

U.S. Fish & Wildlife Service

Basic Financial Assistance Management Course



2013 Workbook

Agenda (CM)	1
Goals and Objectives (CM)	2
Understanding Grants and Cooperative Agreements (CM)	3
Award Management Process (SK)	4
Compliance (SK)	5
Pre-Award (CM)	6
Award: Notice of Award (SK)	7
Post Award: Managing & Monitoring (CM)	8
Post Award: Reporting Requirements (SK)	9
Award Closure (CM)	10
Post Closure: Ongoing Responsibilities (CM)	11
Handouts	12

Basic Financial Assistance Management Course

US Fish and Wildlife Service

National Training Program

Albuquerque, NM

September 10-12, 2013

TUESDAY, September 10

MORNING SESSION

8:00 a.m. Welcome/Introductions/Getting Acquainted
Review Agenda
Course Goals and Objectives

MORNING BREAK

MORNING SESSION (continued)

Using iPads in Class
Understanding Grants and Cooperative Agreements

LUNCH

AFTERNOON SESSION

Award Management Process

AFTERNOON BREAK

AFTERNOON SESSION (continued)

Compliance
Review Day 1/Preview Day 2/Wrap-up

5:00 p.m. Adjourn

WEDNESDAY, September 11

MORNING SESSION

8:00 a.m. Review Day 1/Preview Day 2
Pre-Award

MORNING BREAK

MORNING SESSION (continued)

Pre-Award (continued)

LUNCH

AFTERNOON SESSION

Award

Post Award: Managing and Monitoring

AFTERNOON BREAK

AFTERNOON SESSION (continued)

Post-Award: Managing and Monitoring (continued)

Post-Award: Reporting Requirements

5:00 p.m. Adjourn

THURSDAY, September 12

MORNING SESSION

8:00 a.m. Review Day 2/Preview Day 3

Award Closure

Post Closure: Ongoing Responsibilities

MORNING BREAK

MORNING SESSION (continued)

Group project

Course evaluations / prizes / certificates

LUNCH

AFTERNOON SESSION

Q & A with FAPO Office representative

AFTERNOON BREAK

AFTERNOON SESSION (continued)

ASAP and FBMS Overview

5:00 p.m. Adjourn

Revised **9/4/2013**

Enter Name of Course:

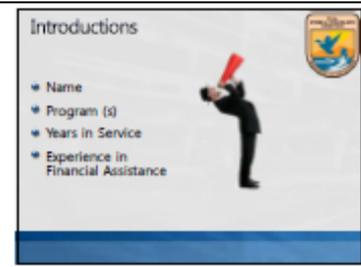
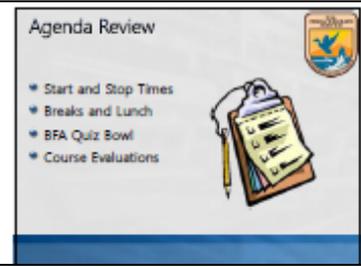
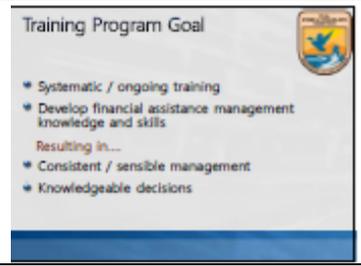
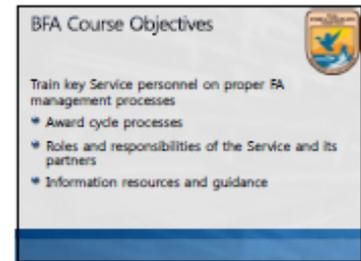
Basic Financial Assistance Management Course

Enter Tab Number:

2

Handouts:

None

 <p>Basic Financial Assistance Management Course</p>		
 <p>Introductions</p> <ul style="list-style-type: none"> Name Program (s) Years in Service Experience in Financial Assistance 		
 <p>Course Objectives</p>		
 <p>Agenda Review</p> <ul style="list-style-type: none"> Start and Stop Times Breaks and Lunch BFA Quiz Bowl Course Evaluations 		
 <p>Training Program Goal</p> <ul style="list-style-type: none"> Systematic / ongoing training Develop financial assistance management knowledge and skills Resulting in... Consistent / sensible management Knowledgeable decisions 		
 <p>BFA Course Objectives</p> <p>Train key Service personnel on proper FA management processes</p> <ul style="list-style-type: none"> Award cycle processes Roles and responsibilities of the Service and its partners Information resources and guidance 		<p>DOI Management Review 2009. WSFR directed to assess FA climate and implement corrective actions. WSFR not to take over programs, only administrative responsibilities related to financial assistance, in partnership with programs.</p>

Goals and Objectives

Training Program Goal

The goal of the Training Program is to

Provide a systematic and ongoing national training program to develop basic and specialized award management knowledge and skills that result in the consistent and sensible application of regulations, processes, and decisions for financial assistance awards.

The purpose of the Basic Financial Assistance Management Course is to provide a basic knowledge of Federal requirements in submitting, reviewing, approving, managing, and auditing USFWS financial assistance awards.

Course Goal

More effective award management through

- partnering
- knowledge
- communication
- consistency

Course Objectives

Upon completion of this course, the participant will be able to

1. Describe the Financial Assistance Policy and Oversight (FAPO) Office organization and functions.
2. Describe the award process.
3. Describe the award management roles and responsibilities of USFWS and our partners.
4. Use guidance and other information resources.
5. Provide to USFWS staff proper award management training.

Revised **9/4/2013**

Enter Name of Course:

Basic Financial Assistance Management Course

Enter Tab Number:

3

Handouts:

Decision Diagram (v. April 11, 2013)

OIG Audit Example – Incorrect Selection of an Award Instrument

 The logo for the course 'Introduction to Grants and Cooperative Agreements'. It features the text 'Introduction to Grants and Cooperative Agreements' on the left and a circular emblem on the right. The emblem contains a stylized bird in flight over a globe, with the text 'U.S. Fish and Wildlife Service' at the top and 'National Training Program' at the bottom. The entire logo is set against a light blue background with a darker blue horizontal bar at the bottom.	<p>Overview of the two federal financial assistance agreements taught in this course—grant agreements and cooperative agreements. We'll spend more time discussing the particulars of these two award instruments in subsequent modules.</p>
--	--

Introduction to Grants and Cooperative Agreements

Objectives:

1. Identify the proper award instrument.
2. Become familiar with the core financial assistance management regulations for USFWS programs.

Exercise: Evaluate the Funding Tool

Instructor Notes

Revised 9/6/13

<p>Grants and Coops: Exercise Evaluate the Funding Tool</p>  <p>References: 505 DM 2 FAPO New Award Guidance</p> 	<p>Question #3. With a grant, the Service is a 'patron', or financial contributor, to a Recipient's project.</p>
--	--



Exercise: Evaluate the Funding Tool

Use **505 DM 2 (DM)** and the **FAPO Issuing a New Financial Assistance Award Guidance (FAPO)** to answer the questions below. Cite your references.

1. Name three funded activities of Program Offices within the USFWS. (FAPO)

Acquisitions, interagency agreement, financial assistance, FAPO#1

2. If the appropriate funding tool is something other than Financial Assistance, what is the required course of action? (FAPO)

Stop and contact the appropriate office within your region

(Contracting?)FAPO#1.

3. What are the three legal award instruments used by the USFWS? What is the principal purpose of each? (DM)

Procurement contract, grant agreement, cooperative agreement. 505DM2.6.

Procurement - Acquire goods/svcs for direct benefit/use of Service.

Grant - transfer a thing of value for public purpose **authorized by law**. No substantial involvement.

Coop - same as grant, but WITH substantial involvement.

4. Who determines the appropriate Financial Assistance award instrument and where do they go to determine which instrument to use? (FAPO)

The Program Office determines appropriate FA award, FAPO #2

The Program's authorizing/funding legislation, or use FAPO New Award

Guidance. FAPO #2.

5. What is the key difference between a Grant and a Cooperative Agreement (DM)?

Presence or absence of substantial involvement.

<p>Grants and Coops: Exercise Evaluate the Funding Tool</p>  <p>References: 505 DM 2 FAPO New Award Guidance</p> 	
--	--



Exercise: Evaluate the Funding Tool cont'd

6. What is Substantial Involvement? Give examples. (FAPO, DM)

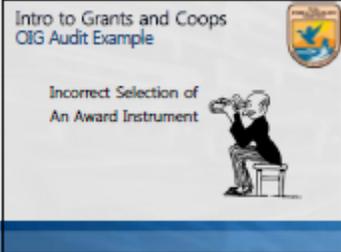
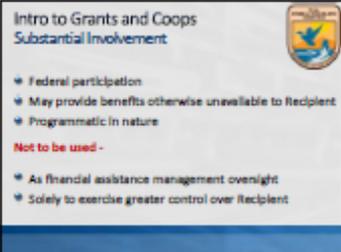
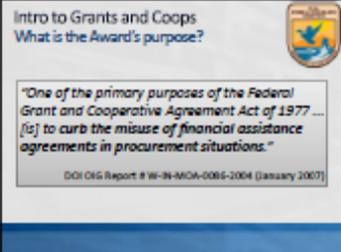
FAPO #2, 505 DM 2.9 B. (2) and (3).

7. When is a Cooperative Agreement the appropriate award instrument? (DM)

When the relationship between the bureau or office and a State, local government, or other recipient has as its principal purpose the transfer of a thing of value to State or local government or other recipient to carry out a public purpose of support or stimulation authorized by a law of the United States and substantial involvement is expected between the bureau or office and the State, local government, or other recipient when carrying out the activity contemplated in the agreement 505 DM 2.6 C.

8. Are routine monitoring activities (e.g. site visits, reporting requirements, preaward plan approval) considered substantial involvement? Why or why not? (FAPO)

No. These routine monitoring activities are standard Federal monitoring activities ("Federal stewardship responsibilities" and "general administrative requirements") common to all FA (grants and coops), FAPO #2.

<p>Intro to Grants and Coops OIG Audit Example</p>  <p>Incorrect Selection of An Award Instrument</p>	<p>Responses to audit – FWS did not concur, stating VT and UC were supporting the public good by supporting the mission of the LCCs (a group consisting of FWS, state agencies, non-profits) and therefore not service-specific. OIG did not agree, but considered changing the agreements at this point not “in the best interest of the government.”</p>
<p>Intro to Grants and Coops Substantial Involvement</p>  <ul style="list-style-type: none"> • Federal participation • May provide benefits otherwise unavailable to Recipient • Programmatic in nature <p>Not to be used -</p> <ul style="list-style-type: none"> • As financial assistance management oversight • Solely to exercise greater control over Recipient 	<p>Substantial involvement—sometimes referred to as substantial programmatic involvement or federal substantial programmatic involvement—is primary distinguishing difference between grant agreements and cooperative agreements. We talked about substantial involvement—what it IS and ISN’T—in the exercise we just finished. Possible benefits of using Service for Recipients – technical, training, equipment, and labor.</p>
<p>Intro to Grants and Coops What is the Award's purpose?</p>  <p>“One of the primary purposes of the Federal Grant and Cooperative Agreement Act of 1977 ... [is] to curb the misuse of financial assistance agreements in procurement situations.” DOI OIG Report # W-IN-MOA-0066-2004 (January 2007)</p>	<p>A primary reason for this law was to ensure proper competition for federal funds. The federal contract process (the FAR is almost 2000 pages) is heavily geared towards ensuring this; the financial assistance process is less so, relying, instead, on the discretion by Programs.</p>
<p>Intro to Grants and Coops What is the Award's purpose?</p>  <ul style="list-style-type: none"> • Financial assistance awards <ul style="list-style-type: none"> • support the Recipient • benefit a public purpose <u>authorized by Federal Law</u> • Procurement contract awards acquire goods OR services for <u>direct benefit</u> to the Service 	

Substantial Involvement

Substantial Involvement occurs when the Recipient and USFWS participate together in the management and/or performance of the activity/project. The scope of work is programmatic in nature and may provide benefits that otherwise would be unavailable to the Recipient.

Substantial Involvement is not the same as the USFWS's standard Federal Stewardship responsibilities and should not be used solely as a means of exercising greater control over the Recipient.

Substantial Involvement is **NOT:**

- Preaward plan approval
- Site Visits
- Reporting requirements
- Correction of Recipient deficiencies
- Compliance oversight
- OMB administrative requirements



505 DM 2.9 B. | FAPO New Award Guidance (Item #2)

Defining an Award's intended purpose

Per the OIG, one of the primary purposes of 31 U.S.C. § 6301-6308¹ (which addresses federal agencies' proper use of procurement contracts, grants, and cooperative agreements) is to "*curb the misuse of financial assistance agreements in procurement situations.*"² In other words, federal agencies are legally mandated to uphold proper procurement policies of the U.S. Government and not circumvent those policies through improper awarding of federal monies via grants or cooperative agreements.

The Purpose of these three award instruments are as follows:

- Financial Assistance awards support the Recipient in its carrying out of a Public Purpose authorized by Federal Law.
- Procurement contract awards acquire goods or services for direct benefit to USFWS.

¹ Federal Grant and Cooperative Agreement Act of 1977

² DOI OIG Report # W-IN-MOA-0086-2004 (January 2007), p. 5.

<p>Intro to Grants and Coops Authorized by Public Law?</p>  <ul style="list-style-type: none">Federal agencies must have "Program Authority"If unsure, request a Legal Review <p>"...unlike procurement contracts, agencies must have express statutory authority to spend money using a grant or cooperative agreement."</p>	<p>LCC audit found 33 of 47 agreements with incorrect program authority cited. Auditors recommended programs clearly identify legal authority before entering into financial assistance agreements.</p>
---	---

Authorized by Public Law?

Federal agencies must have the specific legal authority, authorized by legislation (often called “program”, or “statutory” authority), to enter into grant or cooperative agreements. Without this legal authority, agencies cannot award funds through financial assistance. Legal reviews by FAPO and the Office of the Solicitor (SOL) are readily available³ to assist Program Offices in making the correct determination.

Statutory authority is identified with the Program's Catalog of Federal Domestic Assistance (CFDA) number. We'll discuss this in Module Six.

*“If grant agreements or cooperative agreements are considered, DOI must have the legal authority to provide financial assistance, **because unlike procurement contracts, agencies must have express statutory authority to spend money using a grant or cooperative agreement.**”*

-OIG Advisory Report WR-EV-BIA-0017-2013 (July 2013)

Additionally, agencies are required to cite the correct legal authority used to award the grant or cooperative agreement.

[LCC audit found one LCC consistently citing the Federal Grant and Cooperative Act of 1977, which has no grant making authority. Additionally, 505 DM 2 specifically states that Act has no legal authority to award financial assistance. Another LCC cited the LWCF, which also has no grant-making authority.](#)



31 U.S.C. § 6301-6308 | 505 DM 2.8 – 2.9

³ 505 DM 2.8D states that SOL will normally provide legal reviews within seven workdays.

<p>Intro to Grants and Coops Governing and Administrative Regulations</p>  <ul style="list-style-type: none">• 43 CFR 12 (Subparts C and F)• OMB Circular A-133• 2 CFR 220 / 225 / 230• 48 CFR 31	
---	--

Governing and Administrative Regulations

Grants and cooperative agreements administered by FWS are governed by 43 CFR 12—referred to as The Common Rule. This Rule incorporates relevant OMB Circulars along with the Department of Interior’s guidance on Financial Assistance program administration.

Additionally, other core award management regulations are used by DOI’s bureaus in managing specific activities related to Financial Assistance.

Review the following Federal regulations and list their section titles and purposes.

1. 43 CFR 12 Subpart C and F

[Uniform Administrative Requirements for Grants and Coops to State and Local Governments – Uniform admin for Educational Institutions, Hospitals, Non-Profits](#)

2. A-133

[Audits of States, Local Govts, and Non-Profits](#)
[Single audit of entities expending federal awards.](#)

3. 2 CFR 220

[Cost principles for educational institutions](#)

4. 2 CFR 225

[Cost principles for States, local governments and Indian Tribes](#)

5. 2 CFR 230

[Cost principles for non-profit organizations](#)

6. 48 CFR 31

[Contract Cost Principles and Procedures \(Federal Acquisition Regulation, FAR\)](#)

Learning Points

Instructor Notes

Revised 9/6/13

--	--

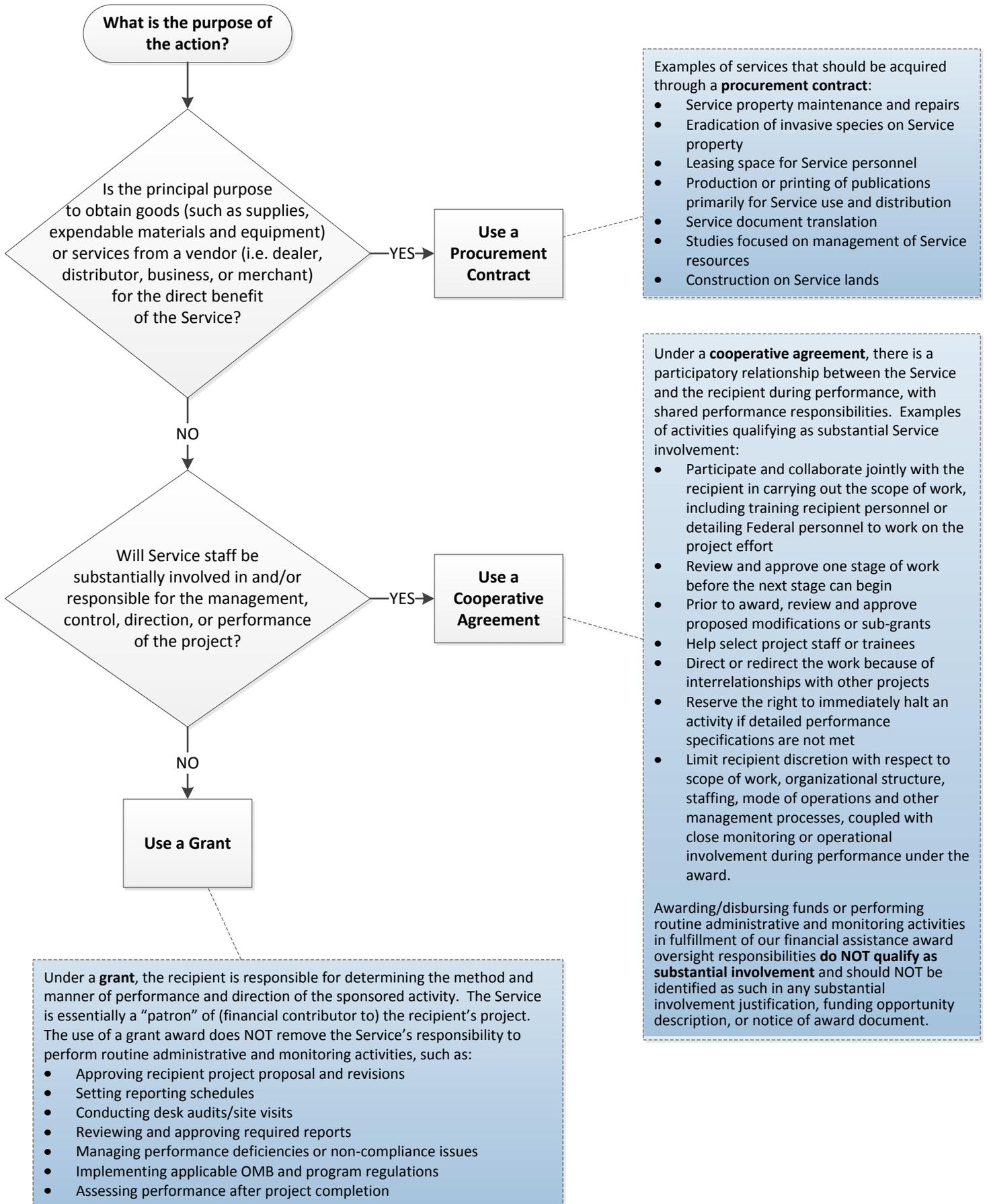


Learning Points

- ✓ Program Offices are responsible for determining and implementing the proper award instrument for their Program's funding activities.
- ✓ Substantial Federal Involvement in the agreement activity differentiates grants from cooperative agreements.
- ✓ All grants and cooperative agreements adhere to a common set of regulations: Administrative Requirements (43 CFR 12), Cost Principles (2 CFR 225/220/230) and Audit Requirements (A-133).

SELECTION OF FUNDING INSTRUMENT DECISION DIAGRAM

For more information, see the Service's *Issuing a New Financial Assistance Award Guidance* posted on InsideFWS at <https://inside.fws.gov/go/post/FAPO-NewAwards>.



OIG Audit Examples of Incorrect Selection of an Award Instrument

LCC DOI OIG Audit ER-IN-MOA-0015-2011 (June 2013)

I. Use of a Cooperative Agreement for Contractual Services

The Appalachian LCC awarded Virginia Polytechnic Institute and State University (Virginia Tech) an \$84,174 cooperative agreement for support services¹, which included office space, computer support, and other administrative activities.

The audit finding questioned the use of a cooperative agreement for what was determined to be service-related activities. The auditors considered it a contracting action, citing the Federal Grant and Cooperative Agreement Act of 1977, which states²:

An executive agency shall use a procurement contract as the legal instrument reflecting a relationship between the United States Government and a State, a local government, or other recipient when—

- (1) the principal purpose of the instrument is to acquire (by purchase, lease, or barter) property or services for the direct benefit or use of the United States Government; or
- (2) the agency decides in a specific instance that the use of a procurement contract is appropriate.

–31 U.S.C. § 6303 “Using Procurement Contracts”

¹ These support services provided to the LCC by the University.

² <http://www.law.cornell.edu/uscode/text/31/6303>

OIG Audit Examples of Incorrect Selection of an Award Instrument
LCC DOI OIG Audit ER-IN-MOA-0015-2011 (June 2013)

2. Improperly awarding a Cooperative Agreement instead of a Grant Agreement

The Southern Rockies LCC awarded the University of California-Davis a \$99,875 cooperative agreement for a project related to adaptive management capacity on Navajo Nation lands. Since no substantial Federal involvement appeared in the statement of work, this agreement would have been more appropriately funded as a grant.

Auditor's Comments

“FWS performed no legal reviews prior to awarding any of these financial assistance agreements. Had FWS performed an appropriate legal review, these issues very likely would have been identified and corrected.”

Responses to audit – FWS did not concur, stating VT and UC were supporting the public good by supporting the mission of the LCCs (a group consisting of FWS, state agencies, non-profits) and therefore not service-specific. OIG did not agree, but considered changing the agreements at this point not “in the best interest of the government.”

Revised **8/15/2013**

Enter Name of Course:

Basic Financial Assistance Management Course

Enter Tab Number:

4

Handouts:

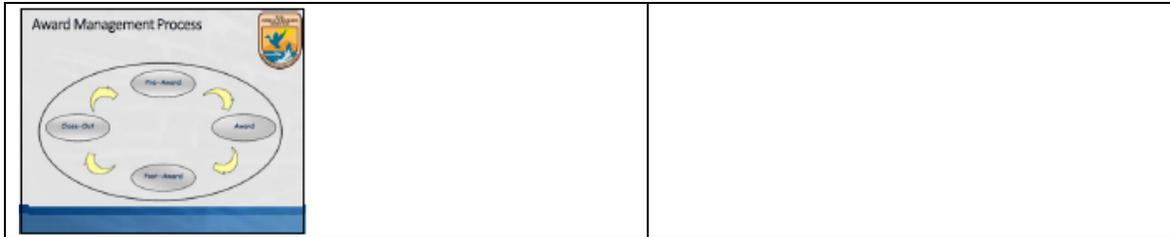
None

 The logo for the Award Management Process. It features the text "Award Management Process" in a black, sans-serif font on the left. To the right of the text is a circular emblem with a blue border, containing a stylized blue bird in flight over a white background. Below the text and emblem is a solid blue horizontal bar.	
--	--

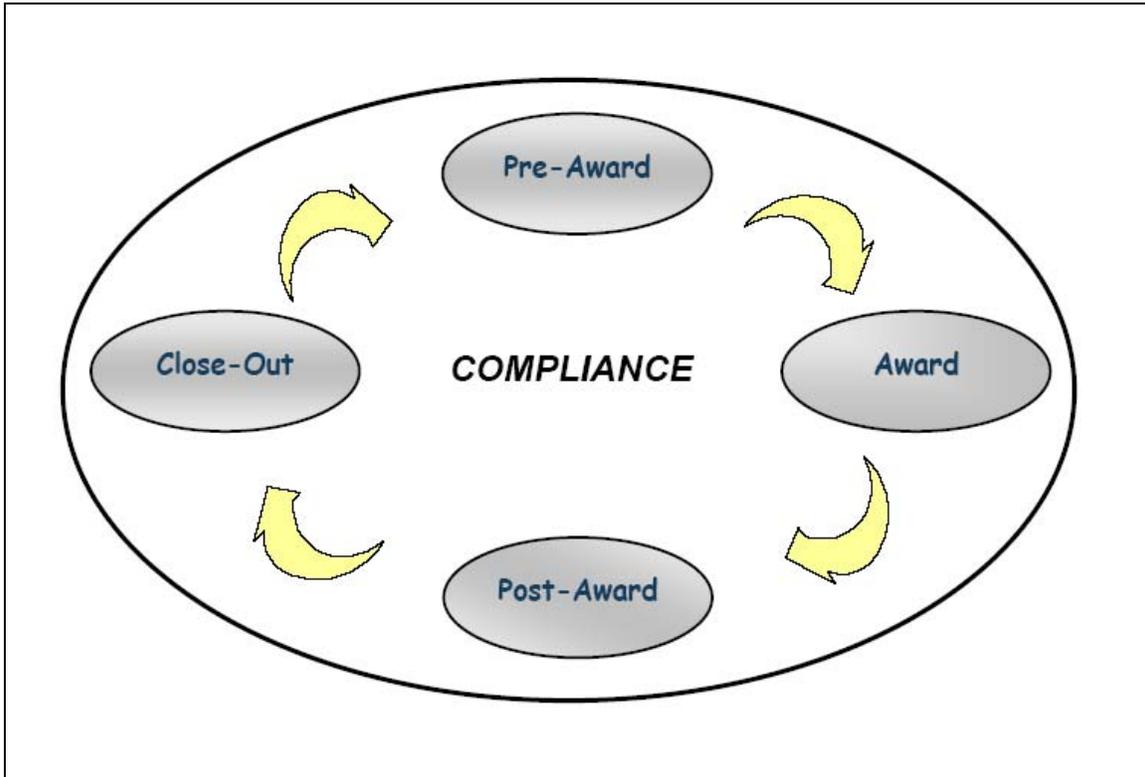
Award Management Process

Objectives:

1. Become familiar with the Award Management Process.
2. Understand the cooperation, communication, and coordination required to support the Award Management Process.
3. Describe the roles and responsibilities in award management.



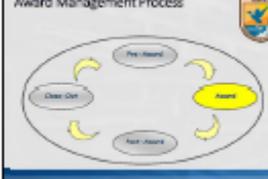
The Award Life Cycle



The award management process follows the life cycle of an award. Various activities are performed during each process phase.

Consider your roles and responsibilities in managing Federal awards throughout their life cycle. In addition, consider the people that you will interact and communicate with to effectively manage the award.

Notes:

	<p>Award Management Process Pre-Award Phase</p> <ul style="list-style-type: none"> ❖ Award Application Package <ul style="list-style-type: none"> ❖ Application for Assistance ❖ Project Statement ❖ Supporting Documents ❖ Compliance ❖ Need Identified ❖ Describe work to be done 	
	<p>Award Management Process Award Phase</p> <ul style="list-style-type: none"> ❖ Notice of Award (transmittal memo) <ul style="list-style-type: none"> ❖ Sets Award Terms and Conditions ❖ Authorizes money ❖ Legal document <ul style="list-style-type: none"> ❖ Sets award-specific terms, special conditions and/or provisions, etc. 	
	<p>Award Management Process Close-Out Phase</p> <ul style="list-style-type: none"> ❖ Work completed ❖ Final performance report ❖ Final drawdown ❖ Final federal financial report ❖ Compliance concerns 	
<p>Award Management Process Post Close-Out Phase</p> <ul style="list-style-type: none"> ❖ Ongoing compliance ❖ Land / Equipment use and inventory ❖ Record retention ❖ Monitoring Subrecipients ❖ Audits 		
		
		

Award Life Cycle Phases

Pre-Award: The Program Office completes required prerequisites for the new award opportunity. Recipient develops and submits application package and addresses compliance requirements. The Program Office reviews application package and communicates with Recipient to approve award.

Award: Once an award is approved the Program Office sends the official award letter to the Recipient. Included in letter are: the authorized award amount, terms and conditions, and start and end dates of performance period. This is the legally binding document.

43 CFR 12 follows the Award Management Process in its content layout.

Post-Award: Recipient begins work and charges allowable costs, submits payment requests via ASAP, and manages and monitors activities. Award revisions are made if needed. Interim reporting requirements will vary depending on program/award period/Recipient type. Compliance concerns may arise (e.g. species found not previously known to be present or artifacts/remains discovered). The Program Office monitors Recipient's progress via performance and financial reporting. If a cooperative agreement is used, the Program Office conducts joint programmatic duties as outlined in the award letter.

FAPO maintains a Closeout Checklist for its financial assistance awards. (Handout in Tab 10)

Close-Out: Recipient finishes the work, processes the final payment request, prepares and submits the final performance and financial reports. The Program Office receives final reports, determines status of undisbursed funds, real property, equipment and inventory, and completes award file.

Post Close-Out: Address any compliance concerns. Monitor land and equipment use, if applicable. Records maintained.

Notes:

Learning Points

Instructor Notes

Revised 9/6/13

--	--



Learning Points

- ✓ The Award Management Process is a logically organized set of procedures to collect, evaluate, and document specific information for the award.
- ✓ The primary role/responsibility of the Recipient is to initiate and implement the award.
- ✓ The Federal role is to review, approve, implement and provide oversight of the award.
- ✓ Many people, Federal and Recipient, are involved in the Award Management Process.
- ✓ The Award Management Process requires communication and cooperation to effectively and efficiently manage awards.

Revised **9/4/2013**

Enter Name of Course:

Basic Financial Assistance Management Course

Enter Tab Number:

5

Handouts:

Statement of Assurances (Construction and Nonconstruction)

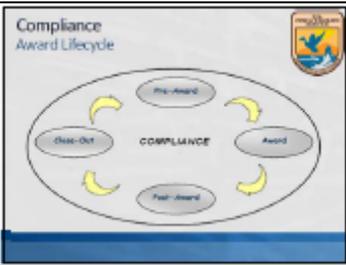
NEPA Process

Section 7 Process

DOI CatEx and Extraordinary Circumstances

FAPO Section 106 Eval Form

National Historic Register Eligibility

 <p>Compliance</p> 		
 <p>Compliance Award Lifecycle</p>  <p>Pre-Award</p> <p>COMPLIANCE</p> <p>Award</p> <p>Post-Award</p> <p>Close-Out</p> <p>The diagram shows a circular lifecycle with four stages: Pre-Award, Award, Post-Award, and Close-Out, all connected by yellow arrows in a clockwise cycle. The word 'COMPLIANCE' is centered in the middle of the cycle.</p>		

Compliance

Objectives:

1. Review and determine Federal compliance issues and general award administrative requirements.
2. Identify and discuss specific compliance documentation requirements.
3. Explain the purposes and general requirements of the Statement of Assurances.
4. Understand the NEPA documentation process.
5. Identify the issues that prevent using Categorical Exclusions.
6. Determine the information needed to evaluate the effect on Listed, Proposed to be listed, Candidate Species and/or Critical Habitat.
7. Discuss the importance of this information in the Section 7 evaluation process.
8. Review the National Historic Preservation Act compliance requirements.
9. Discuss various program/project compliance requirements.

<p>Compliance Program-specific compliance</p>  	
<p>Compliance Program-specific compliance</p> <ul style="list-style-type: none">• Program purpose• Eligibility• Mandates, matching, funding• Special conditions• Governing guidance 	

Program Specific Compliance Requirements

Each federal financial assistance (FA) program has specific compliance and eligibility requirements in its enabling legislation or funding announcement.

- Purpose of the FA Programs
- Eligible Awardees
- Eligible / Ineligible Projects and Activities
- Spending Mandates, Matching requirements, Funding Limitations
- Special Conditions
- Governing Guidance (CFR, Rules, etc.)

Program specified compliance may be found in the program's enabling legislation or funding announcement.

Notes:

<p>Compliance Statement of Assurances</p> <p>What are they?</p> 		
<p>Compliance: Exercise Reviewing Statement of Assurances</p> <p>References:</p> <ul style="list-style-type: none">SF-424BSF-424D 		



Exercise: Statement of Assurances

The SF-424B and D are used to assure compliance with statutory requirements for nonconstruction (form B) or construction (form D) financial assistance programs. The Federal awarding agencies and OMB use information reported on this form for general management of Federal assistance awards programs.

Work as a group to review the Statement of Assurances. Use the Statement of Assurances forms (SF424B, SF424D) found in the Toolkit (**BFA > OMB Forms**).

1. Read the Statement of Assurance that is assigned to your group and be prepared to give a one sentence summary.

[SF-424D \(Construction\) 1, 2, 3, 4, 6, 10, 15, 17, 18.](#)

2. What happens if the Awardee does not comply with the laws or regulations listed on the Statement of Assurances?

[Funding would cease, expenditures would not be reimbursed, future financial assistance funding will be at risk, audit findings.](#)

<p>Compliance National Environmental Policy Act</p>  	
<p>Compliance NEPA Objectives</p>  <ul style="list-style-type: none"> ■ Consider detailed information concerning every significant environmental impact on the human environment ■ Ensure the public plays a role in both the decision-making process and implementation 	
<p>Compliance Significance</p>  <ul style="list-style-type: none"> ■ Context – Society as a whole, affected region(s), affected interests, locality <ul style="list-style-type: none"> → Both short and long-term effects are relevant ■ Intensity – Severity of impact (Extraordinary Circumstances) 	
<p>Compliance Human Environment</p>  <ul style="list-style-type: none"> ■ Ecological, aesthetic, historic, cultural, economic, social, health <ul style="list-style-type: none"> → Direct, indirect, cumulative ■ Economic and/or social effects by themselves not "significant" 	
<p>Compliance Implementing NEPA</p>  <ul style="list-style-type: none"> ■ Approval of a Federal award constitutes a Federal Action ■ All Federal actions must comply with NEPA ■ All activities must be reviewed prior to approval to determine the effects of the proposed work ■ NEPA determinations must be documented 	
<p>Compliance NEPA Roles and Responsibilities</p>  <ul style="list-style-type: none"> ■ USFWS is ultimately responsible for decision-making and documentation ■ Neighbors play an important role in providing adequate information for decision-making, identifying and notifying interested/affected parties 	
<p>Compliance NEPA Factors to Consider</p>  <ul style="list-style-type: none"> ■ Project scope ■ Potential for significant impact on the human environment ■ Public interest and / or controversy generated 	
<p>Compliance NEPA Determinations</p>  <ul style="list-style-type: none"> ■ Categorical Exclusion (CE) <ul style="list-style-type: none"> → Exclusion requirements satisfied → Environmental Action Statement (EAS) ■ Environmental Assessment (EA) <ul style="list-style-type: none"> → Finding of No Significant Impact (FONSI) ■ Environmental Impact Statement (EIS) <ul style="list-style-type: none"> → Record of Decision (ROD) 	

National Environmental Policy Act

The purpose of the NEPA process is to consider detailed information concerning every significant environmental effect on the human environment. Additionally, the process ensures the public plays a role in both the decision-making process and the decision implementation.

Complying with the NEPA process is relatively simple and unimposing for the majority of work proposed under awards administered by USFWS. However, the process does require that specific steps be followed and documented to support conclusions about how the federal action will affect the human environment.

The general flow for documenting a NEPA decision is depicted on the *NEPA Process & Documentation* (Handout **BFA 5-3**). Working through the NEPA decision making process requires evaluating several factors before implementing federally-funded projects.

The Human Environment is the natural and physical environment and the relationship of people with that environment

-40 CFR 1508.14

NEPA Factors

- Project Scope
- Potential for Significant Impact on the Human Environment
- Public Interest and/or Controversy Generated

The effect of these factors determines which of the three documentation processes must be followed in complying with NEPA requirements.

Methods of Documenting NEPA Compliance

- Categorical Exclusion (CE)
- Environmental Assessment (EA)
- Environmental Impact Statement (EIS)

[NEPA compliance requirement #11 on SF424B and #15 on SF424D](#)



516 DM 2,8 | http://ceq.hss.doe.gov/ceq_regulations/regulations.html

<p>Compliance Section 7 – Endangered Species Act</p> 	
<p>Compliance Section 7 – Endangered Species Act</p> <p>Section 7(a)(2): All Federal agencies must determine how to use their existing authorities to further the purposes of the ESA</p> <p>and ...</p>	
<p>Compliance Section 7 – Endangered Species Act</p> <p>Section 7(a)(2): All Federal agencies must ensure that any action they authorize, fund, or carry out is not likely to:</p> <ul style="list-style-type: none"> a) jeopardize the existence of listed species (includes proposed and candidate for LSPMS) b) adversely modify designated critical habitat 	

Section 7 of the Endangered Species Act

Federally-funded actions involving listed, proposed, and candidate species will promote the conservation of those species to the greatest extent practical under Federal law.

- Section 7(a)(1): All Federal agencies must determine how to use their existing authorities to further the purposes of the ESA.
- Section 7(a)(2): All Federal agencies—using the best scientific and commercial data available—must insure that any action they authorize, fund, or carry out is not likely to
 - Jeopardize a listed, proposed, or candidate species.
 - Adversely modify designated critical habitat.

An Action includes activities or programs of any kind authorized, funded, or carried out, in whole or in part, by Federal agencies in the United States or upon the high seas.

-50 CFR 402.02

Listed = listed as an ES. Proposed = formally proposed in Fed Reg for ES

Candidate = Service identified species to be proposed for listing as ES.

How Does USFWS Comply with Section 7 of ESA?

Approve only awards that meet conditions.

- Identify species
- Identify actions and location
- Evaluation of effects: by FWS Ecological Services
- No effect
- May affect
- Not likely to adversely affect
- Is likely to adversely affect

Section 7 compliance requirement #11 on SF424B and #15 on SF424D

<p>Compliance Section 7 – Evaluation of Effects</p> <ul style="list-style-type: none"> • No Effect • May Affect—NOT likely to adversely affect • May Affect—IS likely to adversely affect <ul style="list-style-type: none"> ◦ Modify activity ◦ Formal consultation with USFWS 	
<p>Compliance Section 7 – No Species Present</p> <ul style="list-style-type: none"> • No Effect <ul style="list-style-type: none"> ◦ No known occurrence of species ◦ Nature of work not on the ground ◦ Work ceases if species are discovered 	
<p>Compliance Section 7 – Species Present</p> <p>Harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, collect, or to attempt to engage in any such conduct</p> <p>ESA of 1973 Sec. 9 (D)</p>	
<p>Compliance Section 7 – Things to Consider</p> <ul style="list-style-type: none"> • Modify proposal prior to submittal to mitigate potential negative impacts <ul style="list-style-type: none"> ◦ Consider potential impacts early in the process • Seek US review during pre-award phase • Provide adequate and thorough documentation 	

Make a Recommendation/Determination

No Species Present

- Nature of work not on the ground.
- There are no species in the location of groundwork; work is non-destructive. If work is destructive add caveat that work will stop if endangered species/habitat are discovered.

Species Present:

Work in area with potential for Endangered Species.

- **No Effect:** Activity does not / will not interfere within particular time/season/habitat.
- **Is Not Likely to Adversely Affect:** A Take is unlikely. Describe possible effects, and ways to avoid take.
- **Is Likely to Adversely Affect:** A Take is likely. Formal consultation with ES required.

A **Take** is to “harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, collect, or to attempt to engage in any such conduct”.

Dealing with a “Likely to Adversely Affect” Determination

- Modify the proposal by changing actions, locations, timing, etc.
- Description of how the Take will be avoided must be thoroughly documented in proposal.
- Elevate high-risk project to Ecological Services Field Office for review and possible formal consultation.

Avoid Section 7 Pitfalls!

- Consider potential effects during the development of the proposal.
 - Provide separate information for each different action and species where there are different recommendations.
-
-

<p>Compliance National Historic Preservation Act</p> 	
<p>Compliance Historic and Cultural Preservation</p> <ul style="list-style-type: none"> ■ Section 106: Requires federal agencies to take into account the effects of their undertakings ■ State Historic Preservation Office (SHPO) advises and assists ■ Tribes have Tribal Historic Preservation Office (THPO) 	
<p>Compliance SHPO Consultation Process</p> <ul style="list-style-type: none"> ■ Applicant or Service provides SHPO with information ■ No historic features present – letter from SHPO ■ Historic features present – recommend actions to resolve adverse effects 	

National Historic Preservation Act

Section 106 of the National Historic Preservation Act requires federal agencies to account for undertakings on historic properties.

The Section 106 process is

- Consultation with a State's Historic Preservation Office (SHPO) and/or Tribal Historic Preservation Office (THPO).
- Required if the project/action is an undertaking with potential to cause effects on historic properties.

Historic Property Examples

- Prehistoric or historic district, site, building or structure.
- Artifacts, records, and remains related and located within such properties.

What is an "Undertaking"?

Any project, activity, or program funded in whole or in part by a Federal agency, including those (1) carried out by or on behalf of a Federal agency, (2) carried out with Federal financial assistance, or (3) requiring a Federal permit, license, or approval.

What is the Service's Responsibility?

Program Offices consult with their Regional Historic Preservation Officer, who may, depending on the activity, work with the appropriate SHPO/THPO.

What is SHPO/THPO's Responsibility?

Provide to the Service a written response indicating (1) agreement with a finding of no historic properties present, **or** (2) no adverse effects on historic properties, **or** (3) determine actions that the agency can take to resolve adverse effects.

