



NIAC CP 98-02

CALL FOR PROPOSALS

1998 PHASE I ADVANCED AERONAUTICAL/SPACE CONCEPT STUDIES

Proposals Due:

January 31, 1999

INTRODUCTION

The Universities Space Research Association (USRA) has established the National Aeronautics and Space Administration (NASA) Institute for Advanced Concepts (NIAC) under contract from NASA Headquarters through the Goddard Space Flight Center. The NIAC has been formed for the explicit purpose of being an independent source of revolutionary aeronautical and space concepts that could dramatically impact how NASA develops and conducts its mission. The institute is to provide a highly visible, recognized and high-level entry point for outside thinkers and researchers.

The purpose of the NIAC is to provide an independent, open forum for the external analysis and definition of space and aeronautics advanced concepts to complement the advanced concepts activities conducted within the NASA Enterprises. The NIAC will have advanced concepts as its sole focus. It shall focus on revolutionary concepts - specifically systems and architectures - that can have a major impact on missions of the NASA Enterprises in the time frame of 10 to 40 years in the future. It will generate ideas for how the current NASA Agenda can be done better; it will expand our vision of future possibilities. The scope of the NIAC is based on the National Space Policy, the NASA Strategic Plan, the NASA Enterprise Strategic Plans and future mission plans of the NASA Enterprises, but it will be bounded only by the horizons of human imagination.

Normal development of the NIAC advanced concepts will be carried out through issuance of research grants or subcontracts in a two-phased approach. Phase I awards of approximately \$50K-\$75K will be for 6 months to validate the viability of the proposed concept and definition of major feasibility issues. Phase II award(s) of from \$350K-\$500K for a period of 18-24 months would study the major feasibility issues associated with cost, performance, development time and key technology issues. Both Phase I and Phase II awards will be competitively selected by the NIAC based on an independent peer review. Principal investigators (PI) receiving NIAC grants will be designated a NIAC Fellow.

Phase II award(s) will only be made based on a down select from successfully completed Phase I efforts.

Phase I awards based on proposals received from this Call for Proposals (CP 98-02) are planned for the spring of 1999. A Phase II CP will be issued in the fall of 1999. Also at this time, a new Phase I CP will be issued thereby beginning a new cycle.

This NIAC CP is a solicitation for advanced aeronautical and/or space concept studies. Participation in these studies is open to all categories of organizations, domestic or foreign, including educational institutions, profit and nonprofit organizations. Minority and disadvantaged institutions are encouraged

to respond to this CP. NASA organizations are excluded from receiving funding for this effort.

A peer review process shall be used to competitively award grants or contracts based on proposals with the highest technical merit. The NIAC staff and participants in peer reviews will follow a Conflict of Interest Avoidance Plan developed by USRA. All participants will certify as to their adherence to the Plan.

One of the NIAC goals is to become a virtual institute relying very heavily on the potential of the Internet to share ideas. As an example, the complete text of this CP, along with other potentially relevant information, are available through the World Wide Web on the NIAC homepage at the URL address <http://www.niac.usra.edu/>.

All interested parties need to be aware that the NIAC intends to publicly make available the results of all funded advanced concept studies. This being the case, the institute actively discourages the use of proprietary data and/or trade secrets (see Appendix A).

The NIAC is functionally independent of NASA and the concepts it selects for government support will be the result of an external review by respected technical experts. NASA intends that the best products of the institute will be infused into NASA's and the nation's future programs, within the constraints of budget realities. The NIAC will attract revolutionary ideas from a greatly expanded community and will create a dynamic interchange of competing future options. This interchange will be a completely open debate and discussion; participation will be limited only by the quality of proposer's ideas. The NIAC appreciates your interest and cooperation in the Phase I study program.

SCOPE

“Don’t let your preoccupation with reality stifle your imagination.”

Robert A. Cassanova

The NIAC encourages potential proposers to focus their thoughts and stretch their imagination decades into the future in an aggressive pursuit of concepts that will “leap-frog” the evolution of current aerospace systems. While the NIAC seeks concepts which stretch the imagination, these concepts should be based on sound scientific principles.

