

Department of Homeland Security (DHS)
Funding Opportunity Announcement (FOA)
National Non-Profit Organization Grant Program

Overview Information

Issued By: **DHS-United States Coast Guard**

Catalog of Federal Domestic Assistance (CFDA) Number: **97.012**

CFDA Title: **Boating Safety Financial Assistance**

Funding Opportunity Announcement Title: **National Non-Profit Organization Grant Program**

Authorizing Authority for Program: **46 U.S.C. 13102**

Appropriation Authority for Program: **U.S.C. 13107** *(All awards are subject to availability of funds.)*

FOA Number: **DHS-USCG-2014-001**

Key Dates and Time

Application Start Date: **October 2013**

Application Submission Deadline Date: **1/31/2014 at 11:59:59 PM EDT**

Funding Selection Date: N/A

Award Date: **May 2014**

Other Key Dates: N/A

Application Submission Extension Permitted: **No**

Intergovernmental Review Required: **No**

FOA Executive Summary

Program Type: **Continuing** (*Date of Origin for Program: 10/01/1972*)

Opportunity Category: **Mandatory/Competitive**

Application Process: DHS makes all funding opportunities available through the common electronic “storefront” Grants.Gov, accessible on the Internet at <http://www.Grants.Gov>. If you experience difficulties accessing information or have any questions please call the Grants.Gov customer support hotline at (800) 518-4726.

Components/Directorates must ensure applicants and recipients use the appropriate OMB Standard Forms when applying for financial assistance. Application forms and instructions are available at Grants.Gov. To access these materials, go to <http://www.Grants.Gov>, select “Apply for Grants,” and then select “Download Application Package.” Enter the CFDA and/or the funding opportunity number located on the cover of this announcement. Select “Download Application Package,” and then follow the prompts to download the application package. To download the instructions, go to “Download Application Package” and select “Instructions.”

Eligible Applicants: **Non-Profit Organizations (501 (c) 3)**

(For additional information, see the *Eligibility Criteria* section of this FOA.)

Type of Funding Instrument: **Cooperative Agreement**

The substantial involvement of the Coast Guard in this cooperative agreement includes review and approval of all timelines; review of all deliverables before public release; and approval of all subcontracts and personnel funded.

Cost Share or Match: **N/A**

Maintenance of Effort: **N/A**

Management and Administration: **Management and administrative costs are allowable, subject to programmatic review. Indirect costs are allowable. Applicants claiming indirect costs must provide a copy of the Indirect Cost Negotiation Agreement covering the period of performance.**

FULL ANNOUNCEMENT

I. Funding Opportunity Description

Program Overview and Priorities: The purpose of the National Recreational Boating Safety Program is to reduce the number of accidents, injuries and deaths on America's waterways and provide a safe enjoyable experience for the boating public. The program also encourages greater non-profit organizations participation and uniformity in boating safety efforts. A listing of the U.S. Coast Guard Areas of Interest are in Appendix A.

Applications for the Boating Safety Data Collection and Analysis Grant will be accepted under FOA # DHS-USCG-2014-002.

II. Funding Information

Estimated Available Funding (under the National Non-Profit Organization Grant Program and the Boating Safety Data Collection and Analysis Grant): **\$4,500,000 - \$5,500,000 (Combined with FOA# DHS-USCG-2014-001 and DHS-USCG-2014-002).**

Number of Awards: **Multiple**

Projected Award Start Date(s): **05/01/2014**

Projected Award End Date(s): **09/30/2015**

Period of Performance: **05/01/2014 through 09/30/2015**

Is an extension to the period of performance permitted?: **Yes. Recipients must request an extension in writing 30 days prior to grant award end date.**

Additional Funding Information: **This program is funded by the Sport Fish Restoration and Boating Trust Fund.**

III. Eligibility Criteria

Ref: 46 U.S.C. 13103

In order to apply for a grant, an organization must be eligible for funding. Title 46 United States Code, section 13103(c) authorizes Federal financial assistance for "support of national boating safety activities of national non-profit public service organizations." The Coast Guard has developed the following test for eligibility, based on Federal law and regulations, legal rulings and interpretations, and guidance from other Federal agencies.

Organizations do not have to be boating-related. Any organization meeting the following qualifications is eligible to apply:

1. It must be a nongovernmental organization. (City, County or State governments or municipalities, for example, are not eligible).
2. It must be accorded a non-profit organization tax-exempt status by the Internal Revenue Service in accordance with 26 U.S.C. 501(c) (3). You must provide a copy of the IRS letter designating your organization as a non-profit organization (26 CFR 1.501(c) (3) -1 elaborates on the test for exemption). Contracts or subcontracts to profit-making or taxable organizations are allowed. However, these activities must be explicitly spelled out in the grant project narrative, and be limited to administrative, clerical, or technical functions.
3. It has the ability to provide public boating safety benefits that are national in scope or dimension. It must demonstrate that its benefits will be effectively extended nationwide, extending beyond a state or region. A national membership base does not suffice.
4. It must be primarily in existence to provide “public service” and serve the general public. Fraternal, lobbying or religious organizations are not eligible.

Subcontracts to profit-making businesses, colleges or universities are allowed. However, the grantee organization is required to maintain all project records, provide the point of contact, and maintain funding accountability. If a profit-making organization or college or university performs a portion of the contract, the project proposal and grant agreement shall lucidly describe its activities. Non-profit organizations that are associated with profit-making or taxable organizations are eligible for grants if they meet all the eligibility requirements above.

EXCLUSIONS

The following organizations are not eligible for funding: (1) colleges and universities; (2) hospitals; (3) governments or governmental organizations; (4) churches; (5) municipalities; (6) local units of national organizations; and (7) organizations that do not have an impact at the national level. These organizations that are excluded from applying for funding may contract with a recipient organization.

IV. Restrictions on Use of Award Funds

All expenditures under this program must be for allowable recreational boating safety costs.

V. Application Review Information and Selection Process

The applications are first reviewed for eligibility and completeness. The project cost portions of the proposals are reviewed ensuring that they meet Federal requirements. Applications are then subjected to a merit review performed by Subject Matter Experts. Subject Matter Experts review each application for technical merit, personnel qualifications, and the degree to which a proposal offers potential value and measurements to Program goals as stated and described in the Proposal Rating Criteria section below. The Subject Matter Experts typically review 60-80 applications annually. The Non-Profit Organization Grants Coordinator prepares the top-ranked grant award

recommendations for review and approval to the Director of Prevention Policy that has final approving authority.

APPLICATION RATING CRITERIA

The Coast Guard has funded a wide variety of projects related to boating safety, ranging from highly technical engineering studies to the development of public service announcements. The sole requirement is that the project must have the potential to benefit recreational boating safety at the national level.

The following generic criteria are used during evaluations:

1. The extent to which work under the grant is intended to support the National Recreational Boating Safety Program mission, goals and objectives:

Mission: To ensure the public has a safe, secure, and enjoyable recreational boating experience by implementing programs that minimize the loss of life, personal injury, and property damage while cooperating with environmental and national security efforts.

RBS Performance Goals: To reduce the annual number of recreational boating casualties nationwide. The following objectives can be found in the Coast Guard Strategic Plan http://www.uscgboating.org/assets/1/workflow_staging/News/489.PDF.

