SFY 2028 Standard Terms and Conditions Related to Federal Financial Assistance

Instructions

Review the Standard Terms and Conditions Related to Federal Financial Assistance as a part of completing the Verification of Agency Intent and Compliance Form.

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

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Acknowledgement of Federal Funding from Health and Human Services (HHS)	All recipients must acknowledge their use of federal funding when issuing statements, press releases, requests for proposals, bid invitations and other documents describing projects or programs funded in whole or in part with Federal funds.
Activities Conducted Abroad	All recipients must ensure that project activities carried on outside the United States are coordinated as necessary with appropriate government authorities and that appropriate licenses, permits, or approvals are obtained.
Age Discrimination Act of 1975	All recipients must comply with the requirements of the Age Discrimination Act of 1975 (Title 42 US. Code § 6101 et seq.), which prohibits discrimination on the basis of age in any program or activity receiving Federal financial assistance.
Americans with Disabilities Act of 1990	All recipients must comply with the requirements of Titles I, II, and III of the Americans with Disabilities Act, which prohibits recipients from discriminating on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation and certain testing entities (42 U.S.C §§ 12101-12213).

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Best Practices for Collection and Use of Personally Identifiable Information (PII)	HHS defines personally identifiable information (PII) as any information that permits the identity of an individual to be directly or indirectly inferred, including any information that is linked or linkable to that individual. All recipients who collect PII are required to have publicly-available privacy policy that describes standards on the usage and maintenance of PII they collect. Award recipients may also find as a useful resource the DHS Privacy Impact Assessments: Privacy Guidance and Privacy template respectively.
Civil Rights Act of 1964-Title VI	All recipients must comply with the requirements of Title VI of the Civil Rights Act of 1964 (42 U.S.C. §2000d et seq.), which provides that no person in the United States will, on the grounds of race, color or national origin, be excluded from participation in, be denied the benefits of or be subjected to discrimination under any program or activity receiving Federal financial assistance. HHS implementing regulations for the Act are found at 6 C.F.R. Part 21, and 44 C.F.R. Part 7.
Civil Rights Act of 1968	All recipients must comply with Title VIII of the Civil Rights Act of 1968, which prohibits recipients from discriminating in the sale, rental, financing and advertising of dwellings, or in the provision of services in connection therewith, on the basis of race, color, national origin, religion, disability, familial status and sex (42 U.S.C §3601 et seq.), as implemented by the Department of Housing and Urban Development at 24 C.F.R Part 100. The prohibition on disability discrimination includes the requirement that new multifamily housing with four or more dwelling units-i.e., the public and common use areas and individual apartment units (all units in buildings with elevators and ground-

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	floor units in buildings without elevators)-be designed and constructed with certain accessible features (see 24 C.F.R §100.201).
Clean Air Act (42 U.S.C. 7401 et seq.) and the Federal Water Pollution Control Act (33 U.S.C 1251 et seq.), as amended	42 U.S.C. 7606 and EO 11738 provide for the enhancement of the quality of the nation's air resources to promote public health and welfare and for restoring and maintaining the chemical, physical and biological integrity of the nation's waters.
Controlled Substances	Grantees are prohibited from knowingly using appropriated funds to support activities that promote the legalization of any drug or other substance included in Schedule I of the schedule of controlled substances established by section 202 of the Controlled Substances Act, 21 U.S.C. 812. This limitation does not apply if the recipient notifies the GMO that there is significant medical evidence of a therapeutic advantage to the use of such drug or other substance or that federally sponsored clinical trials are being conducted to determine therapeutic advantage.
Copyright	All recipients must affix the applicable copyright notices of 17 U.S.C §§401 or 402 and an acknowledgement of Government sponsorship (including award number) to any work first produced under Federal financial assistance awards.
Debarment and Suspension	All recipients are subject to the non-procurement debarment and suspension regulations implementing Executive Orders 12549 and 12689, and 2 C.F.R. Part 180. These regulations restrict awards, subawards, and contracts with certain parties that are debarred, suspended or otherwise excluded from or ineligible for participation in federal assistance programs or activities.

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Drug-Free Workplace Regulations	"All recipients must comply with the Drug-Free Workplace Act of 1988 (41 U.S.C. §701 et seq.), which requires all organizations receiving grants from any Federal agency to agree to maintain a drug-free workplace. DHS has adopted the Act's implementing regulations at 2 C.F.R. Part 3001."
Duplication of Benefits	Any cost allocable to a particular Federal award provided for in 2 C.F.R. Part 200, Subpart E, may not be charged to other Federal awards to overcome fund deficiencies, to avoid restrictions imposed by Federal statutes, regulations or terms and conditions of the Federal awards, or for other reasons. However, this prohibition would not preclude a recipient from shifting costs that are allowable under two or more Federal awards in accordance with existing Federal statutes, regulations or the terms and conditions of the Federal award.
Education Amendments of 1972 (Equal Opportunity in Education Act)-Title IX	All recipients must comply with the requirements of Title IX of the Education Amendments of 1972 (20 U.S.C. §1681 et seq.), which provide that no person in the United States will, on the basis of sex, be excluded from participation in, be denied the benefits of or be subjected to discrimination under any educational program or activity receiving Federal financial assistance. HHS implementing regulations are codified at 6 C.F.R. Part 17 and 44 C.F.R. Part 19.
Energy Policy and Conservation Act	All recipients must comply with the requirements of 42 U.S.C §6201, which contains policies relating to energy efficiency that are defined in the state energy conservation plan issued in compliance with this Act.
False Claims Act and Program Fraud Civil Remedies	All recipients must comply with the requirements of 31 U.S.C § 3729-3733,

