



**Department of Homeland Security (DHS)  
Funding Opportunity Announcement (FOA)**

**OVERVIEW INFORMATION**

<b>Issued By</b>
U.S. Department of Homeland Security (DHS) Immigration and Custom’s Enforcement (ICE) Homeland Security Investigations(HSI) Cyber Crimes Center
<b>Catalog of Federal Domestic Assistance (CFDA) Number</b>
97.076
<b>CFDA Title</b>
National Center for Missing and Exploited Children (NCMEC)
<b>Funding Opportunity Announcement Title</b>
Project ALERT (America’s Law Enforcement Retiree Team)/CyberTipline
<b>Authorizing Authority for Program</b>
<p>In 1999, NCMEC began receiving funds from the U.S. Customs Service, Investigations through the Cyber Crimes Center, through Public Law 106-58 accompanying House Report 106-319, United States Customs Service, salaries and expenses which contained the language “. . .of which not less than \$100,000 shall be available to promote public awareness of the child pornography tipline; of which not less than \$200,000 shall be available for Project ALERT . . .” This earmark has continued each year and specific language relating to the appropriation has appeared in Committee Reports as well as Public Law. The U.S. Customs Service, Investigations was transferred to the Department of Homeland Security, Immigration and Customs Enforcement through Public Law 107-296, Title IV, Subtitle D, Sec. 441 (4). Public Law 107-296 Title IV, Subtitle A, Sec. 403 (1) states that in accordance with title XV (relating to transition provisions) the functions of the U. S. Customs Service shall be transferred to the Secretary. Also within Public Law 107-296, Title I, Sec. 101(b)(1)(E) the Mission is to “ensure that the functions of the agencies and subdivisions within the Department that are not related directly to securing the homeland are not diminished or neglected except by a specific explicit Act of Congress”. Upon the date at which Public Law 107-296, Title IV, Subtitle D, Sec. 441 (4) mandated the Department of Homeland Security be in place, the U. S. Customs Service, Investigations, Cyber Crimes Center moved under the Immigration and Customs Enforcement (ICE) and all functions transferred to ICE. The earmarks to fund the CyberTipline and Project ALERT then came through appropriation language to ICE. These funds are not budgeted for in the DHS, ICE, Homeland Security Investigations (HSI) Cyber Crimes Center (C3) and cannot be used by C3 for any other purpose except what Congress intends. The FY2012 Authorizing Authority for the Program is contained in Public Law 112-74, Section D, Title II under the U.S. Immigration and Customs Enforcement, salaries and expenses, “. . .of which not less than \$305,000 shall be for the promotion of public awareness of the child pornography tipline and activities to counter child exploitation...”.</p>

Appropriation Authority for Program	
This will be funded through 112th Congress (2011-2012) H.R.2055.ENR; Public Law 112-74, Section D, Title II. Wording as found under DHS, U.S. Immigration and Customs Enforcement, salaries and expenses: “of which not less than \$305,000 shall be for the promotion of public awareness of the child pornography tipline and activities to counter child exploitation”.	
FOA Number	
DHS-12-ICE-076-001	
Key Dates and Time	
Application Start Date:	04/05/2012
Application Submission Deadline Date:	06/12/2012 at 05:00PM ET
Anticipated Funding Selection Date:	06/21/2012
Anticipated Award Date:	07/01/2012

Other Key Dates
Other Key Dates: N/A
Intergovernmental Review
Is an intergovernmental review required? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

**FOA EXECUTIVE SUMMARY**

Program Type
Select the applicable program type: <input type="checkbox"/> New <input checked="" type="checkbox"/> Continuing <input type="checkbox"/> One-time
Date of origin for Program: Project ALERT was created in 1992; and the CyberTipline was mandated on March 9, 1998.
Opportunity Category
Select the applicable opportunity category:
<input type="checkbox"/> Discretionary <input checked="" type="checkbox"/> Mandatory <input type="checkbox"/> Competitive <input type="checkbox"/> Non-competitive
<input checked="" type="checkbox"/> Sole Source (Requires Awarding Office Pre-Approval and Explanation)
Application Process
DHS makes all funding opportunities available through the common electronic “storefront” grants.gov, accessible on the Internet at <a href="http://www.grants.gov">http://www.grants.gov</a> . If you experience difficulties accessing information or have any questions please call the grants.gov customer support hotline at (800) 518-4726.