The objectives to meet the Performance Goal are as follows:

- Objective 1: Safety Education Certificates and Successful Course Completions.
- Objective 2: Boating Safety Outreach.
- Objective 3: Advanced and/or On-Water, Skills-Based Boating Education.
- Objective 4: Life Jacket Wear.
- Objective 5: Operator Compliance – Navigation Rules.
- Objective 6: Boating Under the Influence.
- Objective 7: Manufacturer Compliance.
- Objective 8: Operator Compliance – USCG Required Safety Equipment.
- Objective 9: Boating Accident Reporting.
- Objective 10: Research and Development.
- Objective 11: Effectiveness of Non-Profit Organization Grants

2. Feasibility (probability of project success). An estimate of overall likelihood of achieving the stated project goals. This includes, but is not limited to the following:
 - a. The likelihood of the activity leading to the desired results;
 - b. The technical and managerial competence of the staff, the adequacy of equipment and organizational capacity to perform the proposed project as evidenced by its previous successful completion of work similar to that proposed for funding;
 - c. The reasonableness and consistency of the timetables and milestones relative to the available resources; and

- d. The adequacy of specific delivery systems to ensure that the output is used.
3. Impact/cost (its cost effectiveness). An estimate of external consequences and projected benefits of the project's output in relation to its cost. It includes consideration of:
 - a. Whether proposed project fits criteria noted in the solicitation for projects of particular interest;
 - b. The overall merit of the proposed project or activity. (Does the project support overall the Recreational Boating Safety goals?)
 - c. The value of intended output to nationwide recreational boating safety including the likelihood of the project spurring other beneficial actions and its consistency with the direction of the National Recreational Boating Safety Program; and the project cost and proposals for cost sharing.

VI. Post-Selection and Pre-Award Guidelines

Award Notices: Award notices will be issued prior to June 30th.

Administrative and Financial Requirements: Quarterly Federal Financial Reports (SF-425) are required. They are due within 30 days after the end of each quarter with a final report due within 90 days after the end of the federal fiscal year.

Programmatic Reporting Requirements: Annual Performance Reports (narrative) are due within 30 days after the end of each quarter.

GRANT AGREEMENT NEGOTIATIONS

After the Program Director approves the grant awards, the organizations are informed of the decision, and negotiations begin. In most cases, the procedure is simple. A grant agreement is prepared and the required parties sign it. However, there are exceptions:

- If the organization is a new grantee of the Coast Guard, or has never received Federal funds before, its accounting system must be examined and approved.
- The proposal itself may have to be revised to accommodate Grant Review Team recommendations.
- The project budget may have to be revised.

Note: Organizations awarded a grant cannot use the grant funds to pay for work performed prior to the grant start date. Payments cannot be processed until the award agreement is signed by the United States Coast Guard.

After mutual acceptance of the revised proposal, a formal grant and/or cooperative agreement is drafted and signed. Agreements must be signed and funds obligated before June 30, 2014. After the agreements are signed, each grant project is assigned a Grant Technical Manager. That

individual remains as the grantee's primary point of contact during the life of the project, and should:

1. Provide technical assistance as required;
2. Review and approve grantee's progress reports and requests for payments;
3. Provide required Federal forms, explain how to fill them out; and
4. Act as liaison between the grantee and any other Coast Guard staff elements the grantee may be required to deal with (Coast Guard financial management personnel, for example).

FINANCIAL MANAGEMENT

SF-425 Form-Federal Financial Report

All SF-425s must be submitted on a quarterly basis and it must be submitted with the Final Report. The SF-425 ensures that the grantees are managing their funds properly. Failure to submit a timely SF-425 can result in funds being withheld.

Automated Standard Application for Payments

ASAP is a system through which national non-profit organizations receiving Federal funds can draw payments preauthorized by the Coast Guard through the U.S. Treasury. ASAP.gov is an Internet payment and information system developed jointly by the Financial Management Services (FMS) and the Federal Reserve Bank of Richmond.

Grantees will request all payments through ASAP. Once a payment request has been made, the Non-Profit Organization Grant Coordinator will review the request and approve it based on the following terms:

- Quarterly Financial Reports (SF-425) are submitted on a timely basis and up to date.
- There are no outstanding programmatic issues.

For additional information, refer to the following sites:

<http://www.asap.gov>

<http://www.fms.treas.gov/asap>

<http://www.fms.treas.gov/asap/background.html>

In accordance with the above, recipients are requested to keep a record of all transactions for the project in an accounting system that is agreed upon by both parties and one that will withstand an external audit. All contracts shall be in accordance with government standards, and records of bids and proposals shall be kept for audit purposes.

PLEASE NOTE: Recipients shall maintain advances of Federal funds in interest-bearing accounts, unless the conditions listed below apply: (1) The recipient receives less than \$120,000

in Federal awards per year, (2) The best reasonably available interest-bearing account would not be expected to earn interest in excess of \$250 per year on Federal cash balances, or (3) The depository would require an average or minimum balance so high that it would not be feasible within the expected Federal and non-Federal cash resources.

For those entities where the Cash Management Improvement Act (CMIA) (Public Law 101-453) and its implementing regulations do not apply, interest earned on Federal advances deposited in interest-bearing accounts shall be remitted annually to Department of Health and Human Services, Payment Management System, P. O. Box 6021, Rockville, MD 20852 with a copy of said payment letter provided to the Coast Guard. Interest amounts up to \$250 per year may be retained by the recipient for administrative expenses. See 49 CFR Part 19 Section 19.22 (k&l).

PLANNING AND PROGRESS REPORTING

After the grant award, and to allow for sufficient time for review of each project, recipients are to submit a work plan delineating:

1. When the various tasks are projected to be completed.
2. When reviews should be conducted. If the grant is for the design, development, production, final edit, duplication and distribution of a program or publication, a review or series of reviews is required prior to production and prior to final edit. These reviews will be conducted by the Coast Guard. A minimum of two weeks should be scheduled for each review.
3. All products should be field-tested to assure quality products.
4. When progress reports may be expected. It is suggested that a concise progress report shall be submitted each quarter outlining the tasks completed and the tasks remaining. The progress reports should convey to the Coast Guard the status of the project and any changes to the schedule outlined in the plan. (Depending on the scope of the change, an amendment to the grant and/or cooperative agreement may be initiated.)
5. When on-site inspection or review is required. In some cases it may be considered appropriate or necessary to have a Coast Guard Subject Matter Expert on scene to observe a test or filming, for example, or to meet with the project team. This should be noted in the plan submitted so the Coast Guard Grant Technical Manager may plan travel.

THE FINAL PRODUCT

The final product of the grant shall:

1. Incorporate all technical changes directed by the review process of the Coast Guard Grant Technical Manager.

2. If applicable, contain final edits of media, artwork and film that adhere to the Coast Guard Guidelines for Media (available from the Coast Guard Grant Technical Manager).
3. Have an appropriate statement indicating that the project was done under a Coast Guard Grant (see Programmatic Terms and Conditions #4 in Appendix C). Credits may include other organizations but may not be used as a recruiting or advertising mechanism.
4. Include an **executive summary** of the work done to complete the project (i.e., a summary of the literature search, review of past projects, design methodology, and development process). This executive summary should be no more than two pages in length.
5. Include an **abstract** that describes the grant product or products and intended uses that would be suitable for publication in a magazine or newsletter that could serve as an announcement of the completion of the grant project.
6. Include web site links, **master copies or originals** of any printed, film, video or other media materials in a compatible Coast Guard format. This will allow the Coast Guard to have on file materials from which copies or segments can be taken to address other audiences or a specific need.