[Section 106 compliance requirement #13 on SF424B and #17 on SF424D](#)

[Awardee assists Awarding agency in compliance of this Act \(see SoA\)](#)



<p>Compliance Project Dependent Compliance</p>  <ul style="list-style-type: none">• Permits• Engineering diagrams• Approvals• Third party agreements• AID 12172• Lobbying	
---	--

Additional Project Dependent Compliance

The work being performed in the award or the project type may have specific project-dependent compliance that must be considered and documented.

- Permits
- Engineering Diagrams
- Appraisals
- Third Party Agreements
- Intergovernmental Review of Federal Programs (EO 12372)
- State Single Point of Contact
- www.whitehouse.gov/omb/grants_spoc
- Lobbying
- SF-LLL Disclosure of Lobbying Activities

Notes:

Learning Points

Instructor Notes

Revised 9/6/13

--	--



Learning Points

- ✓ The NEPA process assesses a project's impact on the human environment.
- ✓ Federal funds cannot be used on a project until a NEPA decision is made and documented.
- ✓ The three types of NEPA documentation processes are Categorical Exclusion, Environmental Assessment, and Environmental Impact Statement.
- ✓ The scope, potential for significant impact on the human environment, and the public interest and/or controversy of a project will determine the NEPA documentation process.
- ✓ The NEPA process requires documenting the effect a project has on endangered species.
- ✓ The Section 7 process supports the NEPA decision.
- ✓ National Historic Preservation Act requires federal agencies to take into account the effects of their undertakings on historic properties.
- ✓ Compliance requirements will vary depending upon the project type.
- ✓ Compliance requirements are found in the enabling legislation, governing program guidance, administrative requirements and the Service Manual Chapters.
- ✓ Compliance requirements include administrative, environmental, historical, cultural and non-discrimination.
- ✓ The Statement of Assurances documents the Awardee's acceptance of the compliance requirements listed on the assurance form.

ASSURANCES - NON-CONSTRUCTION PROGRAMS

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0040), Washington, DC 20503.

PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

NOTE: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the awarding agency. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project cost) to ensure proper planning, management and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and, (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.
7. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
8. Will comply, as applicable, with provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327-333), regarding labor standards for federally-assisted construction subagreements.
10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
11. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).
12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
13. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq.).
14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.
15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. §§2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.
16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations."
18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL	TITLE	
APPLICANT ORGANIZATION		DATE SUBMITTED

ASSURANCES - CONSTRUCTION PROGRAMS

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0042), Washington, DC 20503.

PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

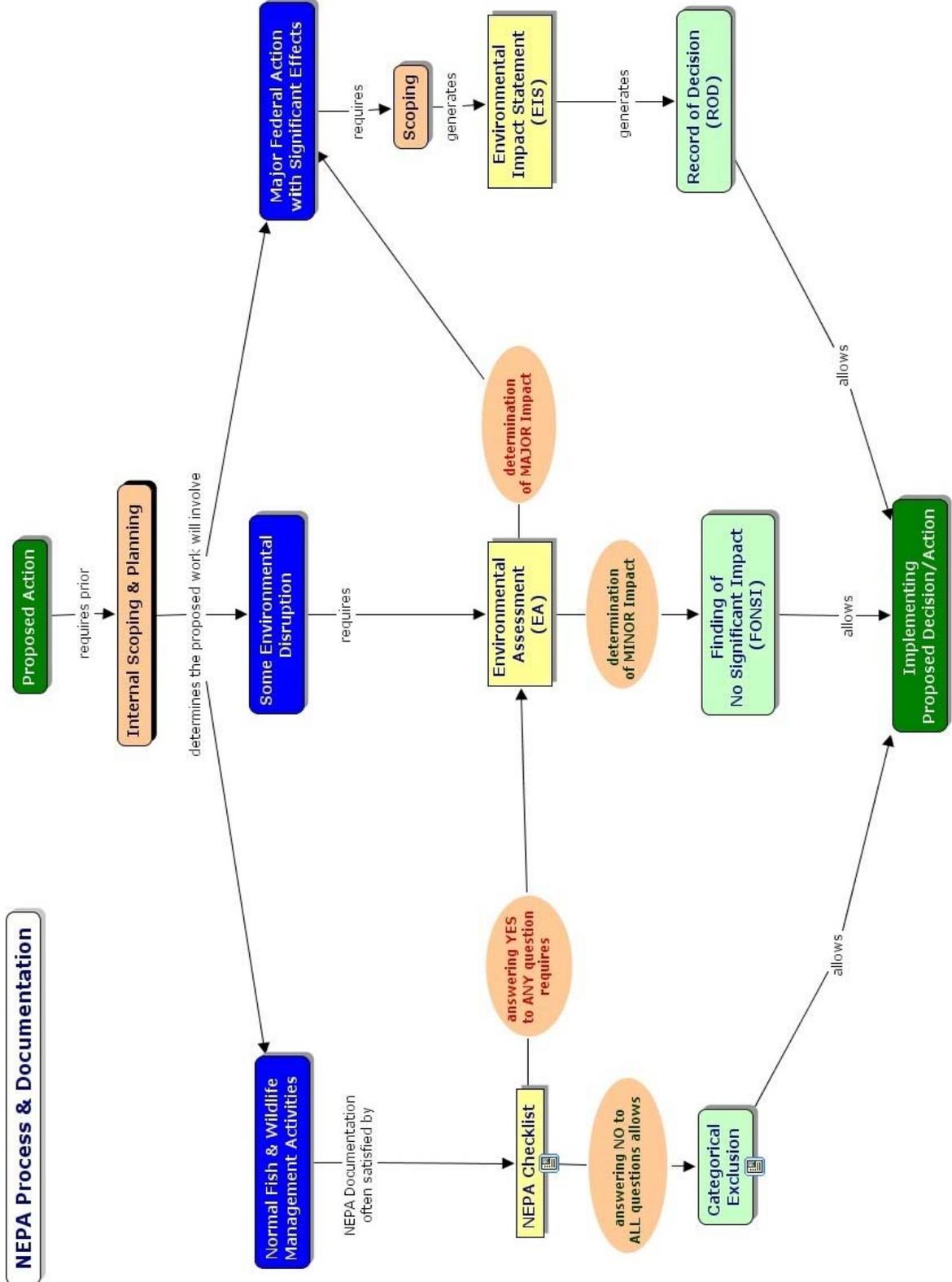
NOTE: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the Awarding Agency. Further, certain Federal assistance awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project costs) to ensure proper planning, management and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the assistance; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will not dispose of, modify the use of, or change the terms of the real property title, or other interest in the site and facilities without permission and instructions from the awarding agency. Will record the Federal interest in the title of real property in accordance with awarding agency directives and will include a covenant in the title of real property acquired in whole or in part with Federal assistance funds to assure non-discrimination during the useful life of the project.
4. Will comply with the requirements of the assistance awarding agency with regard to the drafting, review and approval of construction plans and specifications.
5. Will provide and maintain competent and adequate engineering supervision at the construction site to ensure that the complete work conforms with the approved plans and specifications and will furnish progress reports and such other information as may be required by the assistance awarding agency or State.
6. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
7. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
8. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
9. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
10. Will comply with all Federal statutes relating to non-discrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and, (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.

11. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal and federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
12. Will comply with the provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
13. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327-333) regarding labor standards for federally-assisted construction subagreements.
14. Will comply with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
15. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).
16. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
17. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq.).
18. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations."
19. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.

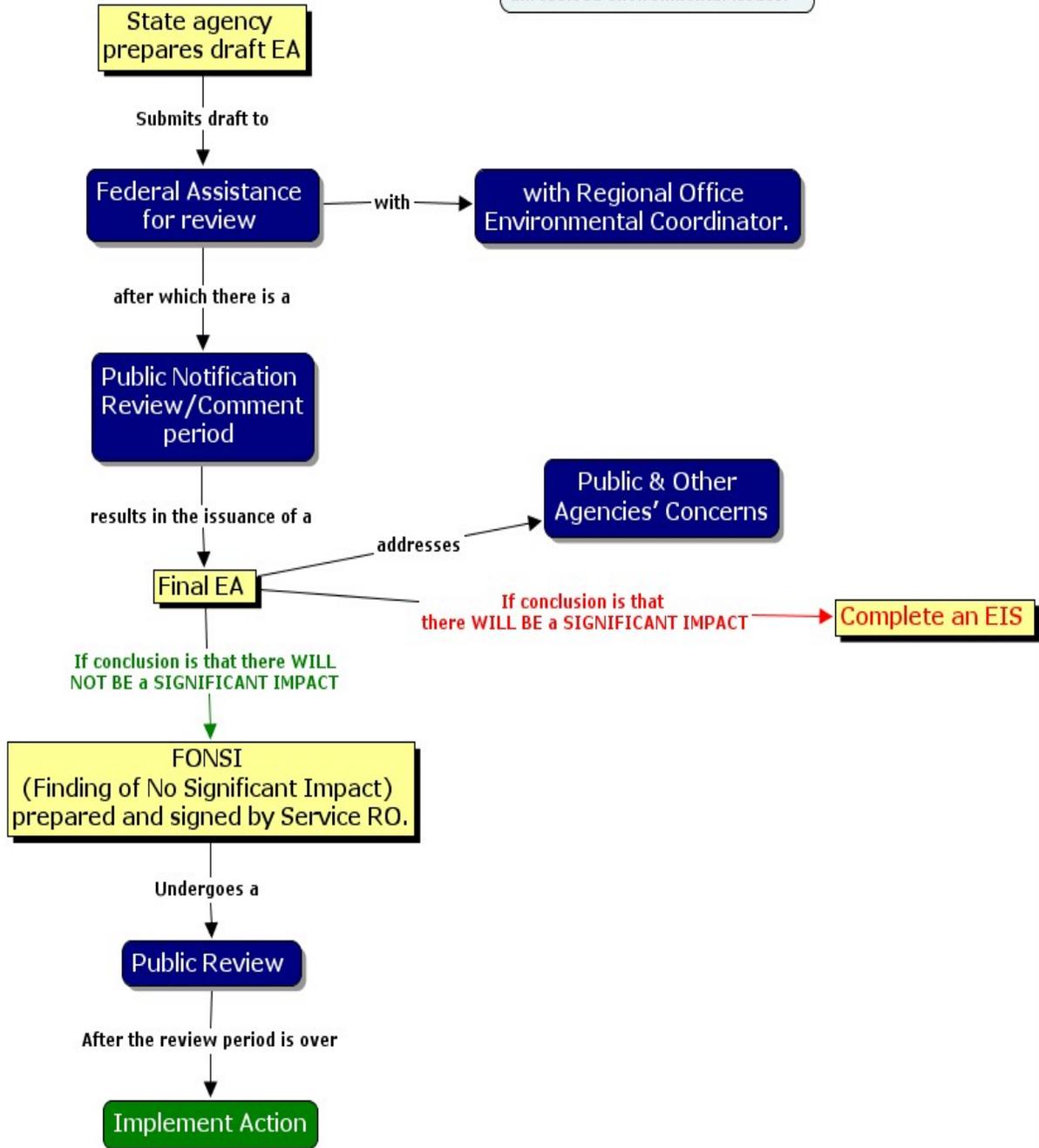
SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL	TITLE	
APPLICANT ORGANIZATION		DATE SUBMITTED



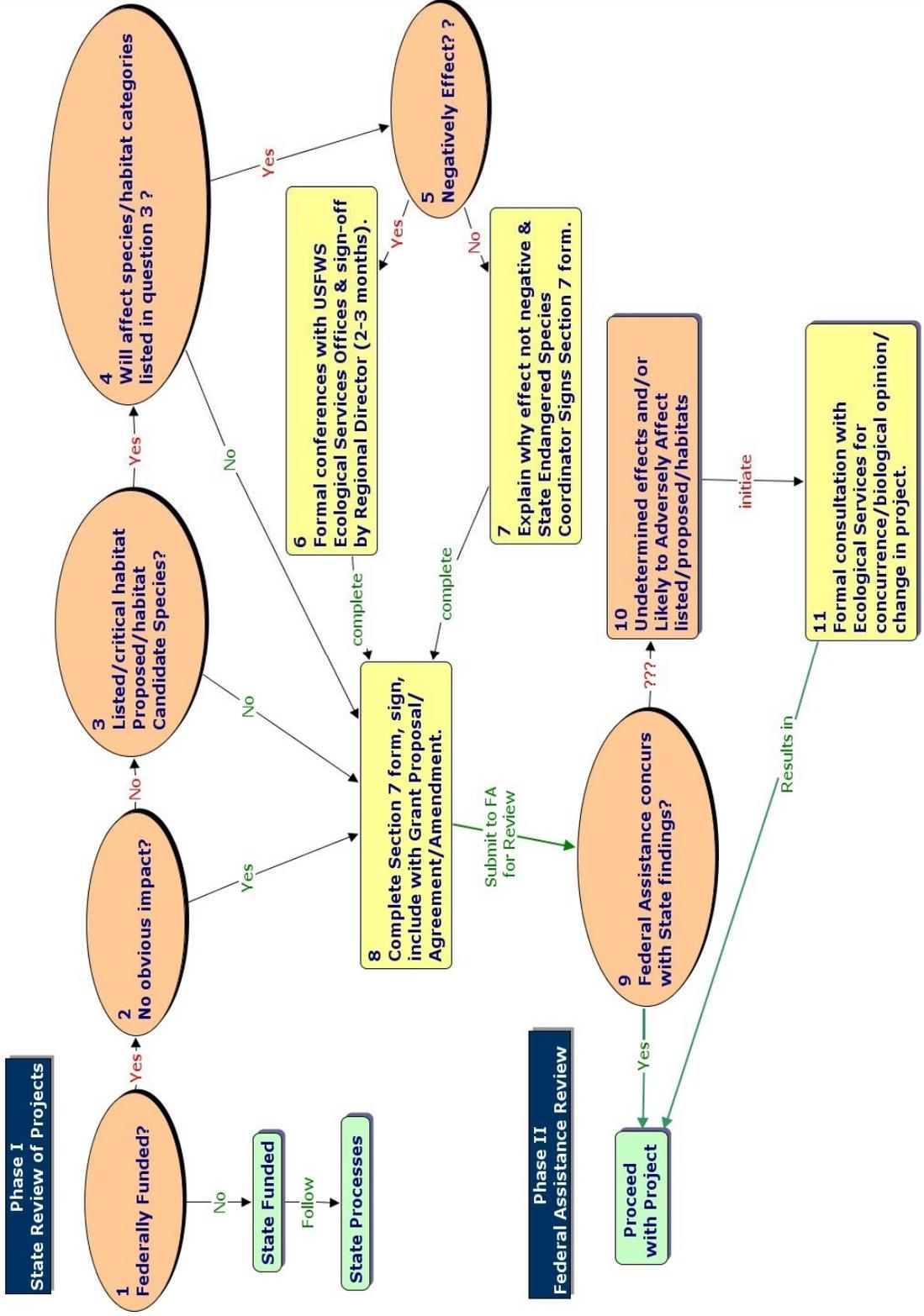
Preparing an Environmental Assessment

(Time Frame 3 to 6+ months)

Steps determine if action will have significant impact and/or address unresolved environmental issues.



Section 7 Compliance Process



§ 46.210 Listing of Departmental categorical exclusions.

The following actions are categorically excluded under paragraph 46.205(b), unless any of the extraordinary circumstances in section 46.215 apply:

- (a) Personnel actions and investigations and personnel services contracts.
- (b) Internal organizational changes and facility and bureau reductions and closings.
- (c) Routine financial transactions including such things as salaries and expenses, procurement contracts (e.g., in accordance with applicable procedures and Executive Orders for sustainable or green procurement), guarantees, financial assistance, income transfers, audits, fees, bonds, and royalties.
- (d) Departmental legal activities including, but not limited to, such things as arrests, investigations, patents, claims, and legal opinions. This does not include bringing judicial or administrative civil or criminal enforcement actions which are outside the scope of NEPA in accordance with 40 CFR 1508.18(a).
- (e) Nondestructive data collection, inventory (including field, aerial, and satellite surveying and mapping), study, research, and monitoring activities.
- (f) Routine and continuing government business, including such things as supervision, administration, operations, maintenance, renovations, and replacement activities having limited context and intensity (e.g., limited size and magnitude or short-term effects).
- (g) Management, formulation, allocation, transfer, and reprogramming of the Department's budget at all levels. (This does not exclude the

preparation of environmental documents for proposals included in the budget when otherwise required.)

(h) Legislative proposals of an administrative or technical nature (including such things as changes in authorizations for appropriations and minor boundary changes and land title transactions) or having primarily economic, social, individual, or institutional effects; and comments and reports on referrals of legislative proposals.

(i) Policies, directives, regulations, and guidelines that are of an administrative, financial, legal, technical, or procedural nature; or whose environmental effects are too broad, speculative, or conjectural to lend themselves to meaningful analysis and will later be subject to the NEPA process, either collectively or case-by-case.

(j) Activities which are educational, informational, advisory, or consultative to other agencies, public and private entities, visitors, individuals, or the general public.

(k) Hazardous fuels reduction activities using prescribed fire not to exceed 4,500 acres, and mechanical methods for crushing, piling, thinning, pruning, cutting, chipping, mulching, and mowing, not to exceed 1,000 acres. Such activities:

(1) Shall be limited to areas—

(i) In wildland-urban interface; and

(ii) Condition Classes 2 or 3 in Fire Regime Groups I, II, or III, outside the wildland-urban interface;

(2) Shall be identified through a collaborative framework as described in “A Collaborative Approach for Reducing Wildland Fire Risks to Communities and the Environment 10-Year Comprehensive Strategy Implementation Plan;”

(3) Shall be conducted consistent with bureau and Departmental procedures and applicable land and resource management plans;

(4) Shall not be conducted in wilderness areas or impair the suitability of wilderness study areas for preservation as wilderness; and

(5) Shall not include the use of herbicides or pesticides or the construction of new permanent roads or other new permanent infrastructure; and may include the sale of vegetative material if the primary purpose of the activity is hazardous fuels reduction. (Refer to the ESM Series for additional, required guidance.)

(l) Post-fire rehabilitation activities not to exceed 4,200 acres (such as tree planting, fence replacement, habitat restoration, heritage site restoration, repair of roads and trails, and repair of damage to minor facilities such as campgrounds) to repair or improve lands unlikely to recover to a management approved condition from wildland fire damage, or to repair or replace minor facilities damaged by fire. Such activities must comply with the following (Refer to the ESM Series for additional, required guidance.):

(1) Shall be conducted consistent with bureau and Departmental procedures and applicable land and resource management plans;

(2) Shall not include the use of herbicides or pesticides or the construction of new permanent roads or other new permanent infrastructure; and

(3) Shall be completed within three years following a wildland fire. § 46.215

§ 46.215 Categorical exclusions: Extraordinary circumstances.

Extraordinary circumstances (see paragraph 46.205(c)) exist for individual actions within categorical exclusions that may meet any of the criteria listed in paragraphs (a) through (l) of this section. Applicability of extraordinary circumstances to categorical exclusions is determined by the Responsible Official.

- (a) Have significant impacts on public health or safety.
- (b) Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (EO 11990); floodplains (EO 11988); national monuments; migratory birds; and other ecologically significant or critical areas.
- (c) Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA section 102(2)(E)].
- (d) Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.
- (e) Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.
- (f) Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.
- (g) Have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by the bureau.

(h) Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species or have significant impacts on designated Critical Habitat for these species.

(i) Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment.

(j) Have a disproportionately high and adverse effect on low income or minority populations (EO 12898).

(k) Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites (EO 13007).

(l) Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and EO 13112).



Section 106 National Historic Preservation Act Evaluation Form

Project Description (brief description of project—continue on additional sheets if needed)

Project Name/Type:

County/State:

On USFWS Land?:

Service Activity (WSFR, NAWCA, etc)

Project Location: Township(s)

N or S Range(s)

E or W Section(s):

Total Project Area (in Acres):

USFWS Project Leader/Station:

Phone #:

If there is a Non-Governmental Partner (NGO) please name:

Check here if your project is not proposing to alter buildings or disturb ground that is likely to contain archaeological sites (e.g. replacing carpeting, digging in the middle of a wetland, working in an already impacted area) or the sites/buildings we are proposing to disturb/alter cannot be historic properties (see FAQs for additional information and consult with your RHPO).

Mandatory Attachments (on separate sheets)

1. USGS Topographical map and aerial photo, ensuring that the project boundaries are **exact**.
2. Details of anticipated project activities i.e. ground/building disturbance (add maps as necessary)
3. Only relevant sections of design drawings showing disturbance (e.g. plan views)
4. Land use history and environmental setting of the project area (add maps as necessary)

Check here if there has been a field survey done in the project area already. (If not, ignore this section) If so, who conducted it and when? Did they find any buildings/sites? If so, please see the next section. **Please attach any information you have regarding any previous field survey(s).**

Check here if there are known buildings/sites* in the project area (If not, ignore this section)

*Sites are such places as artifact scatters, mounds or earthworks, cemeteries, privy pits, old foundations, ruins, bridges, water control structures, historic roads/trails and trash pits/piles.

Elements needed to be furnished to the Regional Historic Preservation officer if there are known buildings/sites in the project area:

1. Age of building(s)/site(s) or date(s) built: _____ RPI #(s) _____
2. Attach ground level photographs of both inside and outside of buildings/sites
3. Attach close-up aerial photo or sketch map illustrating the placement of the buildings/sites in the project area, key the ground photos to the aerial photo/sketch map
4. Attach detailed descriptions of the buildings/sites with emphasis on their size, floor plans and architectural elements. Individually, what kind of physical shape are they in (good, fair, poor)?

Submitted by:

Date:

Phone Nbr:

Section 106 FAQ

Does my proposed project need to comply with historic preservation laws?

Any individual project conducted, funded, licensed, permitted or approved by any program within the federal government (called an 'undertaking') needs to be reviewed under Section 106 of the National Historic Preservation Act (NHPA) to see if it might have the potential to affect sites/buildings eligible for listing to the National Register of Historic Places. This law applies to projects both on and off federal lands.

I don't think my project will affect historic properties, how do I know?

Initial review focuses on the "potential" to affect a "historic property" (a site/building eligible for the National Register). Some projects have little to no potential to affect historic properties for two main reasons: (1) they are not proposing to alter buildings or disturb ground that is likely to contain archaeological sites (e.g. replacing carpeting, digging in the middle of a wetland, working in an already impacted area) or (2) the sites/buildings we are proposing to disturb/alter cannot be historic properties. In order to be a potential historic property, the law says that a site/building generally must be at least 50 years old and have "integrity" (the physical ability to convey a strong sense of time and place). Heavily remodeled/rotted buildings and sparse archaeological sites confined with plowzones of agricultural fields, while possibly old enough, are generally regarded as having little integrity.

Are their exemptions for certain projects under NHPA?

There are no exemptions allowed under NHPA.

Can I delegate my compliance with NHPA to someone else?

The review noted on this form is done by the Regional Director via their representative the Regional Historic Preservation Officer (RHPO). However significant portions of the actual NHPA review can be delegated by USFWS to state, local or tribal governmental agencies who have **qualified**, meaning they must meet the Secretary of the Interior standards for archaeological and historic preservation http://www.cr.nps.gov/local-law/arch_stnds_0.htm, historic preservation staff. **But** we can **only legally** delegate inherently governmental responsibilities to non-federal government agencies if we have a signed Programmatic Agreement in place. We cannot under **any** circumstance delegate these responsibilities to a non-governmental organization or even to the State Historic Preservation Officer (SHPO) or Tribal Historic Preservation Officer (THPO).

Who in USFWS is responsible to see that we are in compliance with Section 106 of NHPA for our projects?

According to USFWS policy (FW 614) it is the ultimate responsibility of the Regional Director. Practically however, day-to-day compliance with these and other preservation laws fall to you the Project Leader. To help you, each Region maintains a technical subject matter expert, the RHPO.

What if the project does have the potential to affect historic properties?

To facilitate a timely review of these kinds of projects, the Project Leader needs to send the RHPO sufficient information to enable him/her to assess the degree to which the project may affect historic properties (and whether any known site/building within the project area is, in fact, a historic property). This information will likely need to be augmented in many instances with a field survey of some kind. The RHPO can help with preparing a Scope of Work for such services that will need to be paid for out of your project dollars. Once sufficient information is collected the RHPO will consult with outside parties that partner with federal agencies under NHPA (e.g. SHPOs, THPOs etc). The law provides these outside parties with a reasonable amount of time to comment on the findings of the field survey and the RHPO's opinion (at least 30 calendar days from their receipt of the information). No objections within the 30 days is generally accepted as equaling concurrence. Any clarifications/disagreements however, will certainly elongate this comment period—sometimes significantly.

NATIONAL PARK SERVICE
NATIONAL REGISTER CRITERIA FOR EVALUATION

Criteria for Evaluation

The quality of significance in American history, architecture, archeology, engineering, and culture is present in districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and association, and:

- A. That are associated with events that have made a significant contribution to the broad patterns of our history; or
- B. That are associated with the lives of significant persons in or past; or
- C. That embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
- D. That have yielded or may be likely to yield, information important in history or prehistory.

Criteria Considerations:

Ordinarily cemeteries, birthplaces, graves of historical figures, properties owned by religious institutions or used for religious purposes, structures that have been moved from their original locations, reconstructed historic buildings, properties primarily commemorative in nature, and properties that have achieved significance within the past 50 years shall not be considered eligible for the National Register. However, such properties will qualify if they are integral parts of districts that do meet the criteria or if they fall within the following categories:

- a. A religious property deriving primary significance from architectural or artistic distinction or historical importance; or
- b. A building or structure removed from its original location but which is primarily significant for architectural value, or which is the surviving structure most importantly associated with a historic person or event; or

c. A birthplace or grave of a historical figure of outstanding importance if there is no appropriate site or building associated with his or her productive life; or

d. A cemetery that derives its primary importance from graves of persons of transcendent importance, from age, from distinctive design features, or from association with historic events; or

e. A reconstructed building when accurately executed in a suitable environment and presented in a dignified manner as part of a restoration master plan, and when no other building or structure with the same association has survived; or

f. A property primarily commemorative in intent if design, age, tradition, or symbolic value has invested it with its own exceptional significance; or

g. A property achieving significance within the past 50 years if it is of exceptional importance.

- This exception is described further in NPS "How To" #2, entitled "How to Evaluate and Nominate Potential National Register Properties That Have Achieved Significance Within the Last 50 Years" which is available from the National Register of Historic Places Division, National Park Service, United States Department of the Interior, Washington, D.C. 20240.

Revised **9/4/2013**

Enter Name of Course:

Basic Financial Assistance Management Course

Enter Tab Number:

6

Handouts:

Conversion of Pseudo Codes Memo

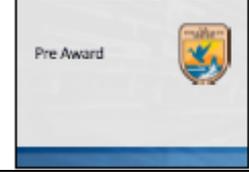
DOI OIG Memo To Recovery Oversight Office (CFDA)

Example of NOI Funding Announcement on Grants.gov

Example of NOI form on Grants.gov

OIG Audit Example – Questioned Indirect Costs

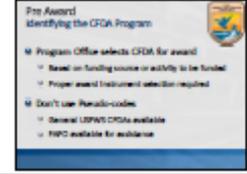
OIG Audit Example – Single Source Awards and the Appearance of Conflict of Interest

 A small thumbnail image of a presentation slide. The slide has a white background with a blue horizontal bar at the bottom. On the left side, the text "Pre-Award" is visible. To the right of the text is a circular logo featuring a stylized bird or fish. The slide is partially obscured by a black border.	
--	--

Pre-Award

Objectives:

1. Identify and explain the purpose of the Award Proposal Package components.
2. Determine reason for compliance and other supporting documents in Proposal Package.
3. Determine applicant eligibility.
4. Describe the communication / personnel involved in developing, reviewing and approving the Award Proposal.

 <p>Pre Award Identifying the CFDA Program</p> <ul style="list-style-type: none">Program Office selects CFDA for award<ul style="list-style-type: none">Based on funding source or ability to be fundedProper award instrument selection requiredDon't use Pseudo-codes<ul style="list-style-type: none">General USFWS CFDA availableRFPD available for assistance	<p>Start with a walkthrough of www.cfda.gov using FAPO's instructions in its New Award Guidance (Item #3)</p>
--	---

Identifying the CFDA Number

The Program Office must identify the Catalog of Federal Domestic Assistance (CFDA) number under which the program/project is being funded. Use of pseudo-CFDA numbers is prohibited (see handout **BFA 6-1**).

If the program **does not** have a CFDA number, select the general USFWS CFDA number that most closely matches the award activities.

- 15.649 - Training and Technical Assistance projects
- 15.650 - Research Grants
- 15.664 - Congressionally mandated or directed awards and Fish and Wildlife Coordination and Assistance programs

How is the CFDA used?

- A-133 Single Audit
- Grants.gov
- FAADS
- USASpending.gov
- Recovery.gov

Still unsure which CFDA program is applicable?

It may be necessary for a Program Office to reevaluate a proposed funding activity if no CFDA can be identified. Two questions to ask are

- Will the proposed activity accomplish a public purpose of support or stimulation authorized by federal statute?
- Will the primary beneficiary be the public, as opposed to the Federal Government?

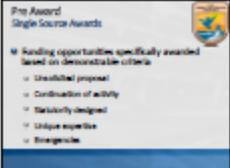
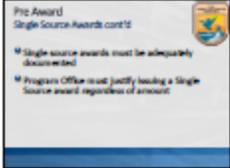
If still unsure, ask FAPO for assistance.

If the answer to these questions is no, the Program Office should reconsider financial assistance as the intended award instrument. A procurement contract may be more appropriate.

[Refer to DOI OIG memo to the Recovery Oversight office regarding the DOI's failure to ensure proper documentation of its CFDA numbers.](#)



www.cfda.gov | 507 DM 1 | FAPO New Award Guid. #3 | 505 DM 2.6

	<p>Single Source - A funding opportunity specifically directed to a known recipient, e.g., a friends' group, fundraising partner, non-governmental organization, landowner or geographically positioned entity, either statutorily designated or determined by a bureau or office to be an appropriate partner based on demonstrable criteria, such as unique expertise or capacity.</p> <p>505 DM 2.5 D.</p>
	<p>What is this justification and where is it to be located? Regional practice? Locate in official grant file.</p> <p>The Federal Grant and Cooperative Agreement Act of 1977 calls for competition in financial assistance where applicable. DOI and the Service refer specifically to the Act here as it pertains to single source awards.</p>

Single Source Awards

A funding opportunity specifically awarded to an appropriate partner based on demonstrable criteria, e.g.

- Unsolicited proposal
- Continuation of activity
- Statutorily designated
- Unique Expertise
- Emergencies

Documentation of single source decisions must be included in the award file. Use FAPO's **Single Source Award NOI**.

Single Source award documentation applies only to discretionary awards; mandatory formula award programs are not applicable to this requirement.

[What is region process? Eg, R6 \(1\) PO makes initial determination \(2\) R6 grant officer validates. Must document reason, even if continuation](#)

Considerations when making Single Source Award determinations

- Does it withstand scrutiny?
- Does it protect the public interest?
- Is it consistent with
 - Management priorities?
 - Agency objectives?
 - Statutory requirements?

The Program office **must** justify issuing an award without competition (single source award), regardless of award amount.



	<p>Mention OMB Information Clearance. Programs cannot require more info than allowed by OMB.</p>
	

Posting the Funding Opportunity

The program office must post a funding opportunity for all **discretionary** programs regardless of the funding amount.

This posting must include

- a synopsis
- a complete application package (to include instructions)

Mandatory Programs are not required to post funding opportunities, but may do so if desired.

Not sure if your Program is discretionary or mandatory? Go to www.cfda.gov, locate your program, and check under 'Section 060: Types of Assistance' to find out

[Mandatory programs may use Grants.gov to receive applications](#)

Funding Opportunity Posting Exemptions

- Award is under \$25,000 and 100-percent of eligible applicants reside outside of the US.
- Single source award under \$25,000.
- Awards made under the Indian Self Determination and Education Assistance Act.
- An award for which there is insufficient time available (due to compelling and unusual urgency, or substantial danger to health and safety) for adequate competitive procedures to be followed.

See FAPO's New Award Guidance #5 for specific instructions on posting funding opportunities.



 <p>Pre Award Reviewing and Approving the Proposal</p> <ul style="list-style-type: none">Review and approve project scope of work, objectives, and costsGoals – Problem, issue, opportunityObjective – SMART or S.M.A.R.T.Scope of Work – Who, what, where, when?Costs – Consistent, reasonable, allowableCompliance – completed documentation	
---	--

Reviewing and Approving the Application Package

Program Offices are responsible for (1) receiving, (2) reviewing, and (3) approving application packages. Included in the application package are proposal documents outlining in sufficient detail the scope of work, objectives, costs, and other required information for the proposed project(s). FAPO's Notice of Funding Availability and Application Instructions (Tab 12) provides guidance on the required elements for financial assistance applications.

The Project Narrative – What are you evaluating?

- Statement of Need.
- Problem, Issue or Opportunity.
- Goals and Objectives.
- SMART objectives (**S**pecific, **M**easureable, **A**chievable, **R**elevant, **T**ime-bound).
- Project Activities, Methods, Timetable (Scope of Work).
- Who, What, When and Where?
- Costs - Consistent across all documents.
 - Cost effectiveness.
 - Applicable cost principles.
 - Approved indirect rate.
 - Pre-award costs.
- Compliance
 - Compliance documentation agrees with work described in proposal?
 - Project-dependent compliance?

Notes:

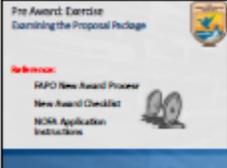
Specific, Measureable, Achievable, Relevant, Timebound

Scope of Work = Strategy

Exercise: Reviewing the Application Package

Instructor Notes

Revised 9/6/13

	
---	--



Exercise: Reviewing the Application Package

Using the FAPO New Award Guidance (**FAPO**), New Award Checklist (**NAC**) and NOFA Application Instructions (**NOFA**), answer the following questions. Cite your references.

1. Which FA Applicants are exempt from having a Dun & Bradstreet Data Universal Number System (DUNS) number and from being registered in the System for Award Management (SAM)? (FAPO)

[Individuals and foreign entities, FAPO #7A](#)

2. List the required documents for an application. Are NEPA, Section 7, and Section 106 documents required as well? (NOFA) (NAC)

[SF-424, Project Narrative, Budget, Assurances, Lobbying disclosure, if applicable, Single Audit, if applicable, compliance docs, other supporting docs, as needed. Application Instructions, § II](#)

[Yes, compliance documentation must be submitted. New Award Checklist](#)

3. What information must be submitted when requesting pre-award costs? (FAPO)

[Reason for beginning work prior to award start date, description of activities underway, associated costs by categories and amounts, dates of costs,](#)

[FAPO #6.D..](#)

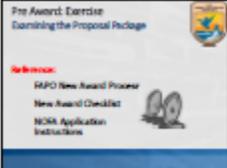
4. When is an Applicant required to have an A-133 Single Audit Report? Where can the Program Office go to retrieve those reports? (FAPO)

[Domestic recipient expending \\$500K+ in federal award funds in a FY. PO can go to Federal Audit Clearinghouse-Single Audit Database, FAPO #6.I.](#)

Exercise: Reviewing the Application Package cont'd

Instructor Notes

Revised 9/6/13

	
---	--



Exercise: Reviewing the Application Package cont'd

5. If an Applicant is listed on the Excluded Parties list, can the Program Office approve that Applicant's application package? Why or why not? (FAPO)

No. The parties on the list are barred from receiving federal funds, including Funds distributed via financial assistance. FAPO#7.A.

6. How do Recipients receive payment of award funds? Can this option be waived, and if so, under what circumstances? (FAPO)

ASAP. Yes, it can be waived upon approval by DOI, FAPO #7.8.

7. In what ways does a Recipient accept a Federal Financial Assistance award? (FAPO)

Start the work, draw down funds, accept the award via electronic means
FAPO #9.B.

Learning Points

Instructor Notes

Revised 9/6/13

--	--



Learning Points

- ✓ Unless exempt, funding opportunities must be posted to Grants.gov.
- ✓ Awards cannot be approved without submission of appropriate documents.
- ✓ Unless exempt, all applicants must have a valid DUNS number and an active registration in Central Contractor Registry (CCR).
- ✓ USFWS must verify with the Excluded Parties List that the recipient is not ineligible to receive Federal awards.
- ✓ Recipients expending \$500,000 or more in Federal funds in a fiscal year must submit an A-133 Single Audit report to the Federal Audit Clearinghouse. USFWS must verify submission.
- ✓ Cost information must be consistent across the award documentation.
- ✓ If charging indirect costs the recipient must have an approved indirect cost rate from their cognizant Federal agency.



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Washington, D.C. 20240



In Reply Refer To:
FWS/WSFR/AIM/ 044557

APR 07 2010

Memorandum

To: Service Directorate

From: **ACTING** Director *Steve Barton*

Subject: Conversion of Pseudo Codes to Catalog of Federal Domestic Assistance (CFDA) Numbers and Service Financial Assistance Programs Identifying or Obtaining CFDA Numbers
(Response due no later than July 31, 2010)

Summary of Required Actions

Effective immediately, do not issue financial assistance (FA) awards (grants and cooperative agreements) using pseudo codes or Temporary Program Numbers (TPNs).

In addition, all Service FA programs managing awards under pseudo codes or TPNs must convert to a current or newly assigned CFDA number no later than July 31, 2010. At the discretion of the awarding program Division, active awards may:

- a) Be amended to identify an appropriate Service CFDA number;
- b) Complete the close out process by July 31, 2010; or
- c) Complete an application* for a new CFDA number
*(*Allow four weeks for the CFDA application process to be completed)*

For the Service, the CFDA is a 5-digit number (15.600s series) that uniquely ties an award to its source of funds and authorizing legislation. CFDA determinations must be documented and must be made in consultation with relevant national or regional offices of Program, Finance, Budget, and/or Contracting and General Services. These steps will ensure the exercise of internal management controls; accuracy in the use of appropriate accounts and activity codes identified in the legislative authority of each financial assistance program; and documentation of the official award file for audit purposes. For a guide to the relationship between CFDA's and Sub-activity Codes, please refer to the Chart provided at <http://wsfrprograms.fws.gov/Subpages/FACT/fact.html>.

Attachments

**TAKE PRIDE
IN AMERICA** 

Background – Federal Information Distribution and Standardization Initiatives and Department Policy

The Federal Program Information Acts (P.L. 95-220 and P.L. 98-169) provide for the efficient and regular distribution of information about Federal domestic assistance programs. Under the requirements of revised Office of Management and Budget (OMB) Circular A-89 (<http://www.whitehouse.gov/omb/rewrite/circulars/a089/a089.html>), the General Services Administration (GSA), OMB, and executive branch agencies that administer domestic assistance programs are to carry out their statutory responsibilities. Federal standardization and transparency principles were enacted for the effective management of financial assistance awards in 1999 under the Federal Financial Assistance Management Improvement Act (P.L. 106-107) and reinforced in 2006 under the Federal Assistance Accountability and Transparency Act (P.L. 109-282).

The Department of the Interior's (DOI) Policy and Guidance, 507 DM 1, revised March 29, 2006, requires that:

- 1) All federally funded assistance programs administered by the Department obtain Catalog of Federal Domestic Assistance (CFDA) numbers, and
- 2) Any pseudo codes being used be converted to a CFDA number designated to the awarding Bureau.

In November 2009 the Department's Office of Inspector General (OIG) issued a report, Recovery Oversight Advisory – Concerns About Catalog of Federal Domestic Assistance Numbers, ROO-ROA-MOA-1013-2009. The report identified DOI's failure to use mandated CFDA numbers and the potential negative impact the lack of CFDA designation has on enforcement, notably recipient reporting under Section 1512 of the American Recovery and Reinvestment Act of 2009 (P.L. 111-5).

Why Is Elimination of Pseudo Codes Now A High Priority?

The elimination of pseudo codes is a critical step toward fulfilling the Service's compliance with DOI policy and Federal laws. Using the correct CFDA number is important because it uniquely identifies the source of funds for: a) funding opportunities announced on www.Grants.gov; b) the award document; c) recipient progress and financial reporting; d) audit reports (e.g., A-133); and e) related sub-awards. As a result, the CFDA number is perhaps the most essential component for identifying, reporting, tracking, and auditing Federal financial assistance funding and activities.

The need to make this a priority relates directly to the Service's accurate reporting of expenditures to the Federal Assistance Awards Data System (FAADS) and www.USASpending.gov; as well as in preparation for deployment into the Department's on-

line Financial and Business Management System (FBMS) in FY11. The cleansing of FA data and conversion to valid CFDA numbers are essential features of the Service's transition into the grants management component of FBMS. Future awards and transactions will not be processed without a valid CFDA number.

Service Requirements

Awards (grants, cooperative agreements, direct payments, and direct appropriations) using pseudo codes and FA programs without a CFDA number are required to identify an appropriate CFDA number or obtain a new program CFDA number regardless of program size or reoccurrence. The following timeline and attached tracking tool will help you meet the July 31, 2010 deadline:

	Action(s)
Apr -- May	Conduct an assessment to identify all active awards using pseudo codes or TPNs
May -- June	As necessary, 1) Amend active awards to reflect an appropriate CFDA number, OR 2) Begin the award closeout process, OR 3) Apply for a new program CFDA number
June -- July	Complete the closeout process of awards using pseudo codes or TPNs Issue awards under newly designated program CFDA numbers

Listed below are the pseudo codes previously used by the Service:

15.FFA	Fisheries
15.FFB	Fish and Wildlife Enhancement
15.FFC	Refuges and Wildlife
15.FFE	Research/Issues
15.FFF	Automated Data Processing Projects
00.000	Otherwise Not Listed
99.999	Unknown

Depending on the authorizing legislation, many of the awards issued under the pseudo codes identified above may be eligible to use one of two generic CFDA numbers designated to the Service in 2007 (see Controls and Monitoring Guidance for the Use of Service-wide, Generic CFDA Numbers, FWS/CFM/031763). The Service-wide generic CFDA numbers are:

- ✘ 15.649 – Training and Technical Assistance
(<https://www.cfda.gov/index?s=program&mode=form&tab=step1&id=91772e830b0037323a790eba84cbb88d>), and
- ✘ 15.650 – Research
(<https://www.cfda.gov/index?s=program&mode=form&tab=step1&id=2057228d8fd7655fa0d9e376d4db7d54>).