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**

Nonprofits with 501(c)(3) IRS status, other than institution of higher education

**Type of Funding Instrument**

Select the applicable funding instrument:  Cooperative Agreement  Grant

**Cost Share or Match**

Select the applicable requirement:  Cost Match  Cost Share  None Required

**Maintenance of Effort**

Is there a Maintenance of Effort (MOE) requirement?  Yes  No

**Management and Administration**

N/A

**FULL ANNOUNCEMENT**

**I. Funding Opportunity Description**

**Program Overview and Priorities**

This funding opportunity is a Congressional earmark to fund two specific programs within the National Center for Missing and Exploited Children (NCMEC), Project ALERT and the CyberTipline promotion. NCMEC is a private, (501)(c)(3) nonprofit organization which was created in 1984. From 1984-1999, NCMEC applied for and was awarded a grant to serve as the nation’s clearinghouse on missing and exploited children. In 1999 Congress specifically named and authorized NCMEC to operate the official national resource center and information clearinghouse for missing and exploited children., Public Law 106-71, H.R. 2517 ENR (Public Law 106-71), 42 U.S.C. 5771, Sec. 402 (9)(A)(B)(C) as amended, “ (A)serves as a national resource center and clearinghouse; (B) works in partnership with the Department of Justice, the Federal Bureau of Investigation, the United States Marshals Service, the Department of the Treasury, the Department of State, the Bureau of Immigration and Customs Enforcement, the United States Secret Service, the United States Postal Inspection Service, and many other agencies in the effort to find missing children and prevent child victimization; and (C) operates a national network, linking the Center online with each of the missing children clearinghouses operated by the 50 States, the

District of Columbia, and Puerto Rico, as well as with international organizations, including Scotland Yard in the United Kingdom, the Royal Canadian Mounted Police, INTERPOL, headquarters in Lyon, France, and others, which enable the Center to transmit images and information regarding missing and exploited children to law enforcement across the United States and around the world instantly.”

Approximately \$305,000 in federal funding is available for eligible organizations to provide investigative and forensics support activities related to investigations of missing and exploited children, promote awareness of the child pornography tip line and Project ALERT; and, in conjunction with other Federal law enforcement agencies, support the establishment and maintenance of a national resource center and clearinghouse dedicated to missing and exploited children issues. NCMEC and the Department of Homeland Security (DHS), ICE/HSI/Cyber Crimes Center (C3)/ Child Exploitation Investigation Unit’s and Computer Forensics Unit’s objectives work hand-in-hand in their law enforcement investigative and forensic case work regarding the deterrence of, prevention of, tip/lead follow-up of, arrest and conviction of child exploitation and child sex tourism perpetrators. The main focus for C3 is criminal activity committed/ initiated through the internet and the prevention of and/or criminal conviction of same.

NCMEC’s CyberTipline was mandated by Congress and is operated in partnership with various Federal, State, local and international law enforcement community to include the DHS, ICE, HSI Cyber Crimes Center. The CyberTipline was established in March 1998 to offer a means of reporting incidents of child sexual exploitation to include the possession, manufacture and/or distribution of child pornography; online enticement; child prostitution; child sex tourism; extrafamilial child sexual molestation; unsolicited obscene material sent to a child; and misleading domain names, words, or digital images. The CyberTipline is staffed 24 hours a day, 7 days a week and is used to empower the public to take immediate and direct action to enforce a zero tolerance policy regarding child sexual exploitation. NCMEC’s CyberTipline provides one reporting tool which enhances information sharing and collaborative efforts to combat child sexual exploitation crimes. Federal Law 18 U.S.C, Part I, Chapter 110 § 2258A (a)(1)(A) & (B) requires Electronic Service Providers (ESPs) to register with the CyberTipline and report apparent child pornography directly to the CyberTipline. CyberTipline is available online at [www.cybertipline.com](http://www.cybertipline.com) or by phone at 1-800-843-5678. Tips/leads received are reviewed and prioritized by trained CyberTipline operators, further analyzed by NCMEC’s Exploited Children Division who will also conduct additional research and the information is made available to Federal law enforcement, to include ICE, HSI Cyber Crimes Center through a secure Web connection and is also forwarded to Internet Crimes Against Children (ICAC) Task Forces as well as pertinent international, state and local authorities, and, when appropriate, to the ESP. In 2006, thirty-five outstanding financial institutions and Internet industry leaders formed a coalition to assist in the eradication of commercial viability of child pornography to follow the flow of funds and shut down payment accounts being used by illegal enterprises. As a result, the CyberTipline expanded to accommodate input from financial companies and established a clearinghouse to facilitate the sharing of this financial information to assist in further disrupting and deterring the online child exploitation and pornography business.

