI provides required documentation, hosts the review, submits renewal if appropriate.

5. CI Committee – The CI Committee coordinates renewal recommendation from the LO to the RC.

6. GMD – GMD works with the LO on the administrative portion of the renewal review.

B. Procedure.

1. The renewal review at the beginning of year four will provide sufficient time for the renewal to be completed before the end of the first five-year agreement, if approved. This schedule will also allow the implementation of recommendations from the review (Table 1).The science portion of each CI review will be conducted under the auspices of the NOAA SAB to ensure a complete and open review process. The administrative review will be conducted by the responsible LO. The administrative review panel should include the LO CI Program Manager, at least one employee from the NOAA GMD, and any other reviewers, as determined by the LO CI Program Manager

Table 1. CI Science and Administrative Review Timeline.

Time Relative to the End of Initial 5-year Cooperative Agreement	Task
36 months prior	LO identifies NOAA review coordinator and coordinates with the CI to schedule the review.
36 months prior	LO AA sends review request to the SAB chairperson.
32 months prior	LO coordinates with CI to obtain suggested reviewers, and checks with reviewers for availability.
31 months prior	LO identifies administrative reviewers, including at least one representative from the GMD.
30 months prior	LO coordinates with the NOAA SAB for approval of science reviewers.
28 months prior	SAB sends formal invitation letter to science and administrative reviewers.
27 months prior	Responsibilities sent to the reviewers. This should include the following: 1) A brief summary of the NOAA review process; 2) CVs of the review team; 3) The expected time commitment of the reviewers; 4) Panel expectations (Why are they there?). 5) A summary of the three tier rating system; 6) A description of the format for the final report.
27 months prior	LO coordinates with CI to identify review attendees, including the CI's University/Institution's Office of Sponsored Research, the CI Administrative Staff/Representatives, and others at the invitation of the Director of the CI.
27 months prior	CI begins preparation of a briefing book organized around the review guidelines and science and administrative review questions. Three-ring notebooks are suggested, and the following material should be included: • Review Agenda • One-page synopsis of the CI • List of Research Themes (note if there will be additions for next award) • MOA • Five Year Plan (Original CI proposal with performance measures.) • CI budget information (synopsis of research by themes) • Annual Report/Latest Report • List of Executive Board Members • List of Board of Fellows • Organization Chart of the CI • Web page URL/other locations for information on CI • Science reviewer's vitae • Other information the CI feels will be useful
26 months prior	LO and CI finalize review agenda. The agenda should include time for the following: 1) The review teams (science and administrative) to meet privately before the review sessions; 2) Formal presentations by CI director and staff; 3) Short science presentations; 4) A poster session if desired; 5) Time for the reviews team to meet privately after the formal review activities; 6) A debriefing and preliminary feedback session with the review teams and selected CI representatives.
26 months prior	LO begins preparation of travel orders for LO staff and review teams.

24.5 months prior	CI completes briefing book and sends copies directly to the review panel and the LO review coordinator.
24 months prior	Science and Administrative reviews occur.
22 months prior	Science and Administrative review teams complete preliminary review reports that include overall rating (e.g., Outstanding, Satisfactory, Unsatisfactory).
22 months prior	LO submits preliminary reports to CI to check for accuracy. Any corrections are forwarded back to the LO.
21 months prior	LO submits the recommended corrections to reviewers for review and final approval.
20 months prior	LO submits final report to SAB and schedules presentation by the review chair at the next SAB meeting. CI Director and LO CI Program Manager and other representatives should attend the presentation.
16 months prior	SAB presentation.
15 months prior	SAB submits report to Under Secretary and LO AA.
15 months prior	LO makes recommendation for renewal, conditional renewal or termination to the RC through the NOAA CI committee based upon SAB response.
14 months prior	LO communicates renewal recommendation to CI.
13 months prior	LO sends response to the review to the SAB.
12 months prior	LO transmits review reports to the CI and its parent institution. The LO works with the CI and GMD to address recommendations and process the renewal if appropriate.

This process should start no later than six months before the expected time of the review. If the LO anticipates scheduling conflicts or other delays, the procedure should start sooner than shown in Table 1. Typically, the LO CI Program Manager will designate a CI review coordinator. This person will be the primary focal point for arranging and executing the review, and coordinating with the NOAA SAB, the RC, as well as with the CI. The science review panel will be selected in coordination with the NOAA SAB, while the administrative review panel is selected by the LO. Each review team will consist of several members, including a chairperson.

a. The science review team should include a current SAB Member, who serves as chair, and a siting CI Director who serves ex-officio.
b. The administrative review team should include the OAR CI Program Office Director or managing LO representative, GMD staff member and FPO. The CIPO Director or managing LO representative serves as the chairperson.

Important steps in the review process include informing the review members of review panel expectations, providing the CI and review team with the standard SAB review questions, preparation of a briefing book by the CI, the review itself and the final reports by the science and administrative review teams.

2. The review process begins by an initial communication between the LO and CI to schedule the review. This discussion should occur near the beginning of the third year of the award to ensure enough time to identify science reviewers, obtain approval of the science reviewers by the SAB, and identify administrative reviewers prior to the review at the beginning of the fourth year. The LO maintaining the CI has the primary responsibility for arrangements and coordination. The CI and LO can suggest reviewers, but final approval of the review committee must be obtained

from the SAB. The typical review will last about three days and includes science and administrative parts. The science review is coordinated through the NOAA SAB, and the administrative review is conducted by the responsible LO.

3. The science review will evaluate the quality of the research, using the performance measures that were mutually agreed upon at the start of the CI, and the quality and effectiveness of the CI management. As previously approved by the SAB, the general elements of the review should include assessment of: 1) Quality, creativity, integrity and credibility; 2) timeliness, scale and scope; 3) science connected to the application and operational implementation of policy; 4) capacity-building; 5) education; 6) efficiency; 7) social science integration; and 8) diversity. The review will also evaluate the linkages between the CI strategic or science plans and the NOAA Strategic Plan, and the business plan that was part of the original proposal. A list of standard review questions to be answered by the CI is included in Appendix D. The CI is expected to provide the review panel with responses to a list of standard review questions at least two weeks prior to the review.

4. The administrative review examines the procedures associated with grant management at the CI and the parent institution(s). Because the review focuses on requirements imposed by Federal regulations for managing federal financial assistance awards, this review will be conducted by NOAA employees with grants management experience. The SAB will not comment on this portion of the review. Instead, the report will be used by the responsible LO during the determination of the renewal terms. A list of standard review questions to be answered by the CI is included in Appendix E. The CI should submit its responses to the responsible LO at least two weeks prior to the review.

