

STANDARD GRANT CONDITIONS

1. **IHS Program Official:** The IHS Program Official (PO) works in the office sponsoring this assistance program, and is assigned with responsibility for scientific, technical, and programmatic questions from the awardee. This official's contact information is in item #10 on page one of this Notice of Award (NoA).
2. **IHS Grants Management Specialist:** Your assigned Grants Management Specialist (GMS) has responsibility for business/grants administration (non-programmatic) areas of grants administration questions from the awardee. The GMS assigned to this award is listed in item #9 on page one of this NoA.
3. **Liquidation Deadline:** In accordance with 2 CFR 200.344(b), the deadline for liquidating Federal funds is 120 days after the end of the funding (project) period. For example, for awards issued on an annual fiscal year basis, this deadline will be January 28 – 120 days following the end of the fiscal year on September 30.
4. **HHS Grants Policy Statement, Revised, January 2007:** The entire Grants Policy Statement is included in the terms and conditions. Read carefully the following: (1) fraud, waste, and abuse (toll free number 800-424-5454), page I-7; (2) lobbying, page I-15 the awardee must comply with relevant Office of Management and Budget Circular provisions regarding lobbying, any applicable lobbying restrictions provided under other law, and any applicable restriction on the use of appropriated funds for lobbying activities; (3) costs, pages II-30 to II-44; (4) management systems and procedures, page II-61; (5) rebudgeting/prior approval, pages II-50 to II-57; and (6) publications, page II-73.
5. **Code of Federal Regulations:** This grant is subject to the requirements as set forth in the Uniformed Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards at 45 CFR Part 75 for all awards issued after December 26, 2014.
6. **OMB Cost Principles:** This grant is subject to the requirements set forth in the Uniformed Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards at 45 CFR Part 75, Subpart E Cost Principles, and 45 CFR Part 75 Subpart F Audit Requirements for HHS Awards for all awards after December 26, 2014.

Appropriate cost principles can be located at: <https://www.whitehouse.gov/omb/information-for-agencies/circulars/>

When issuing statements, press releases, requests for proposals, bid solicitation, and documents describing this project, clearly state: (1) the percentage of the total cost of the project financed with Federal money; (2) the dollar amount of Federal Funds for the project; and, (3) the percentage and dollar amount of the total costs of the project that is financed by nonfederal sources.

This grant is subject to the regulatory requirements of Equal Treatment for Faith-Based Organizations as outlined in 45 CFR Part 75.

Debarment and Suspension as well as Drug Free Workplace 45 CFR Part 75 are now standard terms and conditions of the award. These requirements no longer require separate certifications; however, by signing the application (either electronic signature credentials or face page of the SF-424A) the applicant certifies they are meeting the requirements of 45 CFR Part 75 (Debarment and Suspension) (Drug-Free Workplace).

7. **WHEN AND HOW TO OBTAIN WRITTEN PRIOR APPROVAL FROM THE GRANTS MANAGEMENT OFFICER (GMO):** The GMO prior approval is required for any of the following post award changes (list is not all inclusive, refer to the HHS Grants Policy Statement, January 2007 for the complete list):
 - a. Change in the approved scope of work.
 - b. Change in the Program Director and/or Program Coordinator or a reduction of 25% or more in time and effort devoted to the project; or continuing the project for more than 3 months without the active direction of an approved Program Director and/or Program Coordinator.
 - c. Deviation from grant terms & conditions.

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- d. Audio visuals & publications in excess of \$25,000 per product.

Requests for prior approval must be submitted in writing to the Grants Management Officer and/or Grants Management Specialist. Responses signed by the Grants Management Specialist and/or Grants Management Officer are valid; therefore, grantees who take action without prior approval obtained from the Grants Management Specialist and/or Grants Management Officer, in writing, will do so at their own risk. The costs may be disallowed.

Expanded Authorities:

- a. Carryover of prior-years, unobligated funds into the current and future budget periods does not require the prior approval of the awarding agency, provided that the anticipated activities are within the approved scope of the awarded grant.
- b. Cost-related adjustments, including significant rebudgeting, do not require the prior approval of the awarding agency, provided that the adjustments are within the approved scope of the awarded grant, and are otherwise consistent with the regulatory authority of the SDPI program (e.g. modular units).

NOTE: These provisions will not be applied to EPI awards currently under ‘reimbursement’, or are going to be issued under ‘reimbursement’.

8. **Modular Units:** In accordance with the HHS Grants Policy Statement, II-43, all modular units purchased under this grant are considered equipment and the intended use of the unit is and must be temporary. Any modular units that are charged to the grant may not be designated as real property. Real property denotes that the modular unit is designed to be installed permanently at a given location. Real property is an unallowable cost charged to the grant unless authorizing legislation permits construction costs.
9. **HOTLINE INFORMATION:** The HHS Inspector General maintains a toll-free hotline to receive information concerning fraud, waste and abuse under grants/cooperative agreements. Such reports are kept confidential and callers may decline to give their names if they choose to remain anonymous. Write or call: Office of the Inspector General, TIPS HOTLINE, P.O. Box 23489, Washington, D.C. 20006, Telephone 1-800-447-8477 (1-800-HHS-TIPS).

As an IHS grantee, by drawing down grant funds awarded, you are agreeing to comply with all HHS Policies and regulations.

