

Form 1221-2



UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

Release
1-1715

MANUAL TRANSMITTAL SHEET

Date
07/31/2008

Subject

1511 - ASSISTANCE AGREEMENTS (Public)

1. Explanation of Material Transmitted: This release revises the Bureau administrative policy and procedures for Federal financial assistance which are either grants or cooperative agreements. It provides guidance in determining the appropriate instrument for processing, awarding and administering financial assistance agreements which are subject to the Federal Grant and Cooperative Agreement Act of 1977 (FGCAA).

2. Reports Required: None.

3. Materials Superseded: The material superseded by this release is listed under "Remove" below. No other directives are superseded.

4. Filing Instruction: File as directed below.

REMOVE:

All of 1511 (Rel. 1-1549)
(Total: 29 Sheets)

INSERT:

All of 1511
(Total 70 Sheets)

Assistant Director, Business and Fiscal Resources

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.01 Purpose.

A. Financial assistance agreements are legal instruments which transfer Federal funds or anything of value to a State, local government, or other recipient. Federal assistance may take the form of either a grant or cooperative agreement. (See Appendix 1, Glossary) This Manual prescribes when the Bureau may use financial assistance agreements subject to the Federal Grant and Cooperative Agreement Act of 1977 (FGCAA), as amended. It provides instructions for preparing, approving, and managing grant and cooperative agreements. This Manual does not address other “agreements” not subject to the FGCAA to which the Bureau is a party. See the Bureau of Land Management (BLM) Guide to Agreements for a comparison and explanation of the differences between FGCAA financial assistance agreements and other agreements involving the Bureau.

B. Certain conventions are followed throughout this Manual. The legal definition of a contract, cooperative agreement or grant agreement is found in the FGCAA of 1977 (revised and incorporated in Title 31 U.S.C. 6301 – 6308) and may also be referred to as the “Act.” The term “financial assistance” is used to mean both “grants” and “cooperative agreements.” The term “grant” is used to mean both grants and cooperative agreements, which can be used interchangeably throughout this document. The term “grantee” generally is used to refer to recipients of grants and awardees of grant or cooperative agreements; however the terms “recipient” or “awardee” also are used. The term “Bureau” means BLM.

.02 Objectives. This Manual implements several Public Laws (P.L.), Office of Management and Budget (OMB) guidance, Departmental Manuals (DM), and other requirements as required.

.03 Authority.

A. Public Laws – These laws are not an authority to enter into a grant but are the laws that provide the requirements of when cooperative and grant agreements are to be used.

1. Federal Grant and Cooperative Agreement Act of 1977, P.L. 95—224, as amended by P.L. 97-258, 31 U.S.C. Section 6301—6308
2. Federal Program Information Act, 31 U.S.C. 1701, Public Law 95-220
3. Federal Financial Assistance Management Act of 1999, 31 USC 6101, P.L. 106-107

B. Executive Orders

- 1 E. O. 12372, Intergovernmental Review of Federal Programs

2 E. O. 11755, Relating to Prison Labor

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C. Program Legislation.

1. Federal Land Policy and Management Act of 1976 (FLPMA), 43 U.S.C. 1737(b), as amended, P.L. 94-579
2. Federal Oil and Gas Royalty Management Act of 1982 (FOGRMA), 30 U.S.C. 196, as amended, P.L. 97-451
4. Endangered Species Act, 16 U.S.C. 1535, as amended, P.L. 97-304
5. Wild Horse and Burro Act of 1971, 16 U.S.C. 1336, P.L. 92-195
6. Public Rangelands Improvement Act of 1978 (PRIA), 43 U.S.C. 1906, P.L. 95-514
7. Challenge Cost Share, 31 U.S.C. 6305, P.L. 101-512, Title I
8. Cooperative Conservation Initiative, 31 U.S.C. 6305, P.L. 108-7, Title I
9. Federal Noxious Weed Act of 1974, 7 U.S.C. 2814, as amended, P.L. 93-629
10. Watershed Restoration and Enhancement Agreements, aka, Wyden Amendment, 16 U.S.C. 1011, P.L. 104-208, Section 124, as amended by P.L. 105-277, Section 135
11. Sikes Act, 16 USC 670h and 670j, P.L. 86-797, Title II, Sec. 202, as added P.L. 93-452, Sec 2; as amended P.L. 97-396, Sec 4. P.L. 86-797
12. National Historic Preservation Act of 1966, 16 U.S.C. 470, PL 89-665 as amended by P.L. 96-515
13. Native American Graves Protection and Repatriation Act, as amended, 25 U.S.C. 3008, PL 101-601
14. National Trails System Act, 16 U.S.C. 1246, P.L. 90-543, as amended by P.L. 95-625, 96-87, and 98-11
15. Fish and Wildlife Conservation and Water Resources Developments Coordination Act, 16 U.S.C. 661, as amended, P.L. 85-624
16. Surface Mining Control and Reclamation Act of 1977, 30 U.S.C. 1273, P.L. 95-87
17. Hazardous Fuels Reduction for Rural Communities, Not in U.S.C., P.L. 109-54, Department of the Interior, Environment, and Related Agencies Appropriations Act, 2006, Title I
18. Healthy Forests Restoration Act of 2005, 16 U.S.C. 6511, P.L. 108-148
19. National and Community Service Act of 1993, 42 U.S.C. 12501, P.L. 101-610, as amended by P.L. 103-82 (HR 2010)

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20. Youth Conservation Corps Act of 1970 but later changed to Public Lands Corps Act of 1993, 16 U.S.C. 1723, P.L. 91-378, as amended by P.L. 92-597, as amended by P.L. 93-408, and as amended by P.L. 103-82
21. Take Pride in America Act, 16 U.S.C. Section 4605, as amended, P.L. 101-628, Title XI, Section 1106
22. Wild and Scenic Rivers Act, 16 U.S.C. 1281, P.L. 90-542
23. Stewardship End Result Contracting Projects, 16 U.S.C. 2104, P.L. 108-7, Consolidated Appropriation Resolution, 2003, Division F, Title III, Section 323 which amended P.L. 105-277, Department of the Interior and Related Agencies Appropriations Act, 1999, Division A, Section 101(e), Title III, Section 347, which was amended by P.L. 106-113, Making Consolidated Appropriations For the Fiscal Year Ending September 30, 2000, and For Other Purposes, Division B, Section 1000(a)(3), Title III, Section 341 and P.L. 107-63, Department of the Interior and Related Agencies Appropriations Act, 2002, Title III, Section 332
24. Federal Lands Recreation Enhancement Act, *Not in U.S.C.*, P.L. 108-477, Consolidated Appropriations Act of 2005, Division E, Title VIII, Section 806.
25. Alaska National Interest Lands Conservation Act, 16 U.S.C. 3119, P.L. 96-487
26. Federal and State Cooperative Watershed Restoration and Protection In Colorado, *Not in U.S.C.*, P.L. 106-291
27. Secure Rural Schools and Community Self-Determination, 16 U.S.C. 500, P.L. 106-393, as amended by P.L. 108-319
28. Southern Nevada Public Land Management Act of 1998, 31 U.S.C. 6901, P.L. 105-263. (*Not in U.S.C. but in the U.S.C. notes only*), P.L. 105-263, as amended by the Clark County Conservation of Public Land & National Resources Act of 2002, P.L. 107-282, Department of the Interior and Related Agencies Appropriation Act, 2004, P.L. 108-108, and Lincoln County Conservation, Recreation, and Development Act of 2004, P.L. 108-424
29. Wyoming National Historic Trails Interpretive Center Assistance, 16 U.S.C. 1244, P.L. 105-290
30. Designation of the Gila Box Riparian National Conservation Area, 16 U.S.C. 460ddd, P.L. 101-628
31. Eastern Nevada Landscape Coalition Amendment, *Not in U.S.C.*, Department of the Interior, Environment, and Related Agencies Appropriation Act, 2006, PL 109-54, Title IV, Section 431

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D. Code of Federal Regulations.

1. 43 CFR Part 9: Intergovernmental Review of Department of the Interior Programs and Activities
2. 43 CFR Part 12: Administrative and Audit Requirements and Cost Principles for Assistance Programs
3. 43 CFR Part 18: New Restrictions on Lobbying
4. 48 CFR Part 31, Subpart 31.2: Contract Cost Principles and Procedures for Commercial Organizations.

E. Departmental Manual.

1. 505 DM – Federal Assistance Programs
CHAPTER 1 – Policy Development and Management
CHAPTER 2 – Procurement Contracts, Grant Agreements and Cooperative Agreements
CHAPTER 3 – Grants and Cooperative Agreements with State and Local Governments
CHAPTER 4 – Deposit of Publications Produced Under Grants
CHAPTER 5 – Grants Agreements with Institutions of Higher Education, Hospitals, and Other Nonprofit Organizations
2. 507 DM – Program Information & Data
CHAPTER 1 – Catalog of Federal Domestic Assistance
3. 511 DM – Coordination with State & Local Governments
CHAPTER 1 – General
CHAPTER 2 – State Process Review System
CHAPTER 3 – Communication with State/Local Officials Concerning Department's Programs/Activities
CHAPTER 4 – Simplification, Consolidation, or Substitution of Federally Required State Plans
CHAPTER 7 – Environmental Impact
CHAPTER 8 – Direct Federal Development, Leases, Licenses, and Permits

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.04 Responsibility.

A. Director and the Deputy Director have overall responsibility for ensuring that the policies, procedures, and guidelines established in this issuance are followed.

B. Assistant Director, Business and Fiscal Resources shall identify the actions required to carry out the policies, procedures, and guidelines established in this issuance and designate those officials responsible for them. The Assistant Director shall designate a Bureau Federal Financial Assistance Communication Liaison to coordinate the Financial Assistance Program with the Department of the Interior (DOI).

C. Chief, Division of Property, Acquisition and Headquarters Services is required to implement the policies, procedures, and guidelines as follows:

1. Establish procedures for determining proper selection of award instruments to be used for supporting Bureau 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 accordance with the Act and 505 DM 2.6. Procedures shall 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. Instrument Selection Determination (ISD), shall be in writing and contain complete and accurate information on the nature of the relationship between the Bureau and the recipient to justify the use of the instrument selected. Requests for Application (RFA), Requests for Proposal (RFP) or Notice of Intent in Grants.gov or solicitations 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. Approve the process for obtaining the approval/disapproval of the ISD for any potential financial assistance agreement where the total amount of the agreement is anticipated to exceed \$100,000 in Bureau funds over the life of the agreement. Resolve internal Bureau disputes concerning the proper instrument selection. The approval/disapproval process for the ISD may be delegated to the Financial Assistance Procurement Analyst and the Senior Procurement Analyst, Washington Office (WO-850).