The “**Dreams**” supported through the NIAC funding can be the framework for future NASA missions and programs. Advanced concept proposals should be aimed well beyond the evolution of technical challenges that occupy current programs and set new, **revolutionary** directions in aeronautics and space. We are seeking advanced concepts, **specifically systems and architectures**, that are revolutionary, and which **will expand our vision of future possibilities**. In the context of the NIAC requirements, successful proposals for advanced concepts will be:

- **Revolutionary, new and not duplicative of previously studied concepts**
- **An architecture or system**
- **Described in a mission context**
- **Adequately substantiated with a technical description**
- **Largely independent of existing technology**

Just as was noted by Eddie Rickenbacker, at one time, human flight seemed impossible. And, as noted by Arthur C. Clarke, some “impossibilities” of today, could be the “possible worlds” of the future. These “possible worlds” are the ones that we seek in this NIAC Call for Proposals.

Examples from the past which capture the scale of advanced concepts being sought include:

- Arthur C. Clarke wrote a paper in 1948 that describes a network of geosynchronous communication satellites, which today is a reality.
- The development of a reusable launch vehicle that can greatly increase the payload capacity and provide routine access to space: the Space Shuttle, now operational, and the X-33 that is being developed.
- The development of a space-based navigation system known as the Global Positioning System, now in routine use.

Systems and Architectures for Aeronautics and Space

The NIAC seeks proposals for advance concepts that are appropriate for NASA missions. The NASA Strategic Plan and NASA Enterprise Strategic Plans provide valuable background information about the visions of future aeronautics and space programs and should be considered as a starting point for the development of revolutionary concepts being sought by the NIAC. The proposer should become familiar with the information supplied in the NASA web site, <http://www.nasa.gov/>, which provides valuable insight into the NASA mission, current activities and future directions. Briefly, the respective emphases of the NASA Enterprises are as follows:

Aero-Space Technology

To develop the technology for safe, environmentally friendly, and cost effective aviation and space transportation.

Human Exploration and Development of Space

To open the space frontier by exploring, using and enabling the development of space and to expand the human experience into the far reaches of space.

Space Science

To understand our cosmic origins and destiny, through research from the middle levels of Earth's atmosphere to the edge of the Universe.

Earth Science

To understand the Earth's environment and the phenomena affecting the patterns of change.