Consistent with 45 CFR 75.113, applicants and recipients must disclose in a timely manner, in writing to the HHS awarding agency, with a copy to the HHS Office of Inspector General (OIG), all information related to violations of federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the federal award. Subrecipients must disclose, in a timely manner, in writing to the prime recipient (pass through entity) and the HHS OIG, all information related to violations of federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the federal award. Disclosures must be sent in writing to the awarding agency and to the HHS OIG at the following addresses:

Indian Health Service
Office of Management Service (OMS)
Division of Grants Management (DGM)
5600 Fishers Lane, Mailstop 09E70
Rockville, MD 20857
Email: DGM@ihs.gov
(Include “Mandatory Grant Disclosures” in subject line)

AND

U.S. Department of Health and Human Services
Office of Inspector General

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ATTN: Mandatory Grant Disclosures, Intake Coordinator
330 Independence Avenue, SW, Cohen Building
Room 5527
Washington, DC 20201
Fax: (202) 205-0604 (Include "Mandatory Grant Disclosures" in subject line) or
Email: MandatoryGranteeDisclosures@oig.hhs.gov

Failure to make required disclosures can result in any of the remedies described in 45 CFR 75.371 Remedies for noncompliance, including suspension or debarment (See 2 CFR parts 180 & 376).

- 10. GRANT PAYMENT INFORMATION:** Payments under this award will be made available through the HHS Payment Management System (PMS). PMS is administered by the Program Support Center, Financial Management Service, and Division of Payment Management, which will forward instructions for obtaining payments.

Once an award is made, the funds are posted in recipient accounts established in the Payment Management System (PMS). Grantees may then access their funds by using the SMARTLINK funds request process.

The SMARTLINK funds request process enables grantees to request funds using a Personal Computer with an internet connection. The funds are then delivered to the recipient via Electronic Funds Transfer (EFT). Inquiries regarding payment should be directed to:

Division of Payment Management
P.O. Box 6021
Rockville, Maryland 20852
<https://pms.psc.gov/>
Josiane Yewawa, Accountant
Email: Josiane.Yewawa@psc.hhs.gov

- 11. FFATA Subaward and Executive Compensation Reporting Requirements Discretionary Awards:** The October 1, 2010 Division of Grants, Action Transmittal 2011-01: Guidance Regarding the Federal Financial Accountability and Transparency Act (FFATA) Subaward and Executive Compensation Reporting Requirement is rescinded. The scope of discretionary grants that must meet the FFATA subaward and executive compensation reporting requirements are (1) New discretionary competitive awards made on or after **October 1, 2010** and all subsequent awards, (2) Single source grants awarded as new made on or after **October 1, 2010** and all subsequent awards. At this time, the FFATA subaward and executive compensation reporting requirements do not apply to the following types of discretionary awards (1) Non-competing continuation awards*, (2) Competitive renewal awards, (3) Program expansion supplements; or (4) Any other type of discretionary award that is not classified as "new" outlined in the GPD.

The FSRS two basic business rules/reporting requirements are; (1) The project period start date of October 1, 2010 (or after) and (2) The \$25,000 subaward obligation dollar threshold is met for that specific reporting period. Therefore, all new (discretionary) awards issued on or after October 1, 2010 that are now continuation awards (where the project period is made up of more than one budget period) are subject to reporting requirements and will be flagged as such in the FSRS using the aforementioned business rules. If this award does not meet the above reporting requirements, this award action, is not subject to the FFATA Subaward and Executive Compensation Reporting Requirements." If this award does meet the above reporting requirements, please visit the IHS Grants Management web site at <https://www.ihs.gov/dgm/policytopics/fsrs/> for additional information on the full text regarding all requirements on the FFATA Subaward and Executive Compensation Reporting.

- 12. Prohibition on certain telecommunications and video surveillance services or equipment:** As described in 2 CFR 200.216, recipients and subrecipients are prohibited to obligate or spend grant funds (to include direct and indirect expenditures as well as cost share and program) to:

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- a. Procure or obtain;
- b. Extend or renew a contract to procure or obtain; or
- c. Enter into contract (or extend or renew contract) to procure or obtain equipment, services, or systems that use covered telecommunications equipment or services as a substantial or essential component of any system, or as critical technology as part of any system. As described in Pub. L. 115-232, section 889, covered telecommunications equipment is telecommunications equipment produced by Huawei Technologies Company or ZTE Corporation (or any subsidiary or affiliate of such entities).
 - i. For the purpose of public safety, security of government facilities, physical security surveillance of critical infrastructure, and other national security purposes, video surveillance and telecommunications equipment produced by Hytera Communications Corporation, Hangzhou Hikvision Digital Technology Company, or Dahua Technology Company (or any subsidiary or affiliate of such entities).
 - ii. Telecommunications or video surveillance services provided by such entities or using such equipment.

Telecommunications or video surveillance equipment or services produced or provided by an entity that the Secretary of Defense, in consultation with the Director of the National Intelligence or the Director of the Federal Bureau of Investigation, reasonably believes to be an entity owned or controlled by, or otherwise, connected to the government of a covered foreign country.

13. Non-Discrimination Legal Requirements for Recipients of Federal Financial Assistance

You will administer your project in compliance with Federal civil rights laws, where applicable, that prohibit discrimination on the basis of race, color, national origin, disability, age and, in some circumstances, religion, conscience, and sex (including gender identity, sexual orientation, and pregnancy). Compliance with these laws requires taking reasonable steps to provide meaningful access to persons with limited English proficiency and providing programs that are accessible to and usable by persons with disabilities. The HHS Office for Civil Rights provides guidance on complying with