Project ALERT (America’s Law Enforcement Retiree Team) consists of more than 170 retired federal, state and local law enforcement professionals who donate their time and expertise as

consultants to the law enforcement communities throughout the country. These representatives are trained by NCMEC to participate in a variety of ways with regard to cases to provide technical assistance to law enforcement agencies (to include the ICE/HSI/Cyber Crimes Center) in the prevention, prosecution and treatment of cases involving missing and exploited children. Project ALERT was established in 1992 and began receiving funding from the U.S. Customs Service, Investigations now the Immigration and Customs Enforcement (ICE), HSI in 1999 for FY2000 (refer to Public law 106-58, Title I, United States Customs Service accompanying House Report 106-319, Title I, United States Customs Service, salaries and expenses) House Report 106-319 contained the language, “. . . of which not less than \$100,000 shall be available to promote public awareness of the child pornography tipline; of which not less than \$200,000 shall be available for Project ALERT . . .” Following this time, specific language regarding the appropriation sometimes appears in a Committee Report; other years the language appears directly in the text of the Public Law.

With regard to the Congressional earmark funding received annually, the DHS/ICE/HSI/Cyber Crimes Center provides funding for costs associated with the operation of both the CyberTipline and Project ALERT programs. FY2012 funding is provided to DHS/ICE/HSI/Cyber Crimes Center through the 112<sup>th</sup> Congress (2011-2012) H.R.2055ENR and/or Public Law 112-74, Section D, Title II containing specific language, “. . .of which not less than \$305,000 shall be for promotion of public awareness of the child pornography tipline and activities to counter child exploitation . . .” The functions of both the Project ALERT and CyberTipline programs directly relate to the law enforcement mission of the DHS/ICE/HSI/Cyber Crimes Center.

**Describe how the program addresses a priority area or areas implemented by Presidential Policy Directive/PPD-8:**

(Please refer to: [http://www.dhs.gov/xabout/laws/gc\\_1215444247124.shtm](http://www.dhs.gov/xabout/laws/gc_1215444247124.shtm))

The grant earmark identified and funded in Public Law 112-74, Section D, Title II recognizes the threat to our nation, in particular our children, in that the Internet, a large part of our way of life, provides a platform for persons wishing to commit sexual crimes against children to either reach those children or display their horrible and offensive sexual acts through such media as pictures and/or live streaming video over the Internet. These acts terrorize and harm our children and create an unsafe cyberspace that affects our entire nation. This grant earmark provides for the promotion of public awareness of the child pornography tipline and activities to counter child exploitation. It provides a way to share information to intercept, disrupt and convict offenders and also train and provide experts in assisting law enforcement, whether Federal, state, local, or any other organization in their criminal investigations.

This grant earmark allows the law enforcement mission to further prevent perpetrators of sexual exploitation and abuse, bring these perpetrators to justice and to protect children/others from further victimization through the Internet. The National Center for Missing and Exploited Children (NCMEC), a private, nonprofit corporation, was established in 1984 and through mandate of the United States Congress to act as a resource center and clearinghouse addressing issues of missing and sexually exploited children. Project ALERT (**A**merica’s **L**aw **E**nforcement **R**etiree **T**eam) was established in 1992 and consists of retired Law Enforcement professionals who volunteer their time

and expertise as unpaid consultants to assist the law enforcement community. The funds provided through this grant to Project ALERT provides training for law enforcement volunteers and travel to requesting agencies to provide expertise, on-site technical assistance, and to coordinate the collection of data. The CyberTipline was established on March 9, 1998 to serve as the national clearinghouse for tips and leads regarding child sexual exploitation such as the possession, manufacture, and/or distribution of child pornography; online enticement; the prostitution of children; child sex tourism; extra familial child sexual molestation; unsolicited obscene material sent to a child; and misleading domain names, words, or digital images and is available 24/7/365 through [www.cybertipline.com](http://www.cybertipline.com) or 1-800-843-5678. These are two key programs supporting the NCMEC effort and the U.S. Codes.