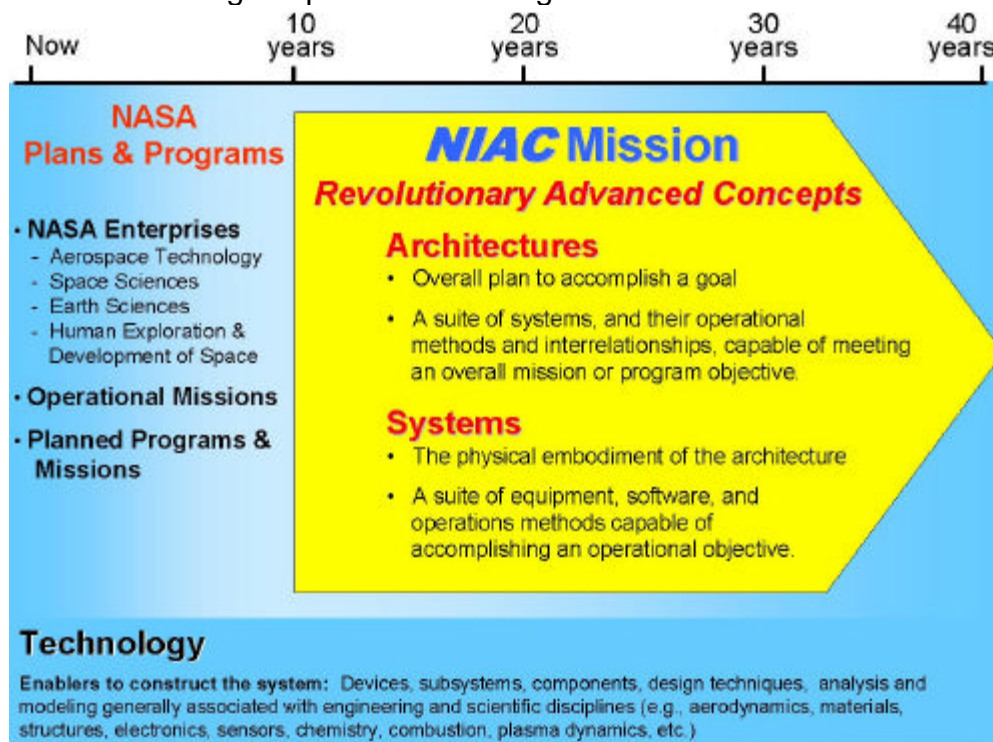


Figure 1: NIAC Advanced Concepts Mission

NIAC Advanced Concepts

Figure 1 depicts the relationship between the current NASA programs, technology and the NIAC mission for development of advanced concepts aimed at the time period of 10 to 40 years into the future. The general thrust of the NIAC advanced concepts is to develop revolutionary ideas which have a potential for leaping well past the current plans and can expand the vision of NASA's long-range strategic plans. NIAC advanced concept must be focused on achieving a decision point for implementation of an architecture or system in the time period of 10-40 years into the future. Since these concepts may be largely independent of existing technology, these revolutionary architectures and systems may provide the rationale and driving force for the identification and focusing of future efforts on critical, enabling technology. However, the NIAC is not interested in funding technology concepts or technology development which, by their very nature, are narrowly focused on the development and performance of subsystems or components.

Additional Background Information

The previous NIAC Call for Proposals, CP 98-01, which is available for viewing and downloading from the NIAC web site, <http://www.niac.usra.edu>, contains additional background information in Appendix B "NIAC Grand Challenges" which may provide helpful information to the proposer. However, the development of advanced concepts by the proposer should not be constrained by this list of grand challenges which are referenced only as examples of possible focus areas for proposals and are not meant to be comprehensive. NIAC welcomes proposals in areas not specifically listed in the "NIAC Grand Challenges."

INSTRUCTIONS FOR RESPONDING TO NIAC CALL FOR PROPOSALS

A. General

1. Proposals received in response to a NIAC CP will be used only for evaluation purposes. The NIAC does not allow a proposal, the contents of which are not available without restriction from another source, or any unique ideas submitted in response to a NIAC CP to be used as the basis for a solicitation or in negotiation with other organizations, nor is a pre-award synopsis published for individual proposals.

2. A solicited proposal that results in a NIAC award becomes part of the record of that transaction. It is envisioned that the final report will be available to NASA and the public through the NIAC web page; however, information or material that the NIAC and the awardee mutually agree to be of a privileged nature will be held in confidence to the extent permitted by law.

3. A grant, subcontract or other agreement may be used to accomplish an effort funded in response to a NIAC CP. The NIAC and USRA will determine the appropriate instrument. Subcontracts resulting from NIAC CP's are subject to the Federal Acquisition Regulation (FAR) and the NASA FAR Supplement (NFS). Any resultant grants or cooperative agreements will be awarded and administered in accordance with the NASA Grant and Cooperative Agreement Handbook (NPG 5800.1) and USRA Procurement Policies.

4. The NIAC does not intend to hold formal discussions as part of the award process so proposals should be as complete as possible in the initial submission. However, should a question arise after release of this CP and prior to the proposal due date, questions will be entertained under the following ground rules:

a. Questions should be E-Mailed to the NIAC at questions@niac.usra.edu.

b. The Director of NIAC will review the questions and answer by a return E-mail to the proposer, and/or, will specify a time period when the proposer can call the NIAC for discussions.

c. Any verbal discussions with potential proposers shall be limited to clarification of the definition of architectures and systems versus technology in the context of a specific concept.

d. Questions and clarifications of a general nature related to non-proposal-specific issues will be available to the public through the NIAC web pages, (<http://www.niac.usra.edu>). All persons interested in proposing to the NIAC should check this site periodically for information related to this Call.

e. Due to the potential high volume of questions, the proposer should submit questions as early as possible before the due date of January 31, 1999. While the NIAC will provide a response as soon as possible, the NIAC assumes no responsibility for the impact of the questions and answers on proposal quality or on the timeliness of the proposal submission.

5. As mentioned in the **Introduction**, the NIAC is chartered to operate as a virtual institute. The NIAC is equipped with the latest office communications systems, electronic technology and staffed at a much lower level than that employed in traditional paper-based operations. This fact necessitates that proposal transmissions in response to this CP conform to the following requirements:

a. The proposer's technical and cost proposal shall be attached as separate files to one E-Mail and sent to phase1@niac.usra.edu. Both proposals shall be converted by the proposer to a portable document format (.pdf) prior to transmission. Information regarding .pdf is located at <http://www.adobe.com>.