Prior to selecting any CFDA number, first, use the hyperlink to the Catalog of Federal Domestic Assistance for a list of the Service's financial assistance programs (<https://www.cfda.gov/index?s=agency&mode=form&tab=program&id=000710afb4d72c15f9fc20a8317319d0&cck=1&au=&cck=>). Review each Program Profile and determine whether

the program's activity is funded under the Authorization (040) and the Account Identification (121).

Second, if the FA activity is a one-time, project-unique, small dollar value (>\$500K), and of limited duration, consider whether it might qualify under one of the two Service-wide generic CFDA numbers (15.649 – Training/TA, 15.650 – Research) designated in 2007 (see FWS/CFM/031763).

Resources to Help You With Conversion or CFDA Application Processes

To assist financial assistance programs with these processes, the Service makes the following resources available for your use:

- Service financial assistance programs with current CFDA numbers at:
 - <http://wsfrprograms.fws.gov/Subpages/FACT/fact.html>
Click outreach materials – FA Reference Tools - Service CFDA's as of Nov09
 - GSA's webpage of Service CFDA numbers
[https://www.cfda.gov/index? so list froma345e59a09d0aa1d5eef16228ddd7b4c=120& so list froma345e59a09d0aa1d5eef16228ddd7b4c_page=7&](https://www.cfda.gov/index?so_list_froma345e59a09d0aa1d5eef16228ddd7b4c=120&so_list_froma345e59a09d0aa1d5eef16228ddd7b4c_page=7&)

and

- Instructions and application form to complete for a new program CFDA number.
Allow 4 weeks for the CFDA application process to be completed.
 - CFDA Application Toolkit at
<http://wsfrprograms.fws.gov/Subpages/FACT/fact.html>
Click outreach materials – CFDA Application Toolkit

Please consult with Lois Paul, Office of Financial Assistance Coordination at 703.358.2459 or lois_paul@fws.gov for further guidance in:

- ✓ Determining whether the use of one of the two generic CFDA numbers is appropriate for your program, and
- ✓ Completing an application for a new program CFDA number.



FOR APPLICANTS

[Applicant Login](#)
[Find Grant Opportunities](#)
[Basic Search](#)
[Browse by Category](#)
[Browse by Agency](#)
[Advanced Search](#)
[Email Subscription](#)
[Get Registered](#)
[Apply for Grants](#)
[Track My Application](#)
[Applicant Resources](#)
[Search FAQs, User Guides and Site Information](#)

APPLICANT SYSTEM-TO-SYSTEM

FOR GRANTORS

ABOUT GRANTS.GOV

HELP

CONTACT US

SITE MAP

Notice of Intent to Award to a Single Source


[Synopsis](#)
[Full Announcement](#)
[Application](#)

The synopsis for this grant opportunity is detailed below, following this paragraph. This synopsis contains all of the updates to this document that have been posted as of **05/22/2012**. If updates have been made to the opportunity synopsis, update information is provided below the synopsis.

If you would like to receive notifications of changes to the grant opportunity click [send me change notification emails](#). The only thing you need to provide for this service is your email address. No other information is requested.

Any inconsistency between the original printed document and the disk or electronic document shall be resolved by giving precedence to the printed document.

Document Type:	Grants Notice
Funding Opportunity Number:	F12AS00178
Opportunity Category:	Discretionary
Posted Date:	May 22, 2012
Creation Date:	May 22, 2012
Original Closing Date for Applications:	N/A
Current Closing Date for Applications:	N/A
Archive Date:	Jun 22, 2012
Funding Instrument Type:	Cooperative Agreement
Category of Funding Activity:	Environment Natural Resources Other (see text field entitled "Explanation of Other Category of Funding Activity" for clarification) Endangered Species and Habitat
Category Explanation:	Endangered Species and Habitat
Expected Number of Awards:	1
Estimated Total Program Funding:	\$100,000
Award Ceiling:	\$0

Award Floor: \$0
CFDA Number(s): 15.623 -- North American Wetlands Conservation Fund
15.631 -- Partners for Fish and Wildlife
Cost Sharing or Matching Requirement: No

Eligible Applicants

Others (see text field entitled "Additional Information on Eligibility" for clarification)

Additional Information on Eligibility:

There is not an application process for this funding opportunity. This is a notice of intent to award a single source grant to Ice Age Trail Alliance under justification 505DM 2.14B(1) and (4).

Agency Name

Fish and Wildlife Service

Description

The Partners for Fish and Wildlife is a voluntary habitat conservation program that provides technical and financial assistance to private landowners for habitat restoration projects that benefit Federal trust species. The service will provide up to \$100,000 over five years to Ice Age Trail Alliance to restore and manage habitat on non-federal lands located in Wisconsin. This will help the recipient to restore grassland, riparian, wetland, and woodland habitats for wildlife, water quality, and education.

Link to Additional Information

<http://N/A>

If you have difficulty accessing the full announcement electronically, please contact:

Greg Hamilton, Central Sands Biologist, 608-221-1206
Greg_Hamilton@fws.gov
Greg_Hamilton@fws.gov

Synopsis Modification History

There are currently no modifications for this opportunity.

U.S. Fish and Wildlife Service (USFWS)
Notice of Intent to Award to a Single Source without Competition (NOI)

Per 505 DM 2, Section 2.14, a single source award is a financial assistance award specifically directed to a known recipient that is statutorily designated or determined to be an appropriate partner based on demonstrable criteria, such as unique expertise or capacity. Decisions to award funds to a single source without engaging in competition must withstand scrutiny, should protect the public interest, and should comport with management priorities, objectives and statutory requirements. **Programs must use this NOI template to document justification for issuing funds in any amount to a single source without competition.** The completed NOI template must be included in the official award file maintained by the program office. **When issuing funds of \$25,000 or more to a single source a Grants.gov funding opportunity posting, including a synopsis and a complete application package, is required. The completed NOI template must be scanned and uploaded as an attachment to the Grants.gov funding opportunity synopsis.**

Recipient:	
Project Title:	
USFWS Contact Name:	
USFWS Contact Email:	

Single Source Justification (as per 505 DM 2.14) - select the applicable justification(s):

	(1) Unsolicited Proposal - The proposed award is the result of an unsolicited assistance application which represents a unique or innovative idea, method, or approach which is not the subject of a current or planned contract or assistance award, but which is deemed advantageous to the program objectives;
	(2) Continuation - The activity to be funded is necessary to the satisfactory completion of, or is a continuation of an activity presently being funded, and for which competition would have a significant adverse effect on the continuity or completion of the activity.
	(3) Legislative Intent - The language in the applicable authorizing legislation or legislative history clearly indicates Congress' intent to restrict award to a particular recipient or purpose.
	(4) Unique Qualifications - The applicant is uniquely qualified to perform the activity based upon a variety of demonstrable factors such as location, property ownership, voluntary support capacity, cost-sharing ability, if applicable, technical expertise, or other such unique qualifications.
	(5) Emergencies - Program/award where there is insufficient time available (due to a compelling and unusual urgency, or substantial danger to health or safety) for adequate competitive procedures to be followed.

Explain below why competition for this award is not practicable. Include a discussion of the program legislative history, unique capabilities of the proposed recipient, and any cost-sharing contribution offered by the proposed recipient, as applicable. Be brief and specific:



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Washington, D.C. 20240



Mr. Steve Williams, President
Wildlife Management Institute
4426 VT Route 215 North
Cabot, Vermont 05647

AUG 05 2013

Dear Mr. Williams:

The U.S. Fish and Wildlife Service (Service) request your help with an audit finding from the Office of Inspector General (OIG) audit, "U.S. Department of the Interior's Climate Change Program: Landscape Conservation Cooperatives" dated June 27, 2013. The finding requires the service to resolve questioned costs associated with an award to your organization, the Wildlife Management Institute (WMI). While reviewing the awards the service has made to WMI, we discovered that the same issue exists in a number of grants.

Attached is a list of open awards with WMI with questioned costs. The proposal narrative WMI submitted for these awards describes direct costs associated with work by WMI staff but the Standard Form 424 (SF-424) budget sheet incorrectly reflects all the costs under the "contractual" line plus a ten percent (10%) surcharge. In all the affected awards, the ten percent surcharge is over WMI's allowable indirect cost. Your indirect cost rate agreement authorizes your organization to apply the indirect rate to the first \$25,000 of sub-awards (contractual budget line) and not the full sub-award budget line item.

Please review the proposals and budgets for the awards on the attachment. Within 30 days of the date of this letter, we request WMI either:

- (1) Reduce the indirect cost amount by applying the indirect cost rate to the first \$25,000 of the sub-awards and revise the SF-424 budget sheet to reflect this change; or
- (2) Revise the SF-424 budget sheet to reflect the direct costs associated with the work outlined in your original proposal narrative. Then apply the indirect cost rate to the direct costs and the first \$25,000 of the sub-award amount in the "contractual" line. If WMI intends to take a reduced indirect cost, please specify that percentage on the SF-424 budget sheet.

If the recalculated total is more than the funds we awarded to your organization and WMI is unable to complete the grant as originally proposed, please contact your service project coordinator.

Lastly, please advise your grant staff to provide a detailed budget in future USFWS grant applications. Thank you for your help in resolving this OIG audit issue and your continued commitment to conservation..

If you have any question regarding this matter, feel free to contact me personally or have your staff contact Mr. Hannibal Bolton the Service's Assistant Director for Wildlife and Sport Fish Restoration at (202)-208-7337.

Sincerely,

DIRECTOR

**Wildlife Management Institute Awards that Require Proposal and Budget Modification
(20 Awards) page 2 of 2**

Award Number	CFDA Number	Award Start Date	Award End Date	Total Award
F11AC00240	15.630	07/13/2011	07/13/2016	14,000.00
F11AC00329	15.631	12/08/2010	09/30/2015	15,000.00
F07AC00086	15.631	08/29/2007	09/30/2012	30,000.00
F08AC00139	15.631	12/09/2008	12/30/2011	10,000.00
F12AP01213	15.655	09/19/2012	12/31/2014	13,500.00
F12AP01205	15.647	09/12/2012	03/31/2015	30,000.00

**Wildlife Management Institute Awards that Require Proposal and Budget Modification
(20 Awards) page 1 of 2**

Award Number	CFDA Number	Award Start Date	Award End Date	Total Award
F10AP00087 was 30181AG044	15.647	03/15/2010	12/31/2013	60,000.00
F11AC00770	15.669	09/20/2011	09/30/2016	75,000.00
F11AC00813	15.630	7/1/2011	7/1/2013	\$50,000
F11AC01310	15.662	07/20/2011	12/30/2015	20,000.00
F11AP01066	15.628	01/01/2011	12/31/2013	261,000.00
F12AC00383	15.699	06/22/2012	06/21/2017	800,000.00
F12AP00285	15.649	03/01/2012	01/31/2013	20,000.00
F13AP00140	15.628	01/01/2013	12/31/2014	200,000.00
F13AP00160	15.628	01/01/2013	12/31/2014	215,600.00
F13AP00188	15.649	10/01/2012	09/30/2013	20,000.00
F00AC00022	15.650	08/18/2010	01/01/2014	100,000.00
F11AC00222	15.650	11/17/2010	09/30/2014	236,565.00
F11AC00223	15.664	06/24/2011	06/23/2016	340,000.00
F12AC01605	15.669	08/01/2012	09/30/2013	34,000.00

OIG Audit Examples of Questioned Indirect Costs

LCC DOI OIG Audit ER-IN-MOA-0015-2011 (June 2013)

Audit Finding:

FWS entered into a \$2 million sole-source cooperative agreement with WMI, a private, nonprofit, scientific and educational organization, to support conservation efforts for the North Atlantic and Appalachian LCCs. FWS used WMI for scientific advice and management of FWS grant agreements.

In fact, more than 98 percent of the costs of this agreement covered grant administration, a service that is of direct benefit to the Government. Under its cooperative agreement, WMI distributed grant money after the LCCs had selected the awardees. WMI did not participate in the selection and acted only as a passthrough for funds.

We question all indirect costs charged by WMI in this agreement. WMI charged an indirect, overhead cost rate of 10 percent of the direct grant costs, in the amount of \$182,947). WMI's approved provisional indirect cost rate agreement (by DOI's National Business Center as the cognizant or financially responsible agency) for the relevant period was 67 percent of direct salaries and fringe benefits only. As direct salaries listed in WMI's budget were zero, the related indirect costs to the Government also would be zero.

FWS Response:

We agree that the budget documentation with WMI indicates that indirect cost was inaccurately assessed. We are coordinating with WMI to get detailed information about the 10% service surcharge to determine whether payback is required.

Single Source Awards and the Appearance of Conflict of Interest

LCC DOI OIG Audit ER-IN-MOA-0015-2011 (June 2013)

Audit Finding

At the Southern Rockies LCC, we found that FWS reported five awards to State agencies on Grants.gov as having been competed through the LCC but that were, in fact, awarded without competition. No sole-source justification was prepared for these awards.

These five award recipients regularly partner with Southern Rockies and hold positions on the LCC's steering committee. Members of this steering committee also have responsibility for recommending awards. This creates the appearance of a conflict of interest since the agencies represented by these steering committee members received Federal grant funds without competition and without public posting of a sole-source justification. Our interviews indicated that the grants officer was unaware that the five agreements had been awarded without competition. These awards to State agencies, which support the agencies' participation in the LCCs (e.g., capacity grants), should be appropriately justified and documented as sole-source awards.

FWS Response

FWS partially concurred with the recommendation. In its response, FWS indicated that in some instances, sole-source awards are the only option for LCC projects (e.g., awards to States). Therefore, FWS does not concur with the portion of the recommendation to limit the use of sole-source awards.

OIG Followup Comment

OIG's recommendation stands as written since we believe the recommendation does allow FWS discretion in the use of sole-source awards. We recognize that circumstances exist when the use of sole-source agreements is necessary; therefore we consider this recommendation resolved but not implemented.

Revised **8/15/2013**

Enter Name of Course:

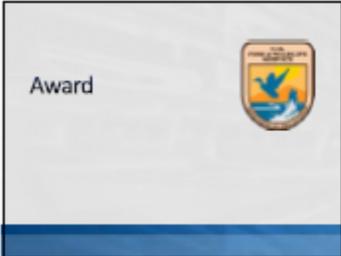
Basic Financial Assistance Management Course

Enter Tab Number:

7

Handouts:

FAPO New Award Letter Template

 <p>Award</p>		
--	--	--

Award: Notice of Award

Objectives:

1. Identify and explain the purpose of the Notice of Award (NOA) and its elements.
2. Describe the NOA's terms of acceptance, provisions and special conditions.
3. Discuss obligating funds for awards.

<p>Award Notice of Award</p>  <p>• Transmittal Memo</p> <ul style="list-style-type: none">• Federal Identifier / Revision Number• Dates• Federal Share Authorized• Terms of Acceptance• Special Provisions / Conditions• Signature of Authorized Federal Personnel	
---	--

Notice of Award

Following the Program Office review and approval of application package –

- Award is obligated
- NOA sent to Awardee
- Award information
 - Terms of acceptance
 - Special conditions

Common Special Conditions

- 10% Rule
- Preaward Costs
- Program Income
- Level of cost accounting
- Reporting

Upon receipt of NOA, the Recipient –

- Reviews the NOA elements
- Accepts award if there no errors
 - Acceptance constitutes agreement to comply with all award elements

Key Elements of the Transmittal Memo

- Federal Identifier and/or revision number
- Dates
- Federal Share Authorized
- Terms of Acceptance
- Special Provisions/Conditions
- Signature of Authorized Federal Personnel

If Program Offices elect to use the Prism-generated Grant or Cooperative Agreement Cover Page form, they **MUST** follow the guidance in the FAPO New Award Guidance #9.



<p>Award: Exercise Notice of Award</p>  <p>Reference:</p> <ul style="list-style-type: none">FAPO New Award GuidanceFAPO NOA TemplateFAPO NOFA Template43 CFR 12 	
--	--



Exercise: Notice of Award

Use the **Common Rule**, **FAPO New Award Guidance (FAPO)**, **FAPO NOA Template (NOA)**, and the **NOFA Application Instructions (NOFA)** to answer the questions below. Cite your references.

1. How is the award start date established? Where is it documented? (NOFA)

Specifically documented in Award letter.

Sometimes default start date is date NOA is signed. Anticipated start date annotated in NOFA (II. Award Information). Applicant proposes start date, usually in connection with PO anticipated dates.

2. During what period are expenditures eligible for reimbursement? (Common Rule)

The begin/end date of the award. May be referenced as performance period or grant period on Award Letter. Exception is pre-award costs that are approved in Award or contracts approved during award period.
12.63 "period of availability of funds"

3. What happens if the Recipient begins work prior to approval of the award application? (FAPO)

Grantees may begin work whenever they choose. If grant is not approved grantee is responsible for costs incurred. If grant effective date is later than start date requested, prior costs are not eligible for reimbursement.
Exception is pre-award costs (FAPO #6D).

4. Are Recipients required to sign the NOA? (FAPO)

No. (FAPO #9A (3); 516 FW 3.9B;

--	--



Exercise: Notice of Award (cont'd)

5. What are some reasons pre-award costs may be approved? What information should the applicant provide about proposed pre-award costs? (FAPO)

Applicant properly demonstrated costs were necessary and reasonable; are allowable.

Reasons for beginning work prior to award, description of activities, costs by categories and amounts, dates of costs.

FOLLOWUP QUESTION: Where are these costs to be documented? In official award file and on the FAPO new award checklist.

6. Give examples of the DOI standard terms and conditions? (NOFA)

2 CFR 25 Central Contractor Registration and Data Universal Numbering

System. 2 CFR 170 Reporting Subawards and Executive Compensation

43 CFR 12 Administrative Requirements

43 CFR 43 Drug Free Workplace

7. What are some examples of special conditions that may be placed on awards? (NOA)

High Risk Determination

Conditioning work based on receipt of a permit/ compliance documentation

Approving pre-award costs

Program income disposition instructions

Real Property easements/ acquisition / lease specific instructions

Equipment disposal instructions or use limitations

Learning Points

Instructor Notes

Revised 9/6/13

--	--



Learning Points

- ✓ The Notice of Award is the legal awarding document for financial assistance.
- ✓ The NOA (1) states the terms and conditions of the grant, (2) obligates the Federal share of estimated project costs by program (if available); and (3) provides information to monitor uses of funds.
- ✓ Only costs incurred during the performance period are eligible for reimbursement.
- ✓ Conditional statements clarify the terms and conditions of the award.



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Washington, D.C. 20240



In Reply Refer To:
WSFR/AIM/FAPO

[Recipient contact name and title]

[Recipient organization name]

[Recipient address]

Subject: Notice of [enter Grant or Cooperative Agreement] Award [enter FBMS award number]

Dear Mr. /Ms. [recipient contact name],

Your organization's application for Federal financial assistance titled "[enter project title]" submitted to the U.S. Fish and Wildlife Service's (USFWS) CFDA Program [enter program's CFDA number] is approved. This award has been assigned USFWS document number [enter DCN assigned]. Funds under this [enter grant or cooperative agreement] award are to be used to:

Enter a brief description of the purpose and objectives of the award. If deliverables/products OTHER than the standard financial and performance reports are expected, describe those deliverables/products in the scope of work.

Cooperative Agreement: If the award is for a cooperative agreement, include a description of the required substantial involvement of FWS staff in the project activities. Use the following list to assist you in describing substantial involvement. USFWS staff will: (A) participate and collaborate jointly with the recipient partner, volunteer, scientist, technician or other personnel, in carrying out the scope of work, training recipient personnel, or detailing Federal personnel to work on the project effort; (B) review and approve one stage of work before the next stage can begin; (C) review and approve proposed modifications or sub-grants, prior to award; (D) help select project staff or trainees; (E) direct or redirect the work because of interrelationships with other projects; (F) has power to immediately halt an activity if detailed performance specifications are not met; and (G) limit recipient discretion with respect to scope of work, organizational structure, staffing, mode of operations and other management processes, coupled with close monitoring or operational involvement during performance under the award] Do NOT include statements related to the USFWS assigning a project officer, reviewing and approving standard financial and performance reports, or processing payments! These responsibilities are inherent to every financial assistance award and do NOT justify issuing a cooperative agreement.

The performance and budget period of this award is [enter start date] through [enter end date].

If the recipient's CCR registration will expire during the approved period of performance of the project, insert the following statement: Your organization's CCR registration is set to expire on [insert

recipient's CCR registration validity end date]. Under the terms and conditions of this award, your organization is required to maintain an active CCR registration throughout the entire approved award period.

This award is funded as follows: (change/add column headers to funding table below to suit how program needs/wants to convey recipient share/matching funds/other Federal sources/Federal funding identifiers on the award document)

	<u>USFWS</u>	<u>Matching</u>
This obligation:	\$0.00	\$0.00
Previous obligation:	\$0.00	\$0.00
Award Total:	\$0.00	\$0.00

Pre-award costs: If you want to provide written allowance for the recipient to be reimbursed for some or all pre-award costs, include specifics on the pre-award cost allowance/restrictions here. Sample text: Your organization is authorized to be reimbursed for all direct and indirect pre-award expenses incurred [X] calendar days prior to the [effective or start] date of this award and necessary to comply with the proposed project schedule/period of performance. Pre-award expenses are allowable only to the extent that they are authorized by the approved SF-424, scope of work, and project budget hereby incorporated by reference under this award.

If the award is subject to mandated Federal share/recipient match requirements, specify those requirements and/or restrictions here. Sample text:

The Federal share of the total project expenditures cannot exceed [XX] percent. Recipient is eligible to request Federal obligated funds up to but not in excess of an amount equal to [XX] percent of the total project expenditures.

If project includes generation of program income, specify how it is to be used and reported here. Sample text:

The approved project includes activities that will generate program income. Income earned during the project period of performance of this award shall be retained by the Recipient and used for [refer to 43 CFR sections 12.65 and 12.924 for program income use options to be inserted here]. Recipient must report program income generated through the performance of this project on the SF-425, Federal Financial Report form (see Reporting Requirements section below).

Terms of Acceptance:

Acceptance of a Federal Financial Assistance award from the Department of the Interior (DOI) carries with it the responsibility to be aware of and comply with the terms and conditions of award per http://www.doi.gov/pam/programs/financial_assistance/TermsandConditions.cfm. Acceptance is defined as the start of work, drawing down funds, or accepting the award via electronic means. Awards are based on the application submitted to and approved by the USFWS. Awards are subject to the terms and conditions incorporated either directly or by reference in the following:

- Program legislation, regulation, and provisions.
- Special terms and conditions (Remove bullet if no special terms and conditions; if special terms and conditions, detail them in the Special Conditions and Provisions section below).
- Code of Federal Regulations/Regulatory Requirements:

- 2 CFR Part 25, Central Contractor Registration (CCR) and Data Universal Numbering System (DUNS) (Remove 2 CFR 25 citation and text below if awarding to an individual as a natural person--i.e., unrelated to any business or nonprofit organization they may own or operate in their own name or to a foreign entity not already enrolled in DUNS/CCR and receiving an award for less than \$25,000 for activities to be conducted outside the U.S.)

Recipients must maintain the currency of their information in the CCR until they submit the final financial report required under this award or receive the final payment, whichever is later. This requires that recipients review and update their CCR information at least annually after the initial registration, and more frequently if required by changes in information or another award term.

Recipients authorized to make subawards under this award must notify potential sub-recipients that they may not receive a subaward from you unless they provide their Data Universal Numbering System (DUNS) number to you. A DUNS number is a number established and assigned by Dun and Bradstreet, Inc. (D&B) to uniquely identify business entities. A DUNS number may be obtained from D&B by telephone (currently 866-705-5711) or the Internet (currently at <http://fedgov.dnb.com/webform>). This requirement applies to all sub-recipients except individuals who apply for or receive a subaward as a natural person (i.e., unrelated to any business or nonprofit organization he or she may own or operate in his or her name). Refer to Appendix A to Part 25 for the complete award term.

- 2 CFR Part 170, Reporting Subawards and Executive Compensation (Remove 2 CFR 170 citation & text below if total Federal award is less than \$25K or the award in any amount is to an individual as a natural person (i.e., unrelated to any business or nonprofit organization they may own or operate in their own name)

Grant and cooperative agreement recipients are required to report first-tier subaward obligations of \$25,000 or more in the Federal Funding Accountability and Transparency Act (FFATA) Subaward Reporting System (<http://www.fdrs.gov>) when certain conditions apply. In addition, grantees and subgrantees are required to report executive compensation of the five most highly compensated executives for the preceding fiscal year when certain conditions apply. Refer to Appendix A to Part 170 for the complete award term and details. To distinguish between a subgrantee (sub-recipient) versus a vendor (which is not subject to FFATA reporting requirements) under a grant or cooperative agreement, refer to the characteristics of each listed in OMB Circular A-133, Subpart B, .210. More information regarding the Federal funding transparency reporting requirements for prime recipient and subaward reporting is available at <http://www.usaspending.gov/sub-award-documents> and at <http://www.fdrs.gov>.

- 2 CFR Part 1400, Government-wide Debarment and Suspension (Nonprocurement)
- 2 CFR Part 1401, Requirements for Drug-Free Workplace (Financial Assistance (Remove 2 CFR 1401 citation if awarding to a foreign entity conducting work outside the United States).
- 2 CFR Part 175, Trafficking Victims Protection Act of 2000

- 43 CFR 12(A), Administrative and Audit Requirements and Cost Principles for Assistance Programs
- 43 CFR 12(C), Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Government (remove citation when not applicable to recipient type)
- 43 CFR 12(F), Uniform Administrative Requirements for Grants and Cooperative Agreements with Institutions of Higher Education, Hospitals, other Non-Profit and Commercial Organizations (remove citation if not applicable to recipient type)
- 43 CFR 18, New Restrictions on Lobbying
- 305 DM 3, Integrity of Scientific and Scholarly Activities and 212 FW 7, Scientific Integrity and Scholarly Conduct. Grant and cooperative agreement recipients must ensure quality project results. Results must consist of unbiased assessments through proper management and enforcement of scientific integrity standards, which includes avoiding conflicts of interest as defined in USFWS policy 212 FW 7 (complete text available at <http://www.fws.gov/policy/212fw7.html>).

Special Conditions and Provisions:

If the project will be conducted in the United States and the project activities have the potential to have an impact on the human environment, endangered or threatened species or critical habitat, or historic properties include the following statement:

Recipients of Federal grants and cooperative agreements are responsible for ensuring that all project activities comply with the requirements of the National Environmental Policy Act (NEPA), Section 7 of Endangered Species Act (ESA), and Section 106 of the National Historic Preservation Act (NHPA).

If Recipient has been determined to be high risk, provide justification for placing recipient on high risk status, and detail the additional conditions applicable to them (e.g. payment restrictions or increased reporting frequency requirements). Refer to 43 CFR 12.52 or 12.914 (depends on recipient type) to develop this section.

If equipment is to be purchased under this award, include details on with whom the property will vest (Recipient/Feds/other). If with Feds/other, include specifics on what you expect from the Recipient in terms of transfer steps and timing. Refer to 43 CFR 12.72 or 43 CFR 12.934 (depends on recipient type) to develop this section. Sample text:

Equipment purchased under this award will become property of the Recipient at the end of the project. This is contingent upon the Recipient demonstrating that the equipment was used only for the purposes of the award and there exists a commitment to continue to use the equipment for the same purpose throughout its useful life. If these requirements are not met the disposition of the equipment will be renegotiated with the USFWS. Equipment authorized for purchase and use under this award will be managed according to [insert 43 CFR 12.72 or 43 CFR 12.934, as applicable].

If non-Federal real property/land is to be purchased under this award, enter standard or program/project specific requirements and conditions, including any additional reporting documentation required from the recipient, and applicable retention and/or disposition instructions.

Per 5 CFR Part 2635, if the grant or cooperative agreement is awarded to an entity other than a State, local, or Federally-recognized Indian tribal government and the principal purpose of the award is a partnership where the recipient/partner contributes resources to promote Service programs or activities, assists in fund raising on behalf of the Service, or provides assistance to the Service, the following provision must be made a term and condition of the award:

Recipient shall not publicize or otherwise circulate promotional material (such as advertisements, sales brochures, press releases, speeches, still and motion pictures, articles, manuscripts or other publications) which states or implies governmental, Departmental, bureau, or government employee endorsement of a product, service, or position that the recipient represents. No release of information relating to this award may state or imply that the Government approves of the recipient's work products, or considers the recipient's work product to be superior to other products or services. All information submitted for publication or public releases of information regarding this project shall carry the following disclaimer: "The views and conclusions contained in this document are those of the authors and should not be interpreted as representing the opinions or policies of the U.S. Government. Mention of trade names or commercial products does not constitute their endorsement by the U.S. Government." Recipient must obtain prior Government approval for any public information releases concerning this award which refer to the Department of the Interior or any bureau or employee (by name or title). The specific text, layout photographs, etc. of the proposed release must be submitted with the request for approval. Recipient must include this provision in subawards made under this award to any recipient other than a State, local, or Federally-recognized Indian tribal government.

Per 505 DM 4 and 481 DM 4, if deliverables/products OTHER than the standard financial and performance reports are to be produced under this award (examples include research documentation/findings/analysis reports; technical, scientific, or engineering reports; training or outreach materials, among others), include the following provision:

Funding under this award will be used to produce [insert description of product/deliverable to be produced]. Your organization is required to send two copies of all final published products to:

U.S. Department of the Interior
Natural Resource Library
Division of Information and Library Services-Gifts and Exchanges Section
1849 C Street NW
Washington, D.C. 20240

Please include the following statement with the report "This report was produced under U.S. Fish and Wildlife Service Award Number [insert Award Number]". This statement does not need to be included in/on published documents/products, only included with the document/product transmittal for Bureau identification purposes. Do not send financial or performance reports to this address. See the Reporting Requirements section below for where to send financial and performance reports.

Per 15 U.S.C. Section 3704B-2, if funding under this award will be used to produce unclassified scientific, technical, or engineering information resulting from research and development activities (defined as basic and applied research that results from the efforts of scientists and engineers in any medium or information that bears on business and industry in general) that is to be published or made available by either the recipient or the Service for public dissemination to the private sector, academia, State and local governments, and Federal agencies, include the following provision:

Funding under this award will be used to produce [insert description of expected scientific, technical, or engineering publication to be produced]. Your organization is required to send one copy of the final published report to:

National Technical Information Service
5301 Shawnee Road
Alexandria, Virginia 22312

Please include the following statement with the report “This report was produced under U.S. Fish and Wildlife Service Award Number [insert Award Number]”. This statement does not need to be included in/on the published document, only included with the report transmittal for Bureau identification purposes. Do not send financial or performance reports to this address. See the Reporting Requirements section below for where to send financial and performance reports.

Enter any other program-specific conditions/provisions here.

Payments:

Recipients are responsible for following the basic payment standard and methods detailed in 43 CFR Part 12, Subpart C (for state, local and Tribal governments) and 43 CFR Part 12, Subpart F (all other recipients).

Select the applicable standard text regarding payments from the choices below. Delete the text not selected.

Standard text to include if award is to a domestic recipient enrolled in ASAP:

Your organization has completed enrollment in U.S. Treasury’s Automated Standard Application for Payment (ASAP) system. When requesting payment in ASAP, your Payment Requestor will be required to enter an Account ID. The Award Number assigned to this award is the partial Account ID in ASAP. When entering the Account ID in ASAP, the Payment Requestor should enter the Award Number identified in the subject line on this Notice of Award followed by a percent sign (%). When requesting payment. Refer to the ASAP.gov Help menu for detailed instructions on requesting payments in ASAP.

Standard text to include if award is to a domestic recipient waived from ASAP OR a non-domestic recipient being paid by EFT to a U.S. Bank. Note: if the recipient is exempt from CCR registration, their banking information must be collected by the Program Office, ideally before the award is issued. Go to <https://inside.fws.gov/go/post/Payments-New> for detailed information on processing EFT payments to these two recipient types:

Your organization must use the [enter either: SF-270, Request for Advance or Reimbursement (Non-Construction) or SF-271, Outlay Report and Request for Reimbursement (Construction)] to request payments and advances. This form is available on the Internet at http://www.whitehouse.gov/omb/grants_forms/. Send all payment requests to the USFWS Project Officer, identified below.

Standard text to include if award is to a non-domestic recipient receiving funds to bank outside the US (being paid in ITS) and recipient submits ITS payment requests directly to the USFWS Project Officer:

Your organization must use the [enter either: SF-270, Request for Advance or Reimbursement (Non-Construction) or SF-271, Outlay Report and Request for Reimbursement (Construction)] to request payments and advances. This form is available on the Internet at http://www.whitehouse.gov/omb/grants_forms/. Payments to non-domestic recipients to a bank outside the United States are transferred electronically through the U.S. Treasury’s International Treasury

Services (ITS) system. Your organization must also complete the attached ITS Payment Cover Sheet and send it together with each signed payment request to the USFWS Project Officer, identified below. Recipients are responsible for ensuring any sensitive data being sent to the USFWS is protected during its transmission/delivery. The USFWS strongly recommends recipients use the most secure transmission/delivery method available. The USFWS recommends the following digital transmission methods: secure digital faxing; encrypted emails; emailing a password protected zipped/compressed file attachment in one email followed by the password in a second email; or emailing a zipped/compressed file attachment. The USFWS strongly encourages recipients sending sensitive data in paper copy to use a courier mail service. Recipients may also contact the USFWS Project Officer and provide any sensitive data over the telephone.

Standard text if award is to a non-domestic recipient receiving funds to a bank outside the U.S. (being paid in ITS) and recipient submits their ITS payment requests directly to NBC:

Your organization must use the [enter either: SF-270, Request for Advance or Reimbursement (Non-Construction) or SF-271, Outlay Report and Request for Reimbursement (Construction)] to request payments and advances. This form is available on the Internet at http://www.whitehouse.gov/omb/grants_forms/. Payments to non-domestic recipients receiving funds to a bank outside the United States are transferred electronically through the U.S. Treasury's International Treasury Services (ITS) system. Your organization must also complete the attached ITS Payment Cover Sheet and send it together with your signed payment request form to our National Business Center by fax to 303-969-7281 or by email to fbmsfwspayments@nbc.gov.

Recipients are responsible for ensuring any sensitive data being sent to the NBC is protected during its transmission/delivery. The USFWS strongly recommends recipients use the most secure transmission/delivery method available. The USFWS recommends the following digital transmission methods: secure digital faxing; encrypted emails; emailing a password protected zipped/compressed file attachment in one email followed by the password in a second email; or emailing a zipped/compressed file attachment.

Reporting Requirements-select either Option 1 or Option 2. Delete text for options not selected. Refer to 516 FW 1 and 516 FW 2 to complete reporting period and due date tables. Add or delete table rows as needed.

OPTION 1-Reporting Requirements: Use the following text if recipient is waived from ASAP (using SF270/271) AND the program wishes to waive interim SF-425s:

Reporting Requirements:

Financial Reports: No interim SF-425, Federal Financial Reports are required. Submission of payment requests using the SF-270/SF-271 satisfies interim financial reporting requirements. A final SF-425, Federal Financial Report is required within 90 calendar days of the end date of the award. These forms are available on the Internet at http://www.whitehouse.gov/omb/grants_forms/. For additional information regarding financial reporting requirements and sanctions for noncompliance, please reference <http://www.fws.gov/policy/516fw1.html>.

Performance Reports:

[Insert Quarterly, Semi-annual, or Annual] interim performance reports and a final performance report are required under this award. The performance report periods and report due dates under this award are:

Report:	Report Period:	Report Due Date:
Interim	[insert start of period-end of period dates]	[insert corresponding due date]
Interim	[insert start of period-end of period dates]	[insert corresponding due date]
Final	[insert start of period-end of period dates]	[insert corresponding due date]

Deleted:

Deleted:

Deleted:

Performance reports must contain: 1) a comparison of actual accomplishments with the goals and objectives of the award as detailed in the approved scope of work; 2) a description of reasons why established goals were not met, if appropriate; and 3) any other pertinent information relevant to the project results.

Enter any program- or project-specific performance reporting content requirements, as well as list any other deliverables expected/required from the Recipient (such as products, research reports, invention disclosures, Federally-owned property report, land purchase documentation, etc.).

Reporting due dates may be extended by the USFWS upon receipt of a written request addressed to the USFWS Project Officer identifying the type of report to be extended, the requested revised due date, and a justification for the extension. The USFWS Project Officer may, upon receipt of a written request, approve an additional extension if justified by a catastrophe that significantly impairs the award recipient's operations. Requests for reporting due date extensions must be received by the USFWS Project Officer before the original reporting due date.

All financial and performance reports must be sent to the USFWS Project Officer identified below.

OPTION 2-Reporting requirements: Use the following text if recipient is to be paid in ASAP, OR the recipient is waived from ASAP but the program does not want to waive interim SF425s:

Financial and Performance Reporting Requirements:

[Insert Quarterly, Semi-annual, or Annual] interim financial and performance reports and final financial performance reports are required under this award. The report periods and due dates under this award are:

Report:	Report Period:	Report Due Date:
Interim financial & performance reports	[insert start of period-end of period dates]	[insert corresponding due date]
Interim financial & performance reports	[insert start of period-end of period dates]	[insert corresponding due date]
Final financial & performance reports	[insert start of period-end of period dates]	[insert corresponding due date]

Recipients must use the SF-425, Federal Financial Report form for all financial reporting. This form is available at http://www.whitehouse.gov/omb/grants_forms/.

Performance reports must contain: 1) a comparison of actual accomplishments with the goals and objectives of the award as detailed in the approved scope of work; 2) a description of reasons why established goals were not met, if appropriate; and 3) any other pertinent information relevant to the project results.

Enter any program- or project-specific performance reporting content requirements, as well as list any other deliverables expected/required from the Recipient (such as products, research reports, invention disclosures, Federally-owned property report, land purchase documentation, etc.).

Reporting due dates may be extended by the USFWS upon receipt of a written request addressed to the USFWS Project Officer identifying the type of report to be extended, the requested revised due date, and a justification for the extension. The USFWS Project Officer may, upon receipt of a written request, approve an additional extension if justified by a catastrophe that significantly impairs the recipient's operations. Requests for reporting due date extensions must be received by the USFWS Project Officer before the original reporting due date.

All financial and performance reports must be sent to the USFWS Project Officer identified below.

End of Option 2

Project Revisions:

Unless otherwise waived in this section, certain types of post-award programmatic and budget changes require the prior written approval of the USFWS. State, local, or Indian tribal governments should refer to 43 CFR 12.70 for additional information on the types of changes that require prior written approval. All other recipients should refer to 43 CFR 12.925 for additional information on the types of changes that require prior written approval.

If the award is to a state, local or Indian tribal governments for more than \$100,000 and the program would like to waive the pre-approval requirement for 10% transfers among direct cost categories (see 43 CFR 12.70), insert the following text:

Recipient does not need prior written approval from the USFWS to make a cumulative transfer among direct cost categories which exceed, or are expected to exceed, ten percent of the current total approved budget.

Project Contacts:

The USFWS Project Officer for this award is:	The Recipient Project Officer for this award is:
[Enter complete contact information, including telephone and email, for the Service project officer responsible for the oversight and management of this award.]	[Enter complete contact information for the recipient's project officer/principal investigator/primary point of contact responsible for the oversight and management of this award.]

Please contact [insert program contact name] with any questions. Please include the assigned USFWS award number in all written communications.

Sincerely,

Revised **9/6/2013**

Enter Name of Course:

Basic Financial Assistance Management Course

Enter Tab Number:

8

Handouts:

Service Memo on FFATA Guidance
Program Income Methodology Screenshots
FAPO Notice of Amendment Template
FAPO Award Amendment Checklist

<p>Post Award: Managing and Monitoring</p> 	
--	--

Post Award: Implementing, Managing and Monitoring the Award

Objectives:

1. Identify and explain activities involved in implementing, managing and monitoring awards.
2. Describe the communication needed and people involved during award implementation and management.
3. Determine when an award needs to be revised and what documentation to provide.

<p>Post-Award FFATA</p>  <p>Federal Funding and Transparency Act of 2006</p> <ul style="list-style-type: none">• Single, Searchable database of all Federal awards• Information from both Program and Awardees• All awards over \$25K after 10/1/2010 must be reported	
---	--

Federal Funding And Transparency Act (FFATA) of 2006

As of October 1, 2010, federal agencies are required to report new awards and prime award recipients are required to report new first-tier subawards (both mandatory and discretionary) greater than or equal to \$25,000. This applies to the following scenarios:

- Initial awards that meet or exceed \$25,000.
- Award revisions that increase the initial award to \$25,000 or greater.
- Awards initially meeting or exceeding \$25,000 but are later reduced below \$25,000.

Reporting must be done by the end of the month **following** the month of award obligation.

FFATA requires that prime recipients report the names and total compensation of the five most highly compensated officers of a prime **or** sub-awardee entity if

1. Executives received 80% or more of the entity's annual gross revenues in Federal awards **and**
2. Annual gross revenues meet or exceeded \$25,000,000 from Federal awards, **and**
3. The public does not have access to this information via the SEC.

Reporting exemptions apply to the following

- Individuals unrelated to any business or nonprofit organization.¹
- Any entity with less than \$300K from previous tax year's gross income.
- Reporting that would disclose classified information.
- Awards under the Recovery Act.



www.USASpending.gov | www.fsrs.gov | Handout 8-1

¹ OMB M-09-19 (June 1, 2009) requests reporting of awards (1) less than \$25K, or (2) to individuals, be aggregated, but still reported. See memo in iPad for more information.