A large part of the DHS/ICE/HSI/Cyber Crimes Center’s (C3) law enforcement efforts focus on global and domestic sexual crimes conducted through the Internet and C3 liaisons with NCMEC and the Department of Justice in an effort to arrest and convict criminals of sexual crimes, shut down cyber websites promoting these crimes and to assist in safeguarding cyberspace. Funding for these two key NCMEC programs, Project ALERT and CyberTipline, is a Congressional earmark which funnels through C3 annually as financial assistance to NCMEC to continue NCMEC’s purpose specifically through these two programs. These crimes represent an “alternate” type of terrorism that is inflicted upon our nation as a whole and the five mission areas of the PPD-8 as well as capability targets are used daily to assess the capacity and gaps of the Internet and are not restricted to any single level of government, law enforcement or organization, but use the combined efforts in prevention, protection, mitigation, response and recovery to ensure a safer Internet.

**II. Funding Information**

Award Amounts, Important Dates, and Extensions	
Available Funding for the FOA:	\$305,000
Projected number of Awards:	1
Projected Award Start Date(s):	07/01/2012
Projected Award End Date(s):	06/30/2013
Period of Performance:	12 Months
Period of Performance	
Is an extension to the period of performance permitted? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
<ol style="list-style-type: none"> <li>1. Extensions to the Period of Performance can only be authorized in writing by the DHS Grants Officer.</li> <li>2. The extension request shall be submitted to the DHS Grants Officer sixty (60) days prior to the expiration date of the performance period.</li> <li>3. Requests for time extensions to the Period of Performance will be considered, but will not</li> </ol>	

be granted automatically, and must be supported by adequate justification to be processed. The justification is a written explanation of the reason or reasons for the delay; an outline of remaining resources/funds available to support the extended period of performance; and a description of performance measures necessary to complete the project. Without performance and financial status reports current and justification submitted, extension requests shall not be processed.

4. DHS has no obligation to provide additional resources/funding as a result of an extension.

### **III. Eligibility Information**

#### **Eligibility Criteria**

Earmark requires this grant to be a non-competitive, sole source for use by the National Center for Missing and Exploited Children (NCMEC) for Project ALERT and the CyberTipline promotion. The successful applicant will be a non-profit organization that possesses the capabilities to develop a program relevant to Homeland Security and the intent of the earmark language and currently performing work related in areas critical to the National Center for Missing and Exploited Children (NCMEC). Public Law 106-71, H.R. 2517 ENR (Public Law 106-71), 42 U.S.C. 5771, Sec. 402 (9)(A)(B)(C) mandated and authorized NCMEC to operate the official national resource center and information clearinghouse for missing and exploited children. Project ALERT provides technical assistance and training to various law enforcement agencies, as well as other organizations, agencies and individuals in the prevention, investigation, prosecution, and treatment of cases involving missing and exploited children;

The CyberTipline provides online users and electronic service providers an effective means of reporting Internet-related child sexual exploitation.

### **IV. Funding Restrictions**

#### **Restrictions on Use of Award Funds**

DHS grant funds may only be used for the purpose set forth in the agreement, and must be consistent with the statutory authority for the award. Grant or cooperative agreement funds may not be used for matching funds for other Federal grants, lobbying, or intervention in Federal regulatory or adjudicatory proceedings, or for support allocation for other Federal awards. In addition, Federal funds may not be used to sue the Federal government or any other government entity.

### **V. Application Review Information and Selection Process**

#### **Application Review Information**

DHS will conduct an initial review of applications to determine the responsiveness of the application. If an applicant is determined to be ineligible or an application is determined to be non-responsive, DHS will notify the applicant.

### Application Selection Process

This is a non-competitive, sole-source grant award for the National Center for Missing and Exploited Children (NCMEC) to be used strictly for Project ALERT and the CyberTipline promotion.

