

FINANCIAL AGREEMENT BETWEEN

U. S. DEPARTMENT OF HOMELAND SECURITY/UNITED STATES COAST GUARD

AND

THE STATE OF _____

AGREEMENT NO. 3312FAS1201_____

The United States of America (herein called the Government), acting through the United States Coast Guard pursuant to 46 U.S.C. 13107, agrees to pay the Government's share of allowable costs incurred in accomplishing the State Recreational Boating Safety Program objectives described in the application of the State of _____ (herein called the Applicant or State), subject to:

A. Purpose of Assistance. The purpose of the assistance is to permit the State to assume the primary share of boating safety education, assistance, and enforcement activities; to assist the State in carrying out a State Recreational Boating Safety Program; and to encourage greater State participation and uniformity in boating safety.

B. Allocation. To assist the State in financing its Recreational Boating Safety Program, the Government agrees to contract with and distribute to the State the sum of \$ _____, subject to 46 U.S.C. 13104(b), 13105(a), and 13108(a)(3) and (b). Amounts received shall be used to develop and carry out the Fiscal Year 2011 State Recreational Boating Safety Program objectives, and to pay travel and associated costs for attendance of State RBS program personnel at the annual conference of the National Association of State Boating Law Administrators and the appropriate regional Boating Law Administrators' association.

C. State Matching Funds. The State agrees to provide \$ _____ (non-Federal amounts indicated in Part III of the Application) to complete the proposed Fiscal Year 2012 Recreational Boating Safety Program objectives described in the Application. State matching amounts shall be derived from general State revenues, undocumented vessel numbering and license fees, State marine fuels taxes, or from a fund constituted from the proceeds of those taxes and established to finance the State Recreational Boating Safety Program.

D. Additional State Funds (if applicable). The State intends to provide additional \$ _____, included in non-Federal funds that are allowable and in conformance with the requirements of the Recreational Boating Safety Program.

E. Program. The State certifies to the U.S. Coast Guard that its State Recreational Boating Safety Program includes:

1. A vessel numbering system either approved or administered by the Secretary under 46 U.S.C. Chapter 123 and meeting the requirements of 33 CFR Part 174. The State will periodically review vessel registration files to ensure that the annual report to the Coast Guard reasonably reflected the number of currently numbered vessels in the State.

2. A cooperative agreement with the Coast Guard that provides for joint responsibilities concerning law enforcement, accident investigation, search and rescue, marine events, and Coast Guard Auxiliary assistance on sole State waters.

3. Sufficient patrol and other activity to ensure adequate enforcement of applicable State boating safety laws and regulations.

4. A State recreational boating safety education program meeting or exceeding the minimum standards adopted by the National Association of State Boating Law Administrators, and including the dissemination of information concerning the hazards of operating a vessel when under the influence of alcohol or drugs.

5. A marine casualty reporting system approved by the Secretary and meeting the requirements of 46 U.S.C. 6102 and 33 CFR Part 174.

F. Assurances. The Applicant certifies that the State lead authority or agency (herein called the Agency) designated to implement or coordinate the implementation of the State Recreational Boating Safety Program will:

1. Submit the reports required in 33 CFR 174.121 and 174.123, 49 CFR Part 18, and OMB Circular No. A-133 in a timely manner.
2. Give any authorized representative of the Coast Guard or the Comptroller General access to and the right to examine all records, books, papers, or documents related to the assistance.
3. Submit to the Coast Guard Program Manager any proposed legislation or regulations concerning recreational boating safety on waters subject to the jurisdiction of the United States.
4. Unless otherwise precluded by Federal statute or regulation, comply with the requirements of State Recreational Boating Safety Programs, COMDTPUB P16755.3A.
5. Acknowledges its agreement to comply with the Department of Homeland Security's Standard Terms and Conditions that were included as part of the State Recreational Boating Safety grant announcement.

G. Certification:

I, _____, acting as Attorney for the Agency on this _____ day of _____, do certify that I have examined the Agreement and find that acceptance by the Agency has been authorized and that the execution thereof is proper and in accordance with the laws of the State of _____. Following signature, the Agreement, in my opinion, is a legal obligation of the State in accordance with the terms thereof.

(Signature of Attorney)

In witness whereof, the State has caused this Agreement to be executed in its behalf and thereafter the Government has caused it to be executed in its behalf:

STATE OF _____

BY _____ **(Date)** _____

(Title) _____

UNITED STATES COAST GUARD

BY _____ **(Date)** _____