1) The technical proposal .pdf file name shall be the principal investigators (see D.2.e.) first initial and last name "_t.pdf" (Example: The principal investigator's name is Thomas Carter. The technical proposal file name is `tcarter_t.pdf`). If the proposer's computer operating system limits the number of characters to eight (8) in the file name, then use the first initial and up to the first five (5) characters of the last name (Example: `tcarte_t.pdf`).

2) Technical proposals converted to .pdf shall not exceed 300 KB in size.

3) The cost proposal .pdf file name shall contain "_c.pdf" following the principal investigators first initial and last name. Example: The principal investigator's name is Thomas Carter. The cost proposal file name is `tcarter_c.pdf`. If the proposer's computer operating system limits the number of characters to eight (8) in the file name, then use the first initial and up to the first five (5) characters of the last name (Example: `tcarte_c.pdf`).

4) There is no electronic file size limitation for the cost proposal. However, proposers are cautioned against using gratuitous graphics that unduly increase the file size.

b. Proposals transmitted by any other method, format or size than that specified above shall not be considered by the NIAC for award.

6. To be considered for award, a submission must present a specific area of study containing sufficient technical and cost information to permit a meaningful evaluation. Also, it must not merely offer to perform standard services or to just provide computer facilities or services; and not significantly duplicate research pursuant to a more specific or pending solicitation.

7. Proposals submitted in response to CP 98-02 must electronically arrive at the NIAC on or before 12:00 p.m. EDT on January 31, 1999 to be considered in the CP 98-02 cycle. Furthermore, all proposals must be in English and all costs in U.S. dollars.

B. Schedule and Deliverables

1. Phase I efforts will be for approximately six months. The period of performance will commence upon award of the appropriate contractual instrument.

2. Phase I deliverables:

- a. Monthly written status reports to the NIAC Director.
- b. A final written report at the conclusion of the effort.
- c. NIAC Fellow (PI) participation and presentation of the final report at a NIAC Fellows Conference to be held for two days in Atlanta, GA during the Fall of 1999.

C. Proposal Content and Format

1. Transmittal Letter or Prefatory Material (1 page maximum)

- a. The legal name and address of the organization and specific division or campus identification, if part of a larger organization.
- b. A brief, scientifically valid project title intelligible to a scientifically literate reader and suitable for use in the public press.
- c. Type of organization: e.g., profit, nonprofit, educational, small business, minority, woman-owned, Historically Black College or University, etc.
- d. Name, telephone number, fax number and E-Mail address of the principal investigator and business personnel who may be contacted during evaluation and negotiation.
- e. Identification of other organizations that are currently evaluating a proposal for the same effort.
- f. Identification of this Call for Proposal by number and title.
- g. Dollar amount requested, desired starting date and duration of project.
- h. Date of submission.

2. Technical Proposal (12 pages maximum)

a. Abstract

Include a 150-300 word abstract. This abstract should address the evaluation criteria in these instructions.

b. Advanced Concept Description

This section of the technical proposal shall be a detailed description of the concept to be investigated. It should include objectives and expected significance, relation to the present state of knowledge, and relation to previous work done on the project and to related work in progress elsewhere. The concept description should address the evaluation criteria in these instructions.

c. Advanced Concept Development Work Plan

This section of the technical proposal should outline the plan of work and a description of analysis methods and procedures. Also, any substantial collaboration with individuals not referred to in the budget or use of consultants should be described.

d. Management Approach

In the event large or complex efforts involving interactions among numerous individuals or other organizations are proposed, plans for distribution of responsibilities and arrangements for ensuring a coordinated effort should be described.

e. Personnel

The principal investigator (PI) is responsible for supervision of the work and participates in the conduct of the research regardless of whether or not compensated under the award. Include a short biographical sketch of the PI, a list of any publications relevant to the proposed concept and any exceptional qualifications. Omit social security numbers and other personal items that do not merit consideration in evaluation of proposals. Give similar biographical information on other senior professional personnel who will be directly associated with the project. Give the names and titles of any other scientists and technical personnel associated substantially with the project in an advisory capacity. Universities should list the approximate number of students or other assistants, together with information as to their level of academic attainment. Any special industry-university cooperative arrangements should be described.

f. Special Matters

1) Include any required statements of environmental impact of the research, human subject or animal care provisions, conflict of interest, or

on such other topics as may be required by the nature of the effort and current statutes, executive orders, or other Government-wide guidelines.