## VI. Post-Selection and Pre-Award Guidelines

### Notice of Award

Successful applicants can expect to receive a grant executed by a DHS Grants Officer authorized to obligate DHS funding.

### Administrative and Federal Financial Requirements

All successful applicants for all DHS grant and cooperative agreements are required to comply with DHS Standard Administrative Terms and Conditions available on page 6 of <http://www.dhs.gov/xlibrary/assets/cfo-financial-management-policy-manual.pdf>. A complete list of Federal Financial Requirements is available at: [http://www.whitehouse.gov/omb/grants\\_forms](http://www.whitehouse.gov/omb/grants_forms).

This is a non-competitive, sole source grant for the National Center for Missing and Exploited Children (NCMEC) for Project ALERT and the CyberTipline promotion. NCMEC will be required to draw down the funds during the specified twelve (12) month period in the Grant.

#### A. FINANCIAL REPORTS

1. Annual Federal Financial Report. The Recipient shall submit annual financial reports (SF 425, Federal Financial Report) to the DHS Grants officer within 30 days following the end of the reporting period. Reports are due on July 30, 2013. Reports may be emailed to [DHS-GrantReports@dhs.gov](mailto:DHS-GrantReports@dhs.gov) and include the grant program name and number in the subject line.
2. Final Federal Financial Report (FFR). The Recipient shall submit the final Federal Financial Report (SF 425) to the DHS Grants Officer no later than 90 days after the Project Period end date. The FFR shall be emailed to [DHS-GrantReports@dhs.gov](mailto:DHS-GrantReports@dhs.gov) and include the grant program name and number in the subject line.
3. Quarterly Federal Financial Reports (Cash Transaction). The Recipient shall submit the

FFR (SF 425) Federal Cash Transaction Report to the Department of Health and Human Services, Payment Management System, SMARTLINK. Quarterly Cash Transaction reports shall be submitted no later than 1/30, 4/30, 7/30, 10/30 each year.

## **B. PERFORMANCE REPORTS**

Performance Reports. The Recipient shall submit performance reports to the DHS Grants Officer. Reports may be emailed to [DHS-GrantReports@dhs.gov](mailto:DHS-GrantReports@dhs.gov).

1. Annual performance reports are due within 30 days of the end of the reporting period. Reports are due on July 30, 2013.
2. Performance reports must provide information on the overall progress. These reports shall:
  - a. Consist of summary reports on the Center as a whole and on each funded Center sub-project, along with explanations of any changes from the initially approved work plan, budget expenditures and changes, and unanticipated problems.
3. If the performance report contains any information that is deemed proprietary, the Recipient will denote the beginning and ending of such information with asterisks (\*\*\*)
4. Final Performance Report. The Recipient shall submit the Final Performance Report to the DHS Grants Officer within 90 days after the expiration date of the Project period. The Final Performance Report may be emailed to [DHS-GrantReport@dhs.gov](mailto:DHS-GrantReport@dhs.gov).

### **Programmatic Reporting Requirements**

NCMEC will furnish all reports as required by the Grant. Please provide courtesy copies of the Financial and Performance Reports to the DHS/ICE/HSI Program Officer for monitoring purposes.

## **VII. DHS Contact Information**

### **Contact and Resource Information**

- A. The Program Officer shall be the DHS staff member responsible for monitoring the completion of work and technical performance of the projects or activities described in the Program narrative Statement.

Margie Jones  
Department of Homeland Security  
ICE/HSI/Cyber Crimes Center  
11320 Random Hills Rd., Suite 400  
Fairfax, VA 22030  
USPS Mail – Use Zip Code 20598  
Mail Stop 5117  
7:00am – 3:30pm (Eastern)  
Phone: 703-293-9207  
Email: [margie.m.jones@ice.dhs.gov](mailto:margie.m.jones@ice.dhs.gov)

- B. The Grants Officer is the DHS official that has the full authority to negotiate, administer and execute all terms and conditions of this Award in concurrence with the Program Officer.