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3. Review and submit requests to exempt individual transactions or programs from the ACT or OMB Circulars with the Office of the Solicitor prior to submitting the request from the Director through the Office of the Secretary, Office of Acquisition and Property Management (PAM) office for the Assistant Secretary to request OMB approval.

D. State and Center Directors have overall responsibility for ensuring that the policies, procedures, and guidelines established in this issuance are followed within their State or Center. Only Grants Management Officers (GMOs) who have been certified may award grants. State and Center Directors have the office authority to delegate to GMOs, limited or unlimited authority to award assistance agreements in accordance with their approved certification level.

E. State and Center Chief Financial Assistance Manager and the Senior Procurement Analyst, WO-850, are responsible for the following:

1. Review and approve the ISD to ensure compliance with this Manual section. Assistance agreements expected to exceed \$100,000 in Bureau funds over the life of the agreement also require ISD approval by the Chief, Division of Property, Acquisition and Headquarters Services or their designee(s).

2. Provide local training and assistance on proper use of grant and cooperative agreement instruments.

3. Develop and implement a quality assurance review process of the Financial Assistance Program including the announcement, award, amendments and other documents associated with the program.

4. Assure GMOs and POs obtain and maintain the required financial assistance training and experience as specified in Section .8, Certification of GMOs and POs.

5. Maintain lists of certified POs and GMOs.

F. Grants Management Officers are responsible for awarding and administering financial assistance agreements. The GMO is the only Bureau official authorized to obligate the Bureau to the expenditure of Federal financial assistance funds or to change the funding, duration, or other terms and conditions of award.

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Only Bureau employees who have received their Certificate of Grant Appointment shall be delegated authority to act as a GMO. This authority, if delegated by the State or Center Director, BLM Director, or Assistant Director, Business and Fiscal Resources. The GMO is responsible for the following:

1. Evaluate the SPI to determine if the action will be a financial assistance agreement.
2. Post all discretionary and single source grant opportunities on Grants.gov. Mandatory opportunities may be posted if appropriate.
3. Evaluate grant applications for administrative content and compliance with statutes, regulations, and terms and conditions of the announcement.
4. Select successful applicants and negotiate terms after receiving recommendations from the Program Officer or other officials from the Technical Evaluation Panel (TEP).
5. Prepare and approve ISD then forward to State and Center Chief Financial Assistance Manager and the Senior Procurement Analyst WO-850 if over \$100,000.
6. Select, formulate, and award the proper assistance agreement and amendments to agreements.
7. Provide consultation and technical assistance to program officers, applicants, and grantees, including interpretation of grants administration policies and provisions.
8. Ensure the Bureau's and recipient's compliance with the terms of the agreement. Review financial status reports and performance reports, review and approve payments and close out grants when completed.
9. Submit accurate and timely FAADS reports and respond to audits.
10. Maintain accountability for property furnished to the recipient.
11. Ensure that subgrants include clauses required by Federal statute and that subgrantees are aware of requirements imposed upon them by Federal statute and regulations.

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G. Program Officer (PO) is the individual who is appointed in writing by the GMO and who represents the program office which has been assigned technical responsibility for implementation and administration of a grant. The PO and the GMO work as a team to assure the grant will be successful. Before a PO may be appointed, they must be certified in accordance with .86, Program Officer Certification. The PO is responsible for the following:

1. Prepare and submit to the GMO: 1) the SPI; 2) list of necessary deliverables or reports, if any; 3) any required BLM approvals; 4) special terms and conditions; and 5) evaluation criteria.
2. Participate as a Federal Assistance Application TEP member. The PO submits the recommendations for award to the GMO. Assists in the creation of the Project Management Plan.
3. Perform the technical and program management of the grant after award.
4. Monitor and document financial and technical performance; reviewing and recommending payment; obtaining required approvals; making site visits as necessary; and advising the GMO of any problems.
5. Recommend closeout of the agreement and certify receipt of reports or deliverables.

H. Senior Procurement Analyst, WO-850, located in the Division of Property, Acquisition and Headquarters Services, is responsible for the following:

1. Implementing the grants certification program and the proper use of certifications within the Bureau.
2. Certify GMOs and POs in accordance with this manual and section .82. This authority may be redelegated to the Financial Assistance Procurement Analyst WO-850.

I. Financial Assistance Procurement Analyst, WO 850, located in the Division of Property, Acquisition and Headquarters Services, is responsible for the following:

1. Approve ISDs when the grant value is expected to exceed \$100,000 of Bureau funds over the life of the agreement.
2. Develop Federal financial assistance guidance and policy for the Bureau.

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3. Serve as the Catalog of Federal Domestic Assistance (CFDA) representative and act as a liaison with PAM. Responsible for distributing materials for preparing new program descriptions for the Catalog and subsequent updates of the descriptions to appropriate offices within the Bureau, and for reviewing the material for completeness and accuracy before transmitting to PAM. Submissions must be on time to meet the deadlines set by OMB and General Services Administration(GSA).

4. Serve as the Bureau's Federal Financial Assistance Working Group Liaison with the PAM.

5. Provide assistance and coordinate a response with the appropriate office and WO-830 when a response is needed for a financial assistance audit deficiency.

J. Chief, Branch of Property Operations, National Operations Center (OC-653), is responsible for maintaining the Bureau's accountable property records for property furnished under a financial assistance agreement and for disposing of excess property acquired under an assistance agreement.

.05 References.

A. OMB Circulars.

1. A-21, Cost Principles for Educational Institutions, as codified in 2 CFR 220
2. A-87, Cost Principles for State, Local and Indian Tribal Governments as codified in 2 CFR 225
3. A-89, Catalog of Federal Domestic Assistance
4. A-102, Grants and Cooperative Agreements With State and Local Governments, as codified in 43 CFR Part 12, Subpart C
5. A-110, Uniform Administrative Requirements for Grants and other Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations, as codified in 2 CFR 215
6. A-122, Cost Principles for Nonprofit Organizations as codified in 2 CFR 230.
7. A-130, Management of Federal Information Resources
8. A-133, Audits of States, Local Governments, and Non-Profit Organizations

B. Bureau Guidance.

1. Manual Section 1264, Automated Information Systems Security
2. Manual Section 1270, Records Administration
3. Manual Section 1278, External Access to BLM Information

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4. Manual Section 1510, Acquisition
5. Manual Section 1520, Personal Property Management

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6. Manual Section 1530, Real Property Management
7. Manual Section 1786, Memorandums of Understanding

.06 Policy. It is Bureau policy that:

A. Proper use shall be made of agreement relationships and award instruments subject to the FGCCA. Federal financial assistance agreements shall not be used as a means of circumventing the procurement process.

B. Oversight and management of assistance agreement relationships and instruments shall be performed in compliance with the Act, OMB Circulars, and Departmental and Bureau requirements.

C. The Bureau is required to post funding opportunities for all discretionary and single source grant and cooperative agreement projects or programs at the Grants.gov website <http://www.Grants.gov>, using the Government-wide standard format and standard data elements for postings. Timely notice of discretionary assistance opportunities will be provided to the public so applicants have sufficient time to prepare and submit an application.

D. Both Bureau employees and those of the recipient are expected to comply with established standards of conduct, including conflict of interest policies, in order to avoid favoritism, or the appearance of a conflict of interest. Bureau employees and business concerns or organizations which are substantially owned or controlled by Bureau employees may not receive Bureau financial assistance.

E. Subject to Federal law, the Bureau will provide only a portion of the costs for an assistance award where commercialization or present or future economic benefits may accrue to the recipient beyond the instant award, but as a result of it. For-profit organizations are eligible to receive awards under all financial assistance programs unless specifically excluded by legislation. No profit or fee will be provided to for-profit organizations through financial assistance awards. A profit or fee is considered to be an amount in excess of actual allowable, allocable, and reasonable direct and indirect costs which are incurred in conducting an assistance program or project.

F. The State and Center Chief, Financial Assistance Manager will establish a quality assurance plan for all announcements, awards, and amendments. The review does not constitute an approval. Comments resulting from a review are meant to strengthen and validate the

business decision processes, to improve the assistance instrument, and to identify compliance and improvements needed. The review will be conducted prior to issuance or signature. These

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documents will not be released nor awards made until the review has been completed and the GMO has made corrections requested by the reviewer or resolved review comments.

G. The local Solicitor will assist the GMO with legal questions which may arise as a result of implementing the Act, the OMB guidance, and 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.

H. The Bureau will maintain a program for certifying BLM employees before they may be considered eligible for appointment as a GMO or PO for financial assistance agreements. The purpose of the Grants Certification Program is to establish training and competency requirements for BLM GMOs and POs who have the authority to sign and/or administer grant awards. (See Section .8)

.07 File and Records Maintenance. All record documents complete with enclosures and related papers and records will be maintained and disposed of in accordance with current guidelines in BLM Manual 1220, Records and Information Management, Schedule 3. The official file or record copy will be a paper file and will be maintained to provide up-to-date information.

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.1 Determining Whether the Requirement is Federal Financial Assistance or a Contract.

.11 Criteria for Selection of Correct Instrument. To determine whether a requirement is a grant agreement, or cooperative agreement, or a contract, the Bureau shall use the following criteria to make that determination.

A. Contract. Procurement contract shall be used as legal instruments reflecting a relationship between the Bureau and a State, a local government, or other recipient 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 Agreement. Grant agreements shall be used as the legal instruments when the relationship between the Bureau 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 and the State, local government, or other recipient when carrying out the activity contemplated in the agreement.

C. Cooperative Agreement. Cooperative agreements shall be used as the legal instrument when the relationship between the Bureau and a State, local government, or other recipient has as its principal purpose the transfer of a thing of value to a 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 and the State, local government, or other recipient when carrying out the activity contemplated in the agreement.

.12 Questions to Be Asked. Two essential questions must be asked in the SPI to ensure that a grant or cooperative agreement is the appropriate instrument.

A. Is there is a Federal statute that authorizes the Bureau to provide the financial assistance. The authority must specifically state grant, or cooperative agreement, or financial assistance (see .03 Authority and C. Program Legislation)

B. Will BLM be harmed in furthering a specific BLM mission requirement if the effort is not accomplished? The answer to this question must be “no.”

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C. Is the work being performed by the recipient primarily for its own purposes, which BLM is merely supporting with financial or other assistance? The answer to this question must be “yes.”

D. If these criteria are met, then the effort is not a BLM requirement, and may be considered as to whether it supports or stimulates a public purpose

.13 Additional Questions. Before proceeding to make an assistance agreement award, there are three main issues the GMO must address in a written and approved ISD. The ISD is based on the information received from the proposed recipient. In the ISD, the GMO must determine:

A. Is there is a Federal statute that authorizes the Bureau to provide the financial assistance. The authority must specifically state grant, or cooperative agreement, or financial assistance (see .03 Authority and C. Program Legislation)

B. Is the principal purpose of the relationship for public support or stimulation? It cannot be for the direct benefit of the Government.