2) Proposers should include a brief description of the organization, its facilities, and previous work experience in the field of the proposal.

3. Cost Proposal (No page limit, see Appendix B)

a. The cost proposal shall be submitted as a separate proposal from the technical proposal. As applicable, include separate cost estimates for salaries and wages, fringe benefits, equipment, expendable materials and supplies, services, domestic and foreign travel, ADP expenses, publication or page charges, consultants, subcontracts, other miscellaneous direct costs and indirect costs. Do not use separate "confidential" salary pages. List salaries and wages in appropriate organizational categories (e.g., principal investigator, other scientific and engineering professionals, graduate students, research assistants and technical and other non-professional personnel). Estimate all staffing data in terms of staff-months or fraction of full-time.

b. Explanatory notes should accompany the cost proposal to provide identification and estimated cost of major capital equipment items to be acquired, purpose and estimated number and lengths of trips planned. Also include basis for indirect cost computation and clarification of other items in the cost proposal that are not self-evident.

c. At the conclusion of your cost proposal section, include a projected total monthly funding profile. The grand total of this monthly funding profile should very closely approximate the total proposed cost in the cost section.

d. Allowable costs are governed by FAR Part 31 and the NASA FAR Supplement Part 1831 (and OMB Circulars A-21 for educational institutions and A-122 for nonprofit organizations).

4. Classified Material

Proposals shall not contain any classified material.

D. Length

A concerted effort should be made to keep proposals as brief as possible, concentrating on substantive material. The maximum technical proposal size is 12 pages. The proposal transmittal letter shall be included with the technical proposal .pdf file and is not included in the technical proposal page count so long as it does not exceed one page in length. The cost proposal has no page limit.

The entire proposal must be in a font size that is readable, in a 8.5 by 11 inch format and contain a minimum of 1 inch margins.

E. Representations/Certifications (See Appendix C)

The representations/certifications contained in Appendix C are not to be submitted with either the technical or cost proposals. Should a proposal be selected by the NIAC for a Phase I award, the proposer must supply fully executed originals of these representations/certifications prior to award.

F. Joint Proposals

Where multiple organizations are involved, the proposal must be submitted by only one organization. It should clearly describe the role to be played by the other organizations and indicate the legal and managerial arrangements contemplated. In other instances, simultaneous submission of related proposals from each organization might be appropriate, in which case parallel awards could be made.

G. Late Proposals

A proposal or modification received after the date specified in this Call for Proposals will not be considered by the NIAC during this proposal cycle.

H. Withdrawal

The proposer may withdraw their proposal(s) at any time before award. Proposers are requested to notify the NIAC if the proposal is funded by another organization or of other changed circumstances, which dictate termination of the peer review for that particular proposal.

I. Evaluation Criteria

1. The principle elements (of approximately equal weight) considered in evaluating a proposal are its relevance to NASA's and the NIAC's objectives, intrinsic merit and cost realism. Specific aspects of these elements are as follows:

a. Is the concept revolutionary rather than evolutionary? To what extent does the proposed activity suggest and explore creative and original concepts?

b. Is the concept for an architecture or system and have the benefits been qualified in the context of a future NASA mission?

c. Is the concept substantiated with a description of applicable scientific and technical disciplines necessary for development?

2. Evaluation of the cost of a proposed effort may include the realism and reasonableness of the proposed cost and available funds.

J. Selection Process

1. The NIAC Director, based on recommendations from the peer review panels, will make the final selection decision. In all cases, proposals are subject to scientific review by discipline specialists in the area of the proposal.

2. Other factors to be considered by the NIAC Director in the decision process are:

a. How well qualified is the proposer (individual or team) to conduct the project?

b. How well conceived and organized is the proposed activity?

K. Selection for Award

1. Following selections, all proposers will be notified by electronic or postal mail of the decision on their proposal. The NIAC may desire to select only a portion of a proposer's area of study, in which case the proposer will be given the opportunity to accept or decline such partial support.

2. When a proposal is not selected for award, the proposer will be notified. The NIAC will explain generally why the proposal was not selected. Proposers desiring additional information may contact the selecting official who will arrange a debriefing.