5. The SAB chair forwards a draft of the report to the LO who shares it with the CI and asks for factual corrections only. The SAB chair then presents the report to the SAB who then accepts the report (after all concerns of the SAB are addressed). The SAB then transmits the report to the LO. At which point, the LO asks the CI for a formal response to any findings/recommendations. The administrative review is drafted by the LO chair and sent to the CI for a formal response (no SAB involvement).

6. As described above, the specific evaluation criteria for the science review will include the basic elements are listed in Section 5.B.4. Based on the science review panel's evaluation of the CI using criteria developed for these elements, the panel will recommend to NOAA a continuation of the CI award based on one of three possible ratings:

    a. Outstanding – The CI has consistently demonstrated superior achievement of all initially agreed goals, as well as evidence of an on-going resource commitment that enhances NOAA's resources to support collaborative research. For outstanding performance, NOAA will renew a CI for up to an additional five years at a funding level, pending availability of funding, commensurate with its level of performance.

    b. Satisfactory – The CI has achieved some or all of its agreed goals and has demonstrated acceptable performance. Its performance, however, is not considered outstanding and/or the CI's resource commitment provides a limited enhancement of NOAA's resources. For acceptable performance, NOAA may opt to renew a CI for a period less

than 5 years that may be at a significantly reduced funding level, pending availability of funding.

c. Unsatisfactory – The CI has demonstrated a failure to achieve some or all of its agreed goals and its performance is unacceptable and/or the CI has also provided minimal resources to enhance NOAA's resources to conduct collaborative research. For unacceptable performance, NOAA will not renew the award or, for serious problems, will terminate the current CI award according to the procedure described in Chapter 7.

7. Using the results of the extensive renewal review along with all previous reviews of annual reports, the LO AA, in consultation with the CI Program Manager, and participating LOs, will recommend to the RC whether the current CI should be renewed at the end of the first 5-year award or terminated after an appropriate time to close down the CI before the end of the award period. This recommendation should include the renewal period and whether there should be any reduction in funding. The RC will review the recommendation and make a final decision on the renewal period and any funding restrictions. If the RC recommends a continuation, then the LO coordinates with the CI and GMD to renew the award for an appropriate time period (up to five years) at a restricted or unrestricted funding level, as determined by the RC.

8. If the RC decides to terminate the CI, the RC will submit this recommendation to the NOAA NEC and the Under Secretary for their review and concurrence. After concurrence with the Under Secretary, the LO will begin to sunset the CI according to the procedure described in Chapter 6 of this *Handbook*.

9. A review during the second award period is usually not required. NOAA, however, may request a review during the second period to confirm that items identified during the first review were addressed or because performance problems have been identified in annual performance progress reports. If NOAA plans to review the CI during the second award period, NOAA will notify the CI of its intent to perform a review no less than one-year prior to the review.

10. The renewal application process will follow the standard NOAA procedures for competitive renewals as outlined in Chapter 7.B.2 of the *DOC Manual*. If the CI application is approved for funding, the GMD GMS shall fund the renewal period of support as a new award. As with all other recipient submissions, the renewal application will be submitted through Grants.gov.

6. SUNSETTING COOPERATIVE INSTITUTES

1. NOAA's CI Policy (NAO 216-107) allows CI awards to be renewed only once based on the outcome of a review in the fourth year. At the end of the renewal period, CIs are sunsetted if the CI does not compete for a new CI or submitted an unsuccessful proposal for the replacement CI. It is NOAA's intention to work closely with the CI during the sunset process to ensure that long-term research conducted with the CI is not jeopardized and is completed or, if necessary, transferred to another CI.

A. Responsibilities.

1. LO - Manages sunset process and assists the NOAA GMD with the award closeout and provides the appropriate notifications to the CI concerning NOAA's decision about competition for a new CI.

2. CI Committee - Charges the appropriate LO lead(s) and the AA(s) of the appropriate LO(s) to determine whether or not to seek reestablishment of the CI through a new competition and notifies the RC of this action.

3. LO(s) – Evaluates the need for new CI.

B. Procedure.

1. NOAA will consult with the appropriate LO at least 18-24 months prior to the end of the renewal period to determine if the LO intends to propose a new CI to replace the current CI. The decision to create a new CI and the subsequent actions will follow the same procedures for establishing a CI, as described in Chapter 3. The responsible LO should work closely with the LO Program Manager to ensure that any new competition is completed before the end of the current award. Should a competitive announcement be advertised for a new CI, the current CI is eligible to compete for the new award.

2. All awards are to be sunsetted after the life of the award – normally 10 years.
    a. If NOAA decides not to compete a new CI, NOAA will notify the CI of its decision approximately 18 months before the end of the CI award. At that time, the CI in consultation with NOAA will create a sunset plan to complete all current research projects during the sunset period. The sunset plan should include a table of all active projects that lists 1) the Project Title, 2) the Project Narrative justification, 3) Project dollar amount, and 4) Project end date.
    b. If NOAA decides to compete a new CI and the current awardee does not compete or competes unsuccessfully, the CI, in consultation with NOAA, will create a sunset plan to complete all remaining research project during the sunset period. The sunset plan should include a table of all active projects that lists 1) the Project Title, 2) the Project Narrative justification, 3) Project dollar amount, and 4) Project end date, .

3. NOAA will allow a sunset period of one year (longer for extraordinary circumstances), beginning at the end of the current award. The sunset period will occur during the one-time no-cost time extension of the award for up to 12 months as allowed by Federal regulations under expanded authorities (15 CFR 14.25). NOAA may provide supplemental funding during the sunset period,

if it is needed to close down the CI or, at NOAA's sole discretion, to complete research projects funded under the award. Any supplemental funding requests or additional time beyond 12 months should be described in the sunset plan that must be approved by the LO CI Program Manager and the NOAA GMS.

4. At the end of the sunset award period NOAA will initiate standard grant close-out procedures as stipulated in the *DOC Manual* and NOAA GMD policy guidance.