VII. DHS Contact and Resource Information

Carlin Hertz, Non Profit Organization Grants Coordinator: Tel. (202) 372-1060

E-Mail: Carlin.R.Hertz@uscg.mil

VIII. Other Critical Information

For information on Coast Guard Grant Product Guidelines and Copyright, please visit http://www.uscgboating.org/grants/nonprofit_grants.aspx

AUDITS

Grantee organizations receiving grant funds must comply with the Federal audit requirements contained in OMB Circular A-133, "Audits of States, Local Governments, and Non-Profit Organizations."

Compliance depends on the size of the grant award.

1. Recipients receiving less than \$25,000 a year from any Federal source are exempt from any Federal audit requirements, but records must be kept for review by the Coast Guard grant project manager.
2. Recipients receiving \$25,000 to \$500,000 a year from any Federal source will be responsible for having a project review completed for each Coast Guard grant project.

The Coast Guard GTM shall perform the project review.

3. Recipients **expending** \$500,000 or more a year from any Federal source will have an audit conducted of all its annual activities, with the specific grant projects identified. A prorated cost of the audit covering that part dealing with Coast Guard grant projects can be paid for with applicable grant funds, but only if the project narrative includes the cost of the audits as part of the grant application proposal.

In certain instances, a grantee can request waiver of these provisions. Waivers are rare, and will be considered only if:

1. the organization receives vendor-type grant awards;
2. less than 1% of the organization's revenues are derived from Federal sources; and;
3. the organization has adequate internal controls, including provisions for an internal annual audit by an independent commercial auditor.

The waiver request will be forwarded to the Coast Guard for review and approval. Please raise any questions regarding audit requirements prior to applying for funding.

IX. Application Instructions

The criteria for eligibility must be met, all the required forms and certifications must be appended to the application, and the completed proposal must be signed and dated in order for an application to be considered for funding. Please note certification forms to be signed are found as mandatory documents to be submitted in the Grants.Gov application package.

Components/Directorates must ensure applicants and recipients use the appropriate OMB Standard Forms when applying for financial assistance. Application forms and instructions are available at Grants.Gov. To access these materials, go to <http://www.Grants.Gov>, select "Apply for Grants," and then select "Download Application Package." Enter the CFDA and/or the funding opportunity number located on the cover of this announcement. Select "Download Application Package," and then follow the prompts to download the application package. To download the instructions, go to "Download Application Package" and select "Instructions."

Applications received after the **January 31, 2014** deadline will **NOT** be considered for funding. Application packages that are not properly completed may not be accepted. Please note that one completed application must be submitted in order to be considered for funding. The checklist must be completed and attached to your grant application package (see Appendix B). The funding for each grant awarded under this application package must be expended by project end date (extensions may be granted on a case-by-case basis and may require a detailed timeline

outlining justification for an extension). When submitting via Grants.Gov, we recommend all attached documents be submitted in one PDF file. If you experience difficulties accessing information or have any questions please call the Grants.Gov customer support hotline at (800) 518-4726.

PROJECT NARRATIVE

The project narrative should be described in sufficient detail to ensure the project can be weighed against other proposals. It should include, at a minimum, the following:

1. A brief description of the organization. In addition, the narrative must outline how the organization's project will be "National in scope." The organization must demonstrate that its benefits will be effectively extended nationwide, extending beyond a state or region.
2. The name of the official representative authorized to sign for the organization.
3. A statement that the organization is a national non-profit public service organization and a copy of the IRS letter designating the organization as tax exempt (as a 501(c) (3) organization).
4. A specific description of the proposed project that demonstrates the need for assistance (needs assessment) and states the objectives (short-term and long-term) and methods (methodology) of the project. Identify results and benefits to be derived. Please also identify how the project will clearly demonstrate the linkages to reduce deaths, injuries or damage and environmental impact of recreational boating on a national basis. Also describe the methods the organization will use to monitor the progress of the program and what measures of accountability will be used to evaluate the project results. For more information please see the National RBS Strategic Plan (http://www.uscgboating.org/assets/1/workflow_staging/News/489.PDF).
5. A schedule of quantitative monthly or quarterly accomplishments. Accomplishments should be quantified to the extent feasible, and listed in chronological order.
6. Resumes of the principal participants in the proposed project(s) (short one-paragraph bios are not acceptable).
7. A statement that the project proposal does not contain proprietary information or a statement identifying the information that is considered proprietary. Note any special considerations that are relevant to the project, i.e. special permission requirements or clearances, and certifications. Special concerns should be identified, i.e. special treatment of proprietary or privileged information in the application, individual privacy matters, etc.
8. The name of any government agency that now audits the organization on a regular basis and date of last audit.

9. A bibliography, i.e., any citations to any literature pertinent to the project or referenced in the application package.

BUDGET NARRATIVE

A detailed budget narrative should correspond with the SF-424A Section B. It should include, at a minimum, the following:

1. Direct Costs
 - a. Personnel - Identify salaries and wages of the personnel associated with the project. Include both principal project participants and support staff. Specify what type of appointment the individuals are under (full-time or part-time), and amount or percentage of time that will be devoted to the project
 - b. Fringe benefits - contributions to employee benefits (i.e. social security, pension funds, etc.)
 - c. Travel - Delineate proposed travel and associated costs. Specify whether foreign or domestic, mode of transportation, and class of travel. Identify number of trips, places to be visited, the purpose, anticipated dates of travel, number of travelers, etc. Please itemize these costs with justifications.
 - d. Equipment - List any equipment required for project and indicate whether it will be purchased or leased.
 - e. Supplies - List materials and supplies as separate line item in budget.
 - f. Contractual - Identify consultant services, subcontracts, and identify subcontractor (if known) and service or product to be provided.
 - g. Construction – Non-applicable for non-profit organization grants
 - h. Other - Estimate any publication, distributions or other extraordinary expenses.
 - i. Indirect charges - Specify the indirect cost rate and what Federal agency negotiated the rate and when. Provide a copy of a negotiated indirect cost rate agreement. If no indirect cost rate has been negotiated, specify the overhead rate and itemize what is covered under the rate. In order for an indirect cost rate to be approved, it must have an approved indirect cost rate from your cognizant agency.
2. Delineate costs for proposed activities sufficient to establish their source.
3. Separately list in the financial plan any expenses of \$2000 or more. Items under \$2000 can be consolidated by category.
4. If applicable, include the cost of a project audit.

ACCOUNTING SYSTEM CERTIFICATION

Organizations that receive less than \$1 million annually in Federal grants must attach a certification signed by the certifying official stating that the organization has a functioning accounting system that meets the criteria below. The applicant organization may also designate a qualified entity (include the name and address in the documentation) to maintain a functioning

accounting system that meets the criteria below. The certification should attest that the organization's accounting system provides for the following:

- Accurate, current and complete disclosure of the financial results of each federally sponsored project.
- Records that identify adequately the source and application of funds for federally sponsored activities.
- Effective control over and accountability for all funds, property and other assets.
- Comparison of outlays with budget amounts.
- Written procedures to minimize the time elapsing between the transfer of funds.
- Written procedures for determining the reasonableness, allocability and allowability of costs.
- Accounting records, including cost accounting records that are supported by source documentation.
- You can just submit a statement signed by the executive director that you meet these criteria.
- Non-Profit grant recipients will be required to submit a travel policy outlining the most cost effective way grant funds are utilized when traveling. This includes the selection of air travel, rental cars, lodging, meals, etc.
- A list of the Non-Profit's Board of Directors outlining duties, responsibilities, etc will also be required.