C. Is the Bureau providing assistance in the form of anything of value, e.g., property, money, or services (including the use of Bureau technical service, consultation, information, or data)?

.14 Criteria for Selection of a Grant Agreement or Cooperative Agreement.

A. Substantial Involvement. 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 current management, financial, and technical needs of the recipient. 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 of the project, substantial Federal involvement is anticipated. Federal involvement in cooperative agreements must be limited to the minimum required consistent with program requirements.

B. Examples of Substantial Involvement. The following examples are not meant to be a checklist or to be considered as individual determinants, but as a guide to selecting the proper assistance instrument:

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(1) 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 audit to ensure 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 .14B1 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; 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.

(2) The practice of providing technical assistance, advice, or guidance to recipients in assistance awards does not constitute substantial involvement if: (i) it is provided at the request of the recipient; or (ii) the recipient is not required to follow it; or (iii) the recipient is required to follow it, but it is provided prior to the start of the assisted activity and the recipient understood this prior to the assistance award.

.15 Alternative Uses of Financial Assistance Agreements. Programs may use grant agreements or cooperative agreements, depending on the nature of the project or the capability of the recipient. For example, some projects may start out as a cooperative agreement in the first year and may be converted to a grant agreement after recipient capacity has been established. Other projects, initially funded as grant agreements, may need to be renewed or continued for subsequent budget periods as a cooperative agreement if there is a need to revise the project, upgrade recipient capacity, or protect the Federal interest.

.2 Competition in Selection of Recipients – Grants.gov, Data Universal Numbering System (DUNS), and Central Contractor Registration (CCR).

.21 Public Law 106-107. The Federal Financial Assistance Management Improvement Act of 1999, P.L. 106-107 was enacted to improve the effectiveness and performance of Federal financial assistance programs, simplify Federal financial assistance application and reporting requirements, improve the delivery of services to the public, and facilitate greater coordination among those responsible for delivering such services. To simplify the application process, all Federal agencies are required to use one location to announce their financial assistance opportunities.

.22 Grants.gov Posting Requirement. GMOs are required to post funding opportunities for all discretionary and single source grant and cooperative agreement programs at the Grant.gov website,

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<http://www.Grants.gov>, using the Government-wide standard format and standard data elements for postings. The Bureau is encouraged to post other types of Federal funding opportunities at <http://www.Grants.gov> also. The definitions of mandatory and discretionary grants are:

A. Discretionary Grant: A grant 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. Grant programs with limited eligibility, e.g., Cooperative Ecosystem Studies Units (CESUs), and matching or cost sharing requirements may still be considered discretionary in nature as they contain competitive components.

B. Mandatory Grant: A grant program in which the Federal agency is required to make an award if the eligible entity meets the prerequisites specified by statute or in implementing program regulations, e.g., 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.

C. 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.

.23 Announcement: The funding opportunity announcement is the document used to notify organizations of opportunities the Bureau makes available for financial assistance. The GMO creates the announcement, in conjunction with the PO, from the information contained in the SPI. Two documents are prepared for Grants.gov and submitted electronically to Grants.gov for posting. These documents are:

A. Synopsis. The synopsis provides basic information in a standard format so the applicant organization can determine if they want to look further.

B. Full Announcement. The full announcement must contain all the information the organization will need to prepare an application. This document is referred to as the Request for Applications (RFA). The RFA is prepared using the Government-wide standard format and

standard data elements for postings to Grants.gov. The GMO will use the information submitted in the SPI and will add the Standard and Special Award Terms and Conditions, and other information and instructions the applicant will need to prepare an application.

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C. Notice of Intent. The notice of intent (NOI) is posted on Grants.gov to provide public notice of the intention to fund project activities to a specific recipient without competition. The NOI must contain the information the recipient will need to prepare and submit an application.

.24 Posting Time Requirements. Timely posting of the announcement in Grants.gov is necessary to ensure all potential applicant organizations have sufficient time to prepare and submit their application. The standard time the announcement is posted is thirty (30) calendar days. However, if a shorter time period is required the PO will submit electronically to the GMO requesting a shorter time frame. The request must be approved by the GMO and the request and approvals will be filed in the agreement folder.

.25 Dun and Bradstreet (D&B) DUNS Requirement

A. Policy. Every application for a new grant or cooperative agreement award or renewal of an award, including applications or plans under mandatory grant programs, submitted on or after October 1, 2003, must include a DUNS number for the applicant. Unless an exemption is granted, an application will not be considered complete until a valid DUNS number is provided by the applicant. In addition, the DUNS number requirement must be included in all funding opportunity announcements issued on or after October 1, 2003.

B. Exemptions. Only OMB is authorized to grant exemptions from this policy. Individual or class requests for exemptions from this policy must be forwarded by the Bureau Director or their designee to the Director, Office of Acquisition and Property Management, for submission to OMB. Requests for exemptions must include the following information:

(1) The specific reasons why the exemption is needed and citing any historical information available to support those reasons.

(2) The specific impact on the Bureau/office or the grant/cooperative agreement program and its applicants if the request for exemption is denied. Provide examples of impacts, e.g., expected time delays in processing actions, and the effect on performance (time and/or dollar amount). Include any other negative impact anticipated.

(3) When requested on a class basis, document the total number of applicants affected.

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.26 Central Contractor Registration (CCR).

A. Requirement. Before an applicant is eligible to apply and submit an application through Grants.gov they must be registered in CCR. Before a recipient can request payments through Automated Standard Application for Payment System (ASAP) they must be registered in CCR. To register in CCR, applicants will go to the CCR website at <http://www.ccr.gov>.

B. CCR Database. The CCR database is part of the Business Partner Network that is the primary Government repository for recipient information required for the conduct of business with the Government.

C. Internal Revenue Service (IRS) Matching Requirement. In order to register and qualify as an applicant eligible to apply for federal grants the Taxpayer Identification Number (TIN) and Taxpayer Name combination must match exactly to the TIN and Taxpayer Name used in federal tax matters. This matching completed by the IRS will take up to two business days to validate new and updated records prior to becoming active in CCR.

.3 Catalog of Federal Domestic Assistance (CFDA).

.31 CFDA Requirement. The OMB Circular A-89, as amended, provides for a systematic collection of information on Federal financial assistance. It establishes Federal policies related to providing Federal financial assistance information to the public. The CFDA is the single, authoritative Government-wide comprehensive source document of Federal domestic assistance program information produced by the executive branch of the Federal Government. The CFDA is a guide to all domestic assistance program activities, regardless of dollar size or duration. The CFDA assists the public in identifying the types of Federal domestic funding available, describes the eligibility requirements, and provides guidance on how to apply for specific types of assistance. In addition, it improves coordination and communication between the Federal Government and the State and local governments and the public. Each grant/cooperative agreement program announcements posted at Grants.gov must contain the official CFDA program number and title. The CFDA number must be included in all grant/cooperative agreement awards. The web site for the electronic version of the CFDA catalog is: www.cfda.gov.

.32 Creating a New Program. When a new Financial Assistance Program is needed for a new grant or cooperative agreement program, not already in the CFDA, an application is developed by the BLM Communications Liaison (WO-850) and the program office. The application is then sent PAM, for review and submission, to the GSA in accordance with the GSA Reference Manual for Agency Liaisons and Staff (January 1998).

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.33 Updating a Program. The BLM Communications Liaison and the program office are required to submit updates every six months to the Department on revisions to existing programs for publication in the CFDA by GSA.

.34 CFDA Numbers. A CFDA number is a unique number created in the CFDA database. It tracks all domestically-funded Federal programs available to state and local governments (including the District of Columbia); federally-recognized Indian tribal governments; territories (and possessions) of the United States; domestic public, quasi-public, and private profit and nonprofit organizations and institutions; specialized groups; and individuals.

.35 Temporary Program Number (TPN). Since CFDA numbers are now available from the CFDA database in real time, TPNs (previously known as “pseudocodes”) will be granted for limited duration and only in cases of emergency, e.g., fires, natural or national emergency. A written request and justification for a TPN will be developed by the program personnel and the BLM Communications Liaison and submitted to the PAM. TPN’s will be assigned a number by the PAM, and must be superseded by a CFDA number within 45 days of issuance.

.4 Federal Assistance Award Data System (FAADS).

.41 FAADS Requirement. The FAADS report was authorized by the Consolidated Federal Funds Report Act of 1982. FAADS is used to notify Congress, States, and the public of fiscal, budgetary, and program-related information. The data covers Federal expenditures of obligations and deobligations for financial assistance awards.

.42 FAADS Users. Creation of a FAADS report is very important because the data contained in the report is used for a number of different purposes including:

- A. Congress uses the information to track how many dollars are awarded to their Congressional districts;
 - B. State and local governments use the information to see how many dollars are awarded within their State or local area;
 - C. DOI uses the information to track how Federal assistance dollars are being spent;
- and,

D. BLM Headquarters requires the data to determine the programs and type of recipients receiving financial assistance funding and to update the information in the CFDA.

.43 Applicability. A FAADS report must be created for all Federal financial assistance actions that involve funding including award, amendments, deobligation and closeout. However, if an amendment is made to an award without involving any funds, a FAADS report should not be created.

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.44 Completing the Report. The GMO is responsible for creating and submitting the FAADS report for all obligations and deobligations no later than the last working day of the quarter. Submit the data on the following DOI website at: <http://ideasec.nbc.gov/faads>. To gain access to the website, users must obtain a password from the BLM User Administrator, Financial Assistance Procurement Analyst WO-850.

.5 Exceptions and Exemption to the FGCAA

.51 Exemptions. The Act provides for the Director of the OMB to exempt individual transactions or programs from the Act.

.52 Requests for Exemptions. Requests for exemptions to the Act shall be submitted by the Bureau Director through the appropriate program Assistant Secretary through the PAM to the Assistant Secretary - Policy, Management and Budget (PMB). The PAM will review and coordinate such requests for PMB prior to forwarding to OMB. Requests for exemptions shall be coordinated with the Office of the Solicitor prior to forwarding of the requests to the appropriate program Assistant Secretary.

.6 Financial Status Reports (FSR)

.61 FSR. The Bureau shall require recipients to use the SF 269A, Financial Status Report (FSR) in order to report the status of funds for all non-construction projects or programs. The SF-271, Outlay Report and Request for Reimbursement for Construction Programs may be required for construction projects for State and local government recipients.

.62 Accounting Basis. The preferred method for recipients to report program outlays and program income is on a cash basis, as prescribed by the GMO in the agreement. If the GMO requires accrual information and the recipient's accounting records are not normally kept on the accrual basis, the recipient is not required to convert its accounting system. Rather, they shall develop the necessary accrual information through an analysis of documentation on hand.