7. EARLY TERMINATION OF A COOPERATIVE INSTITUTE

1. NOAA's CI Policy requires the responsible NOAA LO to monitor the CI partnership and identify any conditions that might impact the success of a CI's goals and objectives. If any NOAA office identifies problems with CI performance, including poor CI management, or the lack of funding for the CIs themes or research areas, NOAA will discuss the problems with the CI institution and give the CI the opportunity to address these problems. However, if the problems cannot be addressed, then NOAA may take appropriate action to terminate the current CI award early in accordance with 15 CFR Parts 14.61 (Termination) and 14.62 (Enforcement) and to terminate the CI under the terms of the MOA.

A. Responsibilities.

1. LO – The responsible LO works with the GMD during the termination process and coordinates activities with all parties.

2. RC – The RC oversees the termination process, provides recommendations for termination and acceptance of implementation plan, and notifies the Under Secretary if the CI must be terminated.

3. CI Committee – The CI Committee provides advice to the LO on the termination process and supports the RC during all aspects of the termination process.

4. GMD – GMD manages the funding termination process, consults with OGC/FALD, and advises the CI Committee and the responsible LO to ensure that the fiscal termination process occurs in accordance with DOC regulations.

B. Procedure.

1. NOAA will consider closing the CI prior to the end of the original award period due to the following conditions:

    a. poor research quality due to failure to comply with a specific term of the award,
    b. poor CI management,
    c. poor fiscal management,
    d. inability to complete proposed research within the time proposed,
    e. loss of resident expertise or research capabilities (e.g., unique research platforms) originally proposed, and/or
    f. unavailability of NOAA funding for any prospective research area(s) pursued by the CI.

2. The responsible LO monitors the CI award and is responsible for identifying possible conditions for terminating a CI earlier than planned. Minor problems should be handled by the LO working with the CI. If the problems cannot be resolved easily or the problems have the potential to become serious, then the LO should report the problem to the AA of the responsible LO, the CI Committee and the GMD GMS to review the problem(s) and discuss a course of action. If the GMD GMS and the CI Committee concur with the LO's assessment, then the CI Committee notifies the GMD, OGC, and the RC of the possible early termination of the CI award.

3. After consultation with the CI Committee and the responsible LO CI Program Manager, the NOAA GMD will determine whether it should begin the standard procedures for early termination of an award, which includes consultation with DOC OGC/ FALD prior to notifying the parent institution(s) of the CI.

4. If appropriate, NOAA GMD and the responsible LO will work with the CI research institution(s) to determine if an improvement plan is an acceptable option and to determine the appropriate length of the improvement period, which should not exceed 12 months. Within the prescribed time period, the CI, in consultation with the LO, will submit an improvement plan to the GMD for review. The NOAA GMS reviews and approves any CI improvement plan in consultation with the responsible program LO, CI Committee, and the RC.

5. If NOAA determines that an improvement plan is not an acceptable option, or if the CI has failed to improve in the areas identified in the performance plan within the specified period, NOAA will begin the final fiscal termination process in accordance with 15 CFR 14.61 and Chapter 11 of the *DOC Manual*. In consultation with NOAA GMD and the program LO, the RC determines a reasonable time and funding amount to efficiently close down the CI.

6. If the RC decides to terminate the CI, the RC will submit this recommendation to the NOAA NEC and the Under Secretary for their review and concurrence. The Under Secretary makes the final decision to terminate a CI. After the approval of the Under Secretary, the NOAA GMD initiates the award close-out process as described in Chapter 12 of the *DOC Manual*. Any research institution that has had a terminated CI remains eligible to apply for a future CI. However, termination due to poor performance may be a negative factor considered during the review and selection of the new CI.

7. In addition to the termination of the CI award, the responsible LO will terminate the MOA according to the termination conditions in the MOA.

8. If additional funding is not available for research in the themes proposed by the CI, then the LO will discuss with the CI and its parent institution(s) whether the award should be terminated early, partially terminated, or not renewed if it is near the end of the first award period. If NOAA determines that the award should be terminated, then the responsible LO will notify the CI Committee and NOAA GMS and follow the procedure for terminating the award, which is similar to that described in paragraphs B.5 – B.7 of this chapter.

9. In addition to the conditions described in this chapter, a NOAA CI may also be terminated by mutual consent of NOAA and the CI institution or at the request of the CI institution, in accordance with 15 CFR 14.61 and Chapter 11 of the *DOC Manual*. A termination for this reason will follow the procedures described in paragraphs B-5 – B.7 of this chapter.

8. REFERENCES

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APPENDICES

APPENDIX A: LINE OFFICE PROPOSAL OUTLINE

1. Line Office Proposal to Establish a New NOAA Cooperative Institute;

2. Sponsoring Line Office(s):

3. How does this proposed CI contribute to fulfilling the mission/mission requirements of the sponsoring Line Office(s), and support NOAA's 5-yr Research Plan and 20-yr Research Vision?

4. Which primary research gap(s) can be addressed by the proposed CI?

5. Are there any particular research facilities (e.g., remote sensing instruments or research vessels) that this CI is expected to have?

6. Is there a current CI that can help address these gaps? If yes, why is another CI being proposed?

7. Why is the establishment of a CI the best way to address these gaps?

8. Are there any alternatives to establishing a CI to fill these gaps?
    a. What are the associated pros and cons associated with these alternatives?

9. Brief synopsis of proposed research priorities (themes) at the CI:

10. Projected funding needed to establish/maintain CI, including the identification of the amount and source of annual Task I (Base) funding:

11. Will any NOAA employees be relocated to the CI?
    a. If so, how many and from which LO(s)?

12. Will NOAA provide any office space for CI employees?
    a. If so, how many employees and which NOAA office(s) will be used?