3. When a proposal is selected for award, USRA personnel will negotiate the award by the NIAC. The proposal is used as the basis for negotiation. Certain business data may be requested prior to award. USRA will forward a model award instrument and other pertinent information to the awardee at the conclusion of negotiations.

L. Cancellation of Requirement

The NIAC reserves the right to make no awards under this CP and to cancel this CP. USRA assumes no liability for canceling the CP or for any entity's failure to receive actual notice of cancellation. USRA will assume no responsibility for costs incurred by any individual or organization in the preparation of a proposal in response to this CP.

APPENDIX A

NASA White Paper on Property Rights

Any ideas or concepts generated during performance of a NIAC subcontract fall under either the Patent Rights clause (or New Technology clause for large businesses) or the Rights in Data - General clause, or both.

If the idea or concept has not been developed in sufficient detail to the level of an "invention" that satisfies statutory requirements, then the information or data on that idea falls exclusively under the Rights in Data - General clause and the Government obtains unlimited rights. Unlimited rights means the right of the Government to use, disclose, reproduce, prepare derivative works, distribute copies to the public, and perform publicly and display publicly, in any manner and for any purpose, and to have others to do so.

If the idea or concept is developed to the point that it satisfies the statutory requirements for obtaining a patent, then the "invention" falls under the Patent Rights clause and the contractor can, at its option, decide to pursue patent protection on that invention. If patent protection is pursued by the contractor the contractor will own title to the invention and the Government obtains a minimum government purpose license to use for its purposes, including future procurement. If the contractor decides not to pursue patent protection on the invention then NASA can, at its option, pursue patent protection. NASA would own title to which NASA can license third parties. Due to the nature of the ideas and concepts to be generated, it was our opinion that most, if not all, of the advanced concepts would not be sufficiently developed to satisfy the patentability requirements.

If the idea or concept is software related (with actual code creation), it falls under both the Patent Rights clause and the Rights in Data - General clause. Both patent and copyright protection may be established in software. Under the Rights in Data - General clause NASA does not have to grant the contractor permission to assert claim to copyright in the software if it is the desire of NASA to make the software freely available to the public.

Any ideas generated at private expense, and outside the contract, that are proposed to be "further developed" under the contract, could be marked by the participant as proprietary or a trade secret. If NASA decides it is acceptable for the Institute to consider and accept proprietary ideas then that data would be delivered with a notice or legend as "limited rights data" with appropriate restrictions placed on its dissemination. NASA and the NIAC plan to disseminate all technical information reported to the Institute, accepting such limited rights data could restrict such dissemination and is not recommended.

In summary, in the private sector, ideas may be kept as trade secrets. Ideas that reach the level of inventions may also be kept as trade secrets. There is nothing mandating that someone in the private sector select patent protection as the form of intellectual property over a trade secret as the form of intellectual property. However, in the world of Government contracts, there are no trade secrets to ideas or inventions generated under contracts funded by the Government. Data on ideas can be disseminated. Patent protection is available

if the idea or concept has been sufficiently developed to satisfy statutory requirements for obtaining a patent. The patent provides its owner with the right to exclude others from making, using and selling the invention but the idea is fully disclosed in the published patent. Copyright protection, if available, protects the expression of an idea, not the idea itself.

The Patent Rights Clause (52.227-11), or the New Technology Clause (1852.227-70) where appropriate, must flow down to the NIAC subcontractors. The rights and procedures established by the Rights in Data - General clause (52.227-14) should also flow down, although this is not the data clause used in our standard grant instruments if the Institute decides to use a grant.

APPENDIX B

Cost Breakdown Format

	MONTHS					
	1	2	3	4	5	6
DIRECT LABOR						
TOTAL DIRECT LABOR						
OVERHEAD						
Fringe Benefits						
Overhead						
Subcontract						
SUBTOTAL DIRECT LABOR						
MATERIALS						
EQUIPMENT						
SUBCONTRACTS						
TRAVEL						
OTHER DIRECT COSTS						
OTHER						
TOTAL OTHER DIRECT COSTS						
G & A						
SUBTOTAL COSTS						
FEE						
TOTAL PRICE						

APPENDIX C.1.