.63 Financial Status Reporting Frequency. The GMO, working with the PO, shall determine FSR frequency for each grant project or program considering the size and complexity of the particular project or program.

FSRs shall not be required more frequently than quarterly or less frequently than annually. However, if a recipient: (a) has a history of poor performance, (b) is not financially stable, (c) has a management system that does not meet the standards prescribed in the applicable OMB Circular, (d) has not conformed to the terms and conditions of a previous award, or (e) is not

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otherwise responsible, the GMO may impose additional requirements as needed, provided that such applicant or recipient is notified in writing as to the:

- nature of the additional requirements;
- reason why the additional requirements are being imposed;
- nature of the corrective action needed;
- time allowed for completing the corrective actions; and
- procedure for requesting reconsideration of the additional requirements imposed.

Any special conditions shall be promptly removed once the conditions that prompted their application have been corrected. The GMO may require a monthly report from State, local and tribal recipients receiving advances totaling \$1 million or more per year.

A final FSR shall be required when a grant is completed/expires or is terminated.

Grant recipients will not be required to submit more than the original and two copies of the FSR to the GMO for each reporting period.

.64 FSR Due Dates. When reports are required on a quarterly or semiannual basis, they will be due to the GMO 30 calendar days after the reporting period. When required on an annual basis, they will be due 90 calendar days after the grant year (i.e., 12 months after the approved effective date of the grant agreement and every 12 months thereafter until the expiration date of the grant agreement). Final FSRs will be due 90 calendar days after the expiration or termination of grant support.

.65 Reporting Requirement Notice to Recipients. Grant project or program financial status reporting requirements, e.g., report forms, reporting frequency, due dates, and notices of sanctions for noncompliance with financial reporting requirements, must be clearly stated in applicable pre-award and award notices, and post-award grant documents/notices so that

recipients are given ample notice of reporting requirements, due dates, and sanctions for noncompliance with reporting requirements (See 68, Overdue Reports).

.66 Monitoring by Recipients and the GMO. Grant recipients are responsible for managing the day-to-day operations of grant and subgrant supported activities. As such, they must monitor their activities to assure compliance with applicable Federal requirements, e.g., financial status and other reporting.

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GMOs are also required to provide sufficient monitoring and oversight to ensure that recipients submit reports in a timely manner. Proper monitoring includes, but is not limited to:

- (1) Tracking report due dates;
- (2) Reviewing reports for completeness and accuracy, and returning incomplete or inaccurate reports in a timely manner with adequate description of why the information provided appears to be incomplete or inaccurate;
- (3) Using reports to determine whether award requirements are met; and
- (4) Taking effective action to provide timely notice and obtain overdue reports, with due concern for recipient rights and program needs.

.67 Requests for Extensions. The GMO may extend the due date of an FSR upon receipt of a justified request from the recipient, provided that the request for extension is received by the GMO prior to the financial report's original due date. Requests must be submitted in writing and include the requested revised report due date and a justification for the extension.

.68 Overdue Reports. If an FSR is not received by the due date identified in the grant or the agreed upon due date, the GMO shall contact the recipient to:

- (1) Notify them that the due date has passed and that the required FSR has not been received;
- (2) Inform them that failure to submit reports in a timely manner renders them noncompliant and may result in the imposition of sanctions including the: (a) withholding of cash payments pending receipt of the required reports; (b) denying both use of funds and matching credit for all or part of the cost of the activity or action not in compliance; (c) whole or partial suspension or termination of the current award for the grantee's or subgrantee's program; (d) withholding of further awards for the program until the required reports are received; or (e) other legal remedies.
- (3) Request immediate receipt of the report; or
- (4) Negotiate a proposed extension date (in cases where an extension has already been granted, this will be an additional extension) not to exceed 30 calendar days. The proposed extension date must be approved by the GMO before being implemented. Notification to the grant recipient that an approved extension has been granted must be issued in writing, and reiterate the warning regarding remedies for noncompliance identified above,

Grant files must be documented to reflect the issuance of notifications of overdue reports and the results.

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.69 Remedies for Noncompliance.

(1) Warning Notice Issuance, Suspension, and Termination.

If neither the FSR nor an acceptable explanation is received by the GMO by the agreed upon extension date (refer to above), the GMO will issue a written warning notice to the recipient stating that the grant recipient is noncompliant with the terms of the grant award regarding financial status reporting, and that unless the required report(s) are received by the GMO within the next 10 calendar days, the program shall make no further payments (See .75, Agency Review) and the grant award will be suspended until all required FSRs are received. The notice shall also state that: (1) the GMO reserves the right, without further notice, to convert the suspension to a termination of the grant award if the required report(s) are not received within 30 calendar days of implementation of the suspension; and (2) Further grant awards will be withheld by the grant program until all FSRs have been received.

If the report or an acceptable explanation is not received by the end of the 10 calendar day period cited in the notice, the grant award and payments shall be suspended. If the report or an acceptable explanation is not received by the end of 30 calendar days of implementation of the suspension, the suspension shall be converted to a termination, and the grant program will withhold further grant awards until all FSRs have been received. If requested in writing by the GMO, the State or Center Chief Financial Assistance Manager or the Senior Procurement Analyst, WO-850, may provide a waiver from termination if they determine in writing that it is in the best interest of the Government.

No commitment of funds incurred by the grant recipient during the period of suspension will be allowable under the suspended grant, except that the GMO may, at their discretion, allow necessary and proper costs in accordance with 43 CFR 12.83(c) or 12.962(c), as applicable.

.610 Final FSR. Final FSRs are due to the GMO 90 calendar days after the expiration or termination of grant support. Upon written request by the grant recipient, the GMO may extend this timeframe. GMO agreement to extend the timeframe for receipt of the final FSR must be made in writing and include a notice that if the final FSR is not received by the agreed upon extension date, the grant recipient shall be considered to be non-compliant and remedies for noncompliance will apply.

If the final FSR is not received by the agreed upon extension date, the GMO will issue a written notice to the grant recipient notifying them that they are considered to be non-compliant

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with the reporting conditions of their grant award, and that the grant program will withhold further grant awards to the recipient until final FSR requirements have been met.

Upon receipt of delinquent final FSRs and the recipient's final FSR requirements have been met, further awards to the recipient from the grant program should no longer be withheld.

.7 Payments – Financial Management Service's (FMS), Automated Standard Application for Payment (ASAP) System.

.71 Payments. Payments made under financial assistance agreements will be made by the United States Department of Treasury (Treasury), FMS, ASAP System. ASAP is a recipient-initiated, on-line payment and information system for financial assistance agreements. The recipient will request federal funds that are due directly from the Federal Reserve Bank on a reimbursable basis.

.72 Payment Reviews. Since payments are made without review it is imperative that the GMO and the PO receive the FSR timely and carefully review the document to determine if it reflects the budget submitted with the application. The GMO will review the report for patterns of cash expenditures, including accelerated or delayed drawdowns, and to assess whether performance or financial management problems exist. Before submitting FSRs to the GMO, grantees must ensure that the information submitted is accurate, complete, and consistent with the grantee's accounting system. To provide oversight of payments made through ASAP it is recommended that, at least monthly, the ASAP Drawdown Report and the ASAP Unliquidated Obligations Reports be reviewed in the Management Information System (MIS) to detect problems during that period.

.73 Registration in ASAP. Recipients will be required to complete the BLM's ASAP Request for Enrollment Form. The form will be faxed to the SOPAC team at (303) 236-6479. Please note that DUNS, TIN and email address will be required by BLM and Treasury. The SOPAC ASAP Enrollment Initiator will begin the enrollment process on the ASAP.GOV website. The recipient will be notified via email with a Recipient Identification number, the password will be mailed to the address on the enrollment form. The Recipient must complete the required actions ie: Completing Agency Information, Banking Information, Contact Information, Roles and Responsibilities of Agency Personnel, etc. The enrollment process must be complete within 45 days of initiation. It is the Department of the Treasury policy to purge incomplete

enrollments after 45 days, and at that time Recipient's will have to begin the process again. Treasury will also provide the recipient with user id and password.

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.74 Recipient Requesting Payments. The ASAP Recipient ID, furnished by Treasury, will be used to access the account to request reimbursement payments. The BLM GMO will create an ASAP obligation unique to this agreement. The first nine characters will be the agreement number (reference block 1 of agreement cover page, BLM Form 1511-1). The remaining three characters will identify BLM funding line items. Drawdown of funds will be taken from specific lines on the agreement. An amendment will be stamped to indicate the appropriate line number for the drawdown.

.75 Agency Review. The GMO may place a recipient on agency review if the recipient: (a) has a history of poor performance, (b) is not financially stable, (c) has a management system that does not meet the standards prescribed in the applicable OMB Circular, (d) has not conformed to the terms and conditions of a previous award, or (e) is not otherwise responsible. The GMO may impose additional requirements as needed, provided that the applicant or recipient is notified, in writing, as to the nature of the additional requirements; reason why the additional requirements are being imposed; nature of the corrective action needed; time allowed for completing the corrective actions; and procedure for requesting reconsideration of the additional requirements imposed. Any special conditions shall be promptly removed once the conditions that prompted their application have been corrected. After award, a recipient may be placed on agency review if: (a) they continually are delinquent on reports, (b) continually draw reimbursement funds from the incorrect line item, or any of the reasons above.

.76 Advance Payments. Treasury Circular 1075 (31 CFR 205) requires that cash advances to a recipient organization shall be limited to the minimum amounts needed and shall be timed to be in accordance with the actual, immediate cash requirements of the recipient organization in carrying out the purposes of the approved program or project. The timing and amount of cash advances shall be as close as is administratively feasible to the actual disbursements by the recipient organization for direct program or project costs and the proportionate share of any allowable indirect costs.

.8 Certification of Grants Management Officers (GMO) and Program Officers (PO).

.81 Purpose. The purpose of the Grants Certification Program is to establish training and competency requirements for BLM GMOs and POs who have the authority to sign and/or administer grant awards. The certification program sets training and competency requirements

for persons involved in the award and administration of grants. Employees covered by the DOI Federal Acquisition Certification in Contracting Program (FAC-C), including the Contracting Officer Representative, are separate and distinct from the requirements of the Bureau Grants Certification Program.

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Authority to serve as a GMO on an award is determined by the total estimated cumulative Bureau value of the agreement, not the obligation amount of the initial award or a particular amendment. GMOs shall not exceed the limits of their Certificate of Grant Authority level or the dollar amounts delegated to their office.

.82 Senior Procurement Analyst, WO-850 - Authority and Responsibilities. The Senior Procurement Analyst, WO-850 is hereby delegated authority, with authority to redelegate to the Financial Assistance Procurement Analyst, WO-850, to certify Grants Management Officers and Program Officers in accordance with this manual section. The Senior Procurement Analyst, WO-850:

A. Is responsible for implementing the Grants Certification Program and the proper use of certifications within the Bureau.