13. Recommended managing LO(s):

14. Point of contact:

APPENDIX B: SAMPLE MEMORANDUM OF AGREEMENT OUTLINE

I. Purpose and Scope
- a. Purpose:
  - i. Describes the purpose of the MOA
  - ii. Objectives for the CI
- b. Scope:
  - i. All NOAA involvement
  - ii. Tasks and Themes

II. References and Authority *[Insert Standard language] NOAA has authority to conduct research and to provide financial assistance for the research activities addressed in this MOA with CIRA under* 15 *U.S.C.* § *1540, which provides authority to enter into cooperative agreements and other financial agreements with any nonprofit organization to aid and promote scientific and educational activities to foster public understanding of the NOAA or its programs. Pursuant to* 118 *Stat.* 71 *(January 23, 2004) and under the cooperative agreement establishing the C/, NOAA may use {CI name}'s personnel, services, or facilities for research, education, training, and outreach to carry out NOAA's mission. Other relevant authorities are described in the NOAA cooperative agreement used to fund such research activities.*

III. Financial Arrangement (or Financial Management) *{Insert Standard language] This MOA does not constitute* a *financial commitment on the part* of *either Party. Financial support for the {INSERT CI NAME] shall be contingent upon the availability of funds appropriated by Congress and subject to the ordinary budgetary and administrative procedures of NOAA and [INSERT PRIME INSTITUTION NAME],* as *applicable. NOAA funds shall not be obligated directly or indirectly without written approval of an authorized NOAA official. This MOA does not replace the need for* a *financial assistance award or procurement award pursuant to* 31 *U.* S.C. *Section 6301, to legally authorize and obligate federal funds to {INSERT PRIME INSTITUTION NAME] for {INSERT CI NAME] activities. This MOA does not prohibit MSU from soliciting funds solely for {INSERT PRIME INSTITUTION NAME] expenses and activities under {INSERT CI NAME] from other Federal, state, and local agencies, international entities, and private sources. [INSERT PRIME INSTITUTION NAME], however, is prohibited from accepting funds through {INSERT CI NAME], from sources that are prohibited from conducting business with the United States government. Research conducted by each of the academic team members will be performed on* a *cost reimbursable basis.*

IV. Substance (or Institutional Provisions)

A. Structure of CI
1. Location
2. Composition:
   - a. Director and deputy director
   - b. Executive Board
   - c. Council of Fellows
   - d. Administrative and Research Staff
   - e. Administrator
   - f. Financial Administrator
   - g. Research Staff
3. Organization

1. Consortium Membership Responsibilities (if applicable)

4. Research Program Management

B. Responsibilities of Institutions, CI, NOAA and other participating members

1. University of XXXX
    1. Institutions
    2. Responsibilities of CI

2. Responsibilities of NOAA *{Insert Standard language] NOAA employees will work collaboratively with {CI name] to conduct research and joint activities. Specifically:*

- *NOAA shall include [INSERT CI NAME] in NOAA's CI activities and work with {INSERT CI NAME] to ensure that management of [INSERT CI NAME] is consistent with the NOAA's CI policies and procedures.*
- *NOAA shall convene an annual meeting of all Cis, including {INSERT CI NAME].*
- *NOAA shall facilitate one-NOAA oversight by ensuring applicable NOAA programs are represented on [INSERT CI NAME] councils and boards.*
- *NOAA shall identify potential NOAA programs that would benefit from collaborations with {INSERT CI NAME].NOAA will coordinate* a *peer-review of {INSERT CI NAME] in the fourth year of the initial {INSERT CI NAME] cooperative agreement according to the process described in the NOAA Interim CI Handbook.*

3. Conduct of the Research Program
    a. Research Planning
    b. CI Governance Structure
        i. The Director -Tenured track position
        ii. Fiscal Administrator -define duties
        iii. The Executive Board
            1. Chair -VPR, NOAA Line Office Representative
            2. Membership – ½ NOAA, ½ CI, and LO CI Program Director (exofficio)[*The NOAA Office of Oceanic and Atmospheric Research (OAR) CI Program Director will be* a *special advisor to the Board in* a *non-voting ex-officio* status *and will provide* NOAA's *concurrence of the Board's membership.]*
        iv. The Council of Fellows
            1. Membership – ½ NOAA, ½ CI, and LO CI Program Director (exofficio) [*The NOAA Office of Oceanic and Atmospheric Research (OAR) CI Program Director will be* a *special advisor to the Board in* a *non-voting ex-officio status and will provide* NOAA's *concurrence of the Board's membership.]*
        v. Other committees (If applicable)
        vi. Affiliations of other agencies or organizations
        vii. The Research and Administrative Staff of the CI

V. Term -Term of the entire 10 year period. *[Insert Standard language} This Memorandum of Agreement is effective* as *of the date of signature and remains valid until the end of the [INSERT CI NAME} Cooperative Agreement.*

VI. Modification/Termination Provision *[Insert Standard language} Either party may terminate this agreement unilaterally on one* year's *written notice. Proposals to modify the terms of the MOA can be initiated by either NOAA or [INSERT CI NAME} and will be subject to approval by* NOAA's *Assistant Administrator for the Office of Oceanic and Atmospheric Research and the Vice President for Research at the [INSERT CI NAME}.*

VII. Performance Reports *[Insert Standard language} In accordance with the* terms *ofthe [INSERT CI NAME} Cooperative Agreement, [INSERT CI NAME} will submit an annual performance report that describes accomplishments associated with all activities during the award year, including any additional information requested by NOAA pertaining to operation of the CI. The CI Program Manager is responsible for monitoring the [INSERT CI NAME} and shall work with the NOAA Science Advisor to coordinate* a *review ofthe Annual Performance Report and discuss such findings, including any deficiencies with the CI.*

VIII. Other Provisions

a. Equal Opportunity *[Insert Standard language} [INSERT PRIME INSTITUTION NAME},* as *an Equal Opportunity and Affirmative Action employer, does comply with applicable Federal and State laws prohibiting discrimination. It is the policy* of *the MSU not to discriminate against any applicant, employee or student on the basis* of *race, religion, color, creed, gender, age, national origin, sexual orientation, disability, or veteran status.*

b. Compliance *{Insert Standard language} {INSERT PRIME INSTITUTION NAME} / shall comply with a/l applicable laws, regulations, rules and ordinances. This agreement is effective upon the date* of *signature* of *all parties. The foregoing compliance requirements must also be imposed upon {INSERT CI NAME}.*

c. Points of Contact

APPENDIX C: TIMELINE FOR ESTABLISHING A NEW COMPETITIVE COOPERATIVE INSTITUTE

1. [INSERT PDF DOCUMENT]

APPENDIX D: RECOMMENDATION FOR FUNDING MEMORANDUM

1. FUNDING MEMORANDUM INSTRIUCTIONS

Each NOAA Office that provides funding to a Cooperative Institute (CI), hereafter referred to as the NOAA sponsor, must complete this Recommendation for Funding Memorandum. This memorandum ensures that each proposal has been reviewed by an appropriate NOAA employee and found satisfactory for funding. It also provides the Federal Program Officer (FPO) at the Line Office with additional information that is necessary to process an award amendment through GOL as well as track CI funding by NOAA Goal/Program and/or Enterprise-wide Objectives.

