

7. SPECIAL TERMS AND CONDITIONS

The requirements of these conditions take precedence over all other requirements of this award found in regulations, the general terms and conditions, DOE orders, etc., except requirements of statutory law. Any apparent contradiction of statutory law stated herein should be presumed to be in error until the Recipient has sought and received clarification from the Contracting Officer, whose signature appears on the face page of the award.

1. PAYMENTS

Payments for allowable costs shall be made through the Automated Clearing House System by means of the Health and Human Services (HHS) Payment Management System (PMS). Information regarding software for access to the system, necessary forms, and passwords will be provided by HHS.

The Recipient shall request cash only as needed for immediate disbursements, shall report cash disbursement in a timely manner, and shall impose the same standards of timing and amount, including reporting requirements, on secondary recipients.

2. AUDIT

The recipient will be subject to the requirements of OMB Circular A-133 revised June 24, 1997.

3. REPORTS

In addition to the reports specified on the Federal Assistance Reporting Checklist, the Recipient shall also submit a Report of Federal Cash Transactions, Standard Form 272 (SF 272), or a substitute form specified by the Department of Health and Human Services, on a quarterly basis 15 working days following the end of each quarter. DOE will accept the form of this report required by HHS. The report shall be submitted to HHS at the address specified by that organization, and two copies are to be forwarded to the DOE Richland Operations Office. DOE will accept the report in the format specified by HHS.

4. RECIPIENT OWNED PROPERTY

N/A

5. PATENT AND DATA CLAUSES

This grant is subject to the following patent and data clauses which are set forth in 10CFR 600.27:

- (b)(1) Patent clauses
- (b)(2) Data clauses
- (b)(3) Authorization and consent
- (b)(6) Notice and assistance regarding patent and copyright infringement
- (b)(7) Royalty information

Except for technical data contained in pages N/A of the recipient's application, dated N/A , which are asserted by the Recipient as being Proprietary data, it is agreed that as a condition of this award, and notwithstanding the provisions of any notice appearing on the application, the Government shall have the right to use, duplicate, disclose and have others do so for any purpose whatsoever the technical data not identified in the above blanks contained in the application upon which this award is based.

6. USE OF U.S. FLAG AIR CARRIERS

Pursuant to the requirements of Appendix A to the DOE Assistance Regulations (10 CFR 600) the Recipient will abide by the requirements of the International Air Transportation Fair Competitive Practices Act of 1975 (49 U.S.C. 1517) which provides that Government-financed international air travel shall be accomplished on U.S. flag air carriers to the extent that service by these carriers is available.

7. RELEASE OF INFORMATION

Pursuant to Section 623 of P.L. 102-393, dated October 6, 1992, no amount of any financial assistance made by a Federal agency shall be used to finance the acquisition of goods or services (including construction services) unless the recipient of the financial assistance agrees, as a condition for receipt of such financial assistance, to –

- (1) specify in any announcement of the award of the contract for the procurement of the goods and services involved (including construction services) the amount of Federal funds that will be used to finance the acquisition; and
- (2) express the amount announced pursuant to paragraph (1) as a percentage of total costs of the planned acquisition.

The requirement of this section shall not apply to a procurement for goods or services (including construction services) that has an aggregate value of less than \$500,000.

8. RESTRICTION ON LOBBYING

Section 319 of Public Law 101-121 specifically prohibits recipients of Federal contracts, grants, cooperative agreements, and loans from using appropriated funds for attempting to influence Federal legislative and executive branch officials regarding a specific award. Therefore, the recipient of this award shall comply with the provisions of the Department of Energy New Restrictions on Lobbying rules, 10 CFR Part 601 (1999). If the award value exceeds \$100,000, then the grantee must specifically comply with the provisions of 10 CFR 601.110 regarding certification and disclosure requirements.