B. Shall take actions deemed necessary to ensure the integrity of the certification program within the Bureau.

C. Has the authority to terminate or suspend an individual's Certificate of Grant Authority for improper use and to serve as an advocate for the certification program.

D. Will appoint individuals, not positions, by issuing a Certificate of Grant Authority upon completion of competency-based formal training. The Certificate of Grant Authority shall state any limitation on the scope of eligibility or other limitations.

E. Will maintain a listing of certified GMOs and POs records containing information on scope of eligibility or limitations on individual certificates, amounts and dates of training completed, and terminated certifications.

.83 GMO Certification. The certification program established in this Manual, adopts the Management Concepts Grants Management Certificate Program. GMOs are required to complete the certification program within a two year period before they are authorized to award Federal financial assistance.

A. Certification Requirements.

(1) In order for a GMO to be considered for a certification their completed application must be approved by their supervisor and the State or Center Chief, Financial Assistance Manager. The application will be sent to the Senior Procurement Analyst, WO-850 for consideration and action.

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(2) Individual development and training plans must be developed and maintained for each employee working toward their certification.

.84 Certification Process for GMOs.

A. Requesting Certification. To request certification, the GMOs supervisor and the State or Center Chief, Financial Assistance Manager will send a copy of the Management Concepts training certificate to the Senior Procurement Analyst, WO-850 for action.

B. Certification Maintenance Training. GMO shall meet or exceed 32 hours every 2 years to maintain certification. When maintenance training is attended, submit a copy of the certificate of training to the Senior Procurement Analyst, WO-850 through the State or Center Chief, Financial Assistance Manager within 30 days of completion.

.85 Termination and Suspension of Certification Authority. A GMOs certification authority may be terminated administratively or for cause. In the case of administrative termination, this may be accomplished automatically, unless formal action is required by Bureau procedures. Terminations for cause must be accomplished in writing. In both cases, the GMO's State or Center Chief, Financial Assistance Manager and/or supervisor are responsible for notifying the Senior Procurement Analyst when a termination arises.

A. Administrative Termination. The following are examples of reasons for administrative termination, which is an automatic cessation of certification:

(1) The Senior Procurement Analyst, WO-850 is notified in writing that the need for a GMO no longer exists.

(2) Reassignment of the GMO to a new position within the Bureau or office.

(3) Transfer of the GMO to another office, Bureau within DOI or to another Government agency.

(4) Retirement, resignation, or other termination of the GMO's Government employment.

B. Termination for Cause. Termination for Cause must be accomplished in writing by the Senior Procurement Analyst, WO-850 upon recommendation by the State or Center Chief, Financial Assistance Manager or supervisor. The circumstances for termination should be examined on a case-by-case basis and corrective action taken in a timely manner. The following are examples of reasons to justify terminating a certification for cause:

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(1) Failure to comply with statutes, Executive Orders, OMB Circulars, the Department of the Interior Financial Assistance Regulation, Bureau or office rules and regulations, policies, or procedures, limitations of this manual, or good business judgment.

(2) Violation of code of ethical conduct (5 CFR 2635).

(3) Failure to comply with delegated responsibilities, i.e., exceeding dollar authority for the individual or office.

(4). Failure to complete maintenance training requirements as required after certification.

(5). Failure to maintain a satisfactory performance rating.

C. Suspension of Certification Authority. The Senior Procurement Analyst, WO-850, has the authority to temporarily suspend a GMO's certification at any time; and to reinstate the certificate when conditions dictate. Suspension is appropriate, but not limited to the following situations:

(1) Failure to comply with applicable laws and regulations.

(2) Violation of code of ethical conduct (5 CFR 2635).

(3) Failure to maintain training standards.

(4) Failure to maintain a satisfactory performance rating.

.86 PO Certification. In order to be certified as a PO for financial assistance agreements, 24 hours of training in Federal financial assistance must be completed in a two year period before being considered eligible as a PO.

A. Certification Requirements.

(1) To request certification, the POs supervisor will send a copy of the training certificate to the State or Center Chief, Financial Assistance Manager for action.

(2) Certified POs must complete a minimum of 16 hours additional maintenance training every 3 years to keep current with changes in financial assistance regulations, procedures, and best practices or to develop additional expertise in relevant topics.

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.87 PO Delegation of Authority by the GMO. After a PO has been certified by the Senior Procurement Analyst, WO-850, they may administer grant projects in accordance with the authority delegated to them by the GMO.

A. The delegation shall identify the agreement which the PO will monitor. The memorandum of delegation shall be countersigned by the PO and a copy returned to the GMO or it may be sent and acknowledged electronically.

B. A copy of the memorandum of delegation shall be promptly forwarded to the recipient after issuance by the GMO.

C. Changes in the scope or limitations of authority shall be made in writing to the existing delegation or by issuance of a new memorandum of delegation.

.88 Limitations of a PO. Each delegation of a PO, made by the GMO, shall clearly state that the PO is not authorized under any circumstances to:

A. Award, agree to, or execute any agreement, agreement amendment, or notice of intent;

B. Obligate, in any way, the payment of money by the Government;

C. Make a final decision on any agreement matter which is subject to the term on termination; or

D. Terminate, for any cause, the recipient's right to proceed.

.89 Termination of Delegation of the PO by the GMO. Termination of a PO's delegation for any agreement shall be made in writing, by the GMO, and shall state the date such termination is effective. A copy of the termination shall be promptly forwarded to the recipient after issuance by the GMO.

.9 Property Management.

.91 Property Management Standards

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A. General. Property which is furnished under the terms of a financial assistance agreement by the Bureau or which is purchased or fabricated and charged to the project by the recipient shall be managed in accordance with 43 CFR Part 12, Sections 12.71 through 12.73 and Sections 12.930 through 12.937, 505 DM 2, and BLM Manual Section 1520.

B. Purchase of or disposal of real property furnished, purchased, or constructed under the terms of a financial assistance agreement paid for with federal funds must follow the procedures outlined in DOI's Asset Management Plan. Approvals to purchase or construct real property must be approved by the Director prior to award of the agreement.

.92 Vesting of Title.

A. Retention of Title.

1. The Bureau shall retain title to all Federal-owned property furnished by the Bureau provided to a recipient for use during an agreement.

2. The recipient may retain title to property acquired by the recipient with Federal project funds, except as limited and permitted by 43 CFR Part 12, Sections 12.71 through 12.74 and Sections 12.930 through 12.937, 505 DM 2, Section 2.16 (31 U.S.C. 6306). There are different requirements for States, local governments, and Indian Tribes than for all others.

3. The assistance agreement must state clearly in which party title vests and for which property.

B. Transfer of Title.

1. The Bureau may reserve the right to transfer title of Government furnished property from the recipient to the Federal Government or to a third party. This right applies to non-expendable and sensitive personal property having a unit acquisition cost of \$5000 or more and a useful life of two (2) years or more. The assistance agreement must clearly state this reservation and must comply with the requirements of 43 CFR Part 12, Sections 12.71 through 12.74 or Sections 12.930 through 12.937.

.93 Requests, Reviews, and Approvals Required Prior to Transfer of Title or Property, or Disposition of Excess Property.

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A. Requests to Transfer Title or Property. When deciding whether to exercise the right to transfer the title, or to provide Government-furnished property to recipients, the GMO and PO must coordinate the disposition of the property with the Branch of Property Operations, BC-653, if the project office, the Accountable Officer, or recipient does not need the property. BC-653 will determine what property should be added to or should be retained on the Bureau's accountable property records, or reported as excess. When other authority to transfer property exists, such as Public Law 102-245, Stevenson-Wydler Technology Innovation Act and Executive order 12999, Educational Technology, that authority may be used.

B. Requests for Vesting Title. Requests for vesting title in tangible personal property in a nonprofit institution of higher education or in a nonprofit organization, whose primary purpose is conducting scientific research, must be approved by the Assistant Secretary - Policy, Management, and Budget. This approval is required when the property is bought with Federal funds provided under a financial assistance agreement by the institution or organization to conduct basic or applied scientific research. This authority may be exercised when the Accountable Officer decides that 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 Accountable Officer considers appropriate are met. Requests for the use of this authority shall be submitted through the Financial Assistance Procurement Analyst (WO-850), approved by the Director, and then sent on to the PAM Office to the Assistant Secretary - Policy, Management, and Budget who shall exercise this authority for the Department. Such requests shall be coordinated with the Office of the Solicitor before they are sent to PAM for review.

C. The Accountable/Property Officer is the approving authority for Government furnished property having a unit acquisition cost of \$5,000 or more or sensitive items. Bureau sensitive items have an acquisition cost of less than \$5,000 and are firearms, portable radios, global positioning systems greater than \$500, surveying/mapping instruments, ADP equipment (PCs, laptops, servers, CPUs), and museum items.

D. Delegation to Vest Title Under \$5,000 and Sensitive Items. The Accountable/Property Officer, after coordination with the GMO and PO, is authorized to make decisions to vest title to Government furnished property having a unit acquisition cost of less than \$5,000 and sensitive items.

E. Excess/Available Property. The GMO, in coordination with the Accountable Officer, shall submit a list of all excess property, which was acquired or furnished under an assistance agreement and that the recipient does not want, to BC-653 and disposed of in

accordance with Manual Section 1520 and the Federal Management Regulation (FMR) 102-36.

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.94 Federal Equipment or Property Provided to the Recipient.

A. Agreements with States, Local Governments and Indian Tribes. In the event a recipient is provided Federally-owned equipment or property:

(1) Title will remain vested in the Federal Government.

(2) Recipients will manage the equipment in accordance with Federal agency rules and procedures, and submit an annual inventory listing.

(3) In accordance with the terms of the agreement, the GMO must state what happens if the equipment is damaged or destroyed, if there is an insurance requirement, and the requirements for using the equipment, i.e., defensive driving for vehicle operators and the HSPD-12 requirements if the recipient will be authorized use of the BLM computer network system. If equipment or property is damaged or destroyed, the GMO must state in the agreement if the equipment will be replaced with a like item of equipment with the same capabilities and value as the equipment destroyed or reimburse the Bureau for the fair market value of the equipment.

(4) When the equipment is no longer needed or the agreement ends, whichever occurs first, the recipient will request disposition instructions from the GMO.

B. Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations. In the event a recipient is provided Bureau-owned equipment or property:

(1) Title to Bureau-owned property remains vested in the Federal Government. Recipients shall submit annually to the GMO an inventory listing of Federally-owned property in their custody. Upon completion of the award or when the property is no longer needed, the recipient shall report the property to the GMO for further utilization.

(2) If the Bureau has no further need for the property, it shall be declared excess and reported to BC-653, unless the Bureau has statutory authority to dispose of the property by alternative methods such as in Public Law 102-245, Stevenson-Wydler Technology Innovation Act and Executive order 12999, Educational Technology.