Patty Mayo  
Grants and Financial Assistance Division  
Department of Homeland Security  
MGMT OPO Stop 0115  
245 Murray Lane, SW  
Washington, DC 20528-0115  
6:30am – 4:00pm (Eastern)  
Phone: 202-447-0266  
Email: [Patty.Mayo@dhs.gov](mailto:Patty.Mayo@dhs.gov)

## VIII. Other Critical Information

### Additional Information

This is a non-competitive, sole source grant provided by Congressional earmark for the National Center for Missing and Exploited Children (NCMEC) for the continuation of Project ALERT and the CyberTipline promotion.

## IX. How to Apply

### Application Instructions

#### A. How to Find This Application Package

Applicants must use the Grants.gov website to obtain application forms and instructions. Go to <http://www.grants.gov>, click “Apply for Grants,” and then click “Download a Grant Application Package and Instructions.” Enter the funding opportunity number and click the “Download Application Package” button. Click the “download” link for this opportunity and then follow the prompts to download the application package and the instructions package (if applicable).

If you are unable to download the grant application package, contact the Grants Officer/Specialist listed in the Synopsis or Section VII.B (DHS Contacts) of this funding opportunity announcement.

#### B. How to Submit the Application

To submit an application through Grants.gov, applicants must use Adobe Reader. **You must use a compatible version of Adobe Reader.** Adobe Reader is available from Grants.gov at no charge.

The **applicant and all proposed sub-awardees** must have a DUNS number to submit an application through Grants.gov. In addition, the applicant must be registered with the Central Contractor Registry (CCR) and must be authorized at Grants.gov in order to submit an application through Grants.gov. See Grants.gov for information on how to obtain a DUNS numbers, how to register with the CCR, and obtain authorization. DHS strongly encourages applicants to obtain or update all registrations related to Grants.gov **well in advance of the application deadline.**

If the applicant encounters difficulties, contact the Grants.gov Help Desk at 1-800-518-4726 to report the problem and obtain assistance with the system. The Help Desk is available 24 hours a day, seven days a week.

For assistance with using Grants.gov, visit the Grants.gov Applicant User Guide: <http://grants.gov/assets/ApplicantUserGuide.pdf>. For additional applicant resources, see: <http://grants.gov/applicants/resources.jsp>.

### **C. Content and Form of Application**

Applicants must submit all required forms and required documents listed in this section. Applications missing any of the required forms or documents listed in this section will be deemed non-responsive and will not be considered for review.

#### **REQUIRED FORMS:**

Complete the required forms in accordance with the application instructions on Grants.gov. If submitting any information that is deemed proprietary, privileged or confidential commercial or financial, please denote the beginning and ending of such information with asterisks (\*\*\*)

#### **1. Form SF-424 – Application for Federal Assistance**

Complete the SF 424 application form. This form may be completed on the Grants.gov website or it can be completed offline in its entirety. NOTE: Applications submitted through Grants.gov must use the SF-424 provided by Grants.gov. The SF424 application forms can only be viewed and downloaded once Adobe Reader has been installed. The SF-424 application form on Grants.gov is formatted so applicants are only required to complete fields which are indicated with an asterisk (\*) and color coded. Once the application is complete, close the document (you will then be prompted to save changes or not).

#### **2. Form SF-424A – Budget**

Complete the budget in its entirety. Provide budget amounts by object class (salaries, fringe, travel, indirect, etc.). Funds may be requested as long as the item and amount are necessary to perform the proposed work and are not precluded by the cost principles or program funding restrictions. Additional guidance on how to complete the Form SF-424A can be found at:

[http://www.grants.gov/assets/DraftinstructionsSF424%20A\\_DOL.pdf](http://www.grants.gov/assets/DraftinstructionsSF424%20A_DOL.pdf).

### 3. Certifications/Assurances

Applicants must submit:

- a. **Form SF424B – Assurances – Non-Construction Programs;** and
- b. **Certification Regarding Lobbying.** If paragraph two of the certification applies, then complete and submit the SF-LLL Disclosure of Lobbying which is provided as an optional form in the application package.

By signing and submitting an application under this announcement, the applicant is providing: Certification Regarding Drug-Free Workplace Requirements (see Attachment B); Certification Regarding Debarment, Suspension, and Other Responsibility Matters – Primary Covered Transactions (see Attachment C); and Certification that the applicant is not delinquent on any federal debt.