INDIRECT COST RATE

A non-profit organization which has not previously established an indirect cost rate with a Federal agency shall submit its initial indirect cost proposal immediately after the organization is advised that an award will be made and, in no event, later than **three months** after the effective date of the award. Organizations that have previously established indirect cost rates must submit a new indirect cost proposal to the cognizant agency within six months after the close of each fiscal year. During the Indirect Cost Rate review period, the Coast Guard may withhold the indirect cost rate portion of the grant until an agreement is finalized.

IX. Application and Submission Information

Application Process: Applications must be submitted via Grants.Gov. Eligible applicants are encouraged to contact the Coast Guard to discuss their questions regarding the application submission requirements. The merits of the proposal itself are not discussed. Along with the SF-424 Application for Federal Assistance, the application must consist of the following:

- An Application Checklist
- A completed SF-424A Budget Information
- Narrative: Proposed Project, Objectives, Methods, Expected Results and Benefits
- Detailed Budget Narrative (corresponding to SF-424A)
- Resumes of principal participants (if applicable)
- Reporting Schedule

- Signed Certifications and Assurances
 - Form ED-80-0013 Certifications Regarding Debarment, Suspension, and Other Responsibility Matters; Drug-Free Workplace Requirements and Lobbying
 - SF-424B Assurances – Non Construction Programs
- 501 (c) (3) letter regarding non-profit status
- Acknowledgement of a federally approved accounting system
- List of Board of Directors
- Travel Policy

APPENDICES

APPENDIX A: AREAS OF INTEREST

The U.S. Coast Guard is particularly interested in receiving grant applications specific studies/projects this fiscal year, listed below. However, we also encourage proposals addressing other boating safety concerns.

1. Develop and Conduct a National Year-Round Safe Boating Campaign
2. Develop and Conduct a National Recreational Boating Safety Outreach and Awareness Conference
3. Federal/State Cooperative Efforts to Enhance Statutory and Regulations Uniformity for RBS Program Effectiveness
4. Develop and Conduct Boating Accident Investigation Seminars
5. National Estimate of Life Jacket Wear Rate
6. Select Manufacturer Voluntary Standards Development Support

With your application, you are to list and describe to us the tools you will use to measure your application's performance toward achieving program goals or toward achieving a specific objective that will result in the achievement of Program goals. For some examples of tools for evaluating programs or projects, we invite you to explore this CDC website: <http://www.cdc.gov/ncipc/pub-res/demonstr.htm>.

The following list includes items of specific interest to the U.S. Coast Guard; however, potential applicants should not be constrained by the list.

1. Develop and Conduct a National Year-Round Safe Boating Campaign

The campaign should focus on providing support to the National RBS Strategic Plan and address specific objectives and strategies that have been identified through the U.S. Coast Guard's Strategic Planning Process. The U.S. Coast Guard seeks an applicant to plan, develop and implement a 2014 National Safe Boating Campaign that parallel's and supports the U.S. Coast Guard's national "Boat Responsibly!" campaign initiatives. The campaign should promote a concentrated effort to target specific boater market segments at the grass roots level and recreational boating safety topics. This year-round campaign must coincide with the objectives of the Strategic Plan of the National Recreational Boating Safety Program and promote the "Boat Responsibility" brand. The nationwide activities of this public awareness campaign should be based on the support of the volunteers and professionals nation-wide at the grassroots (local) level. Key to this collaborative effort is how it will complement the National Program's outreach objectives. The major focus of the effort will be to modify the behavior of all boaters with special focus on boat operators being responsible for their own safety and the safety of their passengers and understanding the consequences of irresponsible behavior on the water. Significant emphasis should be placed on life jacket wear, boating education, operator training, and accident reporting, as well as boating under the influence of alcohol or drugs. Efforts will also be coordinated, year-round, with other national safety initiatives and special media events. At the conclusion of the project, grant recipients will need to submit reports that clearly specify

the accomplishments and measures that are implemented to indicate the effectiveness of the project in achieving its objectives and National Program's performance goals. Point of contact: Mr. John Hutchison, 202-372-1063.

2. Develop and Conduct a National Recreational Boating Safety Outreach and Awareness Conference. The U.S. Coast Guard seeks an applicant to plan, implement, oversee, and conduct a National Recreational Boating Safety Outreach and Awareness Conference that supports the objectives of the National Recreational Boating Safety Program, and most specifically the National RBS Strategic Plan. The overall conference focus should assist in achieving a reduction in recreational boating casualties and have promotional strategies with special focus on boat operators being responsible for their own safety and being aware of the consequences of irresponsible actions on the water. Significant emphasis should be placed on offering multiple subject areas that afford the participants professional development opportunities and educational enhancement. Subject areas should focus on, but not be limited to: life jacket wear, operator inattention, boater education, operator training, accident reporting, navigation rules, outreach and awareness efforts, as well as boating under the influence of alcohol or drugs. At the conclusion of the project, grant recipients will need to submit reports that clearly specify the accomplishments and measures that are implemented to indicate the effectiveness of the project in achieving its objectives and the National Program's performance goals. This is to include an effective 3-6 month post-conference instrument for surveying the attendees and finding out if they did in fact take home initiatives that they learned about at the conference and implemented them in their own programs, which is to be implemented by the grant recipient and provided to the attendees. Point of contact: Mr. John Hutchison, 202-372-1063.

3. Federal/State Cooperative Efforts to Enhance Statutory and Regulations Uniformity for RBS Program Effectiveness

The U.S. Coast Guard seeks an applicant to provide programs to measurably enhance uniformity and reciprocity in State boating safety laws/regulations and other State boating safety efforts, with a special focus concerning accident reporting, and uniformity of state boating safety education and life jacket wear requirements. Applicants would provide a forum to encourage such uniformity and reciprocity among jurisdictions, and closer cooperation and assistance in developing, administering, and enforcing State laws and regulations pertaining to boating safety. The applicant would further provide a forum to encourage sufficient patrol and other activities to ensure adequate enforcement of State boating laws, provision of an adequate USCG recognized State boating safety education program, enhanced maintenance of USCG approved vessel numbering system, and enhanced implementation of a USCG approved marine casualty reporting system. In addition, an effective instrument for surveying the states at the end of the grant period to discover what state laws or regulations were amended that enhanced uniformity is to be implemented and reported on in the project closing report. Point of contact: Mr. William Burgess, 202-372-1071.