(3) When statutory authority exists for exempt property, the Accountable/Property Officer has the option to vest title to property acquired with Federal funds in the recipient without further obligation to the Federal Government and under conditions the Bureau considers

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appropriate. Such property is “exempt property.” If the GMO does not establish conditions, title to exempt property upon acquisition shall vest in the recipient without further obligation to the Federal Government.

(4) Equipment owned by the Bureau shall be identified to indicate Federal ownership.

(5) For equipment owned by the Bureau, use on other activities not sponsored by the Federal Government shall be permissible if authorized by the GMO. User charges shall be treated as program income.

.95 Property - Management Records and Inventories.

A. Annual Inventories. Annual inventory reports required for Government furnished property shall be submitted by the recipient via the Accountable/Property Officer.

B. An inventory of all property the recipient has obtained with Federal funds must be reported to the GMO every (2) years.

.10 Security Requirements or Common Identification Standard for Recipients and the Department of the Interior (DOI) Information Resources Management (IRM) Training Requirement.

.101 Implementation of Homeland Security Presidential Directive-12 (HSPD-12). HSPD-12 policy for a Common Identification Standard for Federal Employees and Financial Assistance Awardees directs the creation of a Federal standard for secure and reliable identification issued by Federal agencies to their employees and financial assistance recipients, including all tiers of subrecipients. Personal Identity Verification (PIV) credentials such as security badges, building passes, and so forth, will only be issued after an individual’s identity has been independently verified.

Not every financial assistance recipient and subrecipient employee will need PIV credentials. There are two categories of recipient personnel who will be subject to the background investigations:

(1) Those that need routine and regular unsupervised access to a Federally controlled facility for more than 180 days;

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(2) Those that need unsupervised access to a Federally controlled Level 3 or 4 information system.

.102 Physical Access. A “Federally controlled facility” is federally owned or leased space, whether for single or multi-tenant occupancy, all or any portion of which is under the jurisdiction, custody or control of DOI. If a building is shared with non-government tenants, only access to the Federal area is controlled. The requirements for recipient credentialing apply even if there is no guard, card reader, or other physical control at the entrance to the office. The 180 calendar day period begins on the first day of the individual’s affiliation with the Bureau (in this case, the date that grant or cooperative agreement performance actually begins rather than the award date) and ends exactly 180 days later, regardless of the number of times the recipient actually accessed a building or Information Technology (IT) system.

.103 Logical Access. An “IT system” is defined in the Federal Information Security Management Act of 2002 (44 U.S.C. §3503(8)). Use of an information system by a recipient or contractor on behalf of an agency is defined in 44 U.S.C. §3544(a)(1)(A). If a recipient needs *any* amount of unsupervised access to a DOI IT system, HSPD-12 compliant credentials must be issued regardless of the duration of access. The credentialing requirement applies whether the recipient accesses the IT system from the premises of a DOI facility, from their own facility, through the Internet, or by any other means.

.104 Uncredentialed Recipients. Recipients who do not fit into one of the above two categories will be treated as visitors. These persons must access the facility via a screening system, display a temporary/visitor badge at all times, and be escorted at all times. Normally, persons working exclusively outside on the grounds of federally controlled facilities need not receive background investigations.

.105 Special Cases. The preceding paragraphs describe the minimum requirements. Depending on risk, increased application of HSPD-12 will be appropriate in some cases, depending on the nature of the grant. If higher level security, such as Secret or Top Secret, is needed, other clearances can be added to the HSPD-12 requirements.

.106 Verification Process. To the extent possible, HSPD-12 clearance of recipient personnel will be handled through the same clearance procedures as for DOI employees. The process has two steps: a National Agency Check (NAC) and an NAC with Written Inquiries (NACI). After the individual applies for a PIV credential, an NAC will be processed. If this does not reveal any unfavorable information, a PIV credential will be issued; this should take

about one week. Simultaneously, an NACI will also be initiated, with adjudication taking about six months. If the adjudication is favorable, nothing more needs to be done. If the adjudication is unfavorable, the PIV credentials will be revoked.

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is unfavorable, the PIV credentials will be revoked.

Should a recipient's PIV credentials be declined or revoked, the GMO and PO must take some action to accommodate this in the agreement. For example, it may be possible to arrange off-site performance or some other accommodation. In any case, the GMO must work together with the PO, program office, security personnel, and the recipient to address this situation promptly.

All PIV credentials will automatically have a five year expiration, except for foreign nationals. Foreign nationals' cards may be issued for five years, unless that date would extend past the expiration date of their work permit or visa. Government-wide, the HSPD-12 clearance process for foreign nationals has not been finalized yet. Please be aware that there may be an extra delay in obtaining verification for these individuals.

If recipient personnel have already been investigated by another agency through OPM, the results of a prior HSPD-12 (or higher) clearance will be accepted by the Bureau upon receipt of appropriate verification.

.107 Procedures. Early coordination with program officials is recommended in order to avoid delays in agreement start-up. Recipients who already have badges may continue to use them until they expire. However, there will be (at least) a week delay for individuals who start unsupervised physical or logical access for the first time.

For now, background investigations must be paid for by the Government. A source of funding has not been clearly defined, but it appears likely that the sponsoring program will bear the cost. Some program offices may not be aware of this requirement. They should be referred to their budget office for further guidance. Applicants should address limiting the number of recipient employees who will be investigated.

GMOs will have additional duties which should be reflected in the application process. The PO will act as the sponsor for recipient personnel. In this capacity, they will be responsible for ascertaining the risk level for the position, including credentialing requirements in the agreement descriptions, validating individuals' need for a PIV credential, facilitating the badging process, and ensuring that credentials are renewed and rescinded in a timely manner. It is the Project Officer's responsibility to make sure that recipients' credentials are returned to the Government at the end of the agreement or whenever a recipient employee's affiliation with the Bureau ends.

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When the HSPD-12 requirements apply to a grant to be awarded, use the model Recipient/Subrecipient Personnel Security and Suitability Requirements in the Special Terms and Conditions section of the agreement. The language may be modified to suit circumstances, except that the flow down requirement must be included. It should be used in all agreements where the terms require subrecipient personnel to have unsupervised access to a Federally controlled facility for more than 180 days or unsupervised access to a Federally controlled Level 3 or 4 information system.

.108 Prior Awards. In addition to new grants and cooperative agreements, HSPD-12 requirements must be added to some previously awarded grants and cooperative agreements. Current agreements that require recipient personnel to have physical and/or logical access as described above must be amended to include the PIV requirements before expiration when the agreement extends past the expiration date of their current credentials. Agreements that do not currently require recipient personnel to have physical and/or logical access as described above must be amended to include the HSPD-12 requirements if circumstances change such that recipient physical or logical access is newly required.

.109 Federal Information Systems Security Awareness Training. Before the recipient, or any of its employees or subrecipients, is granted access to the BLM Federal computer system they must first successfully complete the DOI Federal Information Systems Security Awareness Online Course. This course was designed specifically for users of Federal computer systems. The course is a web-based training product that explains the importance of Information Systems Security and takes approximately one hour to complete. This course is mandatory for all DOI employees, contractors, recipients, and all other users of DOI computer resources. Topics covered in the course include: threats and vulnerabilities, malicious code, user responsibilities, and new developments affecting Information Systems Security.

.11 Disputes There are no formal procedures to follow for disputes between the recipient and the GMO. Disputes should be resolved by the GMO if possible. Seek the advice from the Office of the Solicitor for disputes or legal questions that may arise. When dispute resolution cannot be resolved at the GMO level, consider using Alternative Disputes Resolution (ADR) to the maximum extent practicable. The GMO and recipient should choose and agree to the appropriate ADR method as early as possible.

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.12 Release of Information.

.121 Recipients Application. Data contained in a recipient's application for assistance shall be used only for evaluation purposes unless such information is: (1) generally available to the public; (2) already the property of the Government; (3) the Government already has unrestricted use rights; or (4) is, or has been, made available from any source including the applicant, without restriction.

.122 After Receipt of Application. After receipt of an application, under a competitive Request for Application, no information concerning the application, or number or identity of the applicants, shall be made available to the public or to anyone within the Government not having a need to know.

.123 After Award. After award of a grant, the following data may be released if requested:

A. Number of applicants.

B. Name of the recipient(s) receiving award(s).

C. The dollar amount of the grant(s).

D. Any other information which the Freedom of Information Act (FOIA) Officer or the Solicitor advised could be released without further contact.

E. Information, other than that listed in A. through D. above, will be released only in accordance with the FOIA procedures.

.124 Information That May Not Be Released. Trade secrets, commercial or financial information may be withheld in accordance with exemption 4 of the Act. If a request is received, report it immediately to your office FOIA Officer and follow the procedures in the DOI 383 DM 15, Section 5.6 and BLM Manual 1278, External Access to BLM Information. Before releasing any information, consult with the applicant or recipient as required in DOI 383 DM 15, Section 3.23 if appropriate.

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.13 Procedures to be Used for Entering into and Administering Assistance Agreements.

.131 BLM Financial Assistance Agreements Website. The BLM Financial Assistance website is located at <http://web.blm.gov/fa> . The website contains many procedures, processes, samples, models and instructions for completing documents pertaining to financial assistance. The website will allow changes of models and samples to be made quickly whenever changes are needed. Comments pertaining to the website should be addressed to the Financial Assistance Procurement Analyst, WO-850.

.132 Use of the BLM Financial Assistance Agreements Website. When laws, regulations, and policies change the model agreement and SPI/ISD will be updated. The latest versions on the website will be used.

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Accrued Expenditures	Charges incurred by a recipient during a given period requiring the provision of funds for: (1) goods and other tangible property received; (2) services performed by employees, contractors, subrecipients, and other payees; and (3) other amounts becoming owed under programs for which no current services or performance is required.
Accrued income	Sum of: (1) earnings during a given period from (i) services performed by the recipient, and (ii) goods and other tangible property delivered to purchasers; and (2) amounts becoming owed to the recipient for which no current services or performance is required by the recipient.
Acquisition Cost of Equipment	Net invoice price of the equipment, including the cost of modifications, attachments, accessories, or auxiliary apparatus necessary to make the property usable for the purpose for which it was acquired. Other charges, such as the cost of installation, transportation, taxes, duty or protective in-transit insurance shall be included or excluded from the unit acquisition cost in accordance with the recipient's regular accounting practices.
Act	The "Act" is the Federal Grant and Cooperative Agreement Act of 1977 (revised and incorporated in Title 31 U.S.C. 6301 – 6308).
Advance Payment	A payment made to a recipient upon its request either before outlays are made by the recipient or through the use of predetermined payment schedules.
Announcement	See Funding Opportunity Announcement.
Applicant	An organization or individual that submits an application.
Application Package	A group of specific forms and documents for a specific funding opportunity which are used to apply for a grant.
Application Package Template	One or more forms and documents which can be reused for multiple opportunity-specific application packages.

