

## Certifications

### Required of Applicants to the Appraisal Subcommittee

*The certifications set out below are material representations upon which the Appraisal Subcommittee will rely for the potential grantee's proper administration of a grant in addition to the requirements described in the Notice of Funds Availability (NOFA) and set forth in the grant Terms and Conditions.*

**By signing and submitting the *Application for Federal Domestic Assistance* (Standard Form 424) applicants to ASC provide the following required Assurances and Certification and agree to comply with the applicable general terms and conditions if accepting an award.**

As the duly authorized representative of the applicant, you certify by signing the SF424, *Application for Federal Domestic Assistance*, that the applicant agency has the legal authority to apply for federal assistance and the institutional, managerial and financial capability to ensure proper planning, management and completion of the project described in this application and will, to the best of its ability, comply with the following requirements.

- I. Drug-free Workplace.** *This certification is required by section 5150-5160 of the Drug-Free Workplace Act of 1988 (41 U.S.C. 8101-8106).* Under this authority, grantees must certify, prior to award, that they will make a continuing effort to maintain a drug-free workplace and:
  - (a) Will publish a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
  - (b) Will establish a drug-free awareness program to inform employees about—
    - (1) The dangers of drug abuse in the workplace;
    - (2) The grantee's policy of maintaining a drug-free workplace;
    - (3) Any available drug counseling, rehabilitation and employee assistance programs; and
    - (4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.
  - (c) Will make it a requirement that each employee engaged in the performance of the grant be given a copy of the statement required by paragraph (a);
  - (d) Will notify the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will—

- (1) Abide by the terms of the statement; and
  - (2) Notify the employer of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after each conviction.
- (e) Will notify the agency within ten days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction;
- (f) Taking one of the following actions, within 30 days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted—
- (1) Taking appropriate personnel action against such an employee, up to and including termination; or
  - (2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;
- (g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e) and (f).

**II. Debarment, Suspension, and Other Responsibility Matters.** *This certification is required by OMB Guidelines to Agencies on Government-wide Debarment and Suspension, 2 CFR Section 180.335.* Under this authority applicants must provide this information before entering into an award and certify that neither the applicant nor its principals:

- Is presently excluded or disqualified;
- Has been convicted within the preceding three years of any of the offenses listed in 2 CFR 180.800(a) or had a civil judgment rendered against it for one of these offenses within that time period;
- Is presently indicted for, or otherwise criminally or civilly charged by a government entity (federal, state, or local) with commission of any of the offenses listed in 2 CFR 180.800(a); or
- Has had one or more public transactions (federal, state, or local) terminated within the preceding three years for cause or default.

**III. Lobbying.** *This certification is required by 31 U.S.C.* Any agency requesting or receiving a federal grant must certify that:

- (a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an 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 any Federal contract, the making of any

Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

- (b) If any funds other than Federal appropriated funds have been paid or will be paid to any person 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 this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- (c) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.