4. Develop and Conduct Boating Accident Investigation Seminars. The U.S. Coast Guard seeks an applicant to develop, provide instructional materials and training aids, and conduct recreational boating accident investigation seminars for Federal and State recreational boating accident investigators. The grantee should plan to conduct four to eight regional comprehensive

recreational boating accident investigation courses and two to four advanced recreational boating accident investigation courses at the NTSB Training Facility located in Ashburn, VA or other appropriate location. Each investigative training session must be capable of accommodating 60 students. Each course of instruction must reserve a minimum of four quotas for U.S. Coast Guard Marine Investigators; these quotas will be assigned by the Boating Safety Division's Product Assurance Branch. The location of the regional courses will be determined jointly by the U.S. Coast Guard and the grantee. The regional courses must, at a minimum, consist of an overview of recreational boat accident investigations, witness interviews, collision dynamics, evidence collection and preservation, diagramming, and report writing with an emphasis on adherence to definitions and detail in the accident narrative. The advanced course of instruction will consist of hands-on investigative instruction of accidents simulated on video with actual recreational boats used as training aids. All instructional material must include the requirements contained in 46 USC §6102, 33 CFR PART 173 Subpart C, 33 CFR PART 174 Subparts C & D, paying particular attention to 33 CFR §174.103, which outlines materials necessary for the advancement of recreational boating safety, and the requirements of 33 CFR 179, Defect Notification. Point of contact: Mr. Mike Jendrossek, 202-372-1052.

5. National Estimate of Life Jacket Wear Rate. The U.S. Coast Guard seeks an applicant to provide reliable and valid national estimates of life jacket wear rates by recreational boaters. Wear rate of life jackets should be based on actual observation taken from a representative sample of boaters across a range of water venues that include lakes, rivers and bays. It is essential that observation methods remain as close as possible to those used in previous years so the number of boats, types of boats, length of boats, operation and activity of boats, as well as the age and gender of the boaters observed remain consistent. The applicant shall conduct observations in areas around the country that have relatively high boating activity in the summer and therefore may be expected to have a reasonable level of activity to make conclusions about changes in wear rates more stable. Point of contact: Mr. Jeff Ludwig, 202-372-1061.

6. Select Voluntary Standards Development Support. The Coast Guard seeks an applicant to carry out a program to encourage active participation by members of the public and other qualified persons to develop technically sound, voluntary safety standards on reducing accidents in which stability, speed, operator inattention, and towed water sports are factors. Such standards would be those that address labeling for flybridge capacity, powering of boats, visibility from the helm, driver distraction, and towing hardware and equipment. Point of contact: Mr. Po Chang, 202-372-1075.

APPENDIX B: APPLICATION CHECKLIST

APPLICANT NAME _____

PROPOSAL TITLE _____

How much Federal funding from any source did you receive last year? (Please circle one)

Less than \$25,000

\$25,000-\$500,000

\$500,000 or more

Please complete the following and attach to your application:

- Application for Federal Assistance (SF-424) ☐
- SF-424A Budget Information ☐
- Narrative: Proposed Project, Objectives, Methods, Expected Results and Benefits ☐
- Detailed Budget Narrative (corresponding to SF-424A) ☐
- Reporting Schedule ☐
- Resumes of principal participants (if applicable) ☐
- **Signed Certifications and Assurances**
 - Form ED-80-0013 Certifications Regarding Debarment, Suspension, and Other Responsibility Matters; Drug-Free Workplace Requirements and Lobbying ☐
 - SF-424B Assurances – Non Construction Programs ☐
- 501 (c) (3) letter regarding non-profit status ☐
- Federally approved accounting system ☐
- List of Board Directors ☐
- Travel Policy ☐

APPENDIX C: PROGRAMMATIC TERMS AND CONDITIONS

UNITED STATES COAST GUARD AWARD TERMS AND CONDITIONS

The recipient hereby assures and certifies that it will comply with the regulations, policies, guidelines and requirements, including 2 CFR Part 215 (Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and other Non-Profit Organizations), as they relate to the acceptance and use of Federal funds for this project. Also, the recipient assures and certifies to the Coast Guard that:

1. It will establish and maintain administrative and fiscal practices and policies that conform to generally accepted standards. The recipient will insure that the accounting system and related controls are operating effectively and that adequate records are being maintained, that allocated funds are being controlled and expended in accordance with this Agreement, and that receipt and expenditure of the funds can be audited without difficulty. The recipient is required to maintain all accounting records pertaining to subcontractors which are hired.
2. It will comply with all requirements imposed by the Federal sponsoring agency concerning special requirements of law, program requirements, and other administrative requirements.
3. Acknowledges its agreement to comply with the Department of Homeland Security's Standard Terms and Conditions that were included as part of the National Non-Profit Organization Boating Safety grant announcement.
4. It will adhere to all Coast Guard Grant Product Guidelines, and as applicable, Coast Guard Media and Film Guidelines for Boating Information. For more information please refer to following link http://www.uscgboating.org/grants/nonprofit_grants.aspx
5. It will ensure that the cost of the program includes only costs that are allowable under 2 CFR Part 230 (Cost Principles for Non-Profit Organizations). Standard government travel regulations will be used to determine reasonableness of any travel costs.
6. It will obtain prior approval on any transfer of funds for awards in which the Federal share of the project exceeds \$100,000 and/or the cumulative amount of such transfers exceeds or is expected to exceed 10 percent of the total budget as per 2 CFR Part 215 (Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals and Other Non-Profit Organizations).
7. It will make outlays of allocated Federal funds in general conformity with the proposed actions and estimated costs listed in the approved budget. It will ensure that

time schedules are being met, projected work units by time periods are being accomplished, and other performance goals are being achieved. Substantial deviations from the proposed schedule of actions and costs must be approved by the Coast Guard to qualify for payment.

8. It will retain program income earned during the project period. It will add this income to funds committed to the project and thereby further eligible program objectives. It will return any interest earned on grant funds in accordance with provisions of 49 CFR Part 19, Section 19.22 (k&l) as outlined in the Grant Application Package.

9. It will give the Coast Guard or the Comptroller General through any authorized representative the access to and the right to examine all records, books, papers, or documents relating to the assistance.

10. It will comply with all applicable Federal audit requirements in accordance with OMB Circular A-133 (Audits of Institutions of Higher Education and Other Non-Profit Institutions.).

11. It will furnish to the Coast Guard one copy of any audit report performed on recipient's account within 30 days of receipt of such report.

12. It will comply with Title VI of the Civil Rights Act of 1964 (P.L. 88-352) as amended, which stipulates that no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the recipient receives Federal financial assistance, and will immediately take any measures necessary to effectuate this agreement. It will sign a certification to this effect.

13. It will comply with the Federal requirements for drug-free workplace certification as contained in 49 CFR Part 29, including: (1) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition; (2) Establishing a drug-free awareness program for its employees and/or agents; (3) Making it a requirement that each employee/agent engaged in the performance of the grant be given a copy of the awareness program; and (4) Taking appropriate follow-up action when violations occur.

14. It will comply with the Federal requirements for prohibition or disclosure of lobbying activities as contained in Section 319 of Public Law 101-121.

15. It is not debarred, suspended, or otherwise excluded from or ineligible for participation in Federal financial assistance programs or activities.

16. It will establish safeguards to prohibit employees from using their positions for a

purpose that is, or gives, the appearance of being, motivated by a desire for private gain for themselves or others, particularly those with whom they have family, business, or other ties.

17. It will act responsibly in matters of safety and shall take all reasonable safety measures in performing project activities, and comply with all applicable Federal, State and local laws and regulations governing safety, health and sanitation.

18. It will comply with the minimum wage and maximum hours provisions of the Federal Fair Labor Standards Act, as they apply to hospital and educational institution employees of State and local governments.

19. It will furnish reports to the Coast Guard in accordance with the Reporting and Payment Schedule. The following reports will be required to be completed and submitted quarterly:

a. Federal Financial Report (Standard Form 425).