NOAA sponsors should refer to the CI proposal's CI Cover Letter (found in the application) to verify the information that is included in the Recommendation for Funding Memorandum. The CI Cover Letter is a document that ensures that the recipient's projects are funded under the selected CI institutional award. If all questions are not addressed on the CI Cover Letter, the NOAA sponsor must contact the FPO (listed below) to request the recipient to provide a revised CI Cover letter to include all questions that are listed on the Recommendation for Funding Memorandum and Instructions.

When this memorandum has been completed, please attach digitally sign or scan a signed version into a PDF and e-mails it to one of the NOAA contact people listed below; otherwise, if you are unable to do this please ask the NOAA contact person for a fax number to use.

CICS (Princeton), CICAR: April Cruz (April.Cruz@noaa.gov), (OAR)
CIFAR, JISAO (OAR): Gayle Elkins (Gayle.L.Elkins@noaa.gov), (OAR)
CIMEC, CINAR, NGI (OAR): Kristee Hall (Kristee.Hall@noaa.gov), (OAR)
CINAR (NMFS) Kelly Taranto (Kelly.Taranto@noaa.gov), (NMFS)
CIRES (OAR): Kristee Hall (Kristee.Hall@noaa.gov), (OAR)
CIRA (OAR): Kristee Hall (Kristee.Hall@noaa.gov), (OAR)
CIRA (NESDIS): Ingrid Guch (Ingrid.Guch@noaa.gov), (NESDIS)
CILER (OAR): Rita Williams (Rita.Williams@noaa.gov), (OAR)
CIMAS (OAR): Ruth Almonte (Ruth.Almonte@noaa.gov), (OAR)
CIMMS (OAR): Deana Beneventi (Deana.Beneventi@noaa.gov), (OAR)
CIMSS, CICS (Maryland), CIOSS (NESDIS): Ingrid Guch (Ingrid.Guch@noaa.gov), (NESDIS)
CIMRS (NMFS): Kathleen Jewett (Kathleen.Jewett@noaa.gov), (NMFS)
CIMRS (OAR): Gayle Elkins (Gayle.Elkins@noaa.gov), (OAR)
CIPIR/JIMAR (NMFS): Julie Whitaker (Julie.Whitaker@noaa.gov), (NMFS)

1. Select the CI that has submitted this proposal.

2. Select Yes or No. Contact the FPO from the list above to determine if funding transferred from another federal agency can be used for CIs that have not been designated according to 118 Stat 71. Additional information can be found in the CI Interim Handbook, page 21 (http://www.nrc.noaa.gov/ci/policy/docs/handbook.pdf) and NAO for CI Policy Section 5.02 (http://www.corporateservices.noaa.gov/ames/administrative_orders/chapter_216/216-107.html)

3. Provide the proposal title listed on the CI Cover Letter of the CI proposal.

4. Provide the name of the principal investigator(s) listed on the CI Cover Letter of the CI proposal.

5. Provide the appropriate CI task number(s) being funded, if appropriate for the CI being funded. The task number is usually listed on the cover sheet of the proposal. If there is no cover sheet or task written on the cover sheet, contact the appropriate FPO from the list above.

6. Provide the name of the NOAA staff person(s) who should be notified when the project performance report for this project is available. Performance metrics used to evaluate include but are not limited to accuracy of the report, the performance, communication and milestone makers of the project with the Principal Investigator during the annual reporting period. Should the person(s) indicated not be available the person signing the Funding Memo will be required to review the report. (NOTE: **The NOAA Reviewer(s) should not participate in writing the project performance report. Project performance reports are due annually and follow the anniversary date of the Parent award).**

7. Provide the appropriate research theme(s), if applicable for the CI being funded. The CI research theme is usually listed on the cover sheet of the proposal. If there is no cover sheet or research theme listed on the cover sheet, contact the appropriate FPO from the list above.

8. Select all relevant Goals/Programs and provide the percentages associated with each. At least one Goal/Program must be selected.

Old NOAA Goals	New NOAA Goals
Ecosystem	Healthy Oceans
• Ecosystem Research • Ecosystem Observations • Aquaculture • Coastal and Marine Recourses • Coral Reef Conservation • Enforcement • Fisheries Management • Habitat • Protected Species	• Improved Understanding Of Ecosystems To Inform Resource Management Decisions • Recovered And Sustained Marine And Coastal Species • Healthy Habitats That Sustain Resilient And Thriving Marine Resources And Communities • Sustainable Fisheries And Safe Seafood For Healthy Populations And Vibrant Communities • Resilient Coastal Communities That Can Adapt To The Impacts Of Hazards And Climate Change
Climate	Climate Adaptation and Mitigation
• Climate Observations and Monitoring • Climate Research and Modeling • Climate Service Development	• Improved Scientific Understanding Of The Changing Climate System And Its Impacts • Assessments Of Current And Future States Of The Climate System That Identify Potential Impacts And • Inform Science, Service, And Stewardship Decisions • Mitigation And Adaptation Choices Supported By Sustained, Reliable, And Timely Climate Services • A Climate-literate Public That Understands Its Vulnerabilities To A Changing Climate And Makes • Informed Decisions
Weather and Water	Weather-Ready Nation
• Air Quality • Coasts, Estuaries and Oceans • Hydrology • Science, Technology and Infusion • Space Weather • Tsunami	• Reduced Loss Of Life And Disruption From High-impact Events • Improved Freshwater Resource Management • Healthy People And Communities By Improving Air And Water Quality Services • Safe, Efficient And Environmentally Sound Marine Transportation • Improved Coastal Water Quality Supporting Human Health And Coastal Ecosystem Services

	• Safe, Environmentally Sound Arctic Access And Resource Management
Commerce and Transportation	Resilient Coastal Communities and Economies
• Aviation Weather • Geodesy • Marine Transportation Systems • NOAA Emergency Response • Surface Weather	• Improved Transportation Efficiency And Safety • A More Productive And Efficient Economy Through Environmental Information Relevant To Key Sectors • Of The U.S. Economy • Resilient Coastal Communities That Can Adapt To The Impacts Of Hazards And Climate Change
Mission Support	NOAA Enterprise-wide Objectives (http://www.nrc.noaa.gov/ci/goals/index.html)

9. Provide a brief description of the project.

10. Identify the proposed beginning and ending dates of the entire project period (drop-down calendar provided for both spaces). Projects must begin on the first day of a month and end on the last day of a month, and must not extend beyond the end of the CI award.