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	which prohibits the submission of false or fraudulent claims for payment to the Federal Government. See 31 U.S.C. §3801-382-12, which details the administrative remedies for false claims and statements made.
Federal Debt Status	All recipients are required to be non-delinquent in their repayment of any Federal debt. Examples of relevant debt include delinquent payroll and other taxes, audit disallowances and benefit overpayments. See OMB Circular A-129
Federal Leadership on Reducing Text Messaging while Driving	All recipients are encouraged to adopt and enforce policies that ban text messaging while driving as described in E.O. 13513, including conducting initiatives described in Section 3(a) of the Order when on official Government business or when performing any work for or on behalf of the federal government.
Limited English Proficiency (Civil Rights Act of 1964, Title VI)	"All recipients must comply with the Title VI of the Civil Rights Act of 1964 (Title VI) prohibition against discrimination on the basis of national origin, which requires that recipients of federal financial assistance take reasonable steps to provide meaningful access to persons with limited English proficiency (LEP) to their programs and services. For additional assistance an information regarding language access obligations, please refer to the DHS Recipient Guidance and additional resources.
Lobbying Prohibitions	All recipients must comply with 31 U.S.C.§1352, which provides that none of the funds provided under an award may be expended by the recipient to pay any person to influence, or attempt to influence any officer or employee of any agency, a Member of Congress, an officer or employee of

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	Congress, or an employee of a Member of Congress in connection with any Federal action concerning the award or renewal.
Non-Supplanting Requirement	All recipients who receive awards made under programs that prohibit supplanting by law must ensure that Federal funds do not replace (supplant) funds that have been budgeted for the same purpose through non-Federal sources.
Notice of Funding Opportunity Requirements	All of the instructions, guidance, limitations and other conditions set forth in the Notice of Funding Opportunity (NOFO) for this program are incorporated here by reference in the terms and conditions of your award. All recipients must comply with any such requirements set forth in the program NOFO.
Patents and Intellectual Property Rights	Unless otherwise provided by law, recipients are subject to the Bayh-Dole Act, Pub.L. No 96-517, as amended and codified in 35 U.S.C. §200 et seq. All recipients are subject to the specific requirements governing the development, reporting and disposition of rights to inventions and patents resulting from financial assistance awards located at 37 C.F.R. Part 401, and the standard patent rights clause located at 37 C.F.R. §401.14.
Procurement of Recovered Materials	All recipients must comply with 6002 of the Solid Waste Disposal Act, as amended by the Resources Conservation and Recovery Act. The requirements of section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at 40 C.F.R. Part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition.

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Public Health Security and Bioterrorism Preparedness and Response Act	The Public Health Security and Bioterrorism Preparedness and Response Act of 2002, 42 U.S.C. 201 Note, is designed to provide protection against misuse of select agents and toxins, whether inadvertent or the result of terrorist acts against the U.S. homeland, or other criminal acts (see 42 U.S.C. 262a). The act was implemented, in part, through regulations published by CDC at 42 C.F.R. Part 73, Select Agents and Toxins. Copies of these regulations are available from the Import Permit Program and the Select Agent Program, respectively, CDC 1600 Clifton Road, MS E-79, Atlanta, GA 30333; telephone 404-498-2255.
Rehabilitation Act of 1973	All recipients must comply with the requirements of Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794, as amended, which provides that no otherwise qualified handicapped individual in the United States will, solely by reason of the handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.
Reporting of Matters Related to Recipient Integrity and Performance	If the total value of your currently active grants, cooperative agreements and procurement contracts from all Federal assistance office exceeds $10,000,000 for any period of time during the period of performance of this Federal award, you must comply with the requirements set forth in the government-wide Award Terms and Conditions for Recipient Integrity and Performance Matters located at 2 C.F.R. Part 200, Appendix XII, the full text of which is incorporated by reference in the terms and conditions of your award.

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Reporting Subawards and Executive Compensation	All recipients are required to comply with the requirements set forth in the government-wide award Term on Reporting Subawards and Executive Compensation located at 2 C.F.R. Part 170, Appendix A, the full text of which is incorporated by reference in the terms and conditions of your award.
SAFECOM	All recipients who receive awards made under programs that provide emergency communication equipment and its related activities must comply with the SAFECOM Guidance for Emergency Communication Grants, including provisions on technical standards that ensure and enhance interoperable communications.
Terrorist Financing	All recipients must comply with E.O. 13224 and U.S law that prohibit transactions with, and the provisions of resources and support to, individuals and organizations associated with terrorism. It is the legal responsibility of recipients to ensure compliance with the Order and laws.
Trafficking Victims Protection Act of 2000	All recipients must comply with the requirements of the government-wide award term which implements Section 106(g) of the Trafficking Victims Protection Act of 2000 (TVPA) as amended (22 U.S.C. § 7104). The award term is located at 2 C.F.R. 175.15, the full text of which is incorporated by reference in the terms and conditions of your award.
Universal Identifier and System of Award Management (SAM)	All recipients are required to comply with the requirements set forth in the government-wide Award Term regarding the System for Award Management and Universal Identifier Requirements located at 2 C.F.R. Part 25, Appendix A, the full text of which is incorporated here by reference in the terms and conditions of your award.

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USA Patriot Act of 2001	All recipients must comply with requirements of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act (USA PATRIOT Act), which amends 18 U.S.C. § 175-175c.

References to “agency” in the Standard Terms and Conditions means the Iowa Department of Health and Human Services, Division of Aging and Disability Services.