(1) The recipient shall prepare the Federal Financial Report on an accrual basis. If its accounting records are not normally kept on an accrual basis, the recipient shall develop such accrual information through best estimates based on an analysis of the documentation on hand. Submit a Federal Financial Report (SF-425) together with a narrative performance report describing the accomplishments of the boating safety project.

(2) The performance report shall list any nonexpendable personal property (personal property having a useful life of more than one year and an acquisition cost \$500 or more per unit) that was purchased in whole or in part with Federal funds.

b. Planning and progress reports.

(1) Recipient is required to submit a work plan delineating:

(a) When the various tasks are projected to be completed.

(b) When reviews should be conducted. If the grantee requests the Coast Guard to review materials prior to production, a minimum of two weeks should be scheduled for each review.

(c) A concise progress report will be submitted each quarter (at a minimum) outlining the tasks completed and the tasks remaining. The progress reports should convey the status of the project to the Coast Guard and any changes to the schedule outlined in the plan.

(d) When on-site inspection or review is required. In some cases it may be considered appropriate or necessary to have a Subject Matter Expert from the Coast Guard on scene to observe a test or

filming, for example, or to meet with the project team. This should be noted in the plan submitted so the Coast Guard may plan and allocate resources as needed.

- (e) Grant recipients will need to be sure to submit reports at the conclusion of the project clearly specifying the accomplishments and any measures that are implemented to indicate the effectiveness of the project in achieving its objectives and our performance goals.

Alternate methods of reporting are acceptable upon the recipient's submission and the Coast Guard's acceptance of a request for such a method.

The final product of the grant shall:

- Include an **executive summary** of the work done to complete the grant project (i.e., a summary of the literature search, review of past projects, design methodology, and development process). This executive summary should be no more than two pages in length.
- Include an **abstract** describing the grant product or products and their intended uses that would be suitable for publication in a magazine or newsletter that could serve as an announcement of the completion of the grant project. This abstract should be no more than one page in length.
- Include **master copies or originals** of any printed, film, video or other media materials in a pre-agreed upon compatible Coast Guard format. This will allow the Coast Guard to have on file materials from which copies or segments can be taken to address other audiences or a specific need.
- Have an appropriate statement indicating that the project was done under a Coast Guard Grant (see Coast Guard Grant Product Guidelines). Credits may include other organizations but may not be used as a recruiting or advertising mechanism.
- If applicable, contain final edits of media, artwork and film that adhere to the Coast Guard Guidelines for Media Information.
- Incorporate all technical changes identified in the review process with the Grant Technical Manager.

20. It will grant the Coast Guard (at no cost) a non-exclusive, irrevocable license to publish, duplicate, exhibit or otherwise dispose of reports, data, or other information developed by the grantee under this grant, including any copyrightable material.

21. It will submit any requests for amendments to the original Agreement in writing using the Amendment form approved by the Coast Guard.

APPENDIX D: DHS AWARD TERMS AND CONDITIONS

The administrative requirements that apply to most DHS award recipients through a grant or cooperative agreement arise from two sources:

- Office of Management and Budget (OMB) Circular A-102, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments (also known as the “A-102 Common Rule”), found under DHS regulations at [Title 44, Code of Federal Regulations \(CFR\) Part 13](#), “Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments.”
- OMB Circular A-110, Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations, relocated to [2 CFR Part 215](#).

The requirements for allowable costs/cost principles are contained in the A-102 Common Rule, OMB Circular A-110 (2 CFR § 215.27), DHS program legislation, Federal awarding agency regulations, and the terms and conditions of the award.

The four costs principles circulars are as follows:

- [OMB Circular A-21](#), Cost Principles for Educational Institutions, relocated to 2 CFR Part 220.
- [OMB Circular A-87](#), Cost Principles for State, Local, and Indian Tribal Governments, relocated to 2 CFR Part 225.
- [OMB Circular A-122](#), Cost Principles for Non-Profit Organizations, relocated to 2 CFR Part 230.
- [OMB Circular A-133](#), Audits of States, Local Governments and Non-Profit Organizations.

In addition to these cost principles, the following may also be considered additional sound guidance tools, if specifically applicable to the award and/or the award recipient(s).

- 48 CFR Part §31.2, Federal Acquisitions Regulations (FAR), Contracts with Commercial Organizations.
- Improper Payments Information Act (IPIA) of 2002, (Public Law 107-300), enacted to ensure the correct use of Federal funds and to avoid improper or erroneous payments.
- Cash Management Improvement Act (CMIA) of 1990, (Public Law 101-453), 31 CFR §205. In accordance with Treasury regulations, recipient shall maintain procedures to minimize the time elapsing between the transfer of funds and the disbursement of said funds (see also 44 CFR Part §13.21(i)) regarding payment of interest earned on advances.

Duplication of Benefits

There may not be a duplication of any Federal assistance by governmental entities, per 2 CFR Part §225, basic Guidelines Section C.3(c), which states: Any cost allocable to a particular Federal award or cost objective under the principles provided for in this Authority may not be charged to other Federal awards to overcome fund deficiencies, to avoid restrictions imposed by law or terms of the Federal awards, or for other reasons. However, this prohibition would not preclude governmental units from shifting costs that are allowable under two or more awards in accordance with existing program agreements. Non-governmental entities are also subject to this prohibition per 2 CFR Parts §220 and §230 and 48 CFR Part §31.2.

Non-supplanting Requirement

Grant funds will not replace (supplant) funds that have been budgeted for the same purpose through non-Federal sources. Applicants or grantees may be required to demonstrate and document that a reduction in non-Federal resources occurred for reasons other than the receipt of expected receipt of Federal funds.

Civil Rights Act of 1964

All recipients of financial assistance will comply with the requirements of Title VI of the Civil Rights Act of 1964 ([42 U.S.C. § 2000d et seq.](#)), which provides that no person in the United States will, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.

Civil Rights Act of 1968

All recipients of financial assistance will comply with Title VIII of the Civil Rights Act of 1968, which prohibits recipients from discriminating in the sale, rental, financing, and advertising of dwellings, or in the provision of services in connection therewith, on the basis of race, color, national origin, religion, disability, familial status, and sex ([42 U.S.C. § 3601 et seq.](#)), as implemented by the Department of Housing and Urban Development at [24 CFR Part 100](#). The prohibition on disability discrimination includes the requirement that new multifamily housing with four or more dwelling units—i.e., the public and common use areas and individual apartment units (all units in buildings with elevators and ground-floor units in buildings without elevators)—be designed and constructed with certain accessible features (see [24 CFR § 100.201](#)).

Americans with Disabilities Act of 1990

All recipients of financial assistance will comply with the requirements of Titles I, II, and III of the Americans with Disabilities Act, which prohibits recipients from discriminating on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities ([42 U.S.C. §§ 12101–12213](#)).

Age Discrimination Act of 1975

All recipients of financial assistance will comply with the requirements of the Age Discrimination Act of 1975 ([42 U.S.C. § 6101 et seq.](#)), which prohibits discrimination on the basis of age in any program or activity receiving Federal financial assistance.

Title IX of the Education Amendments of 1972 (Equal Opportunity in Education Act)

All recipients of financial assistance will comply with the requirements of Title IX of the Education Amendments of 1972 ([20 U.S.C. § 1681 et seq.](#)), which provides that no person in the United States will, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving Federal financial assistance. These regulations are codified at [44 CFR Part 19](#).