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Assistance Agreement	See Financial Assistance.
Authorized Representative (AR)	An AR submits a grant on behalf of a company, organization, institution, or government. ARs have the authority to sign grant applications and the required certifications and/or assurances that are necessary to fulfill the requirements of the application process.
Award	Financial assistance that provides support or stimulation to accomplish a public purpose. Awards include grants and other agreements in the form of money or property in lieu of money, by the Federal Government to an eligible recipient. The term does not include: technical assistance, which provides services instead of money; other assistance in the form of loans, loan guarantees, interest subsidies, or insurance; direct payments of any kind to individuals; and, contracts which are required to be entered into and administered under Federal procurement laws and regulations.
Cash Contributions	A recipient's cash outlay, including the outlay of money contributed to the recipient by third parties.
Catalog of Federal Domestic Assistance (CFDA)	An online database of all Federal programs available to State and local governments, federally-recognized Indian tribal governments, territories and possessions of the United States, domestic public, quasi-public, and private profit and nonprofit organizations and institutions, specialized groups, and individuals.
Catalog of Federal Domestic Assistance (CFDA) Number	The identifying number that a Federal program is assigned in the CFDA.

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Central Contractor Registry (CCR)	The CCR is the primary vendor database for the U.S. Federal Government. CCR validates applicant information and electronically shares the secure and encrypted data with the Federal agencies' finance offices to facilitate paperless payments through Electronic Funds Transfer (EFT). The CCR stores the applicant organizational information, allowing Grants.gov to verify your identity and to pre-fill organizational information on the grant applications.
Challenge Cost Share Funding	Challenge cost share funding may be awarded either under a grant or a cooperative agreement. The recipient is required to provide matching funds or obtain additional funding from another non-Federal party. Challenge cost share contracts may also be used for this program.
Chief, Financial	This is the Chief of the Contracting Office (CCO) as defined in BLM
Assistance Manager Closeout	Manual 1510, Acquisition, Section .04, Responsibility, Paragraph D. Process by which the awarding agency determines that all applicable administrative actions and all required work of the award have been completed by the recipient and the awarding agency.
Cognizant Agency	The Federal agency responsible for reviewing, negotiating, and approving cost allocation plans or indirect cost proposals developed under OMB Circular A 87 on behalf of all Federal agencies. OMB publishes a listing of cognizant agencies. OMB published a list of cognizant agency assignments for some State agencies, cities, and counties on January 6, 1986 (51 FR 552)., The cognizant agency for governmental units, not on that list, is the one that provides the most grant funds to the entity. The Department of Health and Human Services (HHS) is the cognizant agency for all States and most cities. The cognizant agency for non-profit organizations is determined by calculating which Federal agency provides the most grant funding. The DOI is the cognizant agency for all Indian tribal governments. For hospitals, HHS serves as the main cognizant agency.

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Congressional Earmark	Assistance agreements awarded in response to direction from Congress or a Congressional Committee as reflected in appropriation or authorizing legislation or applicable legislative history.
Continuing Resolution	Legislation enacted by Congress to provide budget authority for Federal agencies and/or specific activities to continue in operation until the regular appropriations are enacted. Continuing Resolutions are enacted when action on appropriations is not completed by the beginning of a Fiscal Year. (See "Principles of Federal Appropriations Law")
Contract	The legal instrument used to reflect a relationship between the Federal Government and a State or local Government or any other entity whenever the principal purpose of the instrument is the acquisition by purchase, lease, or barter, of property or services for the direct benefit or use of the Federal Government. A procurement contract may be awarded under a financial assistance award or subaward.
Cooperative Agreement	The legal instrument used to reflect a relationship between the Federal Government and a State or local Government or other recipient whenever the principal purpose of the relationship is the transfer of money, property, services, or anything of value to a State or local Government or other recipient to accomplish a public purpose of support or stimulation authorized by Federal law; <u>and substantial involvement</u> is anticipated between the Federal Government, and the State or local government, or other recipient during performance of the contemplated activity. A cooperative agreement is distinguished from a grant in that it provides for substantial involvement between the Federal agency and the recipient in carrying out the activity contemplated by the award.
Cost Analysis	The process of evaluating a prospective price without regard to the recipient's separate cost elements. Price analysis determines the reasonableness of the proposed grant price based on adequate price competition, previous experience with similar work, established catalog or market price, law, or regulation.

The portion of project or program costs not borne by the Federal

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Cost Sharing or Matching	Government.
Current Accounting Period	The period of time the recipient chooses for purposes of financial statements and audits.
Data Universal Numbering System (DUNS)	A unique nine-character identification number provided by the commercial company Dun & Bradstreet (D&B).
Date of Completion	The date on which all work under an award is completed or the date on the award document, or any supplement or amendment thereto, on which awarding agency sponsorship ends.
Direct Benefit or Use	A product or service purchased for the immediate advantage or interest of the Government. This product or service may support the day-to-day operation of the Government; a recognized objective or mission of the Government; or promote the welfare of the general community in situations where the Federal Government has primary responsibility.
Disallowed Costs	Charges to an award that the awarding agency determines to be unallowable, in accordance with the applicable Federal cost principles or other terms and conditions contained in the award.
Discretionary Grant	A grant 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. Limited eligibility and many grant programs with matching or cost sharing requirements are discretionary in nature since they contain competitive components.
Equipment	Tangible nonexpendable personal property, including exempt property, charged directly to the award having a useful life of more than one year and an acquisition cost of \$5,000 or more per unit. However, consistent with recipient policy, lower limits may be established.

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Excess Property	Property under the control of an awarding agency that, as determined by the head of the awarding agency or their delegate, is no longer required for the agency's needs or the discharge of its responsibilities.
Exempt Property	Tangible personal property acquired in whole or in part with Federal funds, where the awarding agency has statutory authority to vest title in the recipient without further obligation to the Federal Government. An example of exempt property authority is contained in the Federal Grant and Cooperative Agreement Act, 31 U.S.C. 6306, for property acquired under an award to conduct basic or applied research by a nonprofit institution of higher education or nonprofit organization whose principal purpose is conducting scientific research.
Federal Share of Real Property, Equipment, or Supplies	The percentage of the property's or supplies' acquisition costs and any improvement expenditures paid with Federal funds. This will be the same percentage as the Federal share of the total costs under the award for the funding period in which the property was acquired (excluding the value of third party in-kind contributions).
Federally Recognized Indian Tribal Government	The governing body of any Indian tribe, band, nation, or other organized group or community (including any Native village as defined in section 3 of the Alaska Native Claims Settlement Act) certified by the Secretary of the Interior as eligible for the special programs and services provided by the Secretary through the Bureau of Indian Affairs.
Financial Assistance	The transfer of a thing of value from a Federal agency to a recipient to carry out a public purpose of support or stimulation authorized by a law of the United States (see 31 U.S.C. 6101(3)). The Bureau may provide financial assistance through grants and cooperative agreements.
Financial Assistance Administrator	The Bureau official designated in the assistance agreement as BLM's administrative contact with the recipient. The Financial Assistance Administrator provides "cradle to grave" administrative guidance to recipients and Program Officers; reviews and approves the administrative portion of the application; prepares the assistance agreement; evaluates effectiveness/compliance with administrative

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conditions, performs post award management activities, and closes out assistance agreements.

Financial Status Report (FSR) Reports of expenditures as documentation of the financial status of awards according to the official accounting records of the recipient’s organization. The recipient shall submit a completed FSR, the SF 269A, Financial Status Report (Short Form), to report the status of funds for Bureau agreements.

Funding Opportunity Announcement A publicly available document by which a Federal agency makes known its intentions to award discretionary grants or cooperative agreements, usually as a result of competition for funds. Funding opportunity announcements may be known as program announcements, notices of funding availability, solicitations, or other names depending on the agency and type of program. Funding opportunity announcements can be found at Grants.gov and on the Internet at the funding agency’s or program’s website.

Funding Period The period of time when Federal funding is available for obligation by the recipient.

Government A State or local government or a federally recognized Indian tribal government.

Grace Period This period reflects the number of days after the closing date that Grants.gov will continue to accept applications for a grant opportunity. It also represents the day (Closing Date + Grace Period) that applicants will no longer be able to download the application package. This value is entered by an agency when creating a grant opportunity and is not visible to grant applicants.

Grant The legal instrument used to reflect a relationship between the Federal government and a State or local government or other recipient whenever the principal purpose of the relationship is the transfer of money, property, services, or anything of value to the State or local Government or other recipient in order to accomplish a public purpose of support or stimulation authorized by Federal statute, rather than acquisition, by

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purchase, lease, or barter, or property or services for the direct benefit or use of the Federal Government or other recipient during performance of the contemplated activity. The Federal Government will not be substantially involved. A grant is distinguished from a contract, which is used to acquire supplies or services for the Federal government's direct benefit or use.

Grantee	See Recipient.
Grants.gov	A Federal Government “storefront” web portal for use in electronic collection of data (forms and reports) for Federal grant-making agencies through the Grants.gov site. (www.grants.gov).
Grants Management Officer (GMO)	The Bureau officially responsible for all business management aspects associated with the review and negotiation of applications, the award of assistance agreements, and the post award monitoring and administration of funded projects through audit resolution and final close out.
Individual	An Individual submits a grant on their behalf, and not on behalf of a company, organization, institution, or government. Individuals sign the grant application and its associated certifications and assurances that are necessary to fulfill the requirements of the application process.
Intangible Property and Debt Instruments	Includes trademarks, copyrights, patents and patent applications, and such property as loans, notes and other debt instruments, lease agreements, stock and other instruments of property ownership, whether considered tangible or intangible.
Local Government	A local unit of government, including specifically a county, municipality, city, town, township, local public authority, school district, special district, intra-state district, council of governments (whether or not incorporated as a nonprofit corporation under State law), any other regional or interstate entity, or any agency or instrumentality of local government.

A grant program in which the Federal agency is required to make an

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Mandatory Grant	award if the eligible entity meets the prerequisites specified by statute or in implementing program regulations, e.g., 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.
Notice of Funding Availability	An eGrantsPlus electronic form used by the program office to provide information to the GMO so they can develop an announcement to be posted in Grants.gov.
Notice of Intent	A funding announcement to provide public notice of the Bureau's intent to fund project activities without competition.
Obligations	The amounts of orders placed, contracts and grants awarded, services received and similar transactions during a given period that require payment by the recipient during the same or a future period.
Official File	The GMO's administrative paper file folder for each assistance agreement (or each application or proposal) that is established and maintained by the appropriate grants management office. (The PO's technical file and the payment office financial management file both complement the official administrative file.)
Organization	A grant applicant who is submitting a grant on behalf of a company, State, local or tribal government, academia or research institution, not-for-profit, or any other type of institution.
Outcome	The term "outcome" means the result, effect, or consequence that will occur from carrying out a program or activity that is related to a programmatic goal or objective. Outcomes must be quantitative and may not necessarily be achievable within an assistance agreement funding period.
Outlays or Expenditures	Charges made to the project or program, which may be reported on a cash or accrual basis.