<p>Post-Award Award Implementation</p>  <ul style="list-style-type: none">✦ The Recipient<ul style="list-style-type: none">✦ Reviews NOA✦ Establishes accounting✦ Establishes performance managing and monitoring measures✦ The Program Office<ul style="list-style-type: none">✦ Track Recipient activity via reporting✦ May have additional participation requirements	
---	--

Award Implementation

After receipt of the NOA

- The Recipient
 - Reviews the NOA elements / disseminates information.
 - Establish accounting to manage and monitor award.
 - Establish measures to manage and monitor grant performance.

- The Program Office
 - Tracks Recipient activity primarily via financial and performance reports.
 - Participates in award activities as outlined in award and program requirements (e.g. substantial programmatic involvement if cooperative agreement, additional administrative requirements for high risk awardees, etc.).

Notes:

<p>Post-Award Defining Program Income</p>  <ul style="list-style-type: none">• The Criteria<ul style="list-style-type: none">↳ Gross Income received by Recipient/Subrecipient↳ Directly generated by Award-supported activities↳ Earned during the Award period	
<p>Post-Award Disposition of Program Income</p>  <ul style="list-style-type: none">• Three possible disposition methods<ul style="list-style-type: none">↳ Additive – Added to Award funds↳ Deductive – Deducted from Award funds↳ Cost Share - Used as non-federal match	

Accounting for and Using Program Income

Determining Program Income

Program Income Criteria.

1. Gross income received by Recipient or Subrecipient.
2. Directly generated by award-supported activities.
3. Earned during the award period.

Program income **may be net** of incidental costs if authorized by Federal regulations or award.

 43 CFR 12.65(b) | 43 CFR 12.902 "Program Income"

Disposition of Program Income

Program income is retained by the Recipient/Subrecipient and can be used in one of three ways.

- **Additive** – Add to award obligation.
- **Deductive** – Subtract from award obligation.
- **Cost Share** – Use as non-federal match.

Education institutions and non-profits use the **additive** method for research awards *by default.*

 43 CFR 12.65(g) | 43 CFR 12.924(b)-(d)

<p>Post-Award Program Income</p>  <ul style="list-style-type: none">• Declaring and Reporting Program Income<ul style="list-style-type: none">▾ Anticipated P.I. documented in award application• Income after the Award period<ul style="list-style-type: none">▾ No further obligation unless specified	
---	--

Declaring and Reporting Program Income

- Anticipated program income must be estimated in the award application.
- Must be reported on the Federal Financial Report (SF-425).

Income after the Award period

- Recipient/Subrecipient has no further obligation to the awarding agency ***unless*** specified in program legislation or award condition.



43 CFR 12.65(h) | 43 CFR 12.924(e)

Notes:

<p>Post-Award Payment Requests and Processing</p>  <ul style="list-style-type: none">• Automated Standard Application for Payments (ASAP)<ul style="list-style-type: none">• ALL F.A. payments migrating to ASAP• FAPO currently enrolling Recipients• Exemption from ASAP on a case-by-case basis• SF-270<ul style="list-style-type: none">• OMB-approved payment request form	
---	--

Payment Requests and Processing

Automated Standard Application for Payments (ASAP)

- USFWS to use for all financial assistance (grant and cooperative agreement) payments to domestic recipients.
- FAPO is currently enrolling recipients in ASAP who have open grants and cooperative agreements.

Only the SF-270 (SF-271 for construction awards) or an authorized electronic format (e.g. ASAP) is authorized for requesting reimbursement payments.

SF-270 – Request for Advance or Reimbursement

- OMB-approved form used to request payment.
 - Only to be used by Recipients unable to enroll in ASAP or have a special award condition requiring use of the SF-270.
-
-



43 CFR 12.81(d)(2) | 43 CFR 12.922 (m)(1)

Notes:

<p>Post-Award Revising an Award</p>  <ul style="list-style-type: none">✦ Programmatic Changes<ul style="list-style-type: none">↳ Addition, deletion of objective↳ Change in key personnel↳ Extension of award period↳ Increase / decrease federal funds↳ Revise federal participation	
<p>Post-Award Revising an Award cont'd</p>  <ul style="list-style-type: none">✦ The 10% Rule<ul style="list-style-type: none">↳ Cumulative transfers over 10% of budget↳ Nonconstruction awards↳ Federal share exceeds \$100K↳ May be waived by Awarding Agency	

Revising an Award

Programmatic Changes

- Addition, deletion, or change in a project objective or job.
- Change in key personnel.
- Extension of funding period.
- Increasing or decreasing Federal funds.
- Revising the Federal participation.

When revising an award for an addition or modification of a project, compliance may need to be addressed.



43 CFR 12.70(c)-(d) | 43 CFR 12.925(c)

The 10% rule

Cumulative transfers in project budget categories that exceed ten percent must be approved by awarding agency.

- Applies only to non-construction projects where Federal share exceeds \$100,000.
- May be waived by awarding agency.



43 CFR 12.70(c) | 43 CFR 12.925(c) and (e)

<p>Post-Award: Exercise Managing and Monitoring an Award</p>  <p>Reference: 43 CFR 12</p> 	
---	--



Exercise: Managing and Monitoring the Award

Answer the questions below using **43 CFR 12**. Cite your references.

1. Who is primarily responsible for monitoring award activities for compliance with federal rules and regulations?

[43 CFR 12.80\(a\), 43CFR 12.951\(a\)](#)

[Also 2 CFR 225 App A, 2.a\(1\)-\(2\)](#)

[See DOI Guidance Release 2009-04F \(iPAD\).](#)

2. Is the submission of documentation verifying costs required when requesting reimbursement of federal funds?

[Only for High Risk awardees, 43 CFR 12.52, 12.914, 12.952.](#)

[If these are not applicable, only the SF270 \(or electronic alternative\) is authorized, 43 CFR 12.81\(d\)\(2\), 12.922\(m\)\(1\).](#)

3. During the implementation of the award, it is determined that one of the objectives cannot be achieved. Rather than let the funding go unused they decide to add a new objective. Is this permitted?

[43 CFR 12.70\(d\); 12.925\(b\)\(1\)](#)

4. What tools would you use to monitor projects?

[43 CFR 12.80, 43 CFR 12.951](#)

[Performance and financial reports, site visits, correspondence, etc.](#)

[See DOI Guidance Release 2009-04F \(iPAD\).](#)

<p>Post-Award: Exercise Cost Principles</p>  <p>Reference:</p> <ul style="list-style-type: none"> 2 CFR 220 2 CFR 225 2 CFR 230 	
<p>Post-Award The Recipient's Responsibilities</p>  <ul style="list-style-type: none"> • Factors affecting Allowability of Costs <ul style="list-style-type: none"> • Necessary and Reasonable • Allocable • Authorized / Not Prohibited • Compliance with federal regulations • Consistency • Conformance with GAAP 	
<p>Post-Award The Recipient's Responsibilities cont'd</p>  <ul style="list-style-type: none"> • Factors affecting Allowability of Costs cont'd <ul style="list-style-type: none"> • Not included in cost/match of other federally funded activities • Net of applicable credits • Adequately documented 	
<p>Post-Award The Recipient's Responsibilities cont'd</p>  <ul style="list-style-type: none"> • Reasonable <ul style="list-style-type: none"> • Does cost reflect what a prudent person would pay for the same goods/services? <ul style="list-style-type: none"> • Generally recognized in government • Integrity in practice • Market price • Acted with prudence • No significant deviations from established practices 	
<p>Post-Award The Recipient's Responsibilities cont'd</p>  <ul style="list-style-type: none"> • Allocable <ul style="list-style-type: none"> • Chargeable to objective in accordance with relative benefits • Not charged to other federal awards to overcome deficiencies or restrictions • Indirect costs • Cost allocation plans 	
<p>Post-Award The Cost Allowability Formula</p>  <p>Reasonable + Allocable = Allowable</p>	



Exercise: Cost Principles

Answer the questions below using the **Cost Principle** regulations (**2 CFR 220/225/230**). Cite your references.

1. Where in the following CFRs are the Factors Affecting Allowability of Costs located?
 - a. 2 CFR 220 _____
 - b. 2 CFR 225 _____
 - c. 2 CFR 230 _____

2. In your own words, list 2 CFR 225's Factors Affecting Allowability of Costs (Try keeping each factor to eight words or less).

Necessary and reasonable; allocable; authorized / Not prohibited;
compliance with federal regulations; consistency; conformance with GAAP;
not included in cost/match of other federally funded activities; net of
applicable credits; adequately documented.

3. What does Reasonable mean? Allocable? Applicable Credits?

Reasonable – “does the cost reflect what a prudent person would pay for
the same goods or services?” Generally recognized in govt; integrity in
practices; market prices; acted with prudence; no significant deviations from
established practices. Allocable – Chargeable to an objective in accordance
with relative benefits. Applicable credits – reduction of expenditures with
allocable credit going to federal award. May also be a netting of credit items.

<p>Post-Award: Exercise Cost Principles</p>  <p>Reference:</p> <ul style="list-style-type: none">2 CFR 2202 CFR 2252 CFR 230 	
--	--



Exercise: Cost Principles cont'd

4. Can a university charge to a federal financial assistance award the cost of posting a job position on a job recruitment website?

Yes, as an advertising cost (SIC#1c(1)) on pg 53 and as recruiting personnel

To meet workload requirements under the award, with certain restrictions.

(SIC#42 "Recruiting costs")

5. Can state agencies match federal financial assistance awards with salaries and wages of its employees? If so, what are the requirements?

Yes. Must be supported in the same manner as those claimed as

allowable costs under Federal awards.

6. How may a state agency charge travel costs to their federal financial assistance award?

An actual cost basis, per diem/mileage basis in lieu of actuals costs, or

a combination of the two, provided the method used is consistent for the

entire trip & is consistent for non-federal travel activities. Selected Cost #43

7. The Nature Conservancy should use which Cost Principle? The Oak Ridge Associated Universities consortium?

Nature Conservancy uses 2 CFR 230.

ORAU uses FAR. See 2CFR230.20(c) and Appendix C.

8. Which Cost Principle CFR applies to a council of governments incorporated as a non-profit?

2 CFR 225.

9. Which Cost Principle CFR applies to hospitals?

45 CFR 74, Appendix E (43 CFR 12.927).

<p>Post-Award Subrecipient Compliance</p>  <ul style="list-style-type: none"> • Subaward vs. Contract • Public Policy Requirements • Administrative Requirements 																				
<p>Post-Award Subrecipient Administrative Compliance</p>  <table border="1"> <thead> <tr> <th>Bidder Type</th> <th>Common Rule</th> <th>Cost Principles</th> </tr> </thead> <tbody> <tr> <td>State, Local Governments</td> <td>43 CFR 12 Subject C</td> <td>2 CFR Part 205</td> </tr> <tr> <td>Non-profit Organizations</td> <td>43 CFR 12 Subject F</td> <td>2 CFR Part 200</td> </tr> <tr> <td>Educational Institutions</td> <td>43 CFR 12 Subject F</td> <td>2 CFR Part 200</td> </tr> <tr> <td>Hospitals</td> <td>43 CFR 12 Subject F</td> <td>45 CFR 16 App. B</td> </tr> <tr> <td>For profit organizations</td> <td>Awarding Agency Determines</td> <td>FAR 48 CFR 31</td> </tr> </tbody> </table>	Bidder Type	Common Rule	Cost Principles	State, Local Governments	43 CFR 12 Subject C	2 CFR Part 205	Non-profit Organizations	43 CFR 12 Subject F	2 CFR Part 200	Educational Institutions	43 CFR 12 Subject F	2 CFR Part 200	Hospitals	43 CFR 12 Subject F	45 CFR 16 App. B	For profit organizations	Awarding Agency Determines	FAR 48 CFR 31		
Bidder Type	Common Rule	Cost Principles																		
State, Local Governments	43 CFR 12 Subject C	2 CFR Part 205																		
Non-profit Organizations	43 CFR 12 Subject F	2 CFR Part 200																		
Educational Institutions	43 CFR 12 Subject F	2 CFR Part 200																		
Hospitals	43 CFR 12 Subject F	45 CFR 16 App. B																		
For profit organizations	Awarding Agency Determines	FAR 48 CFR 31																		

Compliance Requirements for the Subrecipient

Subaward or Contract?

Recipients, like federal awarding agencies, must properly determine if they are awarding contracts or subaward agreements, as federal regulations differ for subaward and contract administration. A recipient who incorrectly determines an award instrument may, during an audit, review, or legal inquiry, be required to pay back disallowed costs, or even be subject to litigation.

Public Policy Requirements

Public policy requirements are

- Laws enacted by Congress
- Regulations issued by Federal agencies

Public Policy Examples
 American Disabilities Act
 Civil Rights Act
 Hatch Act

Administrative Requirements

- Administrative requirements should be listed / referenced in the subaward.
- Subrecipients follow recipient's Common Rule, but their own Cost Principles.

ENTITY TYPE	COMMON RULE	COST PRINCIPLES
State, Local Governments	43 CFR 12 Subpart C	2 CFR Part 225
Non-profit Organizations	43 CFR 12 Subpart F	2 CFR Part 230
Educational Institutions	43 CFR 12 Subpart F	2 CFR Part 220
Hospitals	43 CFR 12 Subpart F	45 CFR 74 App E
For profit organizations	Awarding Agency determines	FAR 48 CFR 31

<p>Post-Award Subrecipient Audit Requirements</p>  <ul style="list-style-type: none">• Single Audit• Program Audits, site visits, document reviews• Recipient responsible for monitoring Subrecipient	
--	--

Compliance Requirements for the Subrecipient cont'd

Audit Requirements

- Subrecipients expending \$500,000 or more in Federal awards in a fiscal year are subject to the Single Audit Act.
- Recipient is responsible for determining if Subrecipient meets this threshold.
- Subrecipient is responsible for notifying Recipient regarding presence or absence of audit findings affecting Recipient's award.
- Federal Audit Clearinghouse website: <http://harvester.census.gov/sac/>.

Subrecipients that do not meet Single Audit Threshold may be audited by Recipient via program audits, site visits and document reviews.

 43 CFR 12.66 | 43 CFR 12.926 | 2 CFR 215.26

Notes:

Learning Points

Instructor Notes

Revised 9/6/13

--	--



Learning Points

- ✓ Awards require managing and monitoring of fiscal, program and compliance concerns throughout the award period.
- ✓ Anticipated changes as a result of managing and monitoring awards may require revising the award.
- ✓ Cost principles establish allowability of costs and may vary depending on type of recipient.
- ✓ Subrecipient monitoring is the responsibility of the recipient.



United States Department of the Interior

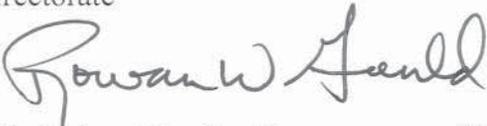
FISH AND WILDLIFE SERVICE
Washington, D.C. 20240



In Response Reply To:
FWS/AWSR/AIM: 050702

FEB 23 2012

Memorandum

To: Service Directorate
From: **Deputy** Director 
Subject: Guidance for Federal Funding Transparency of Service Grant and Cooperative Agreements (Federal Funding Accountability and Transparency Act (FFATA) of 2006)

Federal Funding Accountability and Transparency Act (FFATA) was signed on September 26, 2006 with the intent to reduce wasteful spending in government by empowering every American with the ability to view Federal awards via a single, searchable website. That website is www.USASpending.gov.

Attached is the final guidance for implementing the prime recipient and subaward reporting requirements of FFATA. It supersedes the Director's memo signed on December 15, 2010, "Interim Guidance for Implementation of Prime Recipient and Subaward Reporting Requirements under the Federal Funding Accountability and Transparency Act (FFATA)."

Please contact Mr. Hannibal Bolton, Assistant Director, Wildlife and Sport Fish Restoration Program, at 202-208-7337 if you have any questions.

Thank you for your assistance in ensuring the Service's compliance to this Act.

Attachment

Guidance for Federal Funding Transparency of Service Grant and Cooperative Agreements (Federal Funding Accountability and Transparency Act of 2006 (FFATA))

- 1. What is the purpose of this document?** The purpose of this document is to inform Service programs that issue grant and cooperative agreement awards of the subaward and executive compensation data reporting requirements under FFATA for their prime recipients. Due to limitations with the Federal Financial System, the Service was unable to implement the requirements of FFATA until Fiscal Year 2012. Funds obligated before October 1, 2011 will not show up in the reporting system. This means recipients of grants and cooperative agreements are not expected to retroactively report on awards issued by the Service before October 1, 2011.
- 2. What is the scope of this guidance?** This guidance applies to all Service programs that issue grant and cooperative agreement awards *except* awards:
 - a. Funded through the American Recovery and Reinvestment Act. These awards will continue to be reported through FederalReporting.gov;
 - b. Issued to individuals who apply for or receive an award as a natural person, i.e., unrelated to any business or nonprofit organization that he or she may own or operate in his or her name;
 - c. To entities that had a gross income, from all sources, of less than \$300,000 in the entities' previous tax year; and
 - d. For which the required reporting would disclose classified information.
- 3. What are the authorities for this guidance?** The authorities for this guidance are:
 - a. FFATA (P.L. 109-282);
 - b. Central Contractor Registration (CCR) and Data Universal Numbering System (DUNS) (2 CFR Part 25);
 - c. Reporting Subawards and Executive Compensation (2 CFR Part 170);
 - d. Office of Management and Budget Circular A-133, Section 210, "Subrecipient and Vendor Determinations;" and
 - e. Department of the Interior (Department) Director of the Office of Acquisition and Property Management's Memorandum, "Compliance with the Federal Funding Accountability and Transparency Act Relative to Financial Assistance Programs," dated August 18, 2008.
- 4. What is a FFATA prime recipient?** A FFATA prime recipient is the primary organization, either a State, local government, nonprofit, university, or small business that receives a grant or cooperative agreement award directly from the Service.
- 5. What is a sub-award?** A sub-award is a legal instrument used by a prime recipient to obtain support for the performance of any portion of a grant or cooperative agreement award received directly from the Service. A sub-award may be a contract or a grant/cooperative

agreement award. The distinction between a contract and a grant/cooperative agreement depends on the characteristics of the relationship. In general a:

- a. Grant/cooperative agreement award is issued if the recipient:
 - i. Has its performance measured against whether the objectives of the prime recipient's grant or cooperative agreement from the Service are met;
 - ii. Has responsibility for programmatic decision making;
 - iii. Has responsibility for adherence to applicable Federal program compliance requirements; or
 - iv. Uses the grant or cooperative agreement funds to carry out a program of the organization as compared to providing goods or services for the prime recipient.
 - b. Contract is issued if the recipient:
 - i. Provides goods or services within normal business operations;
 - ii. Provides similar goods or services to many different purchasers;
 - iii. Operates in a competitive environment;
 - iv. Provides goods or services that support the grant or cooperative agreement; and
 - v. Is not subject to compliance requirements of the grant or cooperative agreement.
- 6. What are the requirements that the Service must meet under FFATA?** The Service must meet the following requirements under FFATA:
- a. Communicate to prime recipients that they and their subaward recipients must obtain a DUNS number through www.dnb.com. Only individuals who apply for or receive a grant or cooperative agreement award as a natural person, i.e., unrelated to any business or nonprofit organization he or she may own or operate in his or her name, are exempt from obtaining a DUNS number;
 - b. Communicate to prime recipients that they must register in the CCR website, www.ccr.gov, and renew and revalidate their CCR information every 12 months from the date of registration. Only individuals who apply for or receive a grant or cooperative agreement award as a natural person, i.e., unrelated to any business or nonprofit organization he or she may own or operate in his or her name, are exempt from the CCR registration requirement;
 - c. Communicate to prime recipients the requirements for subaward and executive compensation reporting (see Question 8 for exemptions); and
 - d. Enter accurate data in the FAADS screen on the PRISM award in the Financial and Business Management System (FBMS).
- 7. How must the Service communicate the FFATA requirements to prime recipients?** The Service must include reference to the Department's standard terms and conditions listed in <http://www.doi.gov/pam/TermsandConditions.html> in award documents.
- 8. What are the reporting requirements for prime recipients under FFATA?** Prime grant and cooperative agreement recipients are responsible for two types of reporting:

- a. Reporting on sub-grants and cooperative agreements greater than or equal to \$25,000. The data elements that prime recipients are expected to report about sub-grants and cooperative agreements greater than or equal to \$25,000 are:
 - i. Name of the entity receiving the sub-award;
 - ii. Amount of the sub-award;
 - iii. Funding agency;
 - iv. Catalog of Federal Domestic Assistance Program number;
 - v. Program funding source;
 - vi. Award title descriptive of purpose of the funding action;
 - vii. Location of the sub-recipient (including Congressional district);
 - viii. Primary place of performance (including Congressional district); and
 - ix. DUNS number of the sub-recipient and its parent.
- b. Reporting for themselves and for sub-recipients receiving awards greater than or equal to \$25,000 the total compensation and names of the top five executives *only* if:
 - i. More than 80 percent of annual gross revenues were from the Federal government, and those revenues are greater than \$25 million annually; and
 - ii. Compensation information is not already available to the public through periodic reporting filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. sections 78m(a), 78o(d) or section 6104 of the Internal Revenue Code of 1986.

- 9. How must the prime recipient report executive compensation information?** The prime recipient must register and report executive compensation information in either www.ccr.gov or www.fsr.gov.
- 10. When must the prime recipient report sub-award information?** The prime recipient must report sub-award information by the end of the month following the month in which the subaward was issued. For example, if the sub-award is issued on December 15, 2011, the prime recipient must report the subaward information by January 31, 2012.
- 11. How must the prime recipient report sub-award information?** The prime recipient must register and report sub-award information via the FFATA Subaward Reporting System (FSRS), www.fsr.gov. The FSRS pre-populates recipient information, to the maximum extent possible, from the CCR and award information from monthly Department of the Interior reporting to FAADS Plus. The information entered by the prime recipient is subsequently published on the public website, www.USASpending.gov.
- 12. Do prime recipients still need to report on sub-awards if a Service grant or cooperative agreement award is initially greater than or equal to \$25,000 but funding is subsequently deobligated such that the total award amount is less than \$25,000?** Yes. The sub-award reporting requirement continues throughout the performance period of the grant or cooperative agreement award.

- 13. What if the original award was less than \$25,000 but a funding amendment increases the total award amount above \$25,000?** Once the cumulative total Federal award amount is equal to or greater than \$25,000, the prime recipient is required to report under FFATA.
- 14. Where can I get more information about the FFATA requirements for prime recipient and subaward reporting?** More information regarding the FFATA requirements for prime recipient and subaward reporting is available at www.USASpending.gov/sub-award-documents and at www.fsrs.gov.



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Washington, D.C. 20240



In Reply Refer To:
WSFR/AIM

[Recipient contact name and title]
[Recipient organization name]
[Recipient address]

Subject: Notice of Amendment [insert next sequential amendment #] to Financial Assistance Award
[enter original award DCN]

Dear Mr. /Ms. [recipient contact name],

Your organization's request for award amendment to U.S. Fish and Wildlife Service (USFWS) Award
[enter DCN] under CFDA # [enter CFDA and Title] is approved effective [enter date]. This award is
amended as follows:

[Enter specific details on the approved amendment(s):

If to extend the period of performance end date, sample text: The original performance and budget
period of this award has been changed to extend the end date from [insert current award end date] to
[insert new end date]. The new performance and budget period of this award is [enter award start date]
through [enter new end date].

If amendment is to supplement/augment, or otherwise modify the original scope of work, provide
specific details on the supplemental activities or on the modifications being made to the original
activities.

If amendment is to add funding, include details on how funds are to be used. Specify all new goals,
objectives, and/or activities to be conducted using the new funds.

If amendment does not include adding new funds, include the statement: this amendment is made at no
additional cost to the U.S. Government.]

This award is funded as follows: [Retain this section even if no new funds are added. Update as
appropriate to reflect new funding or change in Federal/Share recipient match. Break out award
amounts by amendment number. Insert new rows as needed to represent each previously made
amendment to add funds].

USFWS

Recipient

Amendment [insert #]:	\$0.00	\$0.00
Original Award:	\$0.00	\$0.00
Award Total:	\$0.00	\$0.00

[Revise or re-insert here any Federal share/recipient match requirements from original award.]

[Revise or re-insert here any program income use and reporting requirements from original award.]

Terms of Acceptance:

[If no changes are being made to the original award terms, conditions or provisions, insert the following text: All terms of acceptance and all standard or special conditions or provisions applicable to the original award are also applicable to, and are hereby incorporated by reference into, this amendment.]
 The default terms and conditions statement [edit as needed]:

Acceptance of a Federal Financial Assistance award from the Department of the Interior (DOI) carries with it the responsibility to be aware of and to comply with the terms and conditions of award per <http://www.doi.gov/pam/TermsandConditions.html>. Acceptance is defined as starting work, drawing down funds, or accepting the award via electronic means. Awards are based on the application submitted to and approved by the USFWS. Awards are subject to the terms and conditions incorporated either directly or by reference in the following:

- Program legislation, regulation, and provisions.
- Special terms and conditions
- Code of Federal Regulations(CFR)/Regulatory Requirements:
 - 2 CFR Part 25, Central Contractor Registration and Data Universal Numbering System
 - 2 CFR Part 170, Reporting Subawards and Executive Compensation
 - 2 CFR Part 1400, Government-wide Debarment and Suspension (Nonprocurement)
 - 2 CFR Part 175, Trafficking Victims Protection Act of 2000
 - 43 CFR 12(A), Administrative and Audit Requirements and Cost Principles for Assistance Programs
 - 43 CFR 12(C), Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Government
 - 43 CFR 12(F), Uniform Administrative Requirements for Grants and Cooperative Agreements with Institutions of Higher Education, Hospitals, other Non-Profit and Commercial Organizations (includes foreign recipients)
 - 43 CFR 43, Government-wide Requirements for a Drug-Free Workplace
 - 43 CFR 18, New Restrictions on Lobbying
 - 305 DM 3, Integrity of Scientific and Scholarly Activities

[If changes are being made to the original award terms, conditions or provisions, include details of the new or changed terms, conditions, provisions and then insert the following text: All other terms of acceptance and all standard or special conditions or provisions applicable to the original award remain unchanged and are also applicable to, and are hereby incorporated by reference into, this amendment.]

Special Conditions and Provisions:

Update or remove section, as needed.

Reporting Requirements:

[Enter any changes to the original award reporting requirements resulting from this amendment. Extensions of period of performance end date may change the reporting requirements provided in the original award. If so, complete this table:

Financial and Performance Report Periods:	Financial and Performance Report Due Dates:
Award signature date- [insert end of period]	[insert corresponding due date]

If none of the original reporting requirements have changed as a result of the amendment, enter: All reporting requirements as detailed in the original notice of award are also applicable to and are hereby incorporated by reference into this amendment].

Send all required reports to the USFWS Project Officer, identified below.

The USFWS Project Officer for this award is:	The Recipient Project Officer for this award is:
[Enter program PO name and title]	[Enter Recipient PO name and title]
[Enter complete mailing address]	[Enter complete mailing address]
Telephone: [enter phone number]	Telephone: [enter phone number]
Email: [enter email address]	Email: [enter email address]

Contact [insert USFWS Project Officer name] with any questions. Please include the USFWS document number assigned to this award in all written communications.

Sincerely,

Lori Bennett, Program Analyst
 Division of Administration and Information Management
 Wildlife and Sport Fish Restoration Program

FAPO Award Amendment Checklist

Fill in all fields. If field is not applicable, enter "0" (numerical/currency fields) or "N/A" (text fields).

Award Number (DCN): _____	Current Amendment #: _____	Current Award Total: _____
New Award Num (DCN): _____	Assign new number only if (de) obligating funds in FFS	Change Amount (use +/-): _____
Outstanding Balance (not paid to Recipient): _____		Amended Award Total: _____
Cost Code-ABC for funds to be (de) obligated by Pgm in FFS: _____		
Award Start Date: _____	Current Award End Date: _____	New Award End Date: _____
Recipient Name: _____		DUNS Number: _____
Project Title: _____		
CFDA Number: _____	CFDA Program Name: _____	
Program Contact: _____		Telephone: _____

Signature of Program Approver/Date

Signature of Funds Certifier/Date
(required only when increasing/decreasing funding)

Indicate the type of amendment to be made:	YES	N/A	NOTES
1. Extend period of performance ONLY.			
2. Increase funding (with or without time extension and/or scope of work supplementation/augmentation). If yes, complete the following:			
A. Select the request type category _____ (See <i>FAPO Award Amendment Instructions</i> for definitions)			
B. If outstanding balance is > \$0, was the original obligation made in IDEAS?			
C. If outstanding balance is > \$0, has the period of availability expired?			
3. Decrease funding (not a closeout action).			

Checklist items for amendment to increase/decrease funding ONLY:	YES	N/A	NOTES
Confirm if indirect costs were included on the proposed amendment budget.			
If yes, confirm that a copy of their submitted/approved indirect cost rate agreement proposal is attached.			

Checklist items for ALL amendments	YES	N/A	NOTES
1. Confirm if recipient is exempt from DUNS registration due to being either is an individual/a natural person, OR a foreign entity that does not already have a DUNS number and receiving funds in an amount less than \$25,000 for activities performed outside the United States.			
2. Confirm if recipient is exempt from CCR registration due to being either an individual/natural person, OR a foreign entity not already registered in CCR and receiving funds in an amount less than \$25,000 for activities performed outside the United States.			
3. Confirm that all required documentation as described in the FAPO Award Amendment Instructions is included in the award amendment package to be sent to FAPO Branch Chief.			

Approved :

Signature of FAPO Grants Management Analyst/Date

Post-Award The Additive Method



Application (SF-424)		Financial Report (SF-425)	
Federal	\$ 90,000	Total Expenditures	\$ 124,000
Applicant	30,000	Less: Program Income	(4,000)
Program Income	4,000	Adjusted Total Outlays	\$ 120,000
Total	\$ 124,000	Federal (75%)	\$ 90,000
		Applicant (25%)	\$ 30,000

Amount Obligated: \$90,000

All obligated funds are liquidated

Post-Award The Deductive Method



Application (SF-424)		Financial Report (SF-425)	
Federal	\$ 90,000	Total Expenditures	\$ 120,000
Applicant	30,000	Less: Program Income	(4,000)
Program Income	4,000	Adjusted Total Outlays	\$ 116,000
Total	\$ 120,000	Federal (75%)	\$ 87,000
		Applicant (25%)	\$ 29,000

Amount Obligated: \$90,000

Notice that \$3,000 of the obligation remains unliquidated

Post-Award Deductive - Misapplied Overmatch



Application (SF-424)		Financial Report (SF-425)	
Federal	\$ 90,000	Total Expenditures	\$ 160,000
Applicant	30,000	Less: Program Income	(4,000)
Program Income	4,000	Adjusted Total Outlays	\$ 156,000
Total	\$ 120,000	Federal (75%)	\$ 90,000
		Applicant (25%)	\$ 30,000
		Overmatch	\$ 36,000

Amount Obligated: \$90,000

Application (SF-424)		Financial Report (SF-425)	
Federal	\$ 90,000	Total Expenditures	\$ 160,000
Applicant	30,000	Less: Excess Allowable	<u>(40,000)</u>
Program Income	<u>4,000</u>	Adjusted Total Outlays	\$ 120,000
Total	\$ 120,000	Less: Program Income	<u>(4,000)</u>
		Adjusted Total Outlays	\$ 116,000
Amount Obligated: \$90,000		Federal (75%)	\$ 87,000
		Applicant (25%)	\$ 29,000
		Overmatch	\$ 40,000



Revised **8/16/2013**

Enter Name of Course:

Basic Financial Assistance Management Course

Enter Tab Number:

9

Handouts:

516FW1

516FW2

SF-425

Notes:

<p>Post Award: Reporting</p> 	
--	--

Post Award: Reporting

Objectives:

1. Identify reporting requirements.
2. Explain the ramifications of late reports.

<p>Post-Award: Reporting Required Reports</p>  <ul style="list-style-type: none"> ✦ Federal Financial Report (SF-425) <ul style="list-style-type: none"> ✦ Submitted via mail, email, or fax ✦ Signed by authorized representative (electronic OK) ✦ Performance Report <ul style="list-style-type: none"> ✦ Submitted via mail, email, or fax ✦ No standard form/format ✦ Required information 																													
<p>Post-Award: Reporting Frequency</p>  <ul style="list-style-type: none"> ✦ Interim reports <ul style="list-style-type: none"> ✦ Annual reports due 90 calendar days after 4 FULL fiscal quarters ✦ Semi-annual and quarterly reports due 30 days after report period end date ✦ Final report <ul style="list-style-type: none"> ✦ 90 calendar days after award end date 																													
<p>Post-Award: Reporting Annual interim report due dates</p>  <table border="1" data-bbox="251 846 597 1003"> <thead> <tr> <th>Project Start Date</th> <th>Period ends</th> <th>Report due by</th> </tr> </thead> <tbody> <tr><td>January 1</td><td>December 31</td><td>March 31</td></tr> <tr><td>January 2- March 31</td><td>March 31</td><td>June 29</td></tr> <tr><td>April 1</td><td>March 31</td><td>June 29</td></tr> <tr><td>April 2- June 30</td><td>June 30</td><td>September 28</td></tr> <tr><td>July 1</td><td>June 30</td><td>September 28</td></tr> <tr><td>July 2- September 30</td><td>September 30</td><td>December 29</td></tr> <tr><td>October 1</td><td>September 30</td><td>December 29</td></tr> <tr><td>October 2- December 31</td><td>December 31</td><td>March 31</td></tr> </tbody> </table>	Project Start Date	Period ends	Report due by	January 1	December 31	March 31	January 2- March 31	March 31	June 29	April 1	March 31	June 29	April 2- June 30	June 30	September 28	July 1	June 30	September 28	July 2- September 30	September 30	December 29	October 1	September 30	December 29	October 2- December 31	December 31	March 31		
Project Start Date	Period ends	Report due by																											
January 1	December 31	March 31																											
January 2- March 31	March 31	June 29																											
April 1	March 31	June 29																											
April 2- June 30	June 30	September 28																											
July 1	June 30	September 28																											
July 2- September 30	September 30	December 29																											
October 1	September 30	December 29																											
October 2- December 31	December 31	March 31																											
<p>Post-Award: Reporting Semiannual report due dates</p>  <table border="1" data-bbox="251 1125 597 1283"> <thead> <tr> <th>Project Start Date</th> <th>Period ends</th> <th>Report due by</th> </tr> </thead> <tbody> <tr><td>January 1</td><td>June 30</td><td>July 30</td></tr> <tr><td>January 2- March 31</td><td>September 30</td><td>October 30</td></tr> <tr><td>April 1</td><td>September 30</td><td>October 30</td></tr> <tr><td>April 2- June 30</td><td>December 31</td><td>January 30</td></tr> <tr><td>July 1</td><td>December 31</td><td>January 30</td></tr> <tr><td>July 2- September 30</td><td>March 31</td><td>April 30</td></tr> <tr><td>October 1</td><td>March 31</td><td>April 30</td></tr> <tr><td>October 2- December 31</td><td>June 30</td><td>July 30</td></tr> </tbody> </table>	Project Start Date	Period ends	Report due by	January 1	June 30	July 30	January 2- March 31	September 30	October 30	April 1	September 30	October 30	April 2- June 30	December 31	January 30	July 1	December 31	January 30	July 2- September 30	March 31	April 30	October 1	March 31	April 30	October 2- December 31	June 30	July 30		
Project Start Date	Period ends	Report due by																											
January 1	June 30	July 30																											
January 2- March 31	September 30	October 30																											
April 1	September 30	October 30																											
April 2- June 30	December 31	January 30																											
July 1	December 31	January 30																											
July 2- September 30	March 31	April 30																											
October 1	March 31	April 30																											
October 2- December 31	June 30	July 30																											
<p>Post-Award: Reporting Quarterly report due dates</p>  <table border="1" data-bbox="251 1409 597 1566"> <thead> <tr> <th>Project Start Date</th> <th>Period ends</th> <th>Report due by</th> </tr> </thead> <tbody> <tr><td>January 1</td><td>March 31</td><td>April 30</td></tr> <tr><td>January 2- March 31</td><td>June 30</td><td>July 30</td></tr> <tr><td>April 1</td><td>June 30</td><td>July 30</td></tr> <tr><td>April 2- June 30</td><td>September 30</td><td>October 30</td></tr> <tr><td>July 1</td><td>September 30</td><td>October 30</td></tr> <tr><td>July 2- September 30</td><td>December 31</td><td>January 30</td></tr> <tr><td>October 1</td><td>December 31</td><td>January 30</td></tr> <tr><td>October 2- December 31</td><td>March 31</td><td>April 30</td></tr> </tbody> </table>	Project Start Date	Period ends	Report due by	January 1	March 31	April 30	January 2- March 31	June 30	July 30	April 1	June 30	July 30	April 2- June 30	September 30	October 30	July 1	September 30	October 30	July 2- September 30	December 31	January 30	October 1	December 31	January 30	October 2- December 31	March 31	April 30		
Project Start Date	Period ends	Report due by																											
January 1	March 31	April 30																											
January 2- March 31	June 30	July 30																											
April 1	June 30	July 30																											
April 2- June 30	September 30	October 30																											
July 1	September 30	October 30																											
July 2- September 30	December 31	January 30																											
October 1	December 31	January 30																											
October 2- December 31	March 31	April 30																											
<p>Post-Award: Reporting Extensions</p>  <ul style="list-style-type: none"> ✦ May be requested for interim or final reports <ul style="list-style-type: none"> ✦ Request via letter, fax or email ✦ No later than one day before original due date ✦ Reason, revised due date, type of report ✦ If approved <ul style="list-style-type: none"> ✦ Issue extension in writing letter, fax or email ✦ Include possible non-compliance sanctions 																													

Federal Financial Report (SF 425)

- Hard copy, electronic (scanned or faxed).
- Signature of authorized representative (may be electronic).

[Copy of the SF-425 in back of this module](#)

Performance Report

- No standard or printed form.
 - Required information.
 - Submitted via paper or electronic format.
-

Frequency

- Annual, semi-annual, or quarter reporting periods.
 - Final reports 90 days after award close.
 - Due date extensions may be requested via letter, fax or email.
 - Approved extension via letter, fax or email
 - USFWS may approve one extension up to 90 days.
-

USFWS may require reports quarterly or more frequently under certain conditions. This will be clearly stated in pre-award, award or post-award.



516 FW 1,2 | 43 CFR 12.80-12.81 | 43 CFR 12.951-12.952

<p>Post-Award: Reporting Reporting Non-Compliance</p>  <ul style="list-style-type: none"> ✦ Reports overdue if not submitted <ul style="list-style-type: none"> ↳ Within 30 days for quarterly and semiannual interim reports ↳ Within 90 days for annual interim and final reports ↳ By approved extension date 	
<p>Post-Award: Reporting "The Penalty Box"</p>  <ul style="list-style-type: none"> ✦ Within 30 days of a late report, USFWS will: <ul style="list-style-type: none"> ↳ Notify Recipient that due date has passed ↳ Issue written warning stating non-compliance with award terms ↳ Require report be submitted within 10 calendar days or no further payments will be made and award will be suspended 	
<p>Post-Award: Reporting "The Penalty Box cont'd"</p>  <ul style="list-style-type: none"> ✦ No report or explanation by end of 10 day period? <ul style="list-style-type: none"> ↳ Award and payments suspended ↳ Report not submitted within 30 calendar days of suspension will result in termination and further awards withheld, without further notice 	

Remedies for Non-Compliance

No report received by due date?

- Notify recipient within 30 calendar days that due date has passed.
 - Inform recipient of possible non-compliance and sanctions.
 - Request immediate receipt of report within 10 calendar days, or award will be suspended, with a possible termination of award if not report is received 30 days from suspension, and
 - Further withholding of any other pending awards in affected Service program until all reports are received.

No report received by end of 10 calendar days?

- Suspend payments and obligations of affected award for 30 calendar days.
- Send notification to recipient of suspension.

The USFWS must immediately lift any suspensions upon receipt and approval of delinquent reports. Terminations, however, are final and cannot be reinstated.

516 FW 1.14 and 1.16

Report or explanation is not received after 30 day suspension?

- Convert suspension to termination.
- Withhold other pending awards
- Send notification to recipient of termination and suspension of future award obligations.



516 FW 1,2 | 43 CFR 12.83,12.962 | 2 CFR 215.62

<p>Post-Award: Reporting Performance Report Information</p>  <ul style="list-style-type: none">• Period objectives vs. actual accomplishments• Slippage? Why?• Cost overruns? Why?• Program-specific reporting requirements	
---	--

Performance Reports

There is no standard report format, but each report must include

- Comparison of actual accomplishments to the period's objectives.
- Whether or not the goals and objectives were met (Slippage), with explanation.
- When appropriate:
 - Analysis and explanation of cost overruns.
 - High unit costs.
- Program- or award-specific reporting requirements.
 - Examples include land acquisitions and research.

Reasons for Slippage may include

- Weather
- Permits
- Contractors
- Budget
- Key Personnel changes

 516 FW 2.9 | 43 CFR 12.80(2),12.951(d) | 2 CFR 215.51(d)

<p>Post-Award: Reporting Exercise: Reporting Requirements</p>  <p>BFA Workbook pg. 9-5</p> 	
---	--



Exercise: Reporting Requirements

1. Under FBMS how is the USFWS going to track report due dates?

[Milestones in FBMS](#)

2. Who is responsible for preparing and submitting the performance and financial reports?

[Recipient/subrecipient](#)

3. What are the ramifications to the USFWS if we fail to enforce the reporting requirements?

[DOI increases control over Service FA programs to ensure compliance](#)

Learning Points

Instructor Notes

Revised 9/6/13

--	--



Learning Points

- ✓ Financial and Performance reports have specific, required reporting periods.
- ✓ Performance reports have specific information requirements.
- ✓ There are consequences for not complying with reporting requirements.