11. Provide the approved requested total budget (whole dollars only). If this is a multi-year project, include the proposed amount for each year; otherwise, indicate the total funding ***approved by the sponsor for*** a single year project (subject to the availability of funding). Note: Fields do not require dollar signs ($) or commas (,); if actual amount is $1,234,567 enter 1234567. (NOTE: *Total actual funding of project is based on actual availability of funds during the life of the project and may be less but not more than total requested amount.)*

12. Select No or Yes. If Yes, provide details in the space provided.

13. Select No or Yes.

14. Select No or Yes. If Yes, identify the federal employee (name and e-mail address) who will be responsible for ensuring that all requirements for granting such access is permitted.

15. Select No or Yes. If Yes is selected in 15 (A-D), list the DOC/NOAA-owned equipment as a Special Award Condition in the space provided in question 18. 4

16. Select No or Yes. This question applies to Coastal Zone Management awards (NOS) only. If the following selections apply: 306/306(a), 308, 309, 310, and 6217, select Yes. Include additional documentation as needed. If this does apply, select No.

17. Permit Requirements. If the project requires permits, select Yes and provide the requested information in the space provided.

18. Special Award Conditions. Describe any special award conditions that should be attached to the project. More than one Special Award Condition may apply. If no Special Award Condition applies, type N/A or None.

19. Indicate all statutory authorities that authorize NOAA to fund this type of research.

20. Technical Review. Provide brief review comments on the proposal. Short paragraph with technical merit review comments on proposal areas such as soundness of the research project design and/or organization, the importance of the proposed research, significance of the research area or problem being addressed or the results or outcomes of the proposed studies, or experience/expertise of the researchers involved. Select items from the table that were evaluated during the proposal review. **Only select those boxes that are relevant.** For example, "Appropriateness of Travel" should not be selected if the proposal does not request travel funds. Please note any deficiencies and/or recommendations for revisions in the space provided.

21. Indicate which items were evaluated during the budget review**. Only select those boxes that are relevant.** For example: "Consultant Fees" should not be selected if the proposal does not request funds for a consultant. Please note any deficiencies and/or recommendations for revisions in the space provided.

22. Provide any additional comments relevant to the project not covered above. Additional comment(s) covered in this section include SACS for questions 15-18. If there are no additional comments, enter N/A or None.

Provide the digital signature of the NOAA employee that has verified the technical, budget review and recommends funding for the identified project and who will be contacted should the person(s) indicated in box 6 not be available to review the project performance report submitted annually.

APPENDIX D: SCIENTIFIC EVALUATION REVIEW QUESTIONS

- Science Plan
  a. What is the scientific (not programmatic) vision for the institute? Does the CI have a Scientific Mission and/or Vision Statement? How were they developed? How are they communicated?
  b. How is the Vision and Mission related to the NOAA Strategic Plan in place at the time of adoption?
  c. What are the CIs goals and objectives within the Scientific Plan?
  d. What criteria are used to measure progress in accomplishing these goals and objectives?
  e. What are the major scientific themes of the CI?
     i. How were they identified and how do they link back to the themes NOAA used in the competition to create the CI?
     ii. What are the emerging thematic areas? Do these emerging themes arise directly from the existing CI Themes, or are they based on changes since the CI was created? What are the drivers behind the emerging themes, and how does the CI fit them within the current science plan?
  f. Scientific partnerships
     i. What is your relationship to the NOAA Research Laboratories, Program Offices and other NOAA entities (e.g NMFS Science Centers)?
     ii. What, if any, formal procedures do you have for cooperative planning?

- Science Review
  a. What are the Institute's most recent scientific highlights and accomplishments? (Note that this is an opportunity for early-mid career scientists to become acquainted to/by upper NOAA management).Social Sciences/Human Dimensions
  b. How are social science questions or topics included in CI funded research?
  c. Is there an explicit social science agenda in ongoing research? How much social science does the CI currently fund?
  d. What are the major roadblocks to expanding social science in the research plan or portfolio? What is the CIs plan for addressing social science issues?

- Education/Outreach
  a. What types of educational activities/opportunities (K-12, undergraduate and graduate students) does the institute offer on an ongoing basis? Are these activities coordinated with other NOAA education/outreach programs in the area? How does the university make curricula, study guides, guest speakers and teaching materials available to support these activities?
  b. What are the current and planned outreach efforts? Does the CI conduct joint outreach with other NOAA funded or supported university activities (e.g. Sea Grant)?

- Science Management Plan
  a. How does the Institute identify new intellectual opportunities? What is the university's policy on licensing/patenting intellectual property? What barriers exist to successfully transition research products into commercial applications? How does the CI account for successful R2O/intellectual property development activities in its financial record-keeping?
  b. How and when does the Institute share environmental data collected/created by PIs? NOAA policy is that data likely to be useful for numerous applications should be visible, accessible

and independently understandable to users, except where limited by law, regulation, policy or by security requirements. What are some recent examples of data sharing?

c. What are some recent examples of intellectual opportunities?
d. What is the strategy for new starts (projects, techniques, campaigns, etc.)?
e. How much of the Institute resources are reserved for new opportunities or bright ideas? What Task are these activities currently funded out of?
f. What is the demographic structure of the Institute employees? Does the CI or the University have a policy on minority participation? How does the CI integrate with minority serving institutions (whether CI partners or not)?
g. What is provided for human resources development (recruitment, rewards, training, etc.)? How are CI employees provided training in HR issues (e.g. benefits, retirement)? Do CI employees participate in general NOAA HR training when appropriate?
h. What is the state of the financial health of the Institute? (Provide a budget summary and identify imbalances or needed adjustments.)
i. How does the Institute intend to work towards accomplishing its financial goals?
j. Are there any issues in interacting with NOAA that require attention?
k. Are there any issues in interacting with the University that require attention?

APPENDIX E: ADMINISTRATIVE EVALUATION REVIEW QUESTIONS

- Proposal procedures: How does the Cooperative Institute select proposals to request funding from NOAA? What procedures are in place to request proposals by theme or task? How are PIs kept informed of the proposal process, and how are success criteria shared within the CI?

- How does the CI/University/Institution ensure compliance with OMB circulars, Department of Commerce regulations and NOAA grant conditions?

- How does the CI/University/Institution ensure compliance with internal grant policies?

- What are your formal and informal mechanisms for communications between the CI and University/Institution administrative/finance offices? Who are the NOAA contacts (administrative & technical)?