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Output	The term “output” means an activity, effort, and/or associated work products related to a goal or objective, that will be produced or provided over a period of time or by a specified date. Outputs may be quantitative or qualitative but must be measurable during an assistance agreement funding period.
Peer Reviewer	A person, outside of the BLM, who is appointed to review and rate applications received from an announcement made in Grants.gov.
Performance Report	Recipient report informing the GMO and PO the status of performance. The performance report must be prepared in accordance with term and conditions contained in the agreement. The performance report shall include a narrative summary both of completed activities and activities in progress, a calculation of percent of completed work based on work identified in the Project Management Plan, the reason for slippage if objectives or milestones are not met, a prediction of future activities and how they will be accomplished, and a discussion of issues and problems which may impact the ability to complete the work on time. Recommendations to overcome problems shall also be provided.
Personal Property	Property of any kind except real property. It may be tangible, having physical existence, or intangible, having no physical existence, such as copyrights, patents, or securities.
Point of Contact (POC)	An individual who is designated as the person responsible for authorization and maintenance of information on behalf of a CCR registrant, coordinating communication among organizations.
Prior Approval	Written approval by an authorized awarding agency official evidencing prior consent.
Program Income	Gross income earned by the recipient that is directly generated by a supported activity or earned as a result of the award.

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Program Officer (PO)	The Bureau individual designated for the purpose of administering the technical aspect of the agreement. The PO will work closely with the Project Director/Principal Investigator (PD/PI) and is authorized to clarify technical requirements, review and approve work which is clearly within the scope of the work specified in the agreement. The PO reviews FSRs, payments when the recipient is on agency review, and performance reports and recommends approval to the GMO. The PO is not authorized to issue changes or in any other way amend the agreement or obligate the Government in any way. These actions can only be issued by the GMO with a written amendment.
Project Costs	All allowable costs, as set forth in the applicable Federal cost principles in the applicable OMB Cost Principles Circulars, incurred by a recipient and the value of the contributions made by third parties in accomplishing the objectives of the award during the project period.
Project Director/Principal Investigator (PD/PI)	The PD/PI is the recipient's technical leader, designated by the recipient, to direct the project or activity being supported by the grant. The PD/PI is responsible and accountable to the recipient and BLM for the proper conduct of the project or activity.
Project Period	The period established in the award document during which awarding agency sponsorship begins and ends.
Property	Real property, equipment, intangible property and debt instruments.
Public Support or Stimulation	Promotes the general welfare, prosperity, economy, and fulfills a public need or convenience. The assistance must benefit the community, although all of the community does not have to benefit (i.e., an aggregate or group). The community may be a local, State, or national entity or group.
Real Property	Land, including land improvements, structures and appurtenances thereto, but excludes movable machinery and equipment.
Recipient	An organization receiving financial assistance directly from an awarding agency to carry out a project or program.

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Request for Application (RFA)	The full announcement posted in Grants.gov providing all the information applicants need to submit an application.
Research and Development	All research activities, both basic and applied, and all development activities that are supported at universities, colleges, hospitals, other nonprofit institutions, and commercial organizations. “Research” is defined as a systematic study directed toward fuller scientific knowledge or understanding of the subject studied. “Development” is the systematic use of knowledge and understanding gained from research directed toward the production of useful materials, devices, systems, or methods, including design and development of prototypes and processes. The term research also includes activities involving training of individuals in research techniques where such activities utilize the same facilities as other research and development activities and where such activities are not included in the instruction function. <u>Is there a definition for Studies?</u>
Review Panel	See technical evaluation panel.
Single Source	A funding opportunity specifically directed to a known recipient based on demonstrable criteria, such as unique expertise or capacity.
Standard Form 424 (SF-424) series forms	Standard government-wide grant application forms including: SF-424 (Application for Federal Assistance cover page); SF-424A (Budget Information – Non-construction Programs); SF-424B (Assurances – Non-construction Programs); SF-424C (Budget Information – Construction Programs); and SF-424D (Assurances – Construction Programs). Plus named attachments including Project Narrative and Budget Narrative.
Staff Reviewer	A BLM employee appointed to the technical evaluation panel by the GMO to review and evaluate applications and make award recommendations.
State	Any of the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, any territory or possession of the United States, or any agency or instrumentality of a State exclusive of local governments.

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Subaward	An award of financial assistance made under an award by a recipient to an eligible subrecipient.
Subrecipient	The legal entity to which a subaward is made and which is accountable to the recipient for the use of the funds provided.
Substantial Involvement	<p>Substantial involvement is used as the criteria for distinguishing between use of grant or cooperative agreement. Substantial involvement occurs when the terms of the instrument indicate that the recipient can expect Federal agency collaboration or participation in the management of the project. A cooperative agreement would be the instrument when the Bureau works together with the recipient to ensure that the program or project objectives are achieved.</p> <p>The Bureau will normally limit Federal involvement in assisted activities to a minimum level that is consistent with program requirements. In some instances, it may become necessary to convert a grant to a cooperative agreement or vice versa if programming considerations dictate more or less involvement during the period covered by the agreement or grant. See 505 DM 2 for further guidance.</p>
Supplies	All personal property excluding equipment and intangible property as defined in this section, and inventions of a recipient conceived or first actually reduced to practice in the performance of work under a funding agreement.
Suspension	Post-award action by the awarding agency that temporarily withdraws the agency's financial assistance sponsorship under an award, pending corrective action by the recipient or pending a decision to terminate the award.
Synopsis of Funding Opportunity	Summary information extracted from or based on the funding opportunity announcement that is electronically posted at the government-wide website known as Grants.gov. The posting at Grants.gov includes a direct link to the funding opportunity announcement or includes an uploaded copy of the funding opportunity announcement.

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Technical Evaluation Panel (TEP)	The TEP is appointed by the GMO to review and evaluate applications and make award recommendations. The TEP may consist of qualified staff reviewers and peer reviewers.
Termination	The cancellation of awarding agency sponsorship, in whole or in part, under an agreement at any time prior to the date of completion.
Third Party in-kind Contributions	The value of non-cash contributions provided by non-Federal third parties. Third party in-kind contributions may be in the form of real property, equipment, supplies and other expendable property, and the value of goods and services directly benefiting and specifically identifiable to the project or program.
Unobligated Balance	The portion of the funds authorized by an awarding agency that has not been obligated by the recipient and is determined by deducting the cumulative obligations from the cumulative funds authorized.

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List of Acronyms – Financial Assistance

ACH	Automated Clearinghouse
ADR	Alternative Disputes Resolution
AOR	Authorized Organization Representative (Recipient)
AR	Authorized Representative (Recipient)
ASAP	Automated Standard Application for Payment System.
BLM	Bureau of Land Management
CCO	Chief of the Contracting Office
CCR	Central Contractor Registry
CESU	Cooperative Ecosystem Studies Units
CFDA	Catalog of Federal Domestic Assistance
CFR	Code of Federal Regulations
CO	Contracting Officer
COC	Certificate of Confidentiality
CR	Continuing Resolution
DM	Departmental Manual (DOI)
DOI	Department of the Interior
DUNS	Data Universal numbering System
D&B	Dun and Bradstreet
EFT	Electronic Funds Transfer
EO	Executive Order
F&A	Financial and Administrative (cost)
FAADS	Federal Assistance Award Data System
FAC	Federal Audit Clearinghouse
FAR	Federal Acquisition Regulations
FAX	Facsimile
FBMS	Financial and Business Management System
FGCAA	Federal Grant and Cooperative Agreement Act of 1977
FMS	Financial Management Service
FOIA	Freedom of Information Act
FPMR	Federal Property Management Regulations
FSR	Financial Status Report (SF-269 or 269A)
FTR	Federal Travel Regulations
FY	Fiscal Year
GAO	Government Accountability Office
GMO	Grants Management Officer
GMS	Grants Management Specialist
GSA	General Services Administration
GPO	Government Printing Office

BLM Manual
Supersedes Rel.1-1549

Rel.
Date:

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List of Acronyms – Financial Assistance

HBCU	Historically Black Colleges and Universities
HHS	Health and Human Service
HSPD	Homeland Security Presidential Directive
ISD	Instrument Selection Determination
IGO	Intra-Governmental Order
MIS	Management Information System
NAC	National Agency Check
NGA	Notice of Grant Award
NGO	Non-Governmental Organization
NOFA	Notice of Funding Availability
OIG	Office of the Inspector General
OMB	Office of Management and Budget
PA	Program Announcement
PAM	Office of Acquisition and Property Management - DOI
PD	Project Director (Recipient)
PI	Principal Investigator (Recipient)
PIV	Personal Identity Verification
PL	Public Law
PO	Program Officer
POC	Point of Contact
QA	Quality Assurance
RFA	Request for Application
RFP	Request for Proposals
S&W	Salaries and Wages
SF	Standard Form
SO	Signing Official
SPI	Statement of Program Involvement
SPOC	State Single Point of Contact
SSP	Source Selection Plan
TEP	Technical Evaluation Panel
TIN	Taxpayer Identification Number
TPEC	Technical Proposal Evaluation Committee
TPN	Temporary Program Number (Previously known as Pseudo Code)
USC	United States Code
WO	Washington Office

Applicability of Circulars and Regulations to Specific Types of Recipients

Types of circulars:

There are three types of circulars that pertain to Financial Assistance:

- Administrative
- Cost
- Audit

Which circulars apply:

Although there are six grant circulars, recipients are only covered by three, depending on the type of entity:

States, local governments, and Indian Tribes follow:

- A-87 for cost principles
- A-102 for administrative requirements, and
- A-133 for audit requirements

Educational Institutions (even if part of a State or local government) follow:

- A-21 for cost principles
- A-110 for administrative requirements, and
- A-133 for audit requirements

Non-Profit Organizations follow:

- A-122 for cost principles - Except those listed in Attachment C
- A-110 for administrative requirements, and
- A-133 for audit requirements

Commercial Organizations and some Non-Profit Organizations listed in OMB Circular 122, Attachment C:

- Federal Acquisition Regulations (FAR) Part 31.2 for cost principles
- A-110 for administrative requirements, and
- A-133 for audit requirements

Hospitals follow:

- Appendix E of 45 CFR part 74, "Principles for Determining Costs Applicable to Research and Development Under Grants and Contracts with Hospitals."
- A-110 for administrative requirements, and
- A-133 for audit requirements