**FISH AND WILDLIFE SERVICE
FEDERAL FINANCIAL ASSISTANCE**

Federal Financial Assistance Part 516 FWS Financial Assistance – Award Administration

Chapter 1 Financial Reporting for Grant and Cooperative Agreement Awards

516 FW 1

1.1 What is the purpose of this chapter?

A. This chapter provides the information U.S. Fish and Wildlife Service (Service) employees working with grant and cooperative agreement awards need so that we can:

- (1)** Record related expenses in the proper period,
- (2)** Monitor costs and progress in accomplishing goals and objectives of approved awards through recipients' timely submission of accurate and complete reports, and
- (3)** Close awards after receipt of accurate and complete reports.

B. The chapter also helps us to carry out:

- (1)** The Department of the Interior's (Department) Guidance Release 2009-04: Policy Regarding Financial Status Reporting Requirements Related to Grants and Cooperative Agreements, and
- (2)** The Office of Management and Budget's (OMB) 2008 requirement that all Federal awarding agencies use the *Federal Financial Report*, Standard Form (SF) 425. (Previously we used SF 269/269A and the *Report of Federal Cash Transactions*, SF 272/272A.)

1.2 What are the objectives and scope of this chapter?

A. Objectives: Our objectives are for Service staff to consistently communicate fiscal reporting requirements to applicants and award recipients and to make sure that these requirements are met.

B. Scope: This chapter covers all Service programs that award grants and cooperative agreements.

1.3 What are the authorities for this chapter?

A. Administrative and Audit Requirements and Cost Principles for Assistance Programs (43 CFR 12, specifically Subparts A, C, and F).

B. Cost Principles for Education Institutions (2 CFR 220).

C. Cost Principles for State, Local, and Indian Tribal Governments (2 CFR 225).

D. Cost Principles for Non-Profit Organizations (2 CFR 230).

E. Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations (2 CFR 215).

F. Financial Reporting for Grants and Cooperative Agreements: Federal Financial Report (Federal Register, Vol. 72, No. 235, December 7, 2007).

G. U.S. Department of the Interior Guidance Release 2009-04, Financial Status Reporting Requirements Related to Grants and Cooperative Agreements.

H. Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*).

I. Controlling Paperwork Burdens on the Public (5 CFR Part 1320).

**FISH AND WILDLIFE SERVICE
FEDERAL FINANCIAL ASSISTANCE**

Federal Financial Assistance Part 516 FWS Financial Assistance – Award Administration

Chapter 1 Financial Reporting for Grant and Cooperative Agreement Awards

516 FW 1

1.4 Who is responsible for financial reporting for Service grant and cooperative agreement awards?

Table 1 1: Responsibilities for Financial Reporting for Grant and Cooperative Agreement Awards	
These employees...	Are responsible for...
A. The Director	Making sure that the Service has effective policy in place for administering the Servicewide grant and cooperative agreement programs.
B. The Assistant Director – Wildlife and Sport Fish Restoration Program	<p>(1) Developing policy for the financial reporting requirements for programs that administer grant and cooperative agreement awards, and</p> <p>(2) Making sure that the program offices in the Regions and Headquarters have the information needed to manage the grants and cooperative agreements that they award.</p>
C. Directorate Members	<p>Making sure that the Service programs that award funds through grants and cooperative agreements comply with the this policy by:</p> <p>(1) Clearly stating financial reporting requirements in all applicable award notices and communications,</p> <p>(2) Monitoring those awards to track progress in accomplishing goals and objectives and compliance with the terms and conditions of the awards,</p> <p>(3) Making sure that recipients correct any noncompliance in a timely manner,</p> <p>(4) Deobligating any remaining funds and closing the award after receipt of final reports,</p> <p>(5) Properly documenting and maintaining award files, and</p> <p>(6) Complying with the OMB regulation to receive and maintain current information collection approval for all applicant and recipient documentation.</p>

1.5 Who must monitor recipients' financial reporting, and what does monitoring involve?

A. The Service program responsible for the administration of the awards must monitor the recipients' financial reporting.

B. Monitoring includes, but is not limited to:

(1) Tracking report due dates and report receipt dates in the Financial and Business Management System (FBMS) PRISM system through a Milestone Plan for each award,

(2) Reviewing reports for completeness and accuracy,

**FISH AND WILDLIFE SERVICE
FEDERAL FINANCIAL ASSISTANCE**

Federal Financial Assistance Part 516 FWS Financial Assistance – Award Administration

Chapter 1 Financial Reporting for Grant and Cooperative Agreement Awards

516 FW 1

- (3) Returning incomplete or inaccurate reports to the recipient within 30 calendar days of receipt with a clear written description of why the report is being returned,
- (4) Providing timely notice about and obtaining overdue reports with due concern for recipient rights and program needs (see section 1.13).
- (5) Maintaining documentation generated while monitoring submission of financial reports in the official award file, and
- (6) Using complete and accurate reports to determine whether or not the recipient met award requirements.

1.6 Does the Service require recipients to pass the reporting requirements in this chapter to sub-recipients? We do **not** require recipients to pass the reporting requirements in this chapter to sub-recipients. We do require the recipient to have a process to manage and track funds that pass to sub-recipients since the recipient must report these funds in the financial report.

1.7 What notice must the Service give applicants and recipients on financial reporting requirements? We must clearly state Federal financial reporting requirements in pre-award, award, and post-award notices. These notices must identify the required report formats, reporting frequency, and due dates and describe sanctions for noncompliance. We must obtain prior approval from OMB to:

- A. Collect information or documentation in addition to what is required on OMB-approved Standard Forms, or
- B. Use project- or program-specific reporting forms/formats.

1.8 What form does the Service require recipients to use for reporting the status of funds under an award?

A. We require recipients to report on the status of funds using:

(1) A printed SF 425, *Federal Financial Report*, with the date and signature of the recipient's authorized representative;

(2) A printed SF 425 with the representative's signature and date affixed by stamp or other mechanical means if the instrument used is:

- (a) In the signer's general possession and control,
- (b) Applied by the signer or by another with the signer's authority, and
- (c) Intended by the signer to constitute his/her signature.

(3) An electronically submitted scanned or faxed copy of (1) or (2), or

(4) An electronically completed SF 425 with an electronic date and signature of the recipient's authorized representative.

B. We may require recipients to report additional financial information specific to the awarding program as long as OMB has approved the requirements.

**FISH AND WILDLIFE SERVICE
FEDERAL FINANCIAL ASSISTANCE**

Federal Financial Assistance Part 516 FWS Financial Assistance – Award Administration

Chapter 1 Financial Reporting for Grant and Cooperative Agreement Awards

516 FW 1

1.9 What are the requirements for the frequency of financial reporting?

A. We require recipients to send us final reports for all awards no later than 90 calendar days after the award period or termination of award support, whichever comes first (see section 1.11 for information about waivers of these requirements).

B. We also require recipients to send us interim financial reports for awards that last longer than four full quarters (12 months). We may require recipients to submit these reports annually, semiannually, or quarterly (see below).

(1) Annually: The annual reporting period is dependent on the award’s performance start date. We must receive annual interim financial reports no later than 90 calendar days after the annual interim report end date. Table 1-2 shows the schedule:

Table 1 2: Schedule for Annual Interim Financial Reports		
Award Performance Start Date	Annual Interim Report End Date	Annual Interim Report Due Date (90 days after report end date)
January 1	December 31	March 31
January 2- March 31	March 31	June 29
April 1	March 31	June 29
April 2- June 30	June 30	September 28
July 1	June 30	September 28
July 2- September 30	September 30	December 29
October 1	September 30	December 29
October 2 – December 31	December 31	March 31

(2) Semiannually: The semiannual interim reporting period always ends December 31, March 31, June 30, or September 30. We must receive semiannual interim financial reports no later than 30 calendar days after the last day of each semiannual interim reporting period. Table 1-3 shows the schedule:

Table 1 3: Schedule for Semiannual Interim Financial Reports		
Award Performance Start Date	Semiannual Interim Report End Date	Semiannual Interim Report Due Date (30 days after report end date)
January 1	June 30	July 30

**FISH AND WILDLIFE SERVICE
FEDERAL FINANCIAL ASSISTANCE**

Federal Financial Assistance Part 516 FWS Financial Assistance – Award Administration

Chapter 1 Financial Reporting for Grant and Cooperative Agreement Awards

516 FW 1

Table 1 3: Schedule for Semiannual Interim Financial Reports		
Award Performance Start Date	Semiannual Interim Report End Date	Semiannual Interim Report Due Date (30 days after report end date)
January 2- March 31	September 30	October 30
April 1	September 30	October 30
April 2- June 30	December 31	January 30
July 1	December 31	January 30
July 2- September 30	March 31	April 30
October 1	March 31	April 30
October 2 – December 31	June 30	July 30

(3) Quarterly: The quarterly interim reporting period always ends December 31, March 31, June 30, or September 30. We must receive quarterly interim reports no later than 30 calendar days after the last day of each quarterly interim reporting period. Table 1-4 shows the schedule:

Table 1 4: Schedule for Quarterly Interim Financial Reports		
Award Performance Start Date	Quarterly Interim Report End Date	Quarterly Interim Report Due Date (30 days after report end date)
January 1	March 31	April 30
January 2- March 31	June 30	July 30
April 1	June 30	July 30
April 2- June 30	September 30	October 30
July 1	September 30	October 30
July 2- September 30	December 31	January 30
October 1	December 31	January 30
October 2 – December 31	March 31	April 30

**FISH AND WILDLIFE SERVICE
FEDERAL FINANCIAL ASSISTANCE**

Federal Financial Assistance Part 516 FWS Financial Assistance – Award Administration
Chapter 1 Financial Reporting for Grant and Cooperative Agreement Awards 516 FW 1

1.10 May the Service require interim financial reports more frequently than quarterly?

A. Yes. We may require reports more frequently than quarterly if the recipient:

- (1) Has a history of poor performance,
- (2) Is not financially stable,
- (3) Has a management system that does not meet the standards that the regulations applicable to the award require,
- (4) Has not conformed to the terms and conditions of a previous award,
- (5) Is not otherwise responsible, or
- (6) Receives advances totaling \$1 million or more each year. This condition is only applicable to the submission of financial reports by State, tribal, and local governments.

B. Before we may require more frequent reports, we must notify the recipient by letter, fax, or email and explain the:

- (1) Nature of the additional requirements,
- (2) Reason for the additional requirements,
- (3) Nature of the corrective action needed,
- (4) Time allowed for completing the corrective action, and
- (5) Procedure for requesting reconsideration of the additional requirements.

C. As soon as a recipient corrects any condition(s) that require additional reporting, we must immediately remove the additional requirements and notify the recipient by letter, fax, or email.

1.11 What reporting requirements may the Service waive and what are the procedures for waiving them?

A. Final reports: We may not waive final reports.

B. Annual interim financial reports: We may waive annual interim financial reports from a recipient who is exempt or waived from using the U.S. Treasury's Automated Standard Application for Payments (ASAP) system because they submit an SF 270, *Request for Advance or Reimbursement*, or an SF 271, *Outlay Report and Request for Reimbursement for Construction Programs* when requesting payments.

1.12 May the Service extend the due date of financial reports?

A. We may extend the due date of a financial report if we receive a request through a letter, fax, or email **no later than 1 day before** the original due date of the report. The request must identify:

- (1) The type of report for which the recipient requests an extension,
- (2) The requested revised due date, and

**FISH AND WILDLIFE SERVICE
FEDERAL FINANCIAL ASSISTANCE**

Federal Financial Assistance Part 516 FWS Financial Assistance – Award Administration

Chapter 1 Financial Reporting for Grant and Cooperative Agreement Awards

516 FW 1

(3) A justification for the extension.

B. The maximum extension we may approve is 90 days, unless a longer period is justified by a catastrophe that significantly impairs the recipient's operations.

C. We must notify the recipient by letter, fax, or email if we approve a request for extension of the due date of a report.

D. We must also keep extension requests and the final decision on these requests on file.

1.13 What happens if the Service does not receive a required financial report by the due date or agreed-upon extension date?

A. If we do not receive a required financial report by the due date or agreed-upon extension date, we must issue a letter, fax, or email notice of noncompliance (with appropriate return receipt) as soon as practical, but no later than 30 calendar days after the due date or agreed-upon extension date has passed. The noncompliance notice must state:

(1) The recipient is noncompliant with the Federal financial reporting terms of the award;

(2) Unless we receive the required report within the next 10 calendar days of the recipient's receipt of the overdue report notice, we will make no further obligations and payments on the award and we will suspend the award until we receive all reports;

(3) We reserve the right, without further notice, to convert the suspension to a termination of the award if we do not receive the required report within 30 calendar days of the recipient's receipt of the suspension notice; and

(4) We will withhold any other pending awards that the affected Service program would make to the recipient until we receive the overdue report.

B. If within 10 calendar days of the recipient's receipt of the overdue report notice we still do not receive the financial report or an acceptable explanation for its tardiness, we must:

(1) Suspend payments and additional obligations for the financial assistance award for 30 calendar days, and

(2) Send a suspension notice to the recipient of this action.

C. If within 30 calendar days of the recipient's receipt of the suspension notice we still do not receive the financial report or an acceptable explanation for its tardiness, we must:

(1) Convert the suspension or sanction(s) to a termination,

(2) Withhold any other pending awards that the affected Service program would make to the recipient until we receive all required reports, and

(3) Send a termination notice to the recipient of this action.

1.14 May the Service waive the termination of an award? No. We may not waive a termination. Once we terminate an award, we may not reinstate it.

**FISH AND WILDLIFE SERVICE
FEDERAL FINANCIAL ASSISTANCE**

Federal Financial Assistance Part 516 FWS Financial Assistance – Award Administration
Chapter 1 Financial Reporting for Grant and Cooperative Agreement Awards 516 FW 1

1.15 If, during a period of suspension or termination, a recipient incurs costs authorized under an award, are the costs allowable and eligible for reimbursement? We may, after careful consideration, allow reimbursement of allowable and eligible costs during a suspension or termination only if:

- A.** The costs cannot be reasonably avoided;
- B.** The costs were from obligations made by the recipient before the suspension or termination action and not in anticipation of either action. For terminations, the costs must be the type that the recipient could not cancel;
- C.** The costs would have been allowable if the award were not suspended or terminated; and
- D.** We notify the recipient (with appropriate return receipt) through mail, fax, or email that we authorize reimbursement of those costs.

1.16 What happens when the Service receives and approves a required report from a recipient who was suspended?

- A.** Once we receive the required financial report and verify that it is complete and accurate, we must immediately lift all suspensions we imposed on the recipient.
- B.** We must notify the recipient (with appropriate return receipt) through mail, fax, or email that we have lifted the suspension.

/sgd/ Rowan W. Gould
DEPUTY DIRECTOR

Date: March 18, 2013

**FISH AND WILDLIFE SERVICE
FEDERAL FINANCIAL ASSISTANCE**

Federal Financial Assistance Part 516 FWS Financial Assistance – Award Administration

Chapter 2 Performance Reporting for Grant and Cooperative Agreement Awards 516 FW 2

2.1 What is the purpose of this chapter? This chapter provides the information U.S. Fish and Wildlife Service (Service) employees working with grant and cooperative agreement awards need so that we can:

- A. Monitor progress in accomplishing goals and objectives of approved awards through recipients' timely submission of accurate and complete performance reports, and
- B. Close awards after receipt of accurate and complete performance reports.

2.2 What are the objectives and scope of this chapter?

A. Objectives: Our objectives are for Service staff to consistently communicate performance reporting requirements to applicants and award recipients and to make sure that these requirements are met.

B. Scope: This chapter covers all Service programs that award grants and cooperative agreements.

2.3 What are the authorities for this chapter?

A. Administrative and Audit Requirements and Cost Principles for Assistance Programs (43 CFR 12, specifically Subparts A, C, and F).

B. Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*).

C. Controlling Paperwork Burdens on the Public (5 CFR Part 1320).

2.4 Who is responsible for performance reporting for Service grant and cooperative agreement awards?

Table 2 1: Responsibilities for Performance Reporting for Grant and Cooperative Agreement Awards	
These employees...	Are responsible for...
A. The Director	Making sure that the Service has effective policy in place for administering the Servicewide grant and cooperative agreement programs.
B. The Assistant Director – Wildlife and Sport Fish Restoration Program	<p>(1) Developing policy for performance reporting requirements for programs that administer grant and cooperative agreement awards, and</p> <p>(2) Making sure that the program offices in the Regions and Headquarters have the information needed to manage the grants and cooperative agreements that they award.</p>
C. Directorate Members	<p>Making sure that the Service programs that award funds through grants and cooperative agreements comply with this policy by:</p> <p>(1) Clearly stating performance reporting requirements in all applicable award notices and communication,</p> <p>(2) Monitoring those awards to track progress in accomplishing goals and objectives and compliance with the terms and conditions of the awards,</p> <p>(3) Making sure that recipients correct any noncompliance in a timely</p>

**FISH AND WILDLIFE SERVICE
FEDERAL FINANCIAL ASSISTANCE**

Federal Financial Assistance Part 516 FWS Financial Assistance – Award Administration

Chapter 2 Performance Reporting for Grant and Cooperative Agreement Awards 516 FW 2

Table 2 1: Responsibilities for Performance Reporting for Grant and Cooperative Agreement Awards	
These employees...	Are responsible for...
	<p>manner,</p> <p>(4) Deobligating any remaining funds and closing the award after receipt of final reports,</p> <p>(5) Properly documenting and maintaining award files, and</p> <p>(6) Complying with the Office of Management and Budget (OMB) regulation to receive and maintain current information collection approval for all applicant and recipient documentation.</p>

2.5 Who must monitor recipients' performance reporting, and what does monitoring involve?

A. The Service program responsible for the administration of the awards must monitor the recipients' performance reporting.

B. Monitoring includes, but is not limited to:

- (1)** Tracking report due dates and report receipt dates in the Financial and Business Management System (FBMS) PRISM system through a Milestone Plan for each award,
- (2)** Reviewing reports for completeness and accuracy,
- (3)** Returning incomplete or inaccurate reports to the recipient within 30 calendar days of receipt with a clear written description of why the report is being returned,
- (4)** Providing timely notice about and obtaining overdue reports with due concern for recipient rights and program needs (see section 2.18),
- (5)** Maintaining documentation generated while monitoring submission of performance reports in the official award file, and
- (6)** Using complete and accurate reports to determine whether or not the recipient met award requirements.

2.6 Does the Service require recipients to pass the reporting requirements in this chapter to sub-recipients? We do **not** require recipients to pass the reporting requirements in this chapter to sub-recipients. The recipient is responsible for meeting the award requirements and may require their sub-recipients to submit performance reports to monitor award progress.

2.7 What notice must the Service give applicants and recipients on performance reporting requirements? We must clearly state Federal performance reporting requirements in pre-award, award, and post-award notices. These notices must identify required report formats, reporting frequency, and due dates and describe sanctions for noncompliance.

**FISH AND WILDLIFE SERVICE
FEDERAL FINANCIAL ASSISTANCE**

Federal Financial Assistance Part 516 FWS Financial Assistance – Award Administration

Chapter 2 Performance Reporting for Grant and Cooperative Agreement Awards 516 FW 2

2.8 What are the requirements for collecting information from applicants and recipients of financial assistance programs?

A. The Paperwork Reduction Act requires that when a Federal agency collects information, those collections must minimize duplication and burden on the public, have practical utility, and support the proper performance of the agency's mission. OMB must review and approve the collection of the following types of information from applicants and recipients (see 5 CFR 1320):

- (1)** Application project and budget narratives and any other required documentation other than that found on Governmentwide-approved application forms (Standard Form (SF) 424 "Family");
- (2)** Program-specific application forms;
- (3)** Recipient technical/progress/performance reporting;
- (4)** Any other program or project-specific reporting required other than the information on SF-425 (*Federal Financial Report*), SF 270 (*Request for Advance or Reimbursement*), and SF 271 (*Outlay Report and Request for Reimbursement for Construction Programs*); and
- (5)** Revisions to project and budget narratives and written requests required prior to award amendment other than that found on Governmentwide-approved application forms (SF 424 Family).

B. The Service financial assistance programs that OMB has already approved are posted on www.reginfo.gov.

C. Contact the Service Information Collection Clearance Officer in the Division of Policy and Directives Management for guidance on obtaining OMB approval to collect information from financial assistance applicants and recipients.

2.9 If a program does not have OMB information collection clearance, are the recipients exempt from submitting performance reports? No. Regulations (43 CFR Part 12) require financial assistance recipients to submit performance and other types of award reporting. However, the Paperwork Reduction Act and OMB regulations state that we cannot penalize a recipient with the consequences listed in sections 2.18 to 2.21 if OMB has not approved the collection of information. It is important to immediately seek OMB approval for the collection of information associated with applications and recipient reporting requirements. A Service program that fails to obtain required performance reports from a recipient is violating this reporting policy and will have to develop an action plan to correct the violation.

2.10 Can the Service exempt a recipient from performance reporting if he or she is an individual who receives a grant or cooperative agreement award from the Service separate from a business or non-profit organization he/she may operate? Yes, but only if the awarding program has another way of monitoring the award at least annually and documenting progress as part of the file. The program must enter a Milestone Plan in FBMS that reflects the program's monitoring schedule (see section 2.5B(1)).

2.11 What format does the Service require recipients to use for reporting performance? Recipients may submit performance reports in paper or electronic format. We do not require that they use a Federal form. See section 2.8 for OMB requirements for information collection.

2.12 What information must we require recipients to include in performance reports? We must require the following information in performance reports:

**FISH AND WILDLIFE SERVICE
FEDERAL FINANCIAL ASSISTANCE**

Federal Financial Assistance Part 516 FWS Financial Assistance – Award Administration

Chapter 2 Performance Reporting for Grant and Cooperative Agreement Awards 516 FW 2

- A. A comparison of actual accomplishments to the goals and objectives established for the reporting period, the results/findings, or both;
- B. If the goals and objectives were not met, the reasons why;
- C. Other important information including, when appropriate, analysis and explanation of cost overruns or high unit costs compared to the benefit received to reach an objective; and
- D. Any additional requirements specified in program legislation.

2.13 What are the requirements for the frequency of performance reporting?

A. We require recipients to send us final reports for all awards no later than 90 calendar days after the award period or termination of award support, whichever comes first.

B. We require recipients to send us interim performance reports for awards that last longer than four full quarters (12 months). Depending on the awarding program, we may require recipients to submit these reports annually, semiannually, or quarterly.

(1) Annually: The annual reporting period is dependent on the award’s performance start date. We must receive annual interim performance reports no later than 90 calendar days after the annual interim report end date. Table 2-2 shows the schedule:

Table 2 2: Schedule for Annual Interim Performance Reports		
Award Performance Start Date	Annual Interim Report End Date	Annual Interim Report Due Date (90 days after report end date)
January 1	December 31	March 31
January 2- March 31	March 31	June 29
April 1	March 31	June 29
April 2- June 30	June 30	September 28
July 1	June 30	September 28
July 2- September 30	September 30	December 29
October 1	September 30	December 29
October 2 – December 31	December 31	March 31

(2) Semiannually: The semiannual interim reporting period always ends December 31, March 31, June 30, or September 30. We must receive semiannual interim performance reports no later than 30 calendar days after the last day of each semiannual interim reporting period. Table 2-3 shows the schedule:

**FISH AND WILDLIFE SERVICE
FEDERAL FINANCIAL ASSISTANCE**

Federal Financial Assistance Part 516 FWS Financial Assistance – Award Administration

Chapter 2 Performance Reporting for Grant and Cooperative Agreement Awards 516 FW 2

Table 2 3: Schedule for Semiannual Interim Performance Reports		
Award Performance Start Date	Semiannual Interim Report End Date	Semiannual Interim Report Due Date (30 days after report end date)
January 1	June 30	July 30
January 2- March 31	September 30	October 30
April 1	September 30	October 30
April 2- June 30	December 31	January 30
July 1	December 31	January 30
July 2- September 30	March 31	April 30
October 1	March 31	April 30
October 2 – December 31	June 30	July 30

(3) Quarterly: The quarterly interim reporting period always ends December 31, March 31, June 30, or September 30. We must receive quarterly interim reports no later than 30 calendar days after the last day of each quarterly interim reporting period. Table 2-4 shows the schedule:

Table 2 4: Schedule for Quarterly Interim Performance Reports		
Award Performance Start Date	Quarterly Interim Report End Date	Quarterly Interim Report Due Date (30 days after report end date)
January 1	March 31	April 30
January 2- March 31	June 30	July 30
April 1	June 30	July 30
April 2- June 30	September 30	October 30
July 1	September 30	October 30
July 2- September 30	December 31	January 30
October 1	December 31	January 30
October 2 – December 31	March 31	April 30

**FISH AND WILDLIFE SERVICE
FEDERAL FINANCIAL ASSISTANCE**

Federal Financial Assistance Part 516 FWS Financial Assistance – Award Administration
Chapter 2 Performance Reporting for Grant and Cooperative Agreement Awards 516 FW 2

2.14 May the Service allow the recipient to use alternate due dates from those on the reporting schedules above? Yes, we may allow the recipient to use alternate due dates if we obtain a valid justification for changing the date and make sure that the suggested date(s) allows for reporting progress at least annually. We must include the recipient's request in the award file and specify the approved new interim report date(s) in the notice of award.

2.15 May the Service require interim performance reports more frequently than quarterly?

A. Yes. We may require reports more frequently than quarterly if the recipient:

- (1) Has a history of poor performance,
- (2) Is not financially stable,
- (3) Has a management system that does not meet the standards that the regulations applicable to the award require,
- (4) Has not conformed to the terms and conditions of a previous award, or
- (5) Is not otherwise responsible.

B. Before we may require more frequent reports, we must notify the recipient by letter, fax, or email and explain the:

- (1) Nature of the additional requirements,
- (2) Reason for the additional requirements,
- (3) Nature of the corrective action needed,
- (4) Time allowed for completing the corrective action, and
- (5) Procedure for requesting reconsideration of the additional requirements.

C. As soon as a recipient corrects any condition(s) that require additional reporting, we must immediately remove the additional requirements and notify the recipient by letter, fax, or email.

2.16 Can the Service waive performance reporting requirements? We may not waive final or interim performance reports for recipients unless they are exempt from providing performance reports (see section 2.10). Even if a performance report is for a multiyear award and there was no activity during the reporting period, we may not waive the report. Instead, the recipient should provide a brief annual interim performance report to document the inactivity and the reasons for it.

2.17 May the Service extend the due date of performance reports?

A. We may extend the due date of a performance report if we receive a request through a letter, fax, or email **no later than 1 day before** the original due date of the report. The request must identify:

- (1) The type of report for which the recipient requests an extension,
- (2) The requested revised due date, and
- (3) A justification for the extension.

**FISH AND WILDLIFE SERVICE
FEDERAL FINANCIAL ASSISTANCE**

Federal Financial Assistance Part 516 FWS Financial Assistance – Award Administration

Chapter 2 Performance Reporting for Grant and Cooperative Agreement Awards 516 FW 2

B. The maximum extension we may approve is 90 days, unless a longer period is justified by a catastrophe that significantly impairs the recipient's operations.

C. We must notify the recipient by letter, fax, or email if we approve a request for extension of the due date of a report.

D. We must also keep extension requests and the final decision on these requests on file.

2.18 What happens if the Service does not receive a required performance report by the due date or agreed-upon extension date?

A. If we do not receive a required performance report by the due date or agreed-upon extension date, we must issue a letter, fax, or email notice of noncompliance (with appropriate return receipt) as soon as practical, but no later than 30 calendar days after the due date or agreed-upon extension date has passed. The noncompliance notice must state:

- (1)** The recipient is noncompliant with the Federal performance reporting terms of the award;
- (2)** Unless we receive the required report within the next 10 calendar days of the recipient's receipt of the overdue report notice, we will make no further obligations and payments on the award and we will suspend the award until we receive all reports;
- (3)** We reserve the right, without further notice, to convert the suspension to a termination of the award if we do not receive the required report within 30 calendar days of the recipient's receipt of the suspension notice; and
- (4)** We will withhold any other pending awards that the affected Service program would make to the recipient until we receive the overdue report.

B. If within 10 calendar days of the recipient's receipt of the overdue report notice we still do not receive the performance report or an acceptable explanation for its tardiness, we must:

- (1)** Suspend payments and additional obligations for the financial assistance award for 30 calendar days, and
- (2)** Send a suspension notice to the recipient of this action.

C. If within 30 calendar days of the recipient's receipt of the suspension notice we still do not receive the performance report or an acceptable explanation for its tardiness, we must:

- (1)** Convert the suspension or sanction(s) to a termination,
- (2)** Withhold any other pending awards that the affected Service program would make to the recipient until we receive all required reports, and
- (3)** Send a termination notice to the recipient of this action.

2.19 May the Service waive the termination of an award? No. We may not waive a termination. Once we terminate an award, we may not reinstate it.

**FISH AND WILDLIFE SERVICE
FEDERAL FINANCIAL ASSISTANCE**

Federal Financial Assistance Part 516 FWS Financial Assistance – Award Administration

Chapter 2 Performance Reporting for Grant and Cooperative Agreement Awards 516 FW 2

2.20 If, during a period of suspension or termination, a recipient incurs costs authorized under an award, are the costs allowable and eligible for reimbursement? We may, after careful consideration, allow reimbursement of allowable and eligible costs during a suspension or termination only if:

- A.** The costs cannot be reasonably avoided;
- B.** The costs were from obligations made by the recipient before the suspension or termination action and not in anticipation of either action. For terminations, the costs must be the type that the recipient could not cancel;
- C.** The costs would have been allowable if the award were not suspended or terminated; and
- D.** We notify the recipient (with appropriate return receipt) through mail, fax, or email that we authorize reimbursement of those costs.

2.21 What happens when the Services receives and approves a required report from a recipient who was suspended?

- A.** Once we receive the required performance report and verify that it is complete and accurate, we must immediately lift all suspensions we imposed on the recipient.
- B.** We must notify the recipient (with appropriate return receipt) through mail, fax, or email that we have lifted the suspension.

/sgd/ Rowan W. Gould
DEPUTY DIRECTOR

Date: March 28, 2013

Revised **8/15/2013**

Enter Name of Course:

Basic Financial Assistance Management Course

Enter Tab Number:

10

Handouts

FWS Financial Assistance Award CLOSEOUT Checklist

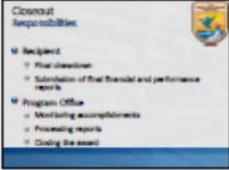
Washington Post article on zero-balance accounts

 A slide titled "Closeout" with a logo on the right side. The logo features a shield with a yellow background, a blue border, and a blue fish-like shape at the bottom. The word "Closeout" is written in a small, black font on the left side of the slide.		
---	--	--

Award Closure

Objectives:

1. Describe the actions and documentation that initiate award closure.
2. Determine disposition of remaining award funds.
3. Describe the communication and people involved in award closure.

 <p>Award Closure Responsibilities</p> <ul style="list-style-type: none">Recipient<ul style="list-style-type: none">Finalize awardSubmission of final financial and performance reportsProgram Office<ul style="list-style-type: none">Monitoring accomplishmentsProcessing reportsClosing the award		
---	--	--

Award Closure Process

The Recipient must submit a:

- 1. Final Payment Request
- 2. Performance Report
- 3. Federal Financial Form (SF-425)

DOI requires at least one copy of final publications produced under financial assistance be sent to the National Resource Library.

-481 DM 4

The Program Office is responsible for:

- 1. Monitoring accomplishments (performance reports, site visits, etc.).
- 2. Processing the Federal Financial Report (SF-425).
- 3. Closing the award.

See Handout BFA 10-1 (back of Tab 10) for the FWS Financial Assistance Award CLOSEOUT Checklist.

--	--



Learning Points

- ✓ Award closure is initiated by submitting the final financial and performance reports.
- ✓ Submission and acceptance of final financial report closes the award and disposes of unused funds.
- ✓ Award accomplishments are tracked using the information provided in the performance and financial reports.

FWS Financial Assistance Award CLOSEOUT Checklist

Award Number (DCN): _____

Recipient Name: _____

Actions		YES	N/A	NOTES
1.	Was the final technical/performance report (and any other expected products) received, reviewed, and found acceptable?			
2.	Was the final SF-425 (Federal Financial Report) received, reviewed, and found acceptable? <ul style="list-style-type: none"> • Did recipient refund the FWS for any unencumbered cash advances? • Were mandated recipient cost-sharing or matching commitments met? • Have all authorized adjustments, including final indirect cost rates and Federal share amounts, been settled? • Did the recipient use and report program income in accordance with the program income option specified in the award? • Were SF-425 totals reconciled with the financial system? 			
3.	Were any undisbursed funds no longer needed for the project deobligated?			
4.	For real property purchased/provided with Federal funds under this award, has the recipient submitted all relevant documentation as required/specified in the award (may include, but is not limited to: land acquisition closing, inventory report, and/or notice of record or lien), and were written disposition instructions provided to the recipient?			
5.	For equipment provided/purchased with Federal funds under this award, were written disposition/transfer instructions provided to the recipient?			
6.	Were any unused or residual supplies inventory (i.e., purchased with Federal funds and in aggregate exceed \$5,000) transferred to another Federally sponsored project, or was FWS compensated for its share?			
7.	Has the recipient submitted an invention disclosure, and has FWS provided written instructions to the recipient on title, election, patent, and utilization reporting responsibilities as required by the Bayh-Dole Act?			
8.	Is the official award file complete* and on file in the program office?			

*** The following documents, as applicable, must be maintained in the official award file:**

- ✓ Copy of Notice of Intent justifying posting funding opportunity on Grants.gov as single source (per 505 DM 2.14)
- ✓ Written justification (as per 505 DM 2.12) for not posting funding opportunity & application package on Grants.gov (if applicable to entire program, single copy can be maintained at program/funding opportunity level)
- ✓ Final, signed new and amendment application forms (e.g., SF-424 and others) and attachments (e.g., narratives, Negotiated Indirect Cost Rate agreement, other)
- ✓ Evidence that recipient has not been debarred or suspended and is eligible to manage Federal funds. Print screen of EPLS query from Excluded Parties List (<https://www.epls.gov>) is sufficient.
- ✓ Evidence that recipient is current, i.e., Single Audit reports for previous 2 FYs ago, in submitting to Federal Audit Clearinghouse. This requirement applies to recipients expending \$500K or more in Federal funds in a fiscal year. Print screen of query from the Federal Audit Clearinghouse- <http://harvester.census.gov/sac-is> sufficient.
- ✓ Documentation of CCR registration exceptions
- ✓ Evidence that recipient met all program-specific pre- and post-award compliance requirements (e.g, NEPA, ESA Section 7, NHPA, other)
- ✓ Documentation supporting high risk recipient determination
- ✓ Copies of signed award and amendment letters
- ✓ Documentation of any payment/performance issues or any other unique situation impacting project progress and/or requiring FWS/Recipient action to correct or resolve
- ✓ Copy of any other product resulting from project
- ✓ Site visit reports and any other written evaluation of performance, including any relevant audit reports
- ✓ Copy of real property, equipment, and/or supplies disposition instructions
- ✓ Completed FWS Financial Assistance Award Closeout Checklist
- ✓ Any other program or project-specific documentation required to complete the award record

The appropriate FWS employee(s) completed all actions required to prepare this award for closeout. This award is hereby closed.

_____ FWS Program Representative

_____ Date

The Washington Post

[Back to previous page](#)

Feds spend at least \$890,000 on fees for empty accounts

By [David A. Fahrenthold](#), Published: April 24

If you are a federal worker on furlough this week — or an airline passenger delayed by federal furloughs — you might want to save your blood pressure and go read another story.

This one is about all the money the U.S. government spends on . . . nothing.

It is one of the oddest spending habits in Washington: This year, the government will spend at least \$890,000 on service fees for bank accounts that are empty. At last count, Uncle Sam has 13,712 such accounts with a balance of zero.

They are supposed to be closed. But nobody has done the paperwork yet.

So even as the sequester budget cuts have begun idling workers and frustrating travelers, the government is required to pay \$65 per year, per account to keep them on the books.

In this time of austerity, the accounts are a reminder of something that makes austerity hard: expensive habits, built into the bureaucracy in times of plenty. The Obama administration has spent the past year trying to close these accounts, with only some success.

“If anyone had kept open a bank account with no money, and was getting a charge every month, they would do everything they could to close it,” said Thomas A. Schatz of the watchdog group [Citizens Against Government Waste](#). But, he said, the government hasn’t shown the same kind of urgency with taxpayers’ money.

“It’s just lack of attention to detail. And poor management,” he said. “And, clearly, the fact that no one gets penalized for paying money to keep the accounts open.”

The money spent on the empty accounts is a tiny fraction of the federal budget. But, in its own way, it is something special: Washington’s waste, a rare specimen of cost untainted by any reward.

The Pentagon once paid [\\$435 for a hammer](#), after all. But at least in that case it got a hammer.

Here, when the money is spent, “there’s no benefit whatsoever,” said [Sen. Tom Coburn \(R-Okla.\)](#), who has joined [Sen. Thomas R. Carper \(D-Del.\)](#) in [pushing](#) the Obama administration to close these accounts faster.

Administration officials said they’re trying. Last year, the [Office of Management and Budget](#) urged agencies to crack down on these “zero balance” accounts. And this year, [it proposed](#) a wide-scale push for better oversight.

“We have worked with agencies to improve the timely closeout of grants,” [Danny Werfel](#), the controller at the [OMB](#), said in an e-mail. “Agencies have made noteworthy progress so far, with the number of zero-balance accounts falling by more than 50 percent since the end of fiscal year 2011.” Back then, the total was more than 28,000.

Here is how the government winds up spending money on nothing:

First, a federal agency gives a grant. It doesn't just write a check; it creates an account within a large, government-run depository. The grantee can draw money from it. The agency that created the account is charged a monthly fee, which goes to the government depository and is used to cover the costs of operating it.

Then, at some point, it's over. The money runs out. Or the grant's time limit expires. The agency is given notice: It's time to close the account.

But that takes work. An agency is first required to audit the account, to make sure the money was spent properly. (In rare cases, some money is returned to the grantee and the dead account comes alive again.) That's generally supposed to happen within 180 days. If it doesn't happen, however, there is no formal consequence. So sometimes it doesn't happen. OMB officials say some grants, such as those involving homeland security and complex building projects, could require unusually long audits.

"Construction grants, as another example, may require additional time for grantees to consolidate and submit invoicing information from multiple parties to meet agency close-out reporting requirements," Werfel said in testimony prepared for Congress.

Right now, about 7 percent of the 202,000 government grant accounts are devoid of money. These sit on the books, costing about \$5.42 per month. The service fees are the same, whether an account is full or empty.

Last year, the [Government Accountability Office](#) found that all that nothing was costing about \$2.1 million a year.

"Agencies paying fees for expired accounts with [a] zero dollar balance are paying for services that are not needed," [the watchdog agency noted](#).

Around Washington, there are plenty of problems like this one — old bugs, built into the machine of government, that make spending money seem easier than saving it. Things such as [the red tape that delays the sale of excess government buildings](#), or the long-standing tolerance of duplication. Currently, for instance, six government agencies [have begun separate projects](#) to do the same thing: build a computer program to track personnel background checks.

Last summer, the Obama administration sought to fix this bug. It sent a memo to agencies that said, "Focus first on closing out expired grants that are several years past their end dates or have no remaining funds."

In some places, it apparently didn't work. The [U.S. Agency for International Development](#) has the same number of empty accounts now as it did in 2011. The [Fish and Wildlife Service](#) didn't provide new numbers, despite a request from The Washington Post.

But in other places, it did. The [Agriculture](#) Department eliminated 74 percent of its empty accounts, saving \$90,000 per year. The [National Park Service](#) closed all 705 of its empty accounts.

The [Department of Health and Human Services](#) also had success. It had been paying for 21,000 empty accounts but the total is now 9,286 — a major cut, but still an expense of about \$604,000 per year.

Could the agency get that number lower?

Officials answered this way: They could never imagine getting it to zero. The government would always have to spend something on nothing.

"We will continue our efforts to accelerate grant closeouts," said Nancy Gunderson, who oversees grants at HHS. "These accounts are a normal part of the grants business cycle and will never be totally eliminated."

Discuss this topic and other political issues in the [politics discussion forums](#).

Sponsored Links

What is Reverse Mortgage?

Over 62? Enjoy Financial Security with a Reverse Mortgage.
www.LendingTree.com

4 ODD blood pressure fighters

Easily fight high blood pressure naturally with these 4 foods.
<http://www.bloodpressurenormalized.com>

Don't Buy an Annuity

Until You Watch This Special Video Report!
SeniorAnnuityAlert.com

Buy a link here

© The Washington Post Company

Requiring Recipients to Send Publications to the Department of the Interior (Department) Library

The Department requires that at least one copy of all final publications (as defined in 481 DM 4) produced under a grant or cooperative agreement be sent to the Natural Resource Library. 481 DM 4 states that we shall determine whether a publication is suitable for the library by applying the following criteria:

The publication IS of value for: public information and awareness; educational use; scientific, technical or research use; and

The publication is NOT: limited to official use only; classified for reasons of national security; for administrative, operational or proprietary use only; issued periodically and regularly compiled totally at a later date; a preliminary draft, working paper, press release, open file or other ephemera; a map or chart; of local interest only; or otherwise readily available (e.g., publicly accessible on the Internet).

The library will accept publications on compact disc (CD). All publications must be sent to the library by courier mail. Hard copy publications sent by regular U.S. Postal Service delivery are often damaged and CDs are destroyed by the Department mail irradiation system. If a final publication qualifying for transmittal to the library is expected to be produced under the award and you want the recipient to send the publication to the library, include the following provision:

Funding under this award will be used to produce [insert description of publication(s) to be produced]. Your organization is required to send one copy of the final published document (s) to:

U.S. Department of the Interior

Natural Resource Library

Division of Information and Library Services-Gifts and Exchanges Section

1849 C Street NW

Washington, D.C. 20240

The copy can be a paper copy or saved to a compact disc. Do not send by regular U.S. Postal Service! Send all publications using your preferred courier mail service (e.g., FedEx, UPS and DHL). Expedited delivery is not required. Please include a cover letter that identifies you/your organization and states: "This publication is intended for deposit in the Natural Resource Library. This report was produced under U.S. Fish and Wildlife Service Award Number [insert Award Number]". Do not send financial or performance reports to this address! See the Reporting Requirements section below for where to send financial and performance reports.

Revised **9/4/2013**

Enter Name of Course:

Basic Financial Assistance Management Course

Enter Tab Number:

11

Handouts

283FW2a1 – USFWS Records Disposition Schedule (contracts, grants, and agreements), pp25-32.

 A slide titled "Post Closeout" with the U.S. Fish and Wildlife Service logo. The slide has a light blue background with a darker blue horizontal bar at the bottom. The text "Post Closeout" is on the left, and the logo is on the right. The logo features a shield with a fish, a bird, and a tree, with the text "U.S. FISH AND WILDLIFE SERVICE" above it.	
---	--

Post Closure: Ongoing Responsibilities

Objectives:

1. Identify responsibilities for award-purchased Capital Expenditures.
2. Identify monitoring requirements.
3. Discuss record retention requirements.

<p>Post Closeout Real Property</p>  <ul style="list-style-type: none">• Title vests with Recipient/Subrecipient• Continued monitoring• Term of Easement exceeds award period?• Disposal	
---	--

Real Property

- Title vests with recipient/subrecipient.
- Used for originally authorized purpose.
- Approval required before disposing of or encumbering title or other interests.

Education Institutions and Non-Profits may, *with approval*, use federal award-acquired real property for other federally-sponsored, like-purposed activities **after** original purpose is served.

43 CFR 12.932(b)

Term of Easement

- Non-perpetual real property interest.
- Recipient **required** to monitor **when** terms and duration **exceed** award period.

Disposal

- Recipient **must** request approval.
- Disposal methods include:
 - Retention of Title – Recipient compensates awarding agency.
 - Sale of Property – Recipient compensates awarding agency.
 - Transfer of Title – Either to awarding agency or approved third party.



43 CFR 12.71 | 43 CFR 12.932(c) | 2 CFR 215.32(c)

<p>Post Closeout Equipment</p>  <ul style="list-style-type: none">• Use, management and disposal• Federally owned property• Exempt property	
--	--

Equipment

Requirements for equipment *usage, management, and disposal* are determined by the type of recipient.

- State Governments – follow own State laws and procedures.
- All other entities – Adhere to federal regulations.

 43 CFR 72(b) | 43 CFR 12.72(c)-(e) | 43 CFR 12.934 | 2 CFR 215.34

Federally-owned Property

Federally-owned property (real or equipment) is titled with the Federal Government and used by award recipients to assist in meeting award objectives. Recipients utilizing federally-owned property use and manage, and dispossess according to applicable Common Rule for real property and equipment.

 43 CFR 12.72(f)-(g), 12.90(b)(5), 12.933(a) | 2 CFR 215.33, 215.34(f)-(g)

<p>Post Closeout Other Responsibilities</p>  <ul style="list-style-type: none">• Audits and Program reviews<ul style="list-style-type: none">• Single Audits, program and discretionary audits• Ongoing compliance and award conditions• Record retention	
--	--

Exempt Property

Exempt property is tangible personal property acquired **at least** partially with federal funds that the awarding agency, if statutorily authorized, may vest title in the recipient. The terms may be conditioned when deemed appropriate by the awarding agency, or may result in no further obligation to the Federal Government.

Examples of Exempt Property include special purpose equipment used to conduct basic or applied research by non-profit organizations or educational institutions.

- Applicable usage and management regulations apply until title is vested in recipient and no further Federal nexus exists.
- Exempt property guidance only for educational institutions and non-profits.

 43 CFR 12.933(b) | 2 CFR 215.33(b)

Other Post Grant Closure Responsibilities

Audits and Program Reviews

- Single Audits/Program/Discretionary Audits
- Recipients and Subrecipients

 417 FW 1B | 43 CFR 12.66,12.926,12.951(a) | 12.972(a)(3)

<p>Post Closeout Other Responsibilities</p>  <ul style="list-style-type: none">• Audits and Program reviews<ul style="list-style-type: none">• Single Audits, program and discretionary audits• Ongoing compliance and award conditions• Record retention	
--	--

Managing and Monitoring

- Ongoing compliance requirements.
- Extended or Delayed Award Conditions.

Examples include property management (e.g. term easements, land/ equipment usage), program-specific requirements, audit follow ups, excess payments, etc.



43 CFR 12.91,12.972 | 2 CFR 215.72

Record Retention

- Files on routine operations and daily to—to activities in administration of grant program retained for 2 years.
- Unsuccessful (rejected or withdrawn) grant application files retained 3 years.
 - Successful grant applications have specific retention requirements depending on type of project/activity.
- Real property acquisition records retained 10 years after final disposition of property (by unconditional sale or release).
- Conservation easement record retained for 6 years after final termination of easement.

The USFWS Disposition Record Schedule (283 FW 2) includes both retention schedules and grant case file document requirements.



283 FW 2 | General Record Schedule 3 | 43 CFR 12.82,12.953

<p>Parking Lot Questions</p> 		
<p>Course Wrap Up</p> <ul style="list-style-type: none">• Post Course Evaluation• Certificates		



Learning Points

- ✓ Compliance issues continue, even after the award is closed.
- ✓ Real property must be monitored to ensure it continues to serve the purpose for which it was originally purchased.
- ✓ Program income issues often arise as a result of real property.
- ✓ Real property may be disposed of when it no longer serves the intended purpose, WITH PRIOR APPROVAL.
- ✓ Awards may contain special terms and conditions on use and disposal of equipment.
- ✓ Awardees should maintain an inventory of equipment showing the purchase price, date of purchase, funding source and other pertinent accounting information.
- ✓ Generally awardees records must be maintained for 3 years from the date of submission of the last expenditure report unless actions involving audits, litigation, claims or negotiations.
- ✓ Service record disposition policy has different requirements depending on records type.

Contracts, Grants, and Agreements (CONT)

CONT-200 Real Property Files (Procurement) (GRS/3/1)

Title papers documenting the acquisition of real property (by purchase, condemnation, donation, exchange, or otherwise), excluding records relating to property acquired prior to January 1, 1921.

- a. Records relating to property acquired after December 31, 1920, other than abstract or certificate of title.

Retention: TEMPORARY. Dispose 10 years after unconditional sale or release by the Government of conditions, restrictions, mortgages or other liens.

- b. Abstract or certificate of title.

Retention: Transfer to purchaser after unconditional sale or release by the Government of conditions, restrictions, mortgages, or other liens.

Records relating to property acquired prior to January 1, 1921, are not covered by this item and must be scheduled by submission of a Standard Form (SF) 115 to NARA.

CONT-410 Memorandum of Agreement Files (NC1-22-78-1/09)

Cooperative agreements, letters of agreement, all other documents with a similar purpose, amendments thereto, and associated substantive materials, negotiated with other Federal agencies, state agencies, or private organizations concerning services rendered to or received from such bodies. See "International Treaty, Convention, and Agreement File" in this schedule for memoranda of understanding between the Service and its foreign counterparts.

- a. Record copy

Retention: TEMPORARY. Destroy 3 yrs after expiration or cancellation.

- b. All other copies

Retention: TEMPORARY. Destroy when memorandum expires or is cancel.

CONT-425 International Treaty, Convention, and Agreement File (NC1-22-78-1/54)

Includes copies of all treaties, conventions, and agreements to which the United States Government is a party and for which the Service has substantial responsibilities for implementation. Also included is a record copy of each memorandum of understanding executed between the Service and its counterpart agency abroad.

- a. Record copy of memorandum of understanding and associated legal and technical materials. (arranged by treaty)

Retention: PERMANENT. Offer to NARA when the agreement expires or is superseded.

- b. Copies of treaties, conventions, and agreements.

Retention: TEMPORARY. Destroy when no longer needed.

- c. Material reflecting routine, repetitive, or housekeeping activities.

Retention: TEMPORARY. Destroy when 3 yrs old or no longer needed.

CONT-510 Routine Procurement Files (GRS/3/3A1A)

Contract, requisition, purchase order, lease, and bond and surety records, including correspondence and related papers pertaining to award, administration, receipt, inspection and payment (other than those covered in items 1 and 12).

- a. Procurement or purchase organization copy, and related papers.

a(1) Transaction dated on or after July 3, 1995 (the effective date of the Federal Acquisition Regulations (FAR) rule defining simplified acquisition threshold).

a(1)a Transactions that exceed the simplified acquisition threshold and all construction contracts exceeding \$2,000.

Retention: TEMPORARY. Destroy 6 years and 3 months after final payment.

a(1)b Transactions at or below the simplified acquisition threshold and all construction contracts at or below \$2,000.

Retention: TEMPORARY. Destroy 3 years after final payment.

- c. Other copies of records described above used by component elements of a procurement office for administrative purposes.

Retention: TEMPORARY. Destroy upon termination or completion.

CONT-550 Duck Stamp Contest Agreements (N1-022-05-01/136)

Display and participation agreement and reproduction rights agreement signed and submitted by artists entering the Federal Duck Stamp Contest. These agreements give the Federal Government the rights to display and license submitted artwork.

Retention: TEMPORARY. Destroy 6 years after artwork is returned to artist.

Artwork is returned to artists after contest.

CONT-581 Administrative Claims Files (GRS/6/10A)

- a. Claims against the United States. Records relating to claims against the United States for

moneys that have been administratively (1) disallowed in full or (2) allowed in full or in part, and final payment of the amount awarded, EXCLUDING claims covered by subitem c. below.

Retention: TEMPORARY. Destroy when 6 years, 3 months old.

CONT-610 State Fish and Wildlife Conservation Grant Case Files (N1-022-05-01/93)

Grant case files for grants made to state and territory fish and wildlife departments funded by the excise taxes on sporting equipment and supplies authorized by 16 USC 669 and 16 USC 777. Grants are for conservation and restoration of wild birds, fish, and mammals, and to acquire, develop and manage habitats. Contains grant application, grant agreements, grant modifications, backup narrative documents, approval letter, reports, administrative correspondence, certifications, disbursement information, and final financial reports.

a. Grant Case File.

Retention: TEMPORARY. Destroy 6 years after completion of grant.

b. Historical Grant Case Files. Grant case files selected annually by the project director as permanent because the grant established a precedent for changing policy, received extensive media coverage, was reviewed at length in USFWS annual report, and/or was the subject of extensive litigation.

Retention: PERMANENT. Transfer to NARA 6 years after grant is completed.

CONT-612 Wildlife and Habitat Conservation Grant Case Files (N1-022-05-01/95)

Wildlife and habitat conservation grant project files for grants issued under the provisions of various Federal laws, treaties, and international conventions such as the Convention on Nature Protection and Wildlife Preservation in the Western Hemisphere, the National Coastal Wetlands Conservation Grant, the North American Wetlands Conservation Act, the Endangered Species Act, or in cooperation with another agency such as the United States Agency for International Development. These grants provide funds to promote conservation and to preserve, restore, or enhance wildlife habitat, but do not create real property conservation easements or other long-term Government rights and interests in real property (see "Habitat Conservation Real Property Grant Case Files" in this schedule). May include grant applications, grant modifications, grant reports, grant final products, administrative correspondence, certifications, and disbursement information.

a. Grant Case File. Grant case file documents and materials that document the award and administration of grant.

Retention: TEMPORARY. Destroy 6 years after completion of grant.

b. Historical Grant Case Files. Grant case files selected annually by the project director as permanent because the grant established a precedent for changing policy, received extensive media coverage, was reviewed at length in USFWS annual report, and/or was the subject of extensive litigation.

Retention: PERMANENT. Transfer to NARA 6 years after grant is completed.

Unsuccessful grant applications and grant administration files are covered by the General Records Schedule. [GRS/3/13 and 14]

CONT-620 Grant Application Files (N1-022-05-01/89)

Applications, memoranda, correspondence, and other records relating to the decision to accept grant proposals (i.e., staff, reviewer, and panelist comments); and correspondence between the staff and applicant.

Retention: TEMPORARY. Transfer application to appropriate grant case file upon acceptance.

Unsuccessful applications are covered by the General Records Schedule. [GRS/3/13]

CONT-625 Unsuccessful Grant Application Files (GRS/3/13)

Applications, correspondence, and other records relating to unsuccessful (rejected or withdrawn) applications.

Retention: TEMPORARY. Destroy 3 years after rejection or withdrawal.

CONT-630 Grant Administrative Files (GRS/3/14)

Correspondence and/or subject files relating to routine operations and daily activities in administration of the grant program.

Retention: TEMPORARY. Destroy when 2 years old.

CONT-632 General Correspondence Files (GRS/3/2)

Correspondence files of operating procurement units concerning internal operation and administration matters not covered elsewhere in this schedule.

Retention: TEMPORARY. Destroy when 2 years old.

CONT-634 Grant Tracking Databases (N1-022-05-01/92)

Grant tracking databases not described elsewhere in this schedule. Databases containing information on grants pertinent to the activity maintaining the database. Contains grant amounts, grant numbers, proposal numbers, project officer name, and grant recipient. Databases are used as a grant administration management tool and are not used to initiate payments or revocations. Grant tracking databases include the Bird Habitat Conservation grants and proposals tracking database containing grant award and administration information including, grant and matching funds amounts, fiscal information, grantee name, location information, project type, accomplishments, current status, and land acquisition information.

- a. Input Documents. Draft working copies, summary sheets, copies of information, input forms,

and other materials used solely as source data for database entries not required to be filed as records elsewhere.

Retention: TEMPORARY. Destroy after data have been entered into the database and verified.

b. Database Entries. Database records maintained within the database on an online system and regularly backed up to digital media.

Retention: TEMPORARY. Delete grant item entries at the end of each fiscal year for grants that have a completion or termination entry date 6 years old.

c. Reports.

c(1) Convenience and Reference Reports. Periodic and on demand reports printed to paper or digital media containing portions, summaries, and analyses of the data and used for convenience, reference, or distribution.

Retention: TEMPORARY. Destroy when no longer needed.

c(2) Record and Case File Reports. Periodic and on demand reports printed to paper or digital media containing portions, summaries, and analyses of the data and filed in a case file or as a record copy and used to document a program, activity, or decision.

Retention: Retain for the specified retention period of case file or records where reports are filed.

Unsuccessful grants and systems documentation are covered by the General Records Schedule.

CONT-636 Grant Tracking and Transaction Systems (N1-022-05-01/91)

Grant tracking and transactions systems used to track grants and initiate payments and other grant transactions. Systems may also track and report grant number, grantee identification information, type of grant, performance reports, relevant dates, funding information, obligation and payment information, and summary accomplishment information. Grant tracking and transaction systems include the Federal Aid Information Management System (FAIMS) database that tracks Federal Aid grants and communicates with a Health and Human Services, USFWS electronic funds transfer server to make payments, and communicates with the DOI Federal Financial Service (FFS) automated system for fund status information.

a. Input Documents. Draft working copies, summary sheets, copies of information, input forms, and other materials used solely as source data for database entries not required to be filed as records elsewhere.

Retention: TEMPORARY. Destroy after data have been entered into the database and verified.

b. Database Entries. Database records maintained within the database on an online system and regularly backed up to digital media.

Retention: TEMPORARY. Delete grant item entries at the end of each fiscal year for grants that have a completion or termination entry date 6 years old.

c. Reports.

c(1) Convenience and Reference Reports. Periodic and on demand reports printed to paper or digital media containing portions, summaries, and analyses of the data and used for convenience, reference, or distribution.

Retention: TEMPORARY. Destroy when no longer needed.

c(2) Record and Case File Reports. Periodic and on demand reports printed to paper or digital media containing portions, summaries, and analyses of the data and filed in a case file or as a record copy and used to document a program, activity, or decision.

Retention: Retain for the specified retention period of case file or records where reports are filed.

Systems documentation is covered by the General Records Schedule. [GRS 20/11A]

CONT-640 Grant Product Files (N1-022-05-01/90)

Final products produced and delivered as part of a USFWS sponsored grant, such as artwork, photographs, training manuals, video tapes, reports, master's theses, audio tapes, and transcripts of radio shows.

a. Grant Office Copy. Final grant product if delivered to grant program office as specified by grant agreement and used solely to document compliance with grant provisions.

Retention: TEMPORARY. Destroy with grant case file 6 years after completion of grant.

b. Program Office Copy.

Retention: TEMPORARY. Destroy when 10 years old unless needed for further reference.

c. Historical Final Products. Record copy of final grant product not otherwise delivered to program office, library, or other recipient. Final products selected annually by the project director as permanent because the product contains new research or conclusions, typifies a significant new method, documents a litigious process, received substantial media attention, or received substantial attention in USFWS annual report.

Retention: PERMANENT. Transfer to NARA 6 years after grant is completed.

CONT-651 Duck Stamp Contest System (DSCS) (N1-022-05-01/138)

Database used to track National Duck Stamp Contest contestants' information and contest scoring. Includes name, address, entry number, game species, medium, entry fee money order or cashiers check number, and contact information. Also used to print mailing labels to return artwork. Database also

contains a "Judging System" module that provides judges an entry form for scoring Duck Stamp Contest entries. The module records scoring results, calculates scoring points totals, and is used to produce reports.

- a. **Input Documents.** Working copies, copies of entry forms, and other materials used solely as source data for database entries.

Retention: TEMPORARY. Destroy after data have been entered into the database and verified.

- b. **Database Records.** Database records maintained within the database on an online system and regularly backed up to digital media.

Retention: TEMPORARY. Delete entries 10 years after contest ends.

- c. **Reports.** Periodic and on demand reports printed to paper or digital media and used for reference and distribution.

Retention: TEMPORARY. Destroy when 2 years old or when no longer needed, whichever is later.

Systems documentation is covered by the General Records Schedule. [GRS 2011A]

CONT-652 Duck Stamp Contest Quarterly Royalty Report (N1-022-05-01/137)

Duck stamp art royalties reports and documentation. Includes financial information, licensing agreement, terms and conditions, and other materials pertaining to licensing and collecting royalties.

Retention: TEMPORARY. Cutoff at end of year and destroy when 6 years old.

CONT-660 Habitat Conservation Real Property Grant Case Files (N1-022-05-01/94)

Wildlife conservation grant project files for grants issued under the provisions of various Federal laws, treaties, and international conventions that acquire, restore, or preserve real property for wildlife habitat. These grants create a Federal long-term interest in the property in the form of an easement or other encumbrance. May include grant applications, grant modifications, grant reports, property assessments, copies of deeds, easement information, administrative correspondence, certifications, and disbursement information.

- a. **Grant Case File.** Grant case file documents and materials that document the award and administration of grant, excluding the documents necessary to document the Government's long-term rights and interests in grant associated real property.

Retention: TEMPORARY. Destroy 6 years after completion of grant.

- b. **Easement and Encumbrance Documents.** Materials that document conservation easements or agreements that otherwise stipulate how property may and may not be used as a term of the grant. These materials document the Government's long-term rights and interests in the use of the

property and may be filed separately from the grant case file.

Retention: TEMPORARY. Destroy 6 years after final termination of easement or other encumbrance.

c. Historical Grant Case Files. Grant case files selected annually by the project director as permanent because the grant established a precedent for changing policy, received extensive media coverage, was reviewed at length in USFWS annual report, and/or was the subject of extensive litigation and excluding the easement and encumbrance documents described in item (b) above.

Retention: PERMANENT. Remove any easement or other encumbrance documentation that is still applicable and file appropriately. Transfer remaining portion of file to NARA 15 years after grant is completed.

Unsuccessful grant applications and grant administration files are covered by the General Records Schedule. [GRS/3/13 and 14]

Enforcement (ENFR)

ENFR-100 Investigative Case File (NC1-22-78-1/55)

Files are classified according to the fish and wildlife law violated. Each classification has its own identity code and each case thereunder is further individualized by a number assigned to it. A case file contains the name, address, place and date of birth, and any other appropriate information concerning one or more individuals being investigated as a result of a violation of any law for which the Service has enforcement responsibility. Also includes the results of investigative action.

a. Paper records

a(1) When reduced to microform.

Retention: TEMPORARY. Destroy when accuracy of microform has been verified.

a(2) When not reduced to microform.

Retention: TEMPORARY. Transfer to a Federal records center 5 yrs after close of case. Destroy 20 yrs after close of case.

b. Microforms records.

Retention: TEMPORARY. Destroy in Service 20 yrs after close of case.

ENFR-110 Law Enforcement Management Information System (LEMIS) (N1-022-05-01/63)

Database on a server in Denver, Colorado, containing an import/ export declaration module and an investigations module. The import/ export declaration module contains summary information from the

GENERAL RECORDS SCHEDULE 3

Procurement, Supply, and Grant Records

Agency procurement and supply records document the acquisition of goods and non-personal services, controlling the volume of stock on hand, reporting procurement needs, and related supply matters which are part of daily procurement operations. The basic procurement files reflect a considerable range of procedure, from simple, small purchases to complicated prime contractor and subcontractor operations.

Any records created prior to 1895 must first be offered to the National Archives and Records Administration (NARA) for appraisal before applying the disposal instructions. Frequently copies of procurement papers become integral parts of the other files in the agency, such as project files of various types or general subject files pertaining to program operations; such copies are not covered by this schedule because they cannot be considered and evaluated separately from the files of which they are a part.

The General Accounting Office (GAO) no longer requires agencies to maintain a separate file of contracts for site audit. The agency contract files maintained in the contracting officer's office are accessible to GAO auditors and have generally been used by them in the past.

When a claim is filed by or against the Government, records relating to the claim should be retained without regard to the otherwise applicable records retention schedules which would have authorized destruction of the records prior to the time when the claim is finally resolved unless the agency has received written approval from the GAO (44 U.S.C. Section 3309 and 62 Comp. Gen. 42 (1982)). A claim is finally resolved: (1) when it is disallowed and the time for appealing the denial or instituting suit on the claim has expired; or (2) when it is allowed and paid or the amount offered in compromise is accepted and paid; or (3) when the amount found due and owing proves uncollectible because time limits for collecting the indebtedness through legal proceedings or by way of setoff have expired.

Records documenting procurement and supply in the agencies are largely standardized by various regulations of the Comptroller General and the Administrator of General Services. The physical arrangement of the transaction files themselves differs in the various agencies, however. In all agencies the official contract files, for example, contain a minimum core of specified documents, but there are also other documents that vary in accordance with what the individual agency deems to be best for its own operating purposes.

The key procurement file is the transaction case file containing the formal contract or informal purchase order or lease instruments and all related papers. The documents flowing into the transaction file differ in detail, but they include, in addition to the purchase document, specifications, bids, schedules of delivery, the initiating requisition, invoices, and correspondence. Other copies of these documents, made for expediting and other administrative

purposes, are scattered throughout the inspection, shipping, expediting, and other units of the agency procurement organization.

Other files related to the procurement and supply function include reports used for supply management purposes by the agency creating the records as well as the staff agency involved with Government-wide programs. They also include local requisition and stock inventory files and other minor supply papers. Of a specialized character in the procurement field are the title papers documenting the acquisition of real property (by purchase, condemnation, donation, exchange, or otherwise). These papers are required by the Government as long as the property remains in Government hands or if it has been sold or released -- conditionally or with recapture clauses. When properties are disposed of by quitclaim deeds, this fact should be confirmed prior to the disposal of title papers, since the title evidence might be needed by the Government to defend the title in the event the properties were disposed of by deeds containing general or special warranties.

It should also be ascertained that the title evidence relates only to the properties which were sold by the Government. In many instances, lands acquired by the Government are disposed of in different size parcels, and if the Government retains the title to any portion the title evidence should be retained.

This schedule does not apply to Interior Department records relating to the public domain or to the title opinion files of the Department of Justice.

This schedule includes some of the common agency records relating to grant programs. Since many Federal agencies conduct grant programs which document projects contracted between the agency and an outside party, these records are included as an adjunct to the procurement and supply records.

1. Real Property Files. [See note after item 1b.]

Title papers documenting the acquisition of real property (by purchase, condemnation, donation, exchange, or otherwise), excluding records relating to property acquired prior to January 1, 1921.

- a. Records relating to property acquired after December 31, 1920, other than abstract or certificate of title.

Dispose 10 years after unconditional sale or release by the Government of conditions, restrictions, mortgages or other liens.

- b. Abstract or certificate of title.

Transfer to purchaser after unconditional sale or release by the Government of conditions, restrictions, mortgages, or other liens.

[NOTE: Records relating to property acquired prior to January 1, 1921, are not covered by the GRS and must be scheduled by submission of a Standard Form (SF) 115 to NARA.]

2. General Correspondence Files.

Correspondence files of operating procurement units concerning internal operation and administration matters not covered elsewhere in this schedule.

Destroy when 2 years old. (NC1-64-77-5 item 3)

3. Routine Procurement Files. [See note after item 3d.]

Contract, requisition, purchase order, lease, and bond and surety records, including correspondence and related papers pertaining to award, administration, receipt, inspection and payment (other than those covered in items 1 and 12). [See note after item 3a(2)(b).]

a. Procurement or purchase organization copy, and related papers.

(1) Transaction dated on or after July 3, 1995 (the effective date of the Federal Acquisition Regulations (FAR) rule defining "simplified acquisition threshold").

(a) Transactions that exceed the simplified acquisition threshold and all construction contracts exceeding \$2,000.

Destroy 6 years and 3 months after final payment. (N1-GRS-95-4 item 3a1a)

(b) Transactions at or below the simplified acquisition threshold and all construction contracts at or below \$2,000.

Destroy 3 years after final payment. (N1-GRS-95-4 item 3a1b)

(2) Transactions dated earlier than July 3, 1995.

(a) Transactions that utilize other than small purchase procedures and all construction contracts exceeding \$2,000.

Destroy 6 years and 3 months after final payment. (N1-GRS-95-4 item 3a2a)

(b) Transactions that utilize small purchase procedures and all construction contracts under \$2,000.

Destroy 3 years after final payment. (N1-GRS-95-4 item 3a2b)

[NOTE: Given the complexities of the rules on procurement, agencies should involve procurement officials when deciding which of the subitems to apply to a particular series of records.]

b. Obligation copy.

Destroy when funds are obligated. (NC1-64-77-5 item 4b)

c. Other copies of records described above used by component elements of a procurement office for administrative purposes.

Destroy upon termination or completion. (NC1-64-77-5 item 4c)

d. Data Submitted to the Federal Procurement Data System (FPDS). Electronic data file maintained by fiscal year, containing unclassified records of all procurements, other than small purchases, and consisting of information required under 48 CFR 4.601 for transfer to the FPDS.

Destroy or delete when 5 years old. (N1-GRS-87-8 item 4d)

[NOTE: Unique procurement files are not covered by this schedule. With the standardization of the Government-wide procurement process under the FAR, such files are unlikely to exist. However, if an agency believes that a procurement file that has long-term research value, the records officer should submit an SF 115.]

4. Supply Management Files.

Files of reports on supply requirements and procurement matters submitted for supply management purposes (other than those incorporated in case files or other files of a general nature), exclusive of Department of Defense Reports reflecting procurement under exemptions authorized under Section 201(a) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 481).

a. Copies received from other units for internal purposes or for transmission to staff agencies.

Destroy when 2 years old. (NC1-64-77-5 item 5a)

b. Copies in other reporting units and related working documents.

Destroy when 1 year old. (NC1-64-77-5 item 5b)

5. Solicited and Unsolicited Bids and Proposals Files.

a. Successful bids and proposals.

Destroy with related contract case files (see item 3 of this schedule). (NC1-GRS-81-2 item 6a)

b. Solicited and unsolicited unsuccessful bids and proposals.

(1) Relating to small purchases as defined in the Federal Acquisition Regulation, 48 CFR Part 13.

Destroy 1 year after date of award or final payment, whichever is later. (NC1-GRS-86-2 item 6b1)

(2) Relating to transactions above the small purchase limitations in 48 CFR Part 13.

(a) When filed separately from contract case files.

Destroy when related contract is completed. (NC1-GRS-86-2 item 6b2a)

(b) When filed with contract case files.

Destroy with related contract case file (see item 3 of this schedule). (NC1-GRS-86-2 item 6b2b)

c. Canceled solicitations files.

(1) Formal solicitations of offers to provide products or services (e.g., Invitations for Bids, Requests for Proposals, Requests for Quotations) which were canceled prior to award of a contract. The files include presolicitation documentation on the requirement, any offers that were opened prior to the cancellation, documentation on any Government action up to the time of cancellation, and evidence of the cancellation.

Destroy 5 years after date of cancellation. (NC1-GRS-81-2 item 6c1)

2) Unopened bids.

Return to bidder. (NC1-GRS-81-2 item 6c2)

d. Lists or card files of acceptable bidders.

Destroy when superseded or obsolete. (NC1-GRS-81-2 item 6d)

6. Public Printer Files.

Records relating to requisitions on the Printer, and all supporting papers.

a. Printing procurement unit copy of requisition, invoice, specifications, and related papers.

Destroy 3 years after completion or cancellation of requisition. (NC1-64-77-5 item 7a)

- b. Accounting copy of requisition.

Destroy 3 years after period covered by related account. (NC1-64-77-5 item 7b)

7. Non-personnel Requisition File.

Requisitions for non-personnel services, such as duplicating, laundry, binding, and other services (excluding records associated with accountable officers' accounts (Schedule 6)).

Destroy when 1 year old. (NC1-64-77-5 item 8)

8. Inventory Requisition File.

Requisitions for supplies and equipment for current inventory.

- a. Stockroom copy.

Destroy 2 years after completion or cancellation of requisition. (NC1-64-77-5 item 9a)

- b. All other copies.

Destroy when 6 months old. (NC1-64-77-5 item 9b)

9. Inventory Files.

- a. Inventory lists.

Destroy 2 years from date of list. (NC1-64-77-5 item 10a)

- b. Inventory cards.

Destroy 2 years after discontinuance of item, 2 years after stock balance is transferred to new card or recorded under a new classification, or 2 years after equipment is removed from agency control. (NC1-64-77-5 item 10b)

- c. Report of survey files and other papers used as evidence for adjustment of inventory records, not otherwise covered in the GRS.

Destroy 2 years after date of survey action or date of posting medium. (NC1-64-77-5 item 10c)

10. Telephone Records.

Telephone statements and toll slips.

Destroy 3 years after period covered by related account. (NC1-64-77-5 item 11)

11. Contractors' Payroll Files.

Contractors' payrolls (construction contracts) submitted in accordance with Department of Labor regulations, with related certifications, anti-kickback affidavits, and other related papers.

Destroy 3 years after date of completion of contract unless contract performance is subject of enforcement action on such date. (NC1-64-77-5 item 12)

12. Tax Exemption Files.

Tax exemption certificates and related papers.

Destroy 3 years after period covered by related account. (NC1-64-77-5 item 13)

13. Unsuccessful Grant Application Files.

Applications, correspondence, and other records relating to unsuccessful (rejected or withdrawn) applications.

Destroy 3 years after rejection or withdrawal. (NC1-GRS-81-2 item 14a)

14. Grant Administrative Files. [See note after this item.]

Correspondence and/or subject files relating to routine operations and daily activities in administration of the grant program.

Destroy when 2 years old. (NC1-64-77-5 item 17b)

[NOTE: Grant case files, which include accepted applications among many other documents, substantive correspondence and subject files relating to grant programs, and final product files, cannot be scheduled in the GRS. The types and significance of grant programs and the contents of the files vary, so no single disposition can be applied to the files on a Government-wide basis. To schedule these records, agencies must submit an SF 115 to NARA.]

15. Contract Appeals Case Files.

Contract appeals case files arising under the Contracts Dispute Act, consisting of notices of appeal and acknowledgments thereof; correspondence between parties; copies of contracts, plans, specifications, exhibits, change orders, and amendments; transcripts of hearings; documents received from parties concerned; final decisions; and all other related papers.

- a. Records created prior to October 1, 1979.

Destroy 6 years, 3 months after final action on decision. (N1-GRS-87-9 item 19a)

- b. Records created after September 30, 1979.

Destroy 1 year after final action on decision. (N1-GRS-87-9 item 19b)

16. Contractor's Statement of Contingent or Other Fees.

SF 119, Statement of Contingent or Other Fees, or statement in lieu of the form, filed separately from the contract case file and maintained for enforcement or report purposes.

Destroy when superseded or obsolete. (N1-GRS-98-2 item 7)

17. Small and Disadvantaged Business Utilization Files.

Correspondence, reports, studies, goal statements, and other records relating to the small and disadvantaged business utilization program, as required by Pub.L. 95-507.

Destroy when 3 years old. (N1-GRS-87-14 item 1)

18. Federal Activities Inventory Reform (FAIR) Act Records (created under OMB Circular A-76, Performance of Commercial Activities)

Records documenting implementation of OMB Circular No. A-76, Performance of Commercial Activities. These records are created and maintained in paper and electronic formats and include but are not limited to inventories, reviews, consultations, summary reports, commercial activity codes, challenges, appeals, decisions, planning documents, public announcements, Federal Register notices, standard and streamlined competition documents, accountability statements, cost calculations, and performance measures.

[**NOTE:** Procurement files related to Circular No. A-76 solicitations are scheduled under GRS 3, Item 3a, Routine Procurement Files.]

- a. Circular No. A-76 case files/studies maintained by office having primary responsibility.

Cut off when action is completed, hold 3 years, and retire to records center. Destroy 6 to 10 years after cut off. (N1-GRS-05-2 item 18a)

[**NOTE:** To implement this authority, each agency must select one fixed retention period, between 6 and 10 years, for the entire series of Circular No. A-76 case files or studies. Agencies are not authorized to use different retention periods for individual case files or studies. The agency should publish the chosen retention period in the

agency's disposition manual, by directive, or any other issuance dealing with the disposition of these records.]

- b. Circular No. A-76 records maintained by other offices, including information copies and background material.

Cut off upon completion of study. Destroy 2 years after cut off. (N1-GRS-05-2 item 18b)

**FISH AND WILDLIFE SERVICE
FEDERAL FINANCIAL ASSISTANCE**

Federal Financial Assistance **Part 516 FWS Financial Assistance – Award Administration**

Chapter 3 Signature Authority for Grant and Cooperative Agreement Awards **516 FW 3**

3.1 What is the purpose of this chapter? This chapter:

- A.** Clarifies which actions related to grant and cooperative agreement awards require the Director's signature (see section 3.4),
- B.** Describes who has the authority to sign grant and cooperative agreement award documents (see sections 3.5 and 3.6), and
- C.** Clarifies when a recipient accepts responsibility for the terms and conditions of the award (see section 3.9).

3.2 What is the scope of this chapter? This chapter:

- A.** Applies to all Service programs that issue grant and cooperative agreement awards to States, local and tribal governments, universities, non-profit organizations, small businesses, individuals, and other non-Federal entities;
- B.** Covers signature authority during the new award and amendment phases; and
- C.** Does not cover the selection process for awards.

3.3 What are the authorities for this chapter? The authority for this chapter is the Federal Grant and Cooperative Agreement Act of 1977 (31 U.S.C. 6301). See Exhibit 1 for an extensive list of our authorities for issuing grant and cooperative agreement awards.

3.4 Which actions related to grant and cooperative agreement awards require the Director's signature and must not be redelegated to staff? The following actions require the Director's signature and must not be redelegated to staff:

- A.** Apportioning funds provided under the Pittman-Robertson Wildlife and Dingell-Johnson Sport Fish Restoration Acts;
- B.** Allocating or reallocating funds provided under the:
 - (1)** Coastal Wetlands Planning, Protection and Restoration Act,
 - (2)** Anadromous Fish Conservation Act,
 - (3)** Endangered Species Act, and
 - (4)** Partnerships for Wildlife Act;
- C.** Issuing new awards and amendments for programs that the Assistant Director – Endangered Species (AD-ES) administers;
- D.** Declaring that a State is ineligible to receive Pittman-Robertson Wildlife and Dingell-Johnson Sport Fish Restoration Act funds because of diversion. Diversion means a State uses revenue from hunting and fishing licenses for something other than administration of the State's fish and wildlife agency; and
- E.** Approving State license certifications (such as for hunting and fishing licenses, stamps, etc.) following 50 CFR 80.

**FISH AND WILDLIFE SERVICE
FEDERAL FINANCIAL ASSISTANCE**

Federal Financial Assistance Part 516 FWS Financial Assistance – Award Administration

Chapter 3 Signature Authority for Grant and Cooperative Agreement Awards 516 FW 3

3.5 Who may sign grant or cooperative agreement award documents? Except for those items listed in section 3.4, Regional Directors (RDs), the Assistant Director – Wildlife and Sport Fish Restoration (AD-WSFR), the AD – International Affairs (AD-IA), and the AD – Migratory Birds (AD-MB) may award Federal funds by signing grant and cooperative agreement award documents.

3.6 May the RDs, AD-WSFR, AD-IA, and AD-MB redelegate signature authority to senior staff specialists?

A. Yes. The RDs, AD-WSFR, AD-IA, and AD-MB may redelegate signature authority in writing (see section 3.7) to senior staff specialists, but only if the staff member:

(1) Has received at least 24 hours of formal training on:

(a) The parts of the CFR related to the administration of grant and cooperative agreement awards, and

(b) Department and Service policies that apply to grant and cooperative agreement awards; and

(2) Is not the Service Project Officer/Coordinator/Leader/Manager assigned to manage and monitor the grant or cooperative agreement award being signed.

B. Training on basic administration and management concepts of financial assistance (i.e., grants and cooperative agreement awards) is available through WSFR, the Department's DOI Learn system, other Federal agencies, professional associations, and commercial entities.

C. Staff who are given authority to sign award documents must be able to provide evidence of their compliance with section 3.6(A)(1) during subsequent management reviews or audits.

3.7 How must the re delegation of the signature authority be documented?

A. The re delegation of signature authority must be documented in a memorandum that the RD, AD-WSFR, AD-IA, or AD-MB signs and dates. Following is suggested text for the re delegation memorandum:

"In accordance with Service policy (see 516 FW 3), I redelegate the authority to sign grant and cooperative agreement awards in (insert Regional Office, Program Division) to the following individuals:

- Primary (insert name and title);
- Secondary (insert name and title).

Staff performing duties in an "acting" capacity for me or the people named in this memorandum may NOT sign grant and cooperative agreement awards."

B. The memorandum must be maintained in Regional, AD-WSFR, AD-IA, or AD-MB office files for review and audit purposes.

C. As the sample language indicates, only staff members specifically named in the signature authority memorandum may sign award documents. Employees who are "acting" for an RD, the AD-WSFR, AD-IA, AD-MB, or an employee named in the signature authority memorandum may NOT sign grant or cooperative agreement awards.

3.8 Does the person with the Grants Agreement Officer (FA_AGO) role in the Financial and Business Management System (FBMS) have to be named in the re delegation of signature authority memo? No. Programs must validate that authorized staff sign the Notice of Award document

**FISH AND WILDLIFE SERVICE
FEDERAL FINANCIAL ASSISTANCE**

Federal Financial Assistance **Part 516 FWS Financial Assistance – Award Administration**

Chapter 3 Signature Authority for Grant and Cooperative Agreement Awards **516 FW 3**

before the FA_AGO approves the award in FBMS. The signed Notice of Award letter must be uploaded as a supporting document to the FBMS-PRISM record.

3.9 Must we require recipients to co-sign the Notice of Award document?

A. No. Asking a recipient to co-sign the Notice of Award document adds an unnecessary burden and processing time to the grant or cooperative agreement award transaction.

B. The Department’s standard award terms and conditions specifically state that, “Acceptance of a Federal Financial Assistance award from the Department of the Interior carries with it the responsibility to be aware of and comply with the terms and conditions of award. Acceptance is defined as the start of work, drawing down funds, or accepting the award via electronic means.” It is not necessary to have the recipient sign a grant or cooperative agreement award document to consider it accepted.

/sgd/ Geoffrey S. Haskett
ACTING DEPUTY DIRECTOR

Date: October 11, 2012

Department of the Interior Departmental Manual

Effective Date: 1/9/08

Series: Federal Assistance Programs

Part 505: Grants Administration

Chapter 2: Procurement Contracts, Grant and Cooperative Agreements

Originating Office: Office of Acquisition and Property Management

505 DM 2

2.1 Purpose. This chapter provides Departmental guidance to implement provisions of the Federal Grant and Cooperative Agreement Act, the Federal Financial Assistance Management Improvement Act, and related guidance issued by the Office of Management and Budget (OMB), and it updates Departmental guidance on Grants.gov requirements and processes.

2.2 Background. The OMB final guidance on the Federal Grant and Cooperative Agreement Act was published in the Federal Register on August 18, 1978, (43 FR 36860). The Federal Grant and Cooperative Agreement Act of 1977 (revised and incorporated in the provisions at Title 31 U.S.C. §§ 6301-6308) and hereinafter referred to as the "Act", characterizes the relationship between executive agencies and contractors, States, local governments, and other recipients in acquiring property and services and in providing United States Government assistance. The Act also prescribes criteria for executive agencies in selecting appropriate legal instruments to achieve (a) uniformity in their use by executive agencies; (b) a clear definition of the relationship they reflect; and (c) a better understanding of the responsibilities of the parties to them. The Act seeks to promote increased discipline in selecting and using procurement contracts, grant agreements, and cooperative agreements, to maximize competition in making procurement contracts, and to encourage competition in making grant agreements and cooperative agreements. Title 31 U.S.C. §§ 6301-6308, however, will not be cited as the authority for any grant, contract, or cooperative agreement.

2.3 Authority. The Federal Financial Assistance Management Improvement Act of 1999, Public Law (P.L.) 106-107, was enacted to improve the effectiveness and performance of Federal financial assistance programs, to simplify Federal financial assistance application and reporting requirements, to improve the delivery of services to the public, and to facilitate greater coordination among those responsible for delivering such services.