CERTIFICATION REGARDING DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS -- PRIMARY COVERED TRANSACTIONS

This certification is required by the regulations implementing Executive Order 12549, Debarment and Suspension, 34 CFR Part 85, Section 85.510, Participants' responsibilities. The regulations were published as Part VII of the May, 1988 Federal Register (pages 19160-19211). Copies of the regulations may be obtained by contacting the U.S. Department of Education, Grants and Contracts Service, 400 Maryland Avenue, S.W. (Room 3633 GSA Regional Office Building No. 3), Washington, D.C. 20202-4725, telephone (202) 732-2505.

(1) The prospective primary participant certifies to the best of its knowledge and belief, that it and its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal debarment or agency;

(b) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a statute or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (1) (b) of the certification; and

(d) Have not within a three-year period preceding this application/proposal, had one or more public transactions (Federal, State or local) terminated for cause or default.

(2) Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Proposal Title:

Signature: _____ Date: _____

Name and Title: _____

Institution: _____

APPENDIX C.2

Certification Regarding Drug-Free Workplace Requirements Contractors Other Than Individuals

The Contractor certifies that it will provide a drug-free workplace by:

- (a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the Contractor's workplace and specifying the actions that will be taken against employees for violation of such prohibition:
- (b) Establishing a drug-free awareness program to inform employees about --
 - (1) The dangers of drug abuse in the workplace;
 - (2) The Contractor's policy of maintaining a drug-free workplace;
 - (3) Any available drug counseling, rehabilitation, and employee assistance programs; and
 - (4) The penalties that may be imposed upon employees for drug abuse violations occurring
- (c) Making it a requirement that each employee to be engaged in the performance of the contract be given a copy of the statement required by paragraph (a);
- (d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the contract, the employee will --
 - (1) Abide by the terms of the statement; and
 - (2) Notify the employer of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction;
- (e) Notifying the agency within ten days after receiving notice under subparagraph (d) (2) from and employee or otherwise receiving actual notice of such conviction;
- (f) Taking one of the following actions, within 30 days of receiving notice under subparagraph (d) (2), with respect to any employee who is so convicted --
 - (1) Taking appropriate personnel action against such an employee, up to and including termination; or
 - (2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or appropriate agency;
- (g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e) and (f).

Proposal Title: _____

Signature: _____ Date: _____

Name and Title: _____

Institution: _____

APPENDIX C.3

ASSURANCE OF COMPLIANCE WITH THE REGULATIONS UNDER TITLE VI OF THE CIVIL RIGHTS ACT OF 1964

The _____ (institution, corporation, firm or other organization on whose behalf this assurance is signed, hereinafter called "Applicant").

HEREBY AGREES THAT it will comply with Title VI of the Civil Rights Act of 1964 (P.L. 88-352) and all requirements issued pursuant to that title, to the end that in accordance with Title VI of that Act and the Regulation, no person in the United States shall, on the ground of race, color or national origin, be excluded from participation in benefits of, or be otherwise subjected to discrimination under any program or activity for which the Applicant receives Federal financial assistance from the Government; and HEREBY GIVES ASSURANCE THAT it will immediately take any measures necessary to effectuate this agreement.

If any real property or structure thereon is provided or improved with the aid of Federal financial assistance extended to the Applicant by the Government, this assurance shall obligate the Applicant, or in the case of any transfer of such property, any transferee, for the period during which the real property or structure is used for a purpose for which the Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits. If any personal property is so provided, this assurance shall obligate the Applicant for the period during which it retains ownership or possession of the property. In all other cases, this assurance shall obligate the Applicant for the period during which the Federal financial assistance is extended to it by the Government.

THIS ASSURANCE is given in consideration of and for the purpose of obtaining any and all Federal grants, loans, contracts, property, discounts or other Federal financial assistance extended after the date hereof to the Applicant by the Government, including installment payments after such date on account of applications for Federal financial assistance which were approved before such date. The Applicant recognizes and agrees that such Federal financial assistance will be extended in reliance on the representations and agreements made in this assurance, and that the United States shall have the right to seek judicial enforcement of this assurance. This assurance is binding on the Applicant, its successors, transferees, and assignees, and the person or persons whose signatures appear below are authorized to sign this assurance on behalf of the Applicant.

Proposal Title: _____

Signature: _____

Date: _____

Name & Title: _____

Organization Name & Address:
