



**Department of Energy  
Financial Assistance Regulations**

**No. FAL 2025-02  
Date. October 7, 2024**

# **FINANCIAL ASSISTANCE LETTER**

This Financial Assistance Letter is issued under the authority of the DOE and NNSA Senior Procurement Executives.

**Subject: Research Security Training Requirements for all R&D Financial Assistance Awards**

**References:**

CHIPS and Science Act of 2022 (P.L. 117-167), Section 10634

National Security Presidential Memorandum on United States Government-Supported Research and Development National Security Policy 33 (NSPM-33)

**When is this Financial Assistance Letter (FAL) Effective?**

This FAL is effective upon issuance.

**When does the FAL expire?**

This FAL remains in effect until canceled or superseded.

**Who is the intended audience?**

Department of Energy (DOE) and National Nuclear Security Administration (NNSA) Contracting and Grants Officers. Any reference in this guidance to Contracting Officer (CO) should be understood to include Grants Officer (GO). Any reference in this guidance to the DOE should be understood to include the NNSA, unless otherwise indicated.

**Who are the Points of Contact?**

For DOE questions, please contact the Contract and Financial Assistance Policy Division at [DOE\\_OAPMPolicy@hq.doe.gov](mailto:DOE_OAPMPolicy@hq.doe.gov).

For National Nuclear Security Administration (NNSA) questions, contact NNSA Office of Policy and Oversight Division, Policy & Oversight Branch (NA-PAS-111), at (505) 845-5639.

## **What is the purpose of this FAL?**

The purpose of this FAL is to provide information and guidance regarding DOE's implementation of research security training requirements for covered individuals listed on financial assistance applications and for the organizations applying for such an award, per Section 10634 of the CHIPS<sup>1</sup> and Science Act.

## **What is the background information?**

Section 10634 of the CHIPS and Science Act describes two new financial assistance application requirements: one for covered individuals listed on the application and one for prime applicants.

Covered individuals must certify that they have “completed within one year of such application research security training that meets the guidelines [described in the Act]”. DOE interprets this as the 12 months immediately preceding the application date.

Prime applicants must “certify that each covered individual who is employed by such institution or organization and listed on the application has completed such training.” DOE interprets this as the prime applicant's responsibility to verify the accurateness of the individual certifications as a condition of submitting an application to DOE. The certification date is therefore the date the prime applicant submits their application to DOE.

## **What are the instructions/guidance of this FAL?**

### **Sections**

- A. Applicability
- B. Definitions
- C. Implementation

### **A. Applicability**

The FAL applies to all DOE and NNSA notice of funding opportunities (NOFOs)<sup>2</sup>, financial assistance agreements resulting from those NOFOs, congressionally directed spending (CDS) projects, and non-competitive financial assistance agreements– that are: 1) issued on or after the effective date of this FAL; and 2) encompass research and development (R&D) activities, or technical assistance to support R&D activities.

### **B. Definitions**

**Covered Individual** means an individual who (a) contributes in a substantive, meaningful way to the development or execution of the scope of work of a project funded by DOE or proposed for funding by DOE, and (b) is designated as a covered individual by DOE.

At a minimum, DOE designates as covered individuals any principal investigator (PI); project director (PD); co-principal investigator (Co-PI); co-project director (Co-PD); project manager; and any individual regardless of title that is functionally performing as a PI, PD, Co-PI, Co-PD,

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<sup>1</sup> Creating helpful incentives to produce semiconductors

<sup>2</sup> Per [eCFR :: 2 CFR 200.1 – Definitions.](#), this term replaces “Funding Opportunity Announcement (FOA)”.

or project manager. DOE departmental elements will often expand this list of designated roles, as specified in the applicable Notice of Funding Opportunity (NOFO) and/or terms and conditions of the Federal financial assistance award<sup>3</sup>. Status as a consultant, graduate (master's or PhD) student, or postdoctoral associate does not automatically disqualify a person from being designated as a "covered individual" if they meet the definition in (a) above.

The prime applicant/recipient is responsible for assessing the applicability of (a) against each person listed on the project (i.e., listed by the non-Federal entity in the application for Federal financial assistance, approved budget, progress report, or any other report submitted to DOE by the non-Federal entity regarding the subject project). Further, the prime applicant/recipient is responsible for identifying any such individual to DOE for designation as a covered individual, if not already designated by DOE as described above.

**Research and development** and **R&D** have the meaning given such terms in 2 C.F.R. §200.1.

### C. **Implementation**

The certification for covered individuals will be collected via an additional certification on the Current and Pending (Other) Support disclosure. Grants Officers must:

1. Include the provision outlined in Appendix 1 in Part VI Award Administration Information for NOFOs for research and development (R&D) activities, or technical assistance to support R&D activities.
2. Include the award term outlined in Appendix 2 in awards for research and development (R&D) activities, or technical assistance to support R&D activities.

The certification for organizations applying for financial assistance awards will be collected via DOE's Financial Assistance Certifications and Assurances for Use With SF 424 (<https://www.energy.gov/management/articles/certifications-and-assurances-use-sf-424>). The new certification to be added to that list is as follows:

The applicant certifies to the best of its knowledge and belief that each covered individual who is employed by the applicant and listed on the application has completed a research security training program consistent with Section 10634 of the CHIPS and Science Act of 2022. To fulfill this requirement, an applicant may utilize the four one-hour training modules developed by the National Science Foundation at <https://new.nsf.gov/research-security/training> or develop and implement their own research security training program aligned with the requirements in Section 10634(b) of the CHIPS and Science Act of 2022.

If a departmental element does not link to the MA list of certifications in their NOFO, either the link can be added, or the certification must be collected separately.

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<sup>3</sup> Departmental elements may additionally designate individuals as covered individuals by (a) identifying them by name in the terms and conditions of award or (b) identifying them by role in the terms and conditions of award. Additionally, individuals listed in the "Senior/Key Person" section of an SF-424(R&R) budget in the award documents are designated as covered individuals.

## Appendix 1

### Language for Notices of Funding Opportunities (NOFO)

#### Research Security Training Requirement

The research security training requirement described here is optional until May 1, 2025, and mandatory thereafter. Covered individuals listed on applications under this funding opportunity are required to certify that they have taken research security training consistent with Section 10634 of the CHIPS and Science Act of 2022. In addition, applicants who receive an award must maintain sufficient records (records must be retained for the time period noted in 2 CFR 200.334 and made available to DOE upon request) of their compliance with this requirement for covered individuals at the applicant/recipient organization and they must extend this requirement to any and all subrecipients. To fulfill this requirement, an applicant may utilize the four one-hour training modules developed by the National Science Foundation at <https://new.nsf.gov/research-security/training> or develop and implement their own research security training program aligned with the requirements in Section 10634(b) of the CHIPS and Science Act of 2022. The submission of an application to this NOFO constitutes the applicant's acceptance of this requirement.

See the Current and Pending Support section for instructions on how to submit the research security training certification.

[Choose one of the options below for “covered individual” definition]

[Option 1 – SF-424 Minimum Designation for NOFO]

Covered Individual means an individual who (a) contributes in a substantive, meaningful way to the development or execution of the scope of work of a project proposed for funding by DOE, and (b) is designated as a covered individual by DOE.

DOE designates as covered individuals any principal investigator (PI); project director (PD); co-principal investigator (Co-PI); co-project director (Co-PD); project manager; and any individual regardless of title that is functionally performing as a PI, PD, Co-PI, Co-PD, or project manager. Status as a consultant, graduate (master's or PhD) student, or postdoctoral associate does not automatically disqualify a person from being designated as a “covered individual” if they meet the definition in (a) above.

The prime applicant is responsible for assessing the applicability of (a) against each person listed on the application. Further, the prime applicant is responsible for identifying any such individual to DOE for designation as a covered individual, if not already designated by DOE as described above.

The prime applicant's submission of a current and pending support disclosure and/or biosketch/resume for a particular person serves as an acknowledgement that DOE designates that person as a covered individual.

DOE may further designate covered individuals during award negotiations or the award period of performance.

### [\[Option 2 – SF-424\(R&R\) Minimum Designation for NOFO\]](#)

Covered Individual means an individual who (a) contributes in a substantive, meaningful way to the development or execution of the scope of work of a project proposed for funding by DOE, and (b) is designated as a covered individual by DOE.

DOE designates as covered individuals any principal investigator (PI); project director (PD); co-principal investigator (Co-PI); co-project director (Co-PD); project manager; and any individual regardless of title that is functionally performing as a PI, PD, Co-PI, Co-PD, or project manager. Status as a consultant, graduate (master's or PhD) student, or postdoctoral associate does not automatically disqualify a person from being designated as a "covered individual" if they meet the definition in (a) above.

The prime applicant is responsible for assessing the applicability of (a) against each person listed on the application. Further, the prime applicant is responsible for identifying any such individual to DOE for designation as a covered individual, if not already designated by DOE as described above.

Individuals committing no measurable effort or "as-needed" effort are not automatically exempt from being designated as a covered individual. The prime applicant's listing of an individual in the "Senior/Key Person" section of an SF-424(R&R) budget serves as an acknowledgement that DOE designates that person as a covered individual.

DOE may further designate covered individuals during award negotiations or the award period of performance.

### [\[Option 3 – Expanded Designation for NOFO\]](#)

Covered Individual means an individual who (a) contributes in a substantive, meaningful way to the development or execution of the scope of work of a project proposed for funding by DOE, and (b) is designated as a covered individual by DOE.

DOE designates as covered individuals any principal investigator (PI); project director (PD); co-principal investigator (Co-PI); co-project director (Co-PD); project manager; and any individual regardless of title that is functionally performing as a PI, PD, Co-PI, Co-PD, or project manager.