2.4 Applicability.

A. The authorities for this chapter apply to all bureau and office programs which use procurement contracts, grant agreements, and cooperative agreements, and to all recipients eligible for these awards. This chapter also applies to Federally recognized Indian tribal governments, except for those awards made pursuant to the authority of the Indian Self-Determination and Education Assistance Act (P.L. 93-638, 88 Stat. 2204), as amended.

1/9/08 #3784

Replaces 3/29/06 #3706

However, Sec. 9 of P.L. 93-638 does provide for use of a grant agreement or cooperative agreement when mutually agreed to by the Secretary of the Interior and the tribal organization involved.

B. This chapter does not apply to instruments such as intra- and inter-agency agreements, international agreements (excluding grants and cooperative agreements with foreign recipients), memoranda of understanding or agreement, cooperative research and development agreements, concession contracts, or permits. Licenses, sale documents, leases, and special use permits are covered by this issuance only when issued for the purpose of public support or stimulation.

2.5 Definitions.

A. Financial Assistance - The transfer of a thing of value from a Federal agency to an eligible recipient to carry out a public purpose of support or stimulation as authorized by a law of the United States. An agency may provide financial assistance through various types of transactions including grants, cooperative agreements, loans, loan guarantees, interest subsidies, insurance, food commodities, direct appropriations, and transfers of property in place of money.

B. Discretionary Grant - A grant program that permits the Federal Government, according to specific authorizing legislation, to exercise judgment in selecting the project, grantee/recipient organization, and/or the amount of the award through a competitive grant process.

C. Mandatory Grant - A grant program in which the Federal agency is required to make an award based on prerequisites specified by statute or implementing program regulations, e.g., an entity submits an acceptable State Plan or application that meets the eligibility and compliance requirements of the statutory and regulatory provisions of the grant program. There is generally no competition for funds among eligible entities in mandatory grants.

D. Single Source - A funding opportunity specifically directed to a known recipient, e.g., a friends' group, fundraising partner, non-governmental organization, landowner or geographically positioned entity, either statutorily designated or determined by a bureau or office to be an appropriate partner based on demonstrable criteria, such as unique expertise or capacity.

2.6 **Policy.** Consistent with the Federal Grant and Cooperative Agreement Act and the guidance provided in this DM chapter, bureaus and offices will determine and use the appropriate instrument (i.e., procurement contract, grant agreement, or cooperative agreement) when acquiring property and services or in providing financial assistance. Files should be documented, with justification of the appropriate financial assistance instruments. Bureaus are encouraged to seek advice from the Office of the Solicitor on the selection of an award instrument, as needed. Bureaus will conduct periodic reviews to ensure compliance with this policy and will use the following criteria when determining to use a procurement contract, grant agreement or cooperative agreement:

A. Procurement contracts will be used as legal instruments reflecting a relationship between the bureau or office and a State, local government, or other awardee when the principal purpose of the instrument is to acquire (by purchase, lease, or barter) property or services for the direct benefit or use of the Government or when the head of the agency determines, in a specific instance, that the use of a procurement contract is appropriate.

B. Grant agreements will be used as legal instruments when the relationship between the bureau or office and a State, local government, or other recipient has as its principal purpose the transfer of a thing of value to the recipient in order to carry out a public purpose of support or stimulation authorized by a law of the United States and substantial involvement is not expected between the bureau or office and the State, local government, or other recipient when carrying out the activity contemplated in the agreement.

C. Cooperative agreements will be used as legal instruments when the relationship between the bureau or office and a State, local government, or other recipient has as its principal purpose the transfer of a thing of value to State or local government or other recipient to carry out a public purpose of support or stimulation authorized by a law of the United States and substantial involvement is expected between the bureau or office and the State, local government, or other recipient when carrying out the activity contemplated in the agreement.

2.7 Exemptions.

A. The Federal Grant and Cooperative Agreement Act provides for the Director of the OMB to exempt individual transactions or programs from the Act.

B. Requests for exemptions to the Act will be submitted by heads of bureaus and offices through the appropriate program Assistant Secretary and the Director, Office of Acquisition and Property Management (PAM)) to the Assistant Secretary, Policy, Management and Budget (AS/PMB). PAM will review and coordinate such requests, on behalf of the AS/PMB, prior to forwarding to OMB. Requests for exemptions will be coordinated with the Office of the Solicitor prior to forwarding requests to the appropriate program Assistant Secretary.

2.8 Responsibilities.

A. Assistant Secretary - Policy, Management and Budget. The AS/PMB is the Secretarial officer responsible for implementing the Act and the supplemental guidance issued by OMB.

B. Office of Acquisition and Property Management. On behalf of the AS/PMB, PAM is responsible for providing Departmental oversight, implementing the Act, and serving as the DOI representative to OMB, with final decision making by the AS/PMB. PAM is also responsible for coordinating with the Office of Small and Disadvantaged Business Utilization on all matters involving business development programs which relate to the requirements of the Act (i.e. procurement contracts).

C. Program Assistant Secretaries. Each Program Assistant Secretary is responsible for ensuring that bureaus and offices under their jurisdiction implement and comply with the Act and requirements of this chapter. Assistant Secretaries must also review, reject or recommend approval of all requests prepared by bureaus and offices under their jurisdiction for exemptions to the Act in accordance with the provisions of 505 DM 2.7.

D. Office of the Solicitor. The Office of the Solicitor (SOL) will assist bureaus and offices with legal questions which may arise as the result of implementing the Act, the OMB guidance, and the provisions of this issuance, normally within seven (7) workdays. Cooperative agreements and grant awards, issued under well-established programs, do not require SOL review, unless requested. However, SOL will assist bureaus in review or development of new programs or policies affecting future allocations of financial assistance awards, including grants and cooperative agreements. SOL will review and advise the bureau or office, upon request, if a proposed cooperative agreement or grant is of such complexity or novelty or exhibits intellectual property issues or potential conflicts of interest, or other such concerns to warrant legal review.

E. Bureaus and Offices. Heads of bureaus and offices will identify the actions required to carry out the policies, procedures, and guidelines established in this issuance and designate those officials responsible for them. Necessary actions include, but are not limited to:

(1) Establishing procedures for determining proper selection of award instruments to be used for supporting bureau or office programs. These procedures may include official determinations that instruments to be used in making awards within a specific program are contracts, grant agreements, or cooperative agreements in keeping with 505 DM 2.6. Procedures must also be established for the conduct of reviews at an organization level separate from the level where the determinations are made to ensure objectivity in the decision-making process and to ensure that assistance instruments are not being used to circumvent applicable Federal procurement laws or regulations. Written determinations regarding selection of award instruments must contain complete information on the nature of the relationship between the bureau or office and the recipient to justify the use of the instrument selected. For competitive grant awards, it is sufficient to provide the written justification at the program level, e.g., not for each individual recipient of a competitive grant under the grant program. Public notices, solicitations, or requests for applications should indicate the type of relationship contemplated (procurement or assistance), the instrument to be used, and for cooperative agreements, an explicit statement of Federal programmatic involvement.

(2) Assuring that recipients of Federal funds are required to maintain adequate records to permit review by the Secretary, the Inspector General, the Comptroller General of the United States, or their authorized representatives.

(3) Preparing for each cooperative agreement an explicit statement of substantial Federal programmatic involvement which includes the nature, character, and extent of the anticipated Federal involvement. This statement is to be part of the official agreement and file.

(4) Establishing oversight and review procedures to ensure compliance with the Act, the OMB final guidance, and this issuance.

(5) Obtaining review by SOL of proposed cooperative agreements and grants, regardless of dollar amount, when review is advisable because of complexity, novelty, intellectual property issues, potential conflicts of interest, or other such concerns to warrant legal review. Cooperative agreements and grant awards issued under well-established programs do not require SOL review, unless requested. However, bureaus will seek legal advice from SOL in the review or development of new programs or policies affecting future allocations of financial assistance awards, including grants and cooperative agreements.

(6) Periodically conducting compliance reviews on competitive grant and cooperative agreement criteria, procedures and awards and meeting internal control review requirements for financial assistance programs under OMB Circular A-123, Management's Responsibility for Internal Controls and Appendix A, Internal Control over Financial Reporting. These reviews of all financial assistance awards, conducted on a 4-year cycle, will highlight any program changes and improvements, implemented or proposed.

2.9 Selection of an Award Instrument.

A. Procurement Contract. The basic criterion for selection of a procurement contract is that the relationship between the bureau or office and the awardee is for the principal purpose of acquiring (by purchase, lease, or barter) property or services for the direct benefit or use of the Federal Government.

B. Grant Agreement and Cooperative Agreement.

(1) The basic criterion for selection of a grant agreement or cooperative agreement is that its primary function is to carry out a public purpose of support or stimulation, and for the cooperative agreement, substantial involvement is expected between the bureau or office and the recipient when carrying out the activity contemplated in the agreement.

(2) Anticipated substantial Federal involvement is a relative rather than an absolute concept. In general, when the terms of an assistance instrument indicate the recipient can expect to perform the project without bureau or office collaboration, participation, or intervention (as long as performance is in accordance with the terms of the assistance instrument) substantial involvement is not anticipated. When the assistance instrument indicates the recipient can expect bureau or office collaboration or participation in the management or performance of the project, substantial Federal involvement is anticipated.

(3) The following examples are not meant to be a checklist or to be considered as individual determinants, but as a basic guide to selecting the proper assistance instrument:

(a) A bureau, office or organizational unit may anticipate substantial involvement when it: (i) participates and collaborates jointly with the recipient partner, volunteer, scientist, technician or other personnel, in carrying out the scope of work, trains recipient personnel, or details Federal personnel to work on the project effort; (ii) reviews and approves one stage of work before the next stage can begin; (iii) reviews and approves proposed

modifications or sub-grants, prior to the award; (iv) helps select project staff or trainees; (v) directs or redirects the work because of interrelationships with other projects; (vi) has power to halt immediately an activity if detailed performance specifications are not met; and (vii) limits recipient discretion with respect to scope of work, organizational structure, staffing, mode of operations and other management processes, coupled with close monitoring or operational involvement during performance.

(b) Anticipated substantial involvement during performance does not include: (i) Government approval of recipient plans prior to award; (ii) normal exercise of Federal stewardship responsibilities during the project period such as site visits, performance reporting, financial reporting, and review to insure that the objectives, terms and conditions of the award are accomplished; (iii) unanticipated Government involvement to correct deficiencies in project or financial performance from the terms of the assistance instrument; (iv) general statutory requirements understood in advance of the award such as civil rights, environmental protection, and provisions for the handicapped; (v) Government review of performance after completion of the assisted activity; and (vi) general administrative requirements, such as those included in OMB Circulars A-21, A-87, A-102, A-110, A-133, and applicable implementing regulations.

(4) The determination to use a cooperative agreement will in all cases be based on the need for substantial Federal involvement in the assisted activity after considering a variety of factors including the management, financial, and technical needs of the recipient.

(5) Federal involvement in cooperative agreements will be limited to the minimum required consistent with program requirements. Nothing in the Act should be construed as allowing the Government to increase its involvement beyond that which is authorized by applicable laws and OMB requirements.

(6) Should bureau or office programs now using grant agreements require in the future the award of cooperative agreements exclusively for particular activities, this determination should be based on statutory requirements or policy level determinations of the need for substantial Federal involvement in the performance of an assisted project.

2.10 Grant Agreement and Cooperative Agreement Structure and Contents.

A. The grant agreement or cooperative agreement will be structured in a manner which:

(1) Adequately describes the relationship based upon the degree of involvement of the parties; and

(2) Defines and allocates respective responsibilities, obligations, rights, and accountability as appropriate to the particular project. Requirements contained in statutes and implementing regulations will govern.

B. The grant agreement or cooperative agreement will set forth the respective rights and obligations of the parties in such areas as project performance and management, partial or total

termination of the work, changes in the scope of work, period of performance, application of funding and resources, title to property, records maintenance and access, liability, etc. Each agreement will be clear and concise and will include terms agreed upon between the parties. A grant agreement or cooperative agreement will include, as a minimum, the following provisions or items:

(1) Notification of Award will:

- (a) Identify the agreement by entering thereon a document number which will be compatible with the Federal Assistance Award Data System;
- (b) Provide the name and address of the recipient in the award agreement and, the names, titles, office address, and telephone numbers for the respective bureau/office and recipient project managers;
- (c) Identify the project by program code (e.g., CFDA number) and a brief summary of the purpose of the project;
- (d) Identify basic funding information (e.g., the total amount of funds initially obligated by the grant agreement or cooperative agreement);
- (e) Specify the project period;
- (f) Identify the bureau or program office which has been assigned responsibility for execution and administration of the agreement; and,
- (g) Provide unique Identifier of Entity and Parent Entity, if applicable.

(2) U.S. Code citation(s) to the statutory authorization and/or appropriation permitting expenditure of the identified funds for an authorized purpose. If the authority is not codified, then the citation(s) will identify the Public Law by name and year and provide the specific section and, as appropriate, title or subtitle containing the authority. The Federal Grant and Cooperative Agreement Act will not be cited as authority.

(3) A statement of joint objectives, schedule, if applicable, project management plan, general terms and conditions (e.g., OMB Circulars, property management and disposal, payment methods) or a referenced Departmental Internet site where general terms and conditions may be found, and special conditions (e.g., technical requirements, special reporting/legislative requirements), if required.

2.11 Administrative Requirements for Grant Agreements and Cooperative Agreements.

A. The basic administrative requirements applicable to an individual grant agreement or cooperative agreement will be determined by the type of recipient.

B. For recipients covered by OMB Circular A-102, "Grants and Cooperative Agreements with State and Local Governments," and implementing regulations at 43 CFR Part 12, Subpart C or OMB Circular A-110, "Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Nonprofit Organizations," and implementing regulations at 43 CFR Part 12, Subpart F, the administrative requirements specified in these circulars and regulations will apply unless a waiver has been obtained from OMB (see [505 DM 3.5](#) or [505 DM 5.5](#)).

C. The administrative requirements will always reflect the cooperative effort and the respective interests, investments and rights of the parties to the agreement.

D. The Federal Audit Clearinghouse operates on behalf of OMB and maintains a database of completed audits, provides appropriate information to agencies, and is responsible for following up with known auditees that have not submitted the data collection forms and reporting packages.

E. Bureau/office programs are responsible for accessing the Federal Audit Clearinghouse website (<http://harvester.census.gov/sac/>) to determine when audit reports have been submitted. If reports have not been submitted, bureau/office programs will request follow-up action by the Clearinghouse. At their discretion, and in accordance with guidance at 43 CFR 12, programs may consider the imposition of sanctions, e.g., award no new grants, in cases of continued inability or unwillingness of applicable financial assistance awardees to have audits conducted in accordance with the requirements of the Single Audit Act of 1984, as amended, and OMB Circular A-133.

2.12 Posting Grant and Cooperative Agreement Funding Opportunities. In order to provide the public opportunity to view potential funding opportunities (as recipients and possible sub-grantees) thereby maintaining transparency consistent with the customer service mandates prescribed in P.L. 106-107, synopses of all cooperative agreement and discretionary grant funding opportunities must be posted to Grants.gov (www.grants.gov). Exceptions include:

A. Programs that only publish funding opportunities in the Catalog of Federal Domestic Assistance (CFDA);

B. Announcements of funding opportunities for awards less than \$25,000 for which 100 percent of eligible applicants live outside of the United States;

C. Single source announcements of funding opportunities issued by an agency which are specifically directed to a known recipient;

D. The exception cited at [505 DM 2.4A](#);

E. An award for which there is insufficient time available (due to a compelling and unusual urgency, or substantial danger to health or safety) for adequate competitive procedures to be followed;

2.13 Competition for Federal Financial Assistance Awards. Competition in making awards through cooperative agreements is strongly encouraged and is expected in awarding discretionary grants, unless otherwise directed by Congress. In all cases, bureaus and offices are required to make awards based on the merits in accordance with the law.

2.14 Single Source Determinations. The Department recognizes that there are circumstances where an organization or an individual may be determined to be an appropriate partner based on demonstrable criteria such as unique expertise or capacity to receive an award through a cooperative agreement without competition. Applying the criteria set forth in this section, bureaus and offices must consider the totality of circumstances in determining whether to authorize a single-source award. Decisions to transfer funds under a cooperative agreement to a single source without engaging in competition must be able to withstand scrutiny, should protect the public interest, and should comport with management priorities, objectives and statutory requirements.

A. When anticipating a single-source award for \$25,000 and above, the bureau or office must, prior to issuance:

(1) Publish a notice of its intent to make the award either in the Federal Register or on Grants.gov, in order to provide for transparency; and,

(2) Prepare a written justification and document the file to explain why competition is not practicable, including a statement of which criteria described below justify the action and why. The justification will include a discussion of the program legislative history, unique capabilities of the proposed recipient, and cost-sharing contribution offered by the proposed recipient, as applicable.

B. Criteria for Justifying Award Without Competition. In order for an assistance award to be made without competition, the award must satisfy one or more of the following criteria:

(1) Unsolicited proposal - The proposed award is the result of an unsolicited assistance application which represents a unique or innovative idea, method or approach which is not the subject of a current or planned contract or assistance award, but which is deemed advantageous to the program objectives;

(2) Continuation - The activity to be funded is necessary to the satisfactory completion of, or is a continuation of an activity presently being funded, and for which competition would have a significant adverse effect on the continuity or completion of the activity.

(3) Legislative intent - The language in the applicable authorizing legislation or legislative history clearly indicates Congress' intent to restrict award to a particular recipient or purpose.

(4) Unique Qualifications - The applicant is uniquely qualified to perform the activity based upon a variety of demonstrable factors such as location, property ownership,

voluntary support capacity, cost-sharing ability, if applicable, technical expertise, or other such unique qualifications;

(5) Emergencies - Program/award where there is insufficient time available (due to a compelling and unusual urgency, or substantial danger to health or safety) for adequate competitive procedures to be followed.

2.15 Posting Grant Agreement and Cooperative Agreement Applications. Bureaus and offices will make every effort to meet annual goals assigned to the Department of the Interior in support of the standardization and streamlining requirements of P.L. 106-107 and government-wide E-Gov initiatives, by posting grant and cooperative agreement application packages using the appropriate Standard Form 424 on Grants.gov. Additionally, bureaus will strongly encourage potential applicants to use Grants.gov when submitting responses to posted applications.

2.16 Awarding Discretionary Grant Agreements and Cooperative Agreements

A. Independent Objective Evaluation of Grant Agreement and Cooperative Agreement Applications. If consistent with the statute authorizing the program, bureaus and offices will develop procedures which provide for an independent objective evaluation of the applications prior to award. In developing the procedures, consideration will be given to ensuring that applications are reviewed and evaluated by qualified reviewers; applications are scored on the basis of announced criteria; applications are ranked; and funding determinations made. Submissions from debarred or suspended applicants may be considered and reviewed because the applicant's debarred or suspended status may change between proposal submission and actual award. However, awards may not be made to applicants who remain debarred or suspended at the time the award would be made.

B. Notification to Unsuccessful Applicants. Unsuccessful applicants include both those whose applications were disapproved and those whose applications were approved but not funded. Both types of unsuccessful applicants should be promptly notified of the actions taken on their request and given an explanation of the reasons why their applications were unsuccessful.

2.17 Authority to Vest Title in Tangible Personal Property for Research. The Act provides for the head of an executive agency to vest title in tangible personal property in a nonprofit institution of higher education or in a nonprofit organization whose primary purpose is conducting scientific research when the property is bought with amounts provided under a procurement contract, grant agreement, or cooperative agreement with the institution or organization to conduct basic or applied scientific research. This authority may be exercised when the head of the agency decides the vesting of title furthers the objectives of the agency, there is no further obligation to the United States Government, and other conditions, if any, the head of the agency considers appropriate are met. Requests to use this authority will be coordinated with the Office of the Solicitor.

2.18 Use of Multiple Relationships for Different Parts of Jointly Financed Projects. The Act does not require an executive agency to establish only one relationship between the United States Government and a State, local government, or other recipient on a jointly financed project involving amounts from more than one program or appropriation when different relationships would otherwise be appropriate and beneficial for different parts of the project.

U.S. Fish and Wildlife Service Issuing a New Financial Assistance Award Guidance

The Department Manual Part 505, Chapter 2 (505 DM 2) referenced in this guidance can be found at <http://www.doi.gov/pam/financialassistance/resources/index.html>. This guidance document and all attachments are available electronically on Inside.fws at <https://inside.fws.gov/go/post/FAPO-NewAwards>.

The following steps **MUST** be completed before a new award is released by the Agreements Officer in the FBMS FA/Contract Management System (PRISM). The steps do not have to be completed in the order as presented in this guidance.

- 1. Evaluate funding tool:** In accordance with 505 DM 2, Section 2.9, the program office must evaluate if the activity to be funded is an acquisition, an interagency agreement, or financial assistance award. The principal purpose of financial assistance is to transfer funds, services, or property from the Service to an eligible, non-Federal recipient to carry out a public purpose. This does not include goods or services obtained by the Service. Refer to the **Selection of Instrument Type Decision Diagram** (Attachment 1) to assist in determining the appropriate funding tool.

The determination of financial assistance as the appropriate funding tool must be documented under **Item 1 on the Checklist for a New Financial Assistance Award** (Attachment 2). If it has been determined that financial assistance is not the appropriate funding tool, STOP HERE and contact your regional contracting office.

- 2. Determine award instrument:** The program office must determine if the financial assistance award should be issued as a GRANT or a COOPERATIVE AGREEMENT. To determine if a specific award instrument is legally prescribed, check your program's authorizing and/or funding legislation. If a specific award instrument is not legally prescribed, use the information below to assist in determining the appropriate award instrument. Document the financial assistance award instrument to be used under **Item 2 on the Checklist for a New Financial Assistance Award**.

Cooperative Agreement: A cooperative agreement award should only be used when substantial Federal involvement is expected. According to 505 DM 2, Section 2.9 substantial involvement is expected when the Service: (A) participates and collaborates jointly with the recipient partner, volunteer, scientist, technician or other personnel, in carrying out the scope of work, training recipient personnel, or detailing Federal personnel to work on the project effort; (B) reviews and approves one stage of work before the next stage can begin; (C) reviews and approves proposed modifications or sub-grants, prior to award; (D) helps select project staff or trainees; (E) directs or redirects the work because of interrelationships with other projects; (F) has power to immediately halt an activity if detailed performance specifications are not met; and (G) limits recipient discretion with respect to scope of work, organizational structure, staffing, mode of operations and other management processes, coupled with close monitoring or operational involvement during performance under the award.

The following are NOT considered substantial involvement: (A) Service staff approval of recipient plans prior to award; (B) normal exercise of Federal stewardship responsibilities during the performance period such as site visits, performance reporting, financial reporting, and review to ensure that the objectives, terms and conditions of the award are accomplished; (C) unanticipated Service staff involvement to correct deficiencies in project or financial performance from the terms of the award; (D) general statutory requirements understood in advance of the award such as civil rights, environmental protection, and provisions for the handicapped; (E) Service staff review of performance after completion of the assisted activity; and (F) general administrative requirements, such as those included in OMB Circulars A-21, A-87, A-102, A-110, A-133, and applicable implementing regulations.

For cooperative agreements, programs must include a detailed description of the expected Service involvement in the project activities in both the Grants.gov funding opportunity description and the **Notice of Award letter** (see Step 10 below).

3. Identify the Funding Program by Catalog of Federal Domestic Assistance (CFDA) Number:

The CFDA is a U.S. Government publication of Federal programs, projects, services, and activities that provide assistance or benefits to the public. The primary purpose of the CFDA is to help the public obtain general information on Federal assistance programs. The program office must identify the Service CFDA program under which the award is being funded. Select the CFDA most appropriate to the funding source and/or the activity to be funded.

To view the Service's CFDA program descriptions online, go to <http://www.cfda.gov> and click on the Agencies tab. Locate Department of the Interior on the list (page 2), click on the numbered Offices link, locate Fish and Wildlife Service on the list, and click on the numbered link under the Programs column. If your program does not have a CFDA, select the general Service CFDA program that most closely matches the award activities. The general Service CFDA programs are:

- 15.649 for training and technical assistance projects
- 15.650 for research projects
- 15.664 for Congressionally mandated or directed (earmarked) awards

Document the CFDA number and CFDA program title to be assigned to the award in the corresponding fields on the top of the **Checklist for a New Financial Assistance Award**.

4. Justify single source award: The program office must make sure that all discretionary financial assistance awards that will be issued without competition (also known as single source awards) are justified according to the Department policy (505 DM 2, Section 2.14). A single source award justification is not required for awards made under mandatory formula programs. Refer to the CFDA website (www.cfda.gov) for a list of the Service's mandatory formula grant programs.

Indicate under **Item 3** on the **Checklist for a New Financial Assistance Award** if the discretionary award will or will not be issued without competition. For discretionary awards to be issued without competition, the program office must document in writing all single source determinations regardless of award amount, and post funding opportunities for single source awards for \$25,000 or more on Grants.gov. For each single source award, the program office must complete the **Notice of Intent to Award to a Single Source without Competition form** (Attachment 3) and place the form

in the official award file. See Step 5 below for the Grants.gov funding opportunity posting requirements.

5. Post Funding Opportunity on Grants.gov:

A. Mandatory Programs: Mandatory formula programs are not required to post funding opportunities on Grants.gov. To verify if the program is a mandatory formula program, go to <http://www.cfda.gov> and enter the program's CFDA number in the Find Programs search tool. The program type will be listed in the CFDA profile under section 060: Types of Assistance.

Although not required, mandatory formula programs may still choose to post funding opportunities to Grants.gov. Mandatory funding programs that want to receive applications through Grants.gov but do not want their funding opportunity synopsis to show up on Grants.gov should: 1) post a synopsis from PRISM; 2) log into Grants.gov (must have a grantor user account), search for the PRISM-generated synopsis and attach an application package and complete notice of funding availability and application instructions; 3) delete the synopsis; then 4) communicate the funding opportunity number to the known applicant(s). Following these steps will allow the applications submitted through Grants.gov to automatically download into PRISM, but will keep the synopsis from being searchable on a general Grants.gov public search. Mandatory formula programs that want their funding opportunity synopsis to show up on a general Grants.gov public search should: 1) post a synopsis from PRISM; 2) log into Grants.gov (must have a grantor user account), find the synopsis, change the synopsis Opportunity Category field from "Discretionary" (PRISM default) to "Mandatory" and, if needed, update the Cost Sharing or Matching Requirements field; and 3) upload an application package and complete notice of funding availability and application instructions.

If the mandatory formula program does not choose to post a funding opportunity on Grants.gov, mark NO under **Item 4A** and YES under **Item 4B(1)** on the **Checklist for a New Financial Assistance Award**.

B. Discretionary Programs: 505 DM 2 provides the following justifications for not posting a funding opportunity on Grants.gov for a discretionary award/program:

- The funding opportunity is for awards less than \$25,000 for which 100 percent of eligible applicants live outside of the United States
- The funding opportunity is for a single source award less than \$25,000
- The funding opportunity is for an award made under the Indian Self-Determination and Education Assistance Act (P.L. 93-638, 88 Stat. 2204)
- Because of a compelling and unusual urgency, or substantial danger to health or safety, there is not enough time to follow adequate competitive procedures.

Document any applicable exemption from posting a discretionary funding opportunity to Grants.gov under **Item 4B** on the **Checklist for a New Financial Assistance Award**. Exemption (1) does not apply to discretionary awards/programs.

For all other discretionary programs regardless of funding amount and all single source awards for \$25,000 or more, the program/contracting office must post a funding opportunity, including both a synopsis and complete application package and instructions, to Grants.gov. A program/contracting office staff person with the FBMS Grants Specialist user role will log into PRISM, create and release a Funding Opportunity, and create and post a synopsis to Grants.gov. A program or contract office staff person with a Grants.gov grantor user account must then log into Grants.gov, search for the PRISM-generated synopsis, verify that the synopsis details are correct, and attach an application package and notice of funding availability and application instructions document to the synopsis.

Please note the following:

- When posting a synopsis to Grants.gov from PRISM, be sure to enter a date in the Archive Date field. Not entering an Archive Date will prevent the synopsis from posting to Grants.gov.
- After posting a synopsis to Grants.gov from PRISM, programs with cost share/matching requirements must update the cost share/matching field directly in Grants.gov. This is true even if the Cost share/Matching box was selected on the Funding Opportunity in PRISM.
- Posting a synopsis to Grants.gov from PRISM will create a system-to-system interface between Grants.gov and PRISM that automatically downloads applications submitted in Grants.gov to PRISM. These downloaded applications will appear in PRISM as Responses to the Funding Opportunity. **IF THE APPLICATIONS RECEIVED ARE DOWNLOADED FROM GRANTS.GOV BEFORE THE INTERFACE HAS PICKED THEM UP, THE APPLICATIONS WILL NEVER DOWNLOAD INTO PRISM!** If applications received in Grants.gov are not automatically downloaded into PRISM as expected and the applications were not downloaded directly from Grants.gov, open an FBMS Help Desk ticket by emailing a detailed description of the issue to FBMS_HelpDesk@nbc.gov.

C. Cooperative Agreements: For cooperative agreements, the funding opportunity synopsis description field must include a description of the expected substantial Service involvement as follows:

“Substantial involvement on the part of the USFWS is anticipated for the successful completion of the activities to be funded. In particular, the USFWS will be responsible for the following: [insert a description of the specific activities/responsibilities to be performed by USFWS staff]”.

D. Application Package and Notice of Funding Availability (NOFA)/Application Instructions: ALL funding opportunities must include a complete application package and a complete notice of funding availability/application instructions document. Programs that have requested and received OMB information collection clearance for their program-specific application package and instructions will attach their program-specific Form Package template and upload their program-specific application instructions to the Grants.gov funding opportunity. Programs with OMB information collection clearance may want to refer to the **NOFA and Application Instructions Template v5-11-12** (Attachment 4) and the OMB policy directive on funding

announcements

(http://www.whitehouse.gov/sites/default/files/omb/assets/omb/fedreg/062303policy_directive.pdf) when updating their program-specific notice of funding availability and application instructions document.

Programs that have NOT received OMB information collection clearance for their program-specific application documents must use one of the following Grants.gov ServiceForms Package templates: *FWS non construction with narratives* or *FWS construction with narratives* (select the one most appropriate to the nature of the program/project being announced). Programs without OMB approval for their program-specific notice of funding availability and application instructions should use the **NOFA and Application Instructions Template v5-11-12** to develop program-specific instructions and MUST request from their applicants the following documents:

- A complete, signed and dated Application for Federal Assistance SF-424
- A project narrative that, at a minimum, describes the goals, objectives, activities, and anticipated products and outputs of the proposed project and provides enough detail so that reviewers can clearly connect the proposed activities with the proposed project costs
- A complete Budget Information SF-424A Non-Construction or SF-424C Construction form
- If indirect costs are included in budget proposal, a copy of the organization's current approved indirect cost rate agreement or pending proposal
- A signed and dated Assurances SF-424B Non-Construction or SF-424D Construction form
- As applicable, a signed and dated SF-LLL, Disclosure of Lobbying Activities form (required only if the applicant has lobbying activities to disclose)
- A statement regarding applicability of and compliance with OMB Circular A-133 Single Audit Reporting

Depending on the program/project type, applicants may also be required to submit pre-award documentation related to requirements under the National Environmental Policy Act (NEPA), Section 7 of the Endangered Species Act (ESA), Section 106 of the National Historic Preservation Act (NHPA), applicable regulations stipulated in program's authorizing legislation, or other project-dependent compliances that must be documented by the applicant.

Once the Service Forms Package and program-specific applications instructions are uploaded, make a print screen of the: 1) Grants.gov synopsis as posted on Grants.gov; 2) the Grant Opportunity Properties screen showing the required and optional application package documents; and 3) the Manage Synopsis Attachments screen showing that application instructions were attached. A copy of these Grants.gov print screens must be maintained in the official award file.

6. **Review and approve proposal:** The program office must review and approve the proposed project scope of work, project objectives, and project costs. Per the Office of Management and Budget's final policy directive on financial assistance program announcements

(http://www.whitehouse.gov/sites/default/files/omb/assets/omb/fedreg/062303policy_directive.pdf), discretionary programs are required to publicize their application review criteria and detail their review and selection process in the Grants.gov funding opportunity. This may include describing how reviewers are selected and the way that conflicts of interest are avoided.

Proposal documents are routinely incorporated into awards by reference and so the proposed activities and budget must parallel the total award amount and activities approved under the award. Following review, applicants may need to revise the proposed project period of performance, scope of work and/or budget, or may need to provide additional justification for requesting reimbursement of any pre-award costs. The program office must verify the amount requested from the Service on both the final approved SF-424 and proposed budget are the same as the amount to be awarded.

- A. Indirect Costs:** If indirect costs are included in the proposed budget, the applicant must submit copy of their most recently submitted/approved indirect cost rate agreement. A recipient without an established indirect cost rate agreement with a Federal agency may not charge indirect costs to Federal financial assistance awards (all costs must be charged directly). Individuals applying for/receiving funding as a natural person (not affiliated with any organization i.e., unrelated to any business or nonprofit organization they may own or operate in their own name) must charge all costs directly. Refer to the **Indirect Cost Rate Agreement Requirements for Financial Assistance Recipients** (Attachment 5) for details on this requirement. **Indicate under Item 5 of the Checklist for a New Financial Assistance Award if indirect costs are included on the final approved budget** and, if so, **confirm that a copy of the applicant's most recently submitted/approved indirect cost rate agreement was received**. A copy of this document must be maintained in the official award or centralized program file.
- B. Cost Principles:** Financial assistance recipients are subject to Cost Principles for Non-Profit Organizations (OMB Circular A-122), Cost Principles for Educational Institutions (OMB Circular A-21), Cost Principles for States and Local Governments (OMB Circular A-87) and the Federal Acquisition Regulation for cost principles to for-profit/commercial organizations (48 CFR Part 31.2), as applicable to the recipient organization type. These OMB circulars can be found online at <http://www.doi.gov/pam/financialassistance/resources/index.html>. The program office should be familiar with these cost principles and incorporate them into the proposal review and selection process.
- C. Federally Purchased Equipment:** Applicants cannot attribute equipment paid for by the U.S. Federal Government under another award as matching or in-kind contributions. Applicants should provide in their proposal a separate list/accounting of any equipment paid for by the U.S. Federal Government that will be used for the project, including the name of the Federal agency that paid for the equipment.
- D. Pre-award Costs:** If the program office finds that an applicant has demonstrated in their proposal that pre-award activities/costs were necessary and reasonable for accomplishing the overall project objectives and would have been approved had they occurred within the award period, the program office may approve the recipient to be reimbursed for those costs as part of the approved award. If the pre-award costs are not well detailed in the proposal, the program office should request additional information in writing from the applicant, including the

reason(s) why recipient has begun work, a description of the activities underway, the associated costs (categories and amounts) being incurred, and the date on which costs were first incurred. Maintain a copy of any additional pre-award cost information provided by the recipient in the official award file. **Indicate if pre-award costs are approved as part of the award under Item 6 of the Checklist for a New Financial Assistance Award.**

- E. Legal Review:** Refer to 505 DM 2, Section 2.8 D and E (5) for description of legal review responsibilities. There is no dollar threshold or any other pre-defined criteria requiring a legal review of a grant or cooperative agreement. For grants and cooperative agreements a legal review is optional, and is only necessary when the program office determines the proposed project is of such complexity/novelty or exhibits intellectual property issues or potential conflicts of interest, or other such concerns that the program feels would warrant legal review. **Indicate if a legal review was requested under Item 7 of the Checklist for a New Financial Assistance Award.** If legal review from the Office of the Solicitor was requested and a response was received, maintain a copy of the request and the response in the official award file.
- F. National Environmental Policy Act (NEPA) Compliance:** For all projects occurring within the United States, programs must comply with Service review responsibilities under NEPA. The purpose of the NEPA review process is to consider detailed information concerning every significant environmental impact on the human environment, which is defined as the natural and physical environment and the relationship of people to that environment. A NEPA review requires an evaluation of several factors before approving a project. These factors are the project scope, the potential for significant impact on the human environment, and the level of public interest and/or controversy generated by the proposed project. Indicate the NEPA review outcome under **Item 8 of the Checklist for a New Financial Assistance Award.**

If all of the proposed project activities will be conducted outside the United States, select YES under **Item 8A on the Checklist for a New Financial Assistance Award.** NEPA review is not required.

If any of the proposed project activities will be conducted within the United States and is completely covered by a Categorical Exclusion under 516 DM 2, Appendix 1 or 516 DM 8.5 and NO Extraordinary Circumstance under 516 DM 2, Appendix 2 applies to the project, **then select YES under Item 8B on the Checklist for a New Financial Assistance Award.** No further NEPA documentation is required.

Additional NEPA documentation is required for any proposed project activity to be conducted within the United States and:

- Is not completely covered by a Categorical Exclusion under 516 DM 2, Appendix 1 or 516 DM 8.5;
- Does not meet the criteria for any Categorical Exclusion under 516 DM 2, Appendix 1 or 516 DM 8.5; OR
- An Extraordinary Circumstance under 516 DM 2, Appendix 2 applies to the project.

If any of these conditions apply, an Environmental Assessment and/or an Environmental Impact Statement and related documentation is required before the award can be approved. The Branch of Conservation Planning Assistance in the Division of Habitat and Resource Conservation is responsible for coordination of Service responsibilities and activities associated with the NEPA. For Fish and Wildlife Service and Department of the Interior NEPA guidance and procedures, go to the Service's NEPA Reference Handbook (<http://www.fws.gov/r9esnepa/index.html>).

Indicate if any of the conditions requiring additional NEPA documentation apply to the project under **Item 8C on the Checklist for a New Financial Assistance Award**. Program must maintain a copy of all NEPA documentation in the official award or centralized program file.

G. Section 7 of the Endangered Species Act (ESA) Compliance: Section 7(a)(2) directs all Federal agencies to insure that any action they authorize, fund, or carry-out does not jeopardize the continued existence of an listed, proposed or candidate endangered or threatened species or a designated or proposed critical habitat. Under the implementing regulations (50 CFR 402), Federal agencies must review financial assistance proposals for all actions to be conducted within the United States and on the high seas to determine whether the actions proposed may affect Federally listed and proposed species or proposed or designated critical habitat.

Select YES under **Item 9A on the Checklist for a New Financial Assistance Award** if all of the project activities fall under any of the following categories:

- To be conducted outside the United States and the high seas;
- No listed, proposed or candidate endangered or threatened species or designated or proposed critical habitat exists in the project area; or
- Have no potential to affect species or their designated critical habitats (e.g., meeting or travel support ,education/outreach activities with no species or habitat focus, etc.).

A Section 7 ESA determination is not required.

Select YES under **Item 9B on the Checklist for a New Financial Assistance Award** if any of the project activities are to be conducted within the United States or on the high seas and listed, proposed or candidate endangered or threatened species or designated or proposed critical habitat exists in the project area and the program can determine that none of the proposed project activities will directly, indirectly, or cumulatively impact, either positively or negatively, any listed, proposed, candidate species or designated/proposed critical habitat.

Selecting YES under Item 9B means that the program has made a determination that the proposed project activities will have NO EFFECT and that [documentation supporting this determination will be maintained in the official award or centralized program file](#).

Select YES under **Item 9C on the Checklist for a New Financial Assistance Award** if any listed, proposed or candidate endangered or threatened species or designated or proposed critical habitat exists in the project area and the proposed project activities may affect the species or habitat. Selecting YES under Item 9C means that the program has submitted to the appropriate Endangered Species field office either a finding of not likely to adversely affect (NA) for concurrence or a finding of likely to adversely affect (AA) for a formal consultation through the intra-Service consultation process, that a final determination has been made, and that [all related documentation will be maintained in the official award or centralized program file](#). Contact

your regional Endangered Species office for additional information on the intra-Service Section 7 consultation process.

- H. Section 106 of the National Historic Preservation Act (NHPA) Compliance:** Any project, activity, or program funded in whole or in part by a Federal agency, including those carried out with Federal financial assistance, with the potential to cause effects on historic properties must be accounted for under the Section 106 consultation process. Programs must consult with their Regional Historic Preservation Officer on all projects carried out with financial assistance. The Regional Historic Preservation Officer will provide guidance to the program as to which projects require additional documentation and review. A list of the Regional Historic Preservation Officers can be found online at <http://www.fws.gov/HistoricPreservation/crp/NAGPRA.html>. Select YES under **Item 10 on the Checklist for a New Financial Assistance Award** to indicate compliance with Section 106 of the NHPA. All related documentation must be maintained in the official award or centralized program file.
- I. Single Audits:** Domestic recipients who spent \$500K or more in Federal award funds in a fiscal year (FY) must submit A-133 Single Audit reports to the Federal Audit Clearinghouse. For all applicants reporting that they were required to submit an A-133 Single Audit report last year, the program office must search the applicant's reports in the Federal Audit Clearinghouse-Single Audit Database (<http://harvester.census.gov/sac>) and make a print screen showing the search results. A copy of this print screen must be maintained in the official award file. Document that the applicant provided a statement regarding their A-133 status and, if applicable, that a print screen of the query results from the Federal Audit Clearinghouse-Single Audit Database will be maintained in the official award file under **Item 12 on the Checklist for a New Financial Assistance Award**.

When a proposal is approved for funding, all of the documentation submitted by the applicant and otherwise unique to the project must be maintained in the official award file. If the program makes multiple awards each year/over the course of several years to the same recipient, the program may choose to centralize its official recordkeeping for documents such as Negotiated Indirect Cost Rate Agreements, A-133 Single Audit Reports, Assurances (SF-424 B/D), Lobbying Disclosures (SF-LLL), NEPA reviews, Section 7 ESA reviews, and Section 106 NHPA reviews.