- How do you ensure compliance with university/institution human resources policies in such matters as: hiring, resignations, promotions, salary scales, disciplinary actions, etc.? How are CI employees trained in HR issues based on university policy, such as:
    - human dimensions /capitol
    - student employment tracking upon graduation

- CI employees benefits (including retirement planning)

- Who supervises CI employees working in NOAA facilities? How is this implemented on site and reported (e.g., leave and performance evaluations)? How does the CI maintain cohesive operations across campuses or locations? How are "Alternative work scenarios" handled?

- Reports and requests to NOAA: How is the CI informed when the University/Institution formally sends in the financial reports and annual technical reports? How is this information transmitted within the CI?

- How are other formal requests to NOAA communicated between the CI, University/Institution (e.g. large equipment purchases, sub-grants)?

- Demonstration of electronic communications (e.g., preparation of required financial reports from University/Institution fiscal data).

- What tracking systems does the CI have in place for Publications, property and intellectual property records? What are the obstacles to successfully implementing such a system?

APPENDIX F: GUIDANCE FOR PUBLICATION OF COMPETITIVE ANNOUNCEMENTS

MEMORANDUM FOR:	Alexander MacDonald, Ph.D. Chair, National Oceanic and Atmospheric Administration Research Council
FROM:	Elizabeth Turner, Ph.D., Acting Chair NOAA Research Council Cooperative Institute Committee
SUBJECT:	Cooperative Institute Committee Memorandum #9: Revised Guidance for Publication of Competitive Announcements
DATE:	March 7, 2011

This memorandum is being issued to amend the guidance relating to the publishing a Notice of Funding Availability in the Federal Register as one of the required steps in the process of establishing a new Cooperative Institute.

The current guidance in the Cooperative Institute Interim Handbook states that both a Notice of Funding Availability in the Federal Register and a Federal Funding Opportunity (FFO) announcement on Grants.gov must be published as a competitive announcement for a new NOAA Cooperative Institute (Section 3: A.S; Figure 1; B.6; C.1, C.7 and 0.1).

As of December 2, 2010. the NOAA Cooperative Institute Interim Handbook guidance will follow the new policy from NOAA Grants Management Division issued under NOAA Grants Management Division (GMD) Alert #2011-02 (12/12/11), entitled "GMD Alert regarding discontinuing the publication of 'Notices of Funding Availability' in the Federal Register." Per this memo, agencies may discontinue the practice of developing and publishing Notices of Funding Availability in the Federal Register if the funding anticipated in the FFO is less than $100 million. For those FFO announcements with funding that exceeds $100 million, Department of Commerce Federal Assistance Law Division will forward the FFO to the Office of the Assistant General Counsel for Legislation and Regulation (L&R) so that L&R may coordinate the review and clearance of those announcements with the Office of Management and Budget (OMB).

Notwithstanding an agency's decision to implement the change in policy outlined in the Simpson Porter memo (#2011-2), a competition to establish a NOAA Cooperative Institute must develop a Federal Funding Opportunity announcement which incorporates all substantive grants provisions, such as application requirements, evaluation criteria, and selection procedures, and make it available on Grants.gov. The NOAA Cooperative Institute Interim Handbook guidance for establishing a new NOAA Cooperative Institute will follow the NOAA Grants Management Division policy as stated in NOAA GMD Alert #2011-02 and any implementing guidance.

Grants Management Division (GMD) Alert # 2011-02

Subject: GMD Alert regarding discontinuing the publication of "Notices of Funding Availability" in the Federal Register

From: Arlene Simpson Porter
Director Grants Management Division (GMD)

Date: December 2, 2010

On November 29, 2010 a memorandum from Asha Mathew, Department of Commerce Chief Counsel for Regulation, announced the decision of the Office of the Assistant General Counsel for Legislation and Regulation (L&R), who after consultation with the Federal Assistance Law Division (FALD) in the Office of the Assistant General Counsel for Finance and Litigation, to discontinue its policy requiring the publication, in the Federal Register, of Notices of Funding Availability (NOFAs) and other similar notices soliciting proposals for grants and cooperative agreements.

In response to inquiries from agencies at the Department, L&R and FALD explored the possibility of discontinuing its longstanding policy of publishing NOFAs and other similar notices in the *Federal Register.* After careful review, L&R decided to discontinue this policy to promote efficiency and cost effectiveness with grant programs. Pursuant to the Office of Management and Budget's (OMB's) memorandum, all Federal agencies are currently required to post all details regarding grant opportunities on the website Grants.gov. In light of this OMB requirement, many other Federal agencies have since discontinued the practice of developing and publishing NOFAs because the information contained in the NOFA is readily available on Grants.gov, and it was redundant to publish this information in the Federal Register. L&R determined that agencies within the Department of Commerce offering and managing grants may find it more efficient and cost effective to rely solely on the announcement posted on Grants.gov. Therefore, as of the date of this memorandum, agencies may discontinue the practice of developing and publishing NOFAs.

Before agencies implement this change in policy, they must be aware that Grants.gov is not the Federal Government's official method of providing legal constructive notice of agency policy to the public. The *Federal Register* is the Government's official method of legal notice to the public. Thus, there is the possibility, although very small, that an agency may be exposed to litigation for failing to provide adequate legal notice if it chooses to discontinue publishing NOFAs. The likelihood of such litigation is small given that any disgruntled grant applicant must have had constructive notice of the grant opportunity and requirements for its application to be rejected. However, agencies are advised to carefully consider the impact of discontinuing the publication of NOFAs, and to seek legal counsel from L&R or FALD if there are any concerns or questions regarding this change in policy.

Notwithstanding an agency's decision to implement the change in policy outlined in this memorandum, all grant programs must continue to develop Federal Funding Opportunity (FFO) announcements, which incorporate all substantive grant provisions, such as application requirements, evaluation criteria and selection procedures, and to make it available on Grants.gov pursuant to OMB's memorandum. With regard to L&R review of grant materials, FALD will forward to L&R those FFO announcements with funding that exceeds $100 million and announcements for new grant programs, so that L&R may coordinate the review and clearance of those announcements with OMB.

The change in policy outlined in this memorandum does not supersede any statutory or regulatory requirements to publish a NOFA, or other similar notice, in the *Federal Register.* Agencies must still publish such notices if required to do so by any law or regulation.