### REQUIRED DOCUMENTS

#### 4. Budget Narrative (Double-spaced, no page limit)

Attach your budget narrative (including separate budget narratives for each proposed sub-awardee) to the form named “Budget Narrative” in the application package. If you need to add more documents than this form will allow (i.e., sub-awardee budgets), please use the “Other Attachments” form to attach the additional files (see below).

Applicants must complete the budget in its entirety. Applicants must provide budgets by object class (salaries, fringe, travel, indirect, etc.). **Funds may be requested as long as the item and amount are necessary to perform the proposed work and are not precluded by the cost principles or program funding restrictions (see Section IV.F for Eligible and Ineligible Funding Purposes).**

If a **sub-awardee** is proposed, applicants **must provide a separate sub-awardee budget narrative** following the same format and with the same level of detail as that of the applicant (i.e., by Object Class Category/Cost Classification). Each sub-awardee budget and supporting detail should be separate from the applicant’s budget narrative.

Include costs for the first and second performance years. Separate the first performance year costs from the second performance year costs. Show a total of all requested federal grant funds. This total should match the total listed on the project abstract. Budget

categories **b-i** below should add up to this total. This total should **not** include any in-kind costs. The in-kind contribution total should be listed separately.

Provide budget information in the order listed below. Budget detail is required for:

- a. **In-Kind Costs:** The dollar value of non-cash donations to the project. These donations may be in the form of space, supplies, salaries, etc. The costs should be calculated at the verifiable fair-market value.
- b. **Personnel:** Costs of employee salaries and wages. Identify the project director, if known. For each staff person, provide the title, time commitment to the project as a percentage of a full-time equivalent (FTE), annual salary, grant funded salary, wage rates, etc. Do not include the costs of consultants. Consultants are to be included under Contractual.
- c. **Fringe Benefits:** Costs of employee fringe benefits unless treated as part of an approved indirect cost rate. Provide the method used to calculate the proposed rate amount. If a fringe benefit has been negotiated with, or approved by, a cognizant federal agency, provide a copy of the agreement. If no rate agreement exists, provide a breakdown of the amounts and percentages that comprise fringe benefit costs such as health insurance, FICA, retirement insurance, taxes, etc. Identify the base for allocating these fringe benefit expenses.
- d. **Travel:** Costs of project-related travel by employees of the applicant organization (do not include costs of sub-contractor or consultant travel). For each proposed trip, provide the purpose, number of travelers, travel origin and destination, number of days, and a breakdown of costs for airfare, lodging, meals, car rental, and incidentals. The basis for the airfare, lodging, meals, car rental, and incidentals must be provided, such as past trips, current quotations, Federal Travel Regulations, etc. Foreign travel is not permitted.
- e. **Equipment:** Any article of nonexpendable, tangible personal property having a useful life of more than one year and an acquisition cost which equals or exceeds the lesser of (a) the capitalization level established by the organization for financial statement purposes, or (b) \$5,000. For each type of equipment requested, provide a description of the equipment, the cost per unit, the number of units, the total cost, and a plan for use on the project, as well as use or disposal of the equipment after the project ends. An applicant organization that uses its own definition for equipment should provide a copy of its policy or section of its policy which includes the equipment definition.

**NOTE 1:** Acquisition cost means the net invoice unit price of an item of equipment, including the cost of any modifications, attachments, accessories, calibration and maintenance services, or auxiliary apparatus necessary to make it usable for the purpose of which it is acquired. Ancillary charges, such as taxes, duty, protective in-transit insurance, freight, and installation shall be included in or excluded from

acquisition cost in accordance with the organization's regular written accounting practices.

**NOTE 2:** Prior to the purchase of equipment in the amount of \$5,000 or more per unit cost, the Recipient must obtain the written approval from DHS. The Recipient shall maintain an annual inventory which will include a brief description of the item, serial number and amount of purchase for equipment purchased with grant funds, or received under a grant, and having a \$5,000 or more per unit cost. The inventory must also identify the sub-award under which the equipment was purchased. Maintenance and insurance will be the responsibility of the Recipient. Title of equipment will remain with the recipient until closeout when disposition will be provided in writing by DHS within 120 days of submission of final reports.