Rehabilitation Act of 1973

All recipients of financial assistance will comply with the requirements of Section 504 of the Rehabilitation Act of 1973, [29 U.S.C. § 794](#), as amended, which provides that no otherwise qualified handicapped individual in the United States will, solely by reason of the handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. These requirements pertain to the provision of benefits or services as well as to employment.

Hatch Act

The Hatch Act restricts the political activity of individuals principally employed by state or local executive agencies and who work in connection with programs financed in whole or in part by federal loans or grants. All recipients of financial assistance will comply with the regulations, as applicable, to States and Local Governments, of the Hatch Act, [5 U.S.C. § 1501-1508](#), as amended.

Limited English Proficiency (Civil Rights Act of 1964, Title VI)

All recipients of financial assistance will comply with the requirements of [Executive Order 13166](#), Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin and resulting agency guidance, national origin discrimination includes discrimination on the basis of limited English proficiency (LEP). To ensure compliance with Title VI, recipients must take reasonable steps to ensure that LEP persons have meaningful access to your programs. Meaningful access may entail providing language assistance services, including oral and written translation, where necessary. Recipients are encouraged to consider the need for language services for LEP persons served or encountered both in developing budgets and in conducting programs and activities. For assistance and information regarding LEP obligations, go to <http://www.lep.gov>.

Animal Welfare Act of 1966

All recipients of financial assistance will comply with the requirements of the Animal Welfare Act, as amended ([7 U.S.C. § 2131 et seq.](#)), which requires that minimum standards of care and treatment be provided for vertebrate animals bred for commercial sale, used in research, transported commercially, or exhibited to the public. Recipients must establish appropriate policies and procedures for the humane care and use of animals based on the [Guide for the Care and Use of Laboratory Animals](#) and comply with the [Public Health Service Policy and Government Principles Regarding the Care and Use of Animals](#).

Clean Air Act of 1970 and Clean Water Act of 1977

All recipients of financial assistance will comply with the requirements of 42 U.S.C. § 7401 et seq. and [Executive Order 11738](#), which provides for the protection and enhancement of the quality of the nation's air resources to promote public health and welfare and for restoring and

maintaining the chemical, physical, and biological integrity of the nation's waters is considered research for other purposes.

False Claims Act and Program Fraud Civil Remedies

All recipients of financial assistance will comply with the requirements of [31 U.S.C. § 3729](#) which sets forth that no recipient of federal payments shall submit a false claim for payment. Further, [38 U.S.C. § 3801-3812](#) contains administrative remedies for false claims and statements made.

Protection of Human Subjects

All recipients of financial assistance will comply with the requirements of the Federal regulations at [45 CFR Part 46](#), which requires that recipients comply with applicable provisions/law for the protection of human subjects for purposes of research. Recipients must also comply with the requirements in DHS Management Directive 026-04, [Protection of Human Subjects](#), prior to implementing any work with human subjects. For purposes of [45 CFR Part 46](#), research means a systematic investigation, including research, development, testing, and evaluation, designed to develop or contribute to general knowledge. Activities that meet this definition constitute research for purposes of this policy, whether or not they are conducted or supported under a program that is considered research for other purposes. The regulations specify additional protections for research involving human fetuses, pregnant women, and neonates (Subpart B); prisoners (Subpart C); and children (Subpart D). The use of autopsy materials is governed by applicable State and local law and is not directly regulated by [45 CFR Part 46](#).

National Environmental Policy Act (NEPA) of 1969

All recipients of financial assistance will comply with the requirements of the National Environmental Policy Act (NEPA), as amended, [42 U.S.C. § 4331 et seq.](#), which establishes national policy goals and procedures to protect and enhance the environment, including protection against natural disasters. To comply with NEPA for its grant-supported activities, DHS requires the environmental aspects of construction grants (and certain non-construction projects as specified by the Component and awarding office) to be reviewed and evaluated before final action on the application.

Environmental Planning and Historic Preservation Compliance.

DHS is required to consider the potential impacts to the human and natural environment of projects proposed for funding. DHS and applicable components, through its Environmental Planning and Historic Preservation (EHP) Program, engages in a review process to ensure that DHS-funded activities comply with various Federal laws including: National Environmental Policy Act, National Historic Preservation Act, Endangered Species Act, the Clean Water Act, and Executive Orders on Floodplains (11988), Wetlands (11990), Environmental Justice (12898). The goal of these compliance requirements is to protect our nation's water, air, coastal, wildlife, agricultural, historical, and cultural resources, as well as to minimize potential adverse effects to low-income and minority populations.

National Flood Insurance Act of 1968

All recipients of financial assistance will comply with the requirements of Section 1306(c) of the National Flood Insurance Act, as amended, which provides for benefit payments under the Standard Flood Insurance Policy for demolition or relocation of a structure insured under the Act that is located along the shore of a lake or other body of water and that is certified by an appropriate State or local land use authority to be subject to imminent collapse or subsidence as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels. These regulations are codified at [44 CFR Part 63](#).

Flood Disaster Protection Act of 1973

All recipients of financial assistance will comply with the requirements of the Flood Disaster Protection Act of 1973, as amended ([42 U.S.C. § 4001 et seq.](#)), which provides that no Federal financial assistance to acquire, modernize, or construct property may be provided in identified flood-prone communities in the United States, unless the community participates in the National Flood Insurance Program and flood insurance is purchased within one year of the identification. The flood insurance purchase requirement applies to both public and private applicants for DHS support. Lists of flood-prone areas that are eligible for flood insurance are published in the Federal Register by FEMA.

Coastal Wetlands Planning, Protection, and Restoration Act of 1990

All recipients of financial assistance will comply with the requirements of [Executive Order 11990](#), which provides that federally funded construction and improvements minimize the destruction, loss, or degradation of wetlands. The Executive Order provides that, in furtherance of Section 101(b)(3) of NEPA ([42 U.S.C. § 4331\(b\)\(3\)](#)), Federal agencies, to the extent permitted by law, must avoid undertaking or assisting with new construction located in wetlands unless the head of the agency finds that there is no practicable alternative to such construction, and that the proposed action includes all practicable measures to minimize harm to wetlands that may result from such use. In making this finding, the head of the agency may take into account economic, environmental, and other pertinent factors. The public disclosure requirement described above also pertains to early public review of any plans or proposals for new construction in wetlands. This is codified at [44 CFR Part 9](#).

USA Patriot Act of 2001

All recipients of financial assistance will comply with the requirements of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act (USA PATRIOT Act), which amends [18 U.S.C. §§ 175–175c](#). Among other things, it prescribes criminal penalties for possession of any biological agent, toxin, or delivery system of a type or in a quantity that is not reasonably justified by a prophylactic, protective, bona fide research, or other peaceful purpose. The act also establishes restrictions on access to specified materials. “Restricted persons,” as defined by the act, may not possess, ship, transport, or receive any biological agent or toxin that is listed as a select agent.

Trafficking Victims Protection Act of 2000

All recipients of financial assistance will comply with the requirements of the government-wide award term which implements Section 106(g) of the Trafficking Victims Protection Act (TVPA) of 2000, as amended ([22 U.S.C. § 7104](#)), located at [2 CFR Part 175](#). This is implemented in

accordance with OMB Interim Final Guidance, Federal Register, Volume 72, No. 218, November 13, 2007.