- 7. Verify applicant eligibility:** program office must verify applicant eligibility to receive Federal financial assistance.
- A. Data Universal Numbering System (DUNS) and Central Contractor Registry (CCR):** Unless exempt, all applicants must have a valid DUNS number and have an active registration in the CCR. Individuals applying for funding as a natural person (not affiliated with any organization i.e., unrelated to any business or nonprofit organization they may own or operate in their own name), and foreign entities not already registered and applying for or receiving an award for less than \$25,000 for activities to be performed outside the United States, are exempt from registering in DUNS and CCR. Document any DUNS/CCR exemptions under **Item 12C on the Checklist for a New Financial Assistance Award**.

Refer to the **NOFA and Application Instructions Template v5-11-12** for detailed DUNS and CCR registration instructions. Recipients must renew and revalidate their CCR information every twelve months from the date of registration. Go to the CCR Search page (<https://www.bpn.gov/CCRSearch/Search.aspx>) and enter the applicant's DUNS number in the first search field. Beginning on or about June 1, 2012, the public will be redirected from the current CCR site to the new System for Award Management portal at <http://sam.gov/>. A User ID and password are not needed to search for and view public CCR data through the new portal. If the CCR registration is found to be inactive, the applicant must renew and revalidate the registration before the award can be released/funds obligated in FBMS. **If the applicant is required to register in CCR, make a print screen of the CCR search results showing that the applicant is actively registered in CCR and maintain a copy of the print screen in the official award file. Indicate if the applicant is required to/is registered in CCR under Item 12A and, if required to register, document their CCR registration validity end date under Item 12B on the Checklist for a New Financial Assistance Award.** If the applicant's CCR registration is set to expire within the expected award period of performance, the program office must notify the recipient in writing in the Notice of Award (see Section 10 below) of their responsibility to maintain an active registration throughout the entire award period of performance.

- B. Excluded Parties List:** The program office must verify that the recipient is not ineligible to receive Federal awards by searching for the recipient on the Excluded Parties List (EPLS) at <https://www.epls.gov>, using one or more of the Current Exclusions search tools including, but not limited to, the DUNS number, name of individual/entity, etc. Beginning on or about June 1, 2012, the public will be directed from the current EPLS site to the new System for Award Management (SAM) portal at <http://sam.gov/>. A User ID and password are not needed to search for and view public EPLS data through the new portal. If the recipient is on the list, the program office CANNOT issue an award to that recipient. **Make a print screen of the query results from the EPLS showing that the applicant is not found in the database and maintain a copy of in the official award file. Document that the EPLS was done and that a print screen of the query results will be maintained in the official award file under Item 13 on the Checklist for a New Financial Assistance Award.**
- 8. Establish a payment method for the expected recipient:** Programs must establish a payment method for the expected recipient BEFORE obligating funds for a new grant or cooperative agreement to that recipient in FBMS. Establishing a payment method means that the expected recipient must either complete the process for enrollment in U.S. Treasury's Automated Standard Application for Payments (ASAP) system or, if eligible, work with the program office to obtain approval from the Department of the Interior (Department) to be waived from using ASAP. Completed ASAP enrollments and approved ASAP waivers are documented on the recipient's vendor record in FBMS. ***Releasing an award before payment method data is documented on the recipient's FBMS vendor record will cause system errors and create payment delays!***

To establish a recipient's payment method, follow all applicable steps of the **Establishing a Recipient's Payment Method before Obligating Funds for a New Grant or Cooperative Agreement Award in FBMS** guidance document posted on Inside.fws at <https://inside.fws.gov/go/post/Payments-New>. All attachments referenced in the guidance are also posted on Inside.fws on the same page. **Document that all applicable steps of the guidance were followed under Item 14 on the Checklist for a New Financial Assistance Award.**

9. Complete a Notice of Financial Assistance Award:

Programs have two choices for generating a Notice of Financial Assistance Award. Programs may either use the Grant and Cooperative Agreement Cover Page form generated in PRISM or generate a customized notice of award letter using the attached **Notice of Award Letter Template v5-11-12** (Attachment 6). Below are instructions for using each type of notice:

A. The PRISM-generated Grant and Cooperative Agreement Cover Page form:

The PRISM-generated Cover Page form must be modified before it is sent to the recipient. If the program is going to use the PRISM-generated Cover Page, this step will be completed AFTER Step 11 below, as all of the required steps of creating an award in PRISM must be completed before the program/contracting office can print and revise the Cover Page form. To use the PRISM-generated Cover Page form, programs/contracting offices will need to either save the PDF Cover Page to their desktop and use Adobe Acrobat Professional to make changes to the form, or print the form in paper copy and make changes by hand.

The items to be modified on the PRISM-generated Cover Page are as follows:

- 1) Remove the text “(Approximately)” from Box 12. Period of Performance

12. PERIOD OF PERFORMANCE <i>(Approximately)</i> 02/02/2012 through 11/30/2012

- 2) If the award is a Grant, remove the text “Cooperative Agreement” from Box 18.

18. APPLICABLE ENCLOSURE(S), IF CHECKED:	
<input checked="" type="checkbox"/> PROVISIONS	<input type="checkbox"/> SPECIAL CONDITIONS
<input type="checkbox"/> REQUIRED PUBLICATIONS AND REPORTS	
COOPERATIVE AGREEMENT RECIPIENT	
AUTHORIZED REPRESENTATIVE	DATE

- 3) Recipients are NOT required to sign the Notice of Financial Assistance Award document. As per DOI standard award terms and conditions, the recipient's acceptance of a financial assistance award is defined as the start of work, drawing down funds, or accepting the award via electronic means. Awards are based on the signed application documents submitted to and approved by the Service. Programs must enter “Recipient signature not required” in the Authorized Representative signature box under Box 18.

Notices of Financial Assistance Award require the signature of an authorized Service representative only. A re-delegation memo from the program's Assistant Director (Region 9) or the Regional Director (Regions 1 through 8) identifying the authorized Service representatives who can sign grant and cooperative agreement award letters must be kept on file in the program office for audit and management review purposes. Per 030 FW 2, two copies of all delegations issued by Regional Directors and Assistant Directors must be sent to the Assistant Director - Policy, Budget and Administration.

Programs using the PRISM-generated form must ensure that the recipient also receives the DOI standard terms and conditions, any project-specific special terms and conditions, complete contact details for the Service Project Officer, detailed payment instructions, and detailed financial and performance reporting requirements, including reporting periods, due dates, and submission instructions.

B. The Notice of Award Letter Template v5-11-12:

Use the **Notice of Award Letter Template v5-11-12** to generate a project-specific notice of award to the recipient. The template includes instructions and notes highlighted in yellow or in blue text on what and when to include suggested text in each section. The template also includes suggested text highlighted in yellow. Be sure to remove all instructions, notes, and not-applicable text when finalizing a notice of award. Black text not highlighted in yellow should remain.

Notices of award should be unique to the recipient/project. Not all the suggested special terms and conditions in the Notice of Award template will apply to every award. Do not include standard or special terms/conditions if they do not apply to the particular award being issued. Use the template notes to determine what text to remove.

Programs must follow Service policies 516 FW 1, Financial Reporting for Grant and Cooperative Agreement Awards (<http://www.fws.gov/policy/516fw1.html>) and 516 FW 2, Performance Reporting for Grant and Cooperative Agreement Awards (<http://www.fws.gov/policy/516fw2.html>) when completing the reporting requirements section of the template. If the recipient is being paid manually and is therefore submitting SF-270/SF-271 payment requests, the program has the option to waive interim financial reporting.

Notices of Financial Assistance Award letters require the signature of an authorized Service representative only. Programs that rely on a Contracting Office may need to send a final draft of the notice of award letter to the Contracting Office for signature by a Contracting Officer. A re-delegation memo from the program's Assistant Director (Region 9) or the Regional Director (Regions 1 through 8) identifying the authorized Service representatives who can sign grant and cooperative agreement award letters must be kept on file in the program office for audit and management review purposes. Per 030 FW 2, two copies of all delegations issued by Regional Directors and Assistant Directors must be sent to the Assistant Director - Policy, Budget and Administration.

Recipients are NOT required to sign the Notice of Financial Assistance Award letter or any other award document. As per DOI standard award terms and conditions, the recipient's acceptance of a financial assistance award is defined as the start of work, drawing down funds, or accepting the award via electronic means. Awards are based on the signed application documents submitted to and approved by the Service.

10. Compile required documents:

The following pre-award documents must be maintained in the official award or centralized program file:

- ✓ Completed **Checklist for a New Financial Assistance Award**

- ✓ If single source award, completed **Notice of Intent to Award to a Single Source without Competition Form**.
- ✓ Print screens of the: Grants.gov synopsis as posted on Grants.gov, the Grant Opportunity Properties screen, and the Management Synopsis Attachment screen.
- ✓ Final, signed and approved application forms and attachments (incorporating any additional pre-award application revisions or clarifications received).
- ✓ If indirect costs are included on the proposed budget, a copy of the applicant's most recently submitted/approved indirect cost rate agreement.
- ✓ If legal review from the Office of the Solicitor was requested/a response received, documentation of the request and the response.
- ✓ If applicable, evidence that all program-specific pre-award compliance requirements including National Environmental Policy Act (NEPA), Section 7 of the Endangered Species Act (ESA), Section 106 of the National Historic Preservation Act (NHPA), or other applicable regulations as required were met.
- ✓ If applicable, a print screen of the query results from the Federal Audit Clearinghouse-Single Audit Database.
- ✓ If the applicant is required to register in CCR, a print screen of the CCR search results showing the applicant's active CCR profile.
- ✓ Print screen(s) of Excluded Parties List query/queries showing that the applicant is not found in the database, as evidence that the applicant has not been debarred or suspended and is eligible to receive Federal funds.

The program office may choose to centralize official recordkeeping for documents such as Negotiated Indirect Cost Rate Agreements, A-133 Single Audit Reports, Assurances (SF-424 B/D), Lobbying Disclosures (SF-LLL), NEPA reviews, Section 7 ESA reviews, NHPA reviews and EPLS checks.

Programs that rely on a regional contracting office to issue their awards must consult with their regional contracting office regarding if and how the required pre-award documents are to be transmitted to the regional contracting office.

All official pre-award file documents may be scanned and uploaded into PRISM as Attachments or Supporting Documents on a Response to a Funding Opportunity. To upload these documents into PRISM, go to the Funding Opportunity document in PRISM and either locate the corresponding Grants.gov Response or follow the FBMS work instructions for creating a manual Response to a Funding Opportunity. Once the corresponding PRISM Response is identified/created, the Grants Specialist can then upload all documents to the Response as Attachments or Supporting Documents.

If the FBMS work instructions for creating an award based on a Response to a Funding Opportunity are followed, all documentation uploaded to a Response to a Funding Opportunity will be automatically linked in PRISM to the award document. Users can then easily navigate between the Award and the Response on which the award is based by using the Navigation link under the Award>Main menu.

11. Complete the Grants Purchase Request and PRISM Award processes in FBMS:

For programs that rely on a regional contracting office (Regions 1 through 8) for award processing, follow your regional contracting office instructions for processing a Grants Purchase Request (used for both grants and cooperative agreements) and a new PRISM award in FBMS. For Region 9 programs that rely on Wildlife and Sport Fish Restoration (WSFR) for award processing and approval, follow the instructions provided by WSFR and the FBMS work instructions for processing a Grants Purchase Request (used for both grants and cooperative agreements) and a new PRISM award in FBMS. For programs that process their awards in-house, follow your program-specific process and the FBMS work instructions for processing a Grants Purchase Request (used for both grants and cooperative agreements) and new PRISM award in FBMS.

12. Point of Contact: Send any questions by email to the Financial Assistance Policy and Oversight Branch Chief, Maribel Langas Miller (Maribel_miller@fws.gov).

Attachments:

Attachment 1- Selection of Instrument Type Decision Diagram

Attachment 2- Checklist for a New Financial Assistance Award

Attachment 3- Notice of Intent to Award to a Single Source without Competition form

Attachment 4- NOFA and Application Instructions Template v5-11-12

Attachment 5- Indirect Cost Rate Agreement Requirements for Financial Assistance Recipients

Attachment 6- Notice of Award Letter Template v5-11-12

Referenced:

Establishing a Recipient's Payment Method before Obligating Funds for a New Grant or Cooperative Agreement Award in FBMS guidance and attachments (<https://inside.fws.gov/go/post/Payments-New>)

U.S. Fish and Wildlife Service
Checklist for a New Financial Assistance Award

CFDA Number: _____

Recipient Name: _____

DUNS Number: _____

Project Title: _____

Performance Start: _____

Performance End: _____

Items		YES	NO
1.	The project/activity to be funded IS financial assistance, and NOT an interagency agreement or an acquisition action, as defined in 505 DM 2, Section 2.9.		
2.	Select the Financial Assistance Award Instrument to be used (select A or B below):		
	A. GRANT: No substantial involvement by Service staff in project activities is expected.		
	B. COOPERATIVE AGREEMENT: Substantial Service staff involvement in the project activities is expected.		
3.	Is this a discretionary single source award, as defined in 505 DM 2, Section 2.14? A YES response also means that the program has completed the required Notice of Intent to Award to a Single Source without Competition form and the form will be maintained in the official award file.		
4.	A. Was a funding opportunity for this program/project, including a synopsis and complete application package, posted on Grants.gov? A NO response must be justified under 4B.		
	B. If 4A is marked NO, mark YES next to the applicable exemption justification below:		
	(1) The funding opportunity is for a mandatory formula program and a Grants.gov posting is not required.		
	(2) The funding opportunity is for discretionary awards less than \$25,000 for which 100 percent of eligible applicants live outside of the United States.		
	(3) The funding opportunity is for a discretionary single source award less than \$25,000.		
	(4) The funding opportunity is for an award made under the Indian Self-Determination and Education Assistance Act (P.L. 93-638, 88 Stat. 2204).		
	(5) Because of a compelling and unusual urgency, or substantial danger to health or safety, there is not enough time to follow adequate competitive procedures.		
5.	Are indirect costs included in the final approved budget? A YES response also means that the program has received a copy of the applicant's most recently submitted/approved indirect cost rate agreement and the document will be maintained in the official award or centralized program file.		
6.	Is the reimbursement of pre-award costs approved as part of this award? A YES response also means the applicant has demonstrated in writing that pre-award costs were necessary and reasonable for accomplishing the overall project objectives and the costs would have been approved had they occurred within the award period of performance.		
7.	Did the Program Office determine that the award is of such complexity/novelty or exhibits intellectual property issues or potential conflicts of interest, or other such concerns that it warranted legal review? A YES response also means that a copy of the request and any response will be maintained in the official award file.		
8.	NEPA Review. Select ONE of the following:		
	A. All of the proposed project activities will occur outside of the United States. NEPA review is not required.		
	B. As required under NEPA, the proposed project was reviewed for potential significant effects on the human environment. The proposed project is completely covered by a Categorical Exclusion under 516 DM 2, Appendix 1 or 516 DM 8.5 AND no Extraordinary Circumstance under 516 DM 2, Appendix 2 applies to the project. No further NEPA documentation will be made.		
	C. As required under NEPA, the proposed project was reviewed for potential significant impact on the human environment. The proposed project: Does not meet the criteria for any Categorical Exclusion under 516 DM 2, Appendix 1 or 516 DM 8.5; Is not completely covered by a Categorical Exclusion under 516 DM 2, Appendix 1 or 516 DM 8.5; OR An Extraordinary Circumstance under 516 DM 2, Appendix 2 applies to the project. A YES response also means that all required NEPA documentation has been completed and will be maintained in the official award file.		
9.	Section 7 ESA Review. Select ONE of the following:		
	A. All of the proposed project activities will occur outside of the United States and the high seas. Section 7 ESA review is not required.		
	B. Project activities will be conducted in the U.S. or on the high seas and the program has determined that the project meets the criteria of a NO EFFECT finding, as described in Section 6.G of the Service's Issuing a New Financial Assistance Award Guidance. A YES response also means that documentation supporting this determination will be maintained in the official award or centralized program file.		

U.S. Fish and Wildlife Service
Checklist for a New Financial Assistance Award

Items		YES	NO
C.	Project activities will be conducted in the U.S. or on the high seas and the program has determined that the project may affect endangered or threatened species or critical habitat and has submitted to ES either an 'NA' finding for concurrence or an 'AA' finding for a formal consultation. A YES response also means that a final finding was made (concurrence received or consultation process completed) and that all related documentation will be maintained in the official award or centralized program file.		
10.	Section 106 NHPA Review: The program has consulted with the appropriate Regional Historic Preservation Officer. A copy of all resulting documentation will be maintained in the official award or centralized program file.		
11.	Was the applicant required to submit an A-133 Single Audit Report last year? A YES response also means that a print screen of the search results from the the Federal Audit Clearinghouse-Single Audit Database has been made and will be maintained in the official award or centralized program file.		
12.	A. Is the applicant subject to the DUNS/CCR registration requirement? A YES response also means that a print screen showing the applicant's active CCR profile has been made and will be maintained in the official award file. A NO response for 12A is only appropriate when the response to 12C is YES.		
	B. If 12A is YES, enter the applicant's CCR registration validity end date here: If date falls within the award performance period, the program must include a statement in the notice of award notifying the recipient of their responsibility to maintain an active registration throughout the entire award performance period.		
	C. The applicant is exempt from DUNS/CCR registration due to being either an individual/natural person, OR a foreign entity not already registered in DUNS/CCR and receiving an award for less than \$25,000 for activities performed outside the United States.		
13.	The program office has searched the online Excluded Parties List (EPLS) and does not find the applicant on the list. A print screen of the EPLS query results will be maintained in the official award or centralized program file.		
14.	The program office has completed all applicable steps of the "Establishing a Recipient's Payment Method before Obligating Funds for a New Grant or Cooperative Agreement Award in FBMS" guidance.		

The appropriate Service employee(s) completed all pre-award actions required for a new financial assistance award.

 Signature of Service Project Officer assigned to the Award

 Date

U.S. Fish and Wildlife Service

[Insert the specific funding office within the agency (e.g., Division name)]

[Insert Program Title]

Catalog of Federal Domestic Assistance (CFDA) Number: [insert program's CFDA number]

Notice of Funding Availability and Application Instructions

I. Description of Funding Opportunity

[Provide a full programmatic description of the funding opportunity. Make it as long as needed to adequately communicate to potential applicants the areas in which funding may be provided. Describe the program's funding priorities or the technical or focus areas in which the program intends to provide assistance].

II. Award Information

[Provide sufficient information to help an applicant make an informed decision about whether to submit a proposal. Relevant information could include the total amount of funding the program expects to award through the announcement; the anticipated number of awards; the expected amounts of individual awards (which may be a range); the amount of funding per award, on average, experienced in previous years; and the anticipated start dates and periods of performance for new awards. This section should also address whether applications for renewal or supplementation of existing projects are eligible to compete with applications for new awards. This section must also indicate the type(s) of assistance instruments (i.e. grants, cooperative agreements, and/or other instruments) that may be awarded. If cooperative agreements may be awarded, this section should describe the "substantial involvement" the Service expects to have in the performance of such agreements. If procurement contracts also may be awarded, this information must be included in this section. An example entry for this section:

Due to the limited funds available, preference is given to proposals requesting less than \$50,000.00 USD. Higher amounts may be requested with appropriate justification. The period of performance for the majority of projects funded under this program is one year, starting on the date the award is signed by the USFWS. Project proposals must be designed accordingly. Past and present recipients of awards under this program are eligible, but must submit new proposals to compete for funding each year. This program uses grant agreements as the primary assistance instrument.

III. Basic Eligibility Requirements

Eligible Applicants:

[Clearly identify the types of entities that are eligible to apply. If there are no restrictions on eligibility, this section may simply indicate that all potential applicants are eligible. If there are restrictions on eligibility, be clear about the specific types of recipients that are eligible, not just the types that are ineligible. Notify applicants if they are required to submit documentation to support an eligibility requirement (e.g. proof of 501 (c)(3) status as determined by the Internal Revenue Service).]

Federal law (2 CFR Part 25, Central Contractor Registry and Data Universal Numbering System) mandates that all entities applying for Federal financial assistance must have a valid Dun & Bradstreet Data Universal Number System (DUNS) number and have a current registration in the Central Contractor Registry (CCR). The CCR functionality was consolidated into the System for Award Management (SAM) in September 2012. Exemptions: The SAM registration requirement does not apply to individuals submitting an application on their own behalf and not on behalf of a company or other for-profit entity, State, local or Tribal government, academia or other type of organization.

A. DUNS Registration

Request a DUNS number online at <http://fedgov.dnb.com/webform>. U.S.-based entities may also request a DUNS number by telephone by calling the Dun & Bradstreet Government Customer Response Center, Monday – Friday, 7 AM to 8 PM CST at the following numbers:

U.S. and U.S. Virgin Islands: 1-866-705-5711

Alaska and Puerto Rico: 1-800-234-3867 (Select Option 2, then Option 1)

For Hearing Impaired Customers Only call: 1-877-807-1679 (TTY Line)

Once assigned a DUNS number, entities are responsible for maintaining up-to-date information with Dun & Bradstreet.

B. Entity Registration in SAM

Register in SAM online at <http://www.sam.gov/>. Once registered in SAM, entities must renew and revalidate their SAM registration at least every 12 months from the date previously registered. Entities are strongly urged to revalidate their registration as often as needed to ensure that SAM is up to date and in synch with changes that may have been made to DUNS and IRS information. Foreign entities who wish to be paid to a bank account in the United States must enter and maintain valid and current banking information in SAM.

Entities that had an active record in CCR have an active record in SAM. Such entities do not need to do anything in SAM unless a change in business circumstances requires updates to your Entity record(s) or the Entity record is due to expire. SAM will send notifications to migrated Entity users via email 60, 30, and 15 days prior to expiration of the Entity record. To update or renew your Entity records(s) in SAM your Entity user(s) will need to create a SAM User Account and link their account(s) to your migrated Entity record(s). Entities migrated from CCR can find complete instructions on accessing their SAM Entity records online at <http://www.sam.gov/>.

C. Excluded Entities

Applicant entities identified in the SAM.gov Exclusions database as ineligible, prohibited/restricted or excluded from receiving Federal contracts, certain subcontracts, and certain Federal assistance and benefits will not be considered for Federal funding, as applicable to the funding being requested under this Federal program

Cost Sharing or Matching:

[State if there is required cost sharing, matching, or cost participation without which an application would be ineligible. If cost sharing is not required, you must explicitly say so. Include any restrictions on the types of costs (e.g. in-kind contributions) that are acceptable as

cost sharing. Cost sharing as an eligibility criterion includes the requirements based in statute or regulation, as well as those imposed by administrative decision of the Service. State if there are any pre-award requirements for submission of letters or other documentation to verify commitments to meet cost-sharing requirements if an award is made.]

IV. Application Requirements

To be considered for funding under this funding opportunity, an application must contain:

A. A completed, signed, and dated **Application for Federal Assistance (SF-424)**. The SF-424 form is available online at <http://apply07.grants.gov/apply/FormLinks?family=15>.

B. Project Summary

Briefly summarize the project, in one page or less. Include the title of the project, geographic location, and a brief overview of the need for the project, goal(s), objectives, specific project activities, beneficiaries, and expected outcomes consistent with this funding opportunity. As applicable, describe how you/your organization has coordinated with and involved other relevant organizations or individuals in planning the project, and detail if/how they will be involved in conducting project activities and/or disseminating project results.

C. Project Narrative

- 1. Statement of Need:** Describe why this project is necessary (significance/value) and include supporting information. Summarize previous or on-going efforts (of you/your organization, and other organizations or individuals) relevant to the proposed work.
- 2. Project Goals and Objectives:** State the long-term goal(s) of the project. Objectives are the specific steps to be taken to reach the stated goals. State the objectives of the project, which must be specific, measurable, and realistic (attainable within the project's proposed period of performance). State the anticipated outcomes and/or benefits of the project.
- 3. Project Activities, Methods and Timetable:** State the proposed project activities, and describe how they relate to the stated project objectives. The proposed project activities narrative must be detailed enough for reviewers to make a clear connection between the proposed activities and the proposed project costs. For projects being conducted within the United States, the narrative must provide enough detail so that reviewers are able to determine project compliance with the National Environmental Policy Act, Section 7 of the Endangered Species Act, and Section 106 of the National Historic Preservation Act. For projects being conducted on the high seas, the narrative should provide enough detail so that reviewers are able to determine project compliance with Section 7 of Endangered Species Act. Provide a detailed description of the method(s) to be used to carry out each activity. Provide a timetable indicating roughly when activities or project milestones are to be accomplished. Include any resulting tables, spreadsheets or flow charts within the body of the proposal narrative (do not include as separate attachments). The timetable should not propose specific dates but instead group activities by month for each month over the entire proposed project period.

4. **Anticipated Products/Outputs:** Describe any expected project products/outputs (examples include: management plans, brochures, posters, training manuals, number of people trained, workshops held, hours of training provided, patrols conducted). Once identified, describe the intended impact of the products/outputs on the target resource. Detail if/how products will be distributed to resource managers, researchers and other interested parties. Detail any applicability of the project methods/activities/outcomes to other projects.
5. **Project Monitoring and Evaluation:** The project must incorporate a monitoring and evaluation plan that will allow proponent to ascertain the quality of benefits and outputs and to ensure that the benefits/outputs reach the intended beneficiaries. Describe how you/your organization (or others) will monitor project progress and measure the project's impacts. Include details on how you/your organization will assess progress towards reaching objectives, and, as applicable, how project participants and beneficiaries will participate in these activities.
6. **Description of Organization(s) Undertaking the Project:** Provide a brief description of the applicant organization and all cooperating entities and/or individuals. Identify which of the proposed activities each agency, organization, group, or individual is responsible for conducting or managing. Provide complete contact information for individual within your organization that will oversee/manage the project activities on a day-to-day basis. This is the person commonly referred to as the Project Officer or Project Manager. If eligibility for funding is based in whole or in part on the qualifications of key personnel, provide brief **(1-2 pages)** *curricula vitae* for key personnel, identifying their qualifications to meet the project objectives. ***Do not include Social Security numbers, the names of family members, or any other personal or sensitive information on the curricula vitae!***
7. **Sustainability:** As applicable, detail which of the proposed project activities are expected to continue beyond the life the proposed project period, and the expectation of how and at what level these future activities will be funded.
8. **Literature Cited**
9. **Map of Project Area:** Map should clearly delineate the project area.

D. A completed **Budget Information for Non-Construction Programs (SF-424A)** or **Budget Information for Construction Programs (SF-424C)** form. Use the SF-424A if your project does not include construction and the 424C if it does include construction. The budget forms are available online at <http://apply07.grants.gov/apply/FormLinks?family=15>.

When developing your budget, keep in mind the following:

- Cost Principles: Financial assistance awards and subawards are subject to OMB Circulars A-122, Cost Principles for Non-Profit Organizations (2 CFR Part 230), A-21, Cost

Principles for Educational Institutions (2 CFR Part 220), and A-87, Cost Principles for States and Local Governments (2 CFR Part 225), as applicable to the recipient organization type. These OMB circulars are available online at <http://www.doi.gov/pam/financialassistance/resources/index.html>.

- **Federally Funded Equipment:** Applicants cannot attribute equipment paid for by the U.S. Federal Government under another award as matching or in-kind contributions. ***Do not include this type of equipment in your budget!*** Instead, provide a separate list of any equipment paid for by the U.S. Federal Government that will be used for the project, including the name of the Federal agency that paid for the equipment.
- **Indirect Costs:** An applicant without an established indirect cost rate agreement with a Federal agency may not charge indirect costs to Federal financial assistance awards and must charge all costs directly. Individuals submitting an application on their own behalf and not on behalf of a company or other for-profit entity, state, local or tribal government, academia or other type of organization must charge all costs directly.

If indirect costs are included on proposed budget, the applicant must submit copy of their most recently submitted/approved indirect cost rate agreement. Non-profit organizations that have received, or expect to receive, the greatest amount of Federal funding in direct awards from the Department of the Interior, should go to <http://www.aqd.nbc.gov/Services/ICS.aspx> for online guidance and tools for submitting an indirect cost rate agreement proposal to the Department of the Interior. Organizations may also contact the National Business Center directly at:

Indirect Cost Services
Acquisition Services Directorate, National Business Center
U.S. Department of the Interior
2180 Harvard Street, Suite 430
Sacramento, CA 95815
Phone: 916.566.7111 Fax: 916.566.7110
Email: ics@nbc.gov

All other types of applicants except individuals should contact the USFWS program point of contact identified in the Grants.gov funding opportunity with any questions on how to establish an indirect cost rate agreement with a Federal agency.

E. Assurances

Include the appropriate signed and dated Assurances form available online at <http://apply07.grants.gov/apply/FormLinks?family=15>. Use the **Assurances for Non-Construction Programs (SF-424B)** if your project does not involve construction. Use the **Assurances for Construction Programs (SF-424D)** if it does involve construction.

F. Disclosure of Lobbying Activities

Under Title 31 of the United States Code, Section 1352, applicants must complete and submit with their application the SF-LLL Disclosure of Lobbying Activities form (available online

at <http://apply07.grants.gov/apply/forms/sample/SFLLL-V1.1.pdf>) when they have made payment or have agreed to make payment to any lobbying entity for influencing or attempting 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 the awarding of or the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, cooperative agreement, or loan. Recipients may not use funds awarded under a Federal grant or cooperative agreement to conduct such lobbying activities.

G. Statement Regarding A-133 Single Audit Reporting: Following OMB Circular A-133 (http://www.whitehouse.gov/sites/default/files/omb/assets/a133/a133_revised_2007.pdf), domestic entities expending \$500,000 USD or more in Federal award funds in a year must submit an A-133 Single Audit report for that year through the Federal Audit Clearinghouse's Internet Data Entry System. State if your organization was/was not required to submit an A-133 Single Audit report last year (either your organization is a non-U.S. entity or a domestic entity that did not spend \$500,000 USD or more in Federal funds last year). If your organization was required to submit an A-133 Single Audit report last year, state if that report is available on the Federal Audit Clearinghouse Single Audit Database website (<http://harvester.census.gov/sac/>).

Application Checklist

- A complete, signed and dated SF 424-Application for Federal Assistance
- Project Summary and Narrative text and attachments
- A complete SF-424A or SF-424C Budget Information form
- If Federally funded equipment will be used for the project, a list of that equipment as described in section D above
- If indirect costs are included in proposed budget, a copy of the organization's current approved indirect cost rate agreement or proposal
- Signed and dated SF-424B or SF-424D Assurances form
- If applicable, completed SF-LLL form
- Statement regarding applicability of and compliance with OMB Circular A-133 Single Audit Reporting as described in section G above

Failure to provide complete information, as outlined above, may cause delays, postponement, or rejection of the application.

V. Submission Instructions

Proposals may be submitted by mail, by email, electronically through Grants.gov, or as otherwise described in the Grants.gov funding opportunity. Please select **ONE** of the submission options.

To submit a proposal by mail:

Number all pages of your printed proposal. Mail one, single-sided, unbound copy (do not staple or otherwise permanently bind pages) of your complete proposal to the USFWS program point of contact identified in the Grants.gov funding opportunity.

To submit a proposal by e-mail:

Format all of your documents to print on Letter size (8 ½” x 11”) paper. Format all pages to display and print page numbers. Scanned documents should be scanned in Letter format, as black and white images only. Where possible, save scanned documents in .pdf format. E-mail your proposal to the USFWS program point of contact identified in the Grants.gov funding opportunity.

To submit a proposal in Grants.gov:

Go to the Grants.gov Apply for Grants page (http://www07.grants.gov/applicants/apply_for_grants.jsp) for an overview of the process to apply for grant opportunities on Grants.gov. In order to apply for a grant, you/your organization must complete the Grants.gov registration process. Registration can take between three to five business days or as long as two weeks if all steps are not completed in a timely manner.

Important note on Grants.gov application attachment file names: Please do not assign application attachments file names longer than 20 characters, including spaces. Assigning file names longer than 20 characters will create issues in the automatic interface between Grants.gov and the USFWS’ new financial assistance management system.

VI. APPLICATION REVIEW

Criteria:

[This section must address the criteria your program will use to evaluate applications. This includes merit and other review criteria that evaluators will use to judge applications, including any statutory, regulatory, or other preferences (e.g., minority status or Native American tribal preferences) that will be applied in the review process. These criteria are distinct from eligibility criteria that are addressed before an application is accepted for review and any program policy or other factors that are applied during the selection process, after the review process is completed. The intent is to give applicants visibility into the evaluation process so that they can make informed decisions when preparing their applications and so that the process is as fair and equitable as possible. The announcement should clearly describe all criteria, including any sub-criteria. If criteria vary in importance, the announcement should specify the relative percentages, weights, or other means used to distinguish among them. For statutory, regulatory, or other preferences, the announcement should provide a detailed explanation of those preferences with an explicit indication of their effect (e.g., whether they result in additional points being assigned). If an applicant’s proposed cost sharing will be considered in the review process (as opposed to being an eligibility criterion) the announcement must specifically address how it will be considered (e.g., to assign a certain number of additional points to applicants who offer cost sharing, or to break ties among applications with equivalent scores after evaluation against all other factors). If cost sharing will not be considered in the evaluation, the announcement should say so, so that there is no ambiguity for potential applicants. Vague statements that cost sharing is encouraged, without clarification as to what that means, are unhelpful to applicants.]

Review and Selection Process:

[This section may vary in the level of detail provided. The announcement must list any program policy or other factors or elements, other than merit criteria, that the selecting official may use in selecting applications for award (e.g., geographical dispersion, program balance, or diversity). You also may include other details you deem appropriate. For example, this section may indicate who is responsible for evaluation against the merit criteria (e.g., peers external to the agency or Federal agency personnel) and/or who makes the final selections for award. If you have a multi-phase review process (e.g., an external panel advising internal agency personnel who make final recommendations to the deciding official) you may describe the phases of the process. You also may include: the number of people on an evaluation panel and how it operates, the way reviewers are selected, reviewer qualifications, and the way that conflicts of interest are avoided. In addition, if you permit applicants to nominate suggested reviewers of their applications or to identify those the applicants feel may be inappropriate due to a conflict of interest, that information should be included in this section.]

VII. Award Administration

Award Notices: Following review, applicants may be requested to revise the project scope and/or budget before a final award can be made. Successful applicants will receive written notice in the form of a Notice of Award document. Notice of Award documents are typically sent to recipients by e-mail. If e-mail notification is unsuccessful, the documents will be sent by courier mail (FedEx, DHL, Airborne Express). Award recipients are not required to sign/return the Notice of Award document. Acceptance of an award is defined as starting work, drawing down funds, or receiving the award via electronic means. Awards are based on the application submitted to, and as approved by, the USFWS. Applicants whose projects are not selected for funding will receive written notice, most often by e-mail, within 30 days of the final review decision.

Domestic Recipient Payments:

Prior to an award being issued to you/your organization, the USFWS program office will contact you/your organization to either enroll in the U.S. Treasury's Automated Standard Application for Payments (ASAP) system or, if eligible, submit to the USFWS program a request to obtain approval from the Department of the Interior to be waived from using ASAP.

Domestic applicants subject to the SAM registration requirement (see Section III above) who receive a waiver from receiving funds through ASAP must enter and maintain current banking information in SAM. Domestic applicants exempt from the SAM registration requirement (see Section III above) who receive a waiver from receiving funds through ASAP will be required to submit their banking information directly to the USFWS program. However, ***do NOT submit any banking information to the USFWS until it is requested from you by the USFWS program!***

Recipients are responsible for ensuring any sensitive data being sent to the USFWS is protected during its transmission/delivery. The USFWS strongly recommends recipients use the most secure transmission/delivery method available. The USFWS recommends the following digital transmission methods: secure digital faxing; encrypted emails; emailing a password protected zipped/compressed file attachment in one email followed by the password in a second email; or emailing a zipped/compressed file attachment. The USFWS strongly encourages recipients

sending sensitive data in paper copy to use a courier mail service. Recipients may also contact their USFWS Project Officer and provide any sensitive data over the telephone.

The Notice of Award document from the USFWS will include instructions specific to each recipient on how to request payment. If applicable, the instructions will detail any additional information/forms required and where to submit payment requests.

Foreign Recipient Payments:

Foreign recipients receiving funds to a bank outside of the United States will be paid electronically through U.S. Treasury's International Treasury Services (ITS) system.

Foreign recipients receiving funds electronically to a bank in the United States will be paid by Electronic Funds Transfer (EFT) through the Automated Clearing House network. Foreign recipients who wish to be paid to a bank account in the United States must enter and maintain current banking information in SAM (see Section III above).

The Notice of Award document from the USFWS will include instructions specific to each recipient on how to request payment. If applicable, the instructions will detail any additional information/forms required and where to submit payment requests.

Standard Award Terms and Conditions:

Acceptance of a Federal Financial Assistance award from the Department of the Interior (DOI) carries with it the responsibility to be aware of and comply with the terms and conditions of award. The text of all standard award terms and conditions are available online at <http://www.doi.gov/pam/TermsandConditions.html>. Acceptance is defined as starting work, drawing down funds, or accepting the award via electronic means. Awards are based on the application submitted to, and as approved by DOI and are subject to the terms and conditions incorporated either directly or by reference in the following:

- Program legislation/regulation
- Special terms and conditions
- Code of Federal Regulations/Regulatory Requirements, as applicable:
 - 2 CFR Part 25 Central Contractor Registration and Data Universal Numbering System
 - 2 CFR Part 170 Reporting Subawards and Executive Compensation
 - 2 CFR Part 1400 Government-wide Debarment and Suspension (Non-procurement)
 - 2 CFR Part 1401 Requirements for Drug-Free Workplace (Financial Assistance)
 - 2 CFR Part 175 Trafficking Victims Protection Act of 2000
 - 43 CFR 12(A) Administrative and Audit Requirements and Cost Principles for Assistance Programs
 - 43 CFR 12(C) Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local

- 43 CFR 12(F) Uniform Administrative Requirements for Grants and Cooperative Agreements with Institutions of Higher Education, Hospitals, other Non-Profit and Commercial Organizations
- 43 CFR 18 New Restrictions on Lobbying
- 305 DM 3, Integrity of Scientific and Scholarly Activities and 217 FW 7, Scientific Integrity and Scholarly Conduct. Grant and cooperative agreement recipients must ensure quality project results. Results must consist of unbiased assessments through proper management and enforcement of scientific integrity standards, which includes avoiding conflicts of interest as defined in USFWS policy 212 FW 7 (complete text available online at <http://www.fws.gov/policy/212fw7.html>).

Recipient Financial and Performance Reporting Requirements:

Interim financial reports and performance reports may be required. Interim reports will be required no more frequently than quarterly, and no less frequently than annually. A final financial report and a final performance report will be required and are due within 90 calendar days of the end date of the award. Performance reports must contain: 1) a comparison of actual accomplishments with the goals and objectives of the award as detailed in the approved scope of work; 2) a description of reasons why established goals were not met, if appropriate; and 3) any other pertinent information relevant to the project results. The USFWS will specify the performance reporting frequency applicable to the award in the Notice of Award document.

VIII. Agency Contacts

[Give potential applicants a point(s) of contact for answering questions or helping with problems while the funding opportunity is open. If needed, provide different points of contact for distinct types of help.]

How Not to Manage a Federal Grant 101

Audit reports from an Office of Inspector General (OIG) can provide many valuable lessons, and warnings, to grant recipients and program officials. While many OIG audits are mundane, every once-in-a-while a report will be published that will leave the reader flabbergasted and wondering how the management of a grant spiraled so widely out of control. The Department of Interior OIG recently released an audit report, [Management of the Coastal Impact Assistance Program, State of Mississippi](#), that could serve as a textbook example of how not to manage a federal award.

The Coastal Impact Assistance Program (CIAP) is a formula grant program that provides funding to conserve, restore, enhance, and protect coastal areas. Funding eligibility is limited to six states. Each state identifies an agency to make subawards to coastal counties and towns. The U.S. Fish and Wildlife Service (USFWS) administers the program.

The OIG found Mississippi's administration of CIAP funds to have significant deficiencies. Specific deficiencies included approving grants to ineligible subrecipients, improper land appraisals, circumvention of sole-source procurement regulations, and widespread conflicts of interest. Auditors found USFWS program officials contributed to program mismanagement by relaxing monitoring requirements.

The report cited multiple examples of awarded projects that were ineligible for grant funds. For example, auditors identified a funded project in which 90% of grant funds were used to install skylights and flooring for a museum exhibit. In another example, a \$210,000 grant was awarded to a land-locked county to construct an asphalt trail. In neither example were funds used to meet the program's purpose of protecting coastal areas.

Another management deficiency involved improper land appraisals. Auditors found significant discrepancies for appraisals between the county tax assessor's estimates and recipients' appraisals. The report identified five properties that were appraised at least 1,000% higher for CIAP purposes than for tax assessment purposes. In one situation, the land appraised for the grant was 7,382% higher than for tax purposes. Auditors questioned the land purchases associated with the identified appraisals.

Auditors also found numerous examples of recipients circumventing sole-source procurement regulations without adequate justification. One recipient awarded multiple contracts worth slightly under \$50,000, thus enabling the recipient to award a sole-source contract. Each awarded contract was then amended to allow the contractor to continue work. The report identified one contract that was amended by \$291,000.

Auditors questioned 23 subawards, worth approximately \$16 million, due to conflicts of interest. The report stated that the recipients "placed CIAP funds at risk by allowing individuals with apparent or actual conflicts of interest to apply for, evaluate, manage, or benefit from CIAP funding." Some of the questioned funds included the purchase of a home from a recipient's parents, the purchase of a yacht club and boat storage facility from a friend of a recipient, a project managed by the wife of an awarding official, and the funding of a project managed by the awarding official himself.

In all, auditors made 37 recommendations to improve the management of this program. USFWS officials responded to the findings by expressing their willingness to work with the OIG to improve administration and oversight of CIAP funds. USFWS officials also indicated that measures have been taken to safeguard funds for current and future awards.

This audit report serves as a reminder of the importance of effective monitoring and administration of grant awards.