In addition, DOE designates technical staff (e.g., postdoctoral fellows/researchers and graduate students) as covered individuals for the purpose of this funding opportunity.

DOE may further designate covered individuals during award negotiations or the award period of performance.

## Appendix 2

### Language for Award Terms

#### Research Security Training Requirement

The research security training requirement described here is optional until May 1, 2025, and mandatory thereafter. Recipients must maintain a research security training program for covered individuals on the project, consistent with Section 10634 of the CHIPS and Science Act of 2022. Any new covered individuals at the recipient and subrecipient levels added to the project must certify that they have completed the training within thirty (30) calendar days of the individual joining the project (see Current and Pending Support term for certification instructions).

In addition, recipients must maintain sufficient records (records must be retained for the time period noted in 2 CFR 200.334 and made available to DOE upon request) of their compliance with this requirement for covered individuals at the recipient organization and they must extend this requirement to any and all subrecipients. To fulfill this requirement, recipients may utilize the four one-hour training modules developed by the National Science Foundation at <https://new.nsf.gov/research-security/training> or develop and implement their own research security training program aligned with the requirements in Section 10634(B) of the CHIPS and Science Act of 2022.

Acceptance of the award or use of the first dollar of award funds constitutes the recipient's acceptance of this requirement and all other applicable award requirements.

Covered individuals previously identified by the recipient who have already certified and completed the research security training do not need to complete it again, even if they are submitting an updated Current and Pending Support Form during the life of the award.

[Choose one of the options below for “covered individual” definition]

[Option 1 – SF-424 Minimum Designation for Award Term]

Covered Individual means an individual who (a) contributes in a substantive, meaningful way to the development or execution of the scope of work of a project funded by DOE, and (b) is designated as a covered individual by DOE.

DOE designates as covered individuals any principal investigator (PI); project director (PD); co-principal investigator (Co-PI); co-project director (Co-PD); project manager; and any individual regardless of title that is functionally performing as a PI, PD, Co-PI, Co-PD, or project manager. Status as a consultant, graduate (master's or PhD) student, or postdoctoral associate does not automatically disqualify a person from being designated as a “covered individual” if they meet the definition in (a) above.

The prime recipient is responsible for assessing the applicability of (a) against each person listed on the project (i.e., listed by the non-Federal entity in the application for Federal financial assistance, approved budget, progress report, or any other report submitted to DOE by the non-Federal entity regarding the subject project). Further, the prime recipient is responsible for identifying any such individual to DOE for designation as a covered individual, if not already designated by DOE as described above.

The prime recipient's submission of a current and pending support disclosure and/or biosketch/resume for a particular person serves as an acknowledgement that DOE designates that person as a covered individual.

DOE may further designate covered individuals during the award period of performance.

[\[Option 2 – SF-424\(R&R\) Minimum Designation for Award Term\]](#)

Covered Individual means an individual who (a) contributes in a substantive, meaningful way to the development or execution of the scope of work of a project funded by DOE, and (b) is designated as a covered individual by DOE.

DOE designates as covered individuals any principal investigator (PI); project director (PD); co-principal investigator (Co-PI); co-project director (Co-PD); project manager; and any individual regardless of title that is functionally performing as a PI, PD, Co-PI, Co-PD, or project manager. Status as a consultant, graduate (master's or PhD) student, or postdoctoral associate does not automatically disqualify a person from being designated as a "covered individual" if they meet the definition in (a) above.

The prime recipient is responsible for assessing the applicability of (a) against each person listed on the project (i.e., listed by the non-Federal entity in the application for Federal financial assistance, approved budget, progress report, or any other report submitted to DOE by the non-Federal entity regarding the subject project). Further, the prime recipient is responsible for identifying any such individual to DOE for designation as a covered individual, if not already designated by DOE as described above.

Individuals committing no measurable effort or "as-needed" effort are not automatically exempt from being designated as a covered individual. The prime recipient's listing of an individual in the "Senior/Key Person" section of an SF-424(R&R) budget serves as an acknowledgement that DOE designates that person as a covered individual.

DOE may further designate covered individuals during the award period of performance.

[\[Option 3 – Expanded Designation for Award Term\]](#)

Covered Individual means an individual who (a) contributes in a substantive, meaningful way to the development or execution of the scope of work of a project funded by DOE, and (b) is designated as a covered individual by DOE.

DOE designates as covered individuals any principal investigator (PI); project director (PD); co-principal investigator (Co-PI); co-project director (Co-PD); project manager; and any individual regardless of title that is functionally performing as a PI, PD, Co-PI, Co-PD, or project manager.

In addition, DOE designates technical staff (e.g., postdoctoral fellows/researchers and graduate students) as covered individuals for the purpose of this award.

DOE may further designate covered individuals during the award period of performance.