- f. **Supplies:** Costs of all tangible personal property other than that included in the equipment category. Specify general categories of supplies and their costs. Show computations and provide other information which supports the amount requested.
- g. **Contractual:** Costs of all contracts for services and goods except for those that belong under other categories such as equipment, supplies, construction, etc. Include third party evaluation contracts (if applicable) and contracts with secondary recipient organizations.

Demonstrate that all procurement transactions will be conducted in a manner to provide, to the maximum extent practical, open and free competition. Identify proposed sub-contractor work and the cost of each sub-contractor. Provide a detailed budget for each sub-contractor that is expected to perform work.

- Identify each planned subcontractor and its total proposed budget. Each subcontractor's budget and supporting detail should be included as part of the applicant's budget narrative.
- Provide the following information for each planned subcontract: a brief description of the work to be subcontracted; the number of quotes solicited and received, if applicable; the cost or price analysis performed by the applicant; names and addresses of the subcontractors tentatively selected and the basis for their selection; e.g., unique capabilities (for sole source subcontracts), low bidder, delivery schedule, technical competence; type of contract and estimated cost and fee or profit; and, affiliation with the applicant, if any.
- Recipient may be required to make pre-award review and procurement documents available to DHS, including request for proposals or invitations for bids, independent cost estimates, etc. This may include procurements expected to exceed the simplified acquisition threshold fixed at 41 USC 403(11) (currently set at \$100,000) and expected to be awarded without competition or only one bid or offer is received in response to a solicitation.
- All required flow down provisions in the award must be included in any subcontract.

- h. **Other Direct Costs:** Any other items proposed as direct costs. Provide an itemized list with costs, and state the basis for each proposed item.
- i. **Indirect Costs:** Provide a copy of the latest rate agreement negotiated with a cognizant federal agency. If the applicant is in the process of initially developing or renegotiating a rate, upon notification that an award will be made, it should immediately develop a tentative indirect cost rate proposal based on its most recently completed fiscal year, in accordance with the cognizant agency's guidelines for establishing indirect cost rates, and submit it to the cognizant agency. Applicants awaiting approval of their indirect cost proposals may also request indirect costs. When an indirect cost rate is requested, those costs included in the indirect cost pool should not also be charged as direct costs to the award. If the applicant is requesting a rate which is less than what is allowed under the program, the authorized representative of the applicant organization must submit a signed acknowledgement that the applicant is accepting a lower rate than allowed.

**NOTE:** If no indirect cost rate agreement is included, no indirect costs should be listed in the proposed budget.

**5. Project Narrative (10 double-spaced page maximum)**

Provide the information below in a separate document. The **Project Narrative** (150 words or less) Provide a one-paragraph summary of the following:

- The organization's experience providing services, including the type(s) of services and number of years providing services;
- A description of the community, and areas to be served; and
- Proposed grant project activities and outcomes.

**X. Application and Submission Information**

**Application and Submission Information**

1. Applicants will obtain FOA Overviews and Full Announcement information from the Grants.gov website where the full FOA is posted.
2. For a hard copy of the announcement, please write to:

Patty Mayo  
Grants and Financial Assistance Division  
Department of Homeland Security  
MGMT OPO Stop 0115  
245 Murray Lane, SW  
Washington, DC 20528-0115

**Appendix A. Standard Terms and Conditions**

**Appendix B. Standard Forms, Certifications and Assurances**

## **Appendix A. Standard 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. \*See also Appendix B, Certifications and Assurances\*

### **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. \*See also Appendix B, Certifications and Assurances\*

### **Debarment and Suspension**

Executive Orders 12549 and 12689 provide protection against waste, fraud and abuse by debaring or suspending those persons deemed irresponsible in their dealings with the Federal government. The recipient must certify that they are no debarred or suspended from receiving Federal assistance. For additional information, see 2 CFR Part §3000. \*See also Appendix B, Certifications and Assurances\*

### **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). \*See also Appendix B, Certifications and Assurances\*

### **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](http://www.dhs.gov/xlibrary/assets/privacy/privacy_pia_guidance_june2010.pdf) and [http://www.dhs.gov/xlibrary/assets/privacy/privacy\\_pia\\_template.pdf](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 B. 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, Department of Commerce (NIST) 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://csrc.nist.gov/grants/cd511.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.