In accordance with the statutory requirement, in each agency award under which funding is provided to a private entity, Section 106(g) of the TVPA, as amended, requires the agency to include a condition that authorizes the agency to terminate the award, without penalty, if the recipient or a subrecipient —

- (a) Engages in severe forms of trafficking in persons during the period of time that the award is in effect;
- (b) Procures a commercial sex act during the period of time that the award is in effect; or
- (c) Uses forced labor in the performance of the award or subawards under the award.

Full text of the award term is provided at [2 CFR § 175.15](#).

Drug-Free Workplace Regulations

All recipients of financial assistance will comply with the requirements of the Drug-Free Workplace Act of 1988 ([412 U.S.C. § 701 et seq.](#)), which requires that all organizations receiving grants from any Federal agency agree to maintain a drug-free workplace. The recipient must notify the awarding office if an employee of the recipient is convicted of violating a criminal drug statute. Failure to comply with these requirements may be cause for debarment. These regulations are codified at [2 CFR 3001](#).

Fly America Act of 1974

All recipients of financial assistance will comply with the requirements of the Preference for U.S. Flag Air Carriers: Travel supported by U.S. Government funds requirement, which states preference for the use of U.S. flag air carriers (air carriers holding certificates under [49 U.S.C. § 41102](#)) for international air transportation of people and property to the extent that such service is available, in accordance with the International Air Transportation Fair Competitive Practices Act of 1974 ([49 U.S.C. § 40118](#)) and the interpretative guidelines issued by the Comptroller General of the United States in the March 31, 1981, [amendment](#) to Comptroller General Decision B138942.

Lobbying Prohibitions

None of the funds provided under an award may be expended by the recipient to pay any person to influence, or attempt to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with any Federal action concerning the award or renewal of any Federal contract, grant, loan, cooperative agreement. These lobbying prohibitions can be found at [31 U.S.C. § 1352](#).

Debarment and Suspension

Executive Orders 12549 and 12689 provide protection against waste, fraud and abuse by debarment or suspending those persons deemed irresponsible in their dealings with the Federal government. The recipient must certify that they are not debarred or suspended from receiving Federal assistance. For additional information, see 2 CFR Part §3000.

Federal Debt Status

The recipient may not be delinquent in the repayment of any Federal debt. Examples of relevant debt include delinquent payroll and other taxes, audit disallowances, and benefit overpayments. (See OMB Circular A-129, also refer to SF-424, item number 17 for additional information and guidance).

Activities Conducted Abroad

All recipients of financial assistance will comply with the requirements that project activities carried on outside the United States are coordinated as necessary with appropriate government authorities and that appropriate licenses, permits, or approvals are obtained.

Hotel and Motel Fire Safety Act of 1990

In accordance with Section 6 of the Hotel and Motel Fire Safety Act of 1990, 15 U.S.C. §2225(a), the recipient agrees to ensure that all conference, meeting, convention, or training space funded in whole or in part with Federal funds complies with the fire prevention and control guidelines of the Federal Fire Prevention and Control Act of 1974, 15 U.S.C. §2225.

Acknowledgement of Federal Funding from DHS

All recipients of financial assistance will comply with requirements to acknowledge Federal funding when issuing statements, press releases, requests for proposals, bid invitations, and other documents describing projects or programs funded in whole or in part with Federal funds.

Best Practices for Collection and Use of Personally Identifiable Information (PII)

DHS recommends that all grantees who collect PII have a publically-available privacy policy that describes what PII they collect, how they use the PII, whether they share PII with third parties, and how individuals may have their PII corrected where appropriate. Grantees may also find as a useful resource the DHS Privacy Impact Assessments: The Privacy Office Official Guidance and in the Privacy Impact Assessment Template (available on the DHS Privacy Office website at http://www.dhs.gov/xlibrary/assets/privacy/privacy_pia_guidance_june2010.pdf and http://www.dhs.gov/xlibrary/assets/privacy/privacy_pia_template.pdf, respectively.

Copyright

All recipients of financial assistance will comply with requirements that publications or other exercise of copyright for any work first produced under Federal financial assistance awards hereto related unless the work includes any information that is otherwise controlled by the Government (e.g., classified information or other information subject to national security or export control laws or regulations). For any scientific, technical, or other copyright work based on or containing data first produced under this award, including those works published in academic, technical or professional journals, symposia proceedings, or similar works, the recipient grants the Government a royalty-free, nonexclusive and irrevocable license to reproduce, display, distribute copies, perform, disseminate, or prepare derivative works, and to authorize others to do so, for Government purposes in all such copyrighted works. The recipient shall affix the applicable copyright notices of [17 U.S.C. § 401 or 402](#) and an acknowledgement

of Government sponsorship (including award number) to any work first produced under an award.

Use of DHS Seal, Logo and Flags

All recipients of financial assistance must obtain DHS's approval prior to using the DHS seal(s), logos, crests or reproductions of flags or likenesses of DHS agency officials, including use of the United States Coast Guard seal, logo, crests or reproductions of flags or likenesses of Coast Guard officials.

DHS Specific Acknowledgements and Assurances

All recipients of financial assistance must acknowledge and agree—and require any subrecipients, contractors, successors, transferees, and assignees acknowledge and agree—to comply with applicable provisions governing DHS access to records, accounts, documents, information, facilities, and staff.

1. Recipients must cooperate with any compliance review or complaint investigation conducted by DHS.
2. Recipients must give DHS access to and the right to examine and copy records, accounts, and other documents and sources of information related to the grant and permit access to facilities, personnel, and other individuals and information as may be necessary, as required by DHS regulations and other applicable laws or program guidance.
3. Recipients must submit timely, complete, and accurate reports to the appropriate DHS officials and maintain appropriate backup documentation to support the reports.
4. Recipients must comply with all other special reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.
5. If, during the past three years, the recipient has been accused of discrimination on the grounds of race, color, national origin (including limited English proficiency), sex, age, disability, religion, or familial status, the recipient must provide a list of all such proceedings, pending or completed, including outcome and copies of settlement agreements to the DHS awarding office and the DHS Office of Civil Rights and Civil Liberties.
6. In the event any court or administrative agency makes a finding of discrimination on grounds of race, color, national origin (including limited English proficiency), sex, age, disability, religion, or familial status against the recipient, or the recipient settles a case or

matter alleging such discrimination, recipients must forward a copy of the complaint and findings to the DHS Component and/or awarding office.

The United States has the right to seek judicial enforcement of these obligations.

Appendix E: STANDARD FORMS, CERTIFICATIONS AND ASSURANCES

The standard forms, certifications and assurances apply to most every DHS award recipients through a grant or cooperative agreement and may be found through Grants.Gov using the following link:

<https://apply07.Grants.Gov/apply/FormsMenu?source=agency>

More specifically, the following are the mandatory and/or required by statute to be completed upon submission of all applications for Federal financial assistance.

For the convenience of applicants, the Department of Education and Grants.Gov have combined the three most common certification documents into one form for submission with the grant award packet. Such form is located here:

http://apply07.Grants.Gov/apply/forms/sample/ED_80_0013-V1.1.pdf

Additional forms, including all forms for R&R and construction projects may be found using the first Grants.Gov link above. The links which provide certification documents have been OMB approved.