This Alert is in effect until superseded. Should you have any questions, please contact me on 301-713-0926 ext. 123

APPENDIX G: CI PROJECT PROPOSAL APPLICATION OUTLINE

Due to new federal regulations and in an effort to be consistent, application should show clear correlation between the aims and methods stated on the project narrative and the budget justification. To help develop your grant application we would like to suggest that each grant application include the following information:

- Description of Work – Research Plan
    - Introduction/Narrative (*information contained in this section of the proposal should provide background information and significance of the proposed research.*)
    - Specific aims/milestones (*information contained in this section of the proposal should provide the proposed goals and expected outcomes. It should also show when the researcher expects to reach the proposed goals and outcomes.*)
        - time line for milestones (*table showing the time line for the milestones.*)
    - Relationship to NOAA Goals (*information contained in this section of the proposal should show how the proposed research relates to the current NOAA Research Goals identified by the Cooperative Institute.*)
- Description of project performance sites (*list facilities that may be used outside of the Cooperative Institute where research will take place that is directly related to the proposed research – this would not include consortium members.*)
- List of senior and key personnel
    - describe their specific role as it relates to the specific aims/milestones
- Description of additional resources – data sharing (*information contained in this sections of the proposal should show how the final research data will be shared or explain why data sharing is not possible at this time.*)
- Publication/Reference Review
- Budget
- Detailed Budget Justification
    - Personnel – include name, title, describe their specific role, salary and percentage of time individual is expected to work on the project
    - Fringe Benefits – show the percentage used; explain what is covered.
    - Indirect Costs (IDC) – provide a letter of declaration
- Federal Award Payment Requirement – be sure that the EIN number and DUNS number are correct
- Project start and end date – cannot be prior to the date the amendment is signed unless a justification is provided explaining the reason.
- Avoid the section title “Statement of Work”. This phase suggests a contractual arrangement.

Appendix H: STANDARDIZED SPECIAL AWARD CONDITIONS (SAC)

SACs that need to be applied to all CI awards and subsequent amendments

1. Cooperative Agreement Special Award Condition – Substantial Involvement
    a. Description:
    This award is created as a cooperative agreement because of the anticipated substantial involvement of NOAA scientists in the award activity. NOAA scientists will collaborate with Cooperative Institute scientists, research associates, and students on research projects of mutual interest throughout the award period.

2. Performance Progress Reports – Annual Reports Requirements
    a. Description:
    The first Performance Progress Report will cover a period of nine months from the start date of award. Following reports are due annually. All interim Performance Progress Reports are due within 30 days of the reporting period end date. A final Performance Progress Report will be due no later than 90 days after the award expiration. The Final Performance Report documents activity in the final performance period, and will include a table of all projects conducted during the life of the award which have been reported on in prior Annual Performance Reports.

3. Use of the NOAA Emblem
    a. **THE JOINT AND COOPERATIVE INSTITUTES MAY PLACE THE NOAA EMBLEM ON THE FOLLOWING ITEMS, IN A MANNER CONSISTENT WITH THE TERMS AND USES PRESCRIBED BELOW:**
        i. **SCIENTIFIC POSTERS AND WRITTEN PRESENTATION MATERIALS (e.g., electronic presentations, overhead projections, handouts)** conveying exclusively research findings from projects funded under a Joint or Cooperative Institute agreement, authored jointly by a NOAA scientist and a participating Institute scientist.
        ii. **SMALL BROCHURES, BOOKLETS, AND CONFERENCE AGENDAS** (fewer than 10 pages) published by a Joint or Cooperative Institute for public outreach efforts in support of one or more of NOAA's missions (*e.g.*, information to protect the public or inform the public about ways to protect the oceans and atmosphere), and/or providing exclusively descriptive information about the establishment of the Institute and/or exclusively research findings, authored jointly by NOAA and Institute scientists, from projects funded under a Joint or Cooperative Institute agreement. Brochures and booklets are to be authored jointly by NOAA and the Institute. Conference agendas are to reflect the presentation of scientific research funded by a Joint or Cooperative Institute agreement.
        iii. **WEBSITES,** created and maintained by a Joint or Cooperative Institute for public outreach in support of one or more of NOAA's missions and/or providing exclusively descriptive information about the Institute, such as its founding or programs.
        iv. **WEBSITES,** created and maintained by a Joint or Cooperative Institute providing exclusively research findings authored jointly by NOAA and Institute scientists from projects funded under a Joint or Cooperative Institute agreement.

    b. **USE OF THE NOAA EMBLEM MUST BE ACCOMPANIED BY THE FOLLOWING STATEMENT:**

i. THE NOAA ® EMBLEM IS A REGISTERED TRADEMARK OF THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION, USED WITH PERMISSION.

ii. **WHERE USE OF THE NOAA EMBLEM IS NOT PERMITTED UNDER THIS SAC, THE JOINT AND COOPERATIVE INSTITUTES MAY USE THE FOLLOWING STATEMENT:**

iii. THIS _[INSERT ITEM]_____ IS SUPPORTED THROUGH FUNDING FROM THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION.

4. Multi-year Amendments and Awards
    a. (MULTI-YEAR) The award period and budget(s) incorporated into this award cover a 5-year period for a total amount of [INSERT AMOUNT] in Federal funds. However, Federal funding available at this time is limited to [INSERT AMOUNT] for this funding period. Receipt of any prospective funding is contingent upon the availability of funds from Congress, satisfactory performance, continued relevance to program objectives, and will be at the sole discretion of the Department of Commerce. The Department of Commerce is not liable for any obligations, expenditures, or commitments which involve any amount in excess of the Federal amount presently available. The Recipient will be responsible for any and all termination costs it may incur should prospective funding not become available. No legal liability will exist or result on the part of the Federal Government for payment of any portion of the remaining funds which have not been made available under the award. Notifications affecting funding or notice of non-availability of additional funding for prospective years will be made only by the Grants Officer. The amendment to obligate prospective funding available shall be made on Form CD-451, "Amendment to Financial Assistance Award," if at all possible prior to the expiration of each year's activities.

    b. The funding period for this award is [INSERT DATE] and may be extended through [INSERT DATE].

5. MOA Association for Competitive Awards
    a. The University/NOAA MOA would be incorporated by reference into the terms of the competitive award.

    b. Any performance report(s) for the competitive project must follow the timetable of the funding program and be submitted directly to the funding program.

[i] From "Department of Commerce Financial Assistance Standard Terms and Conditions", (January 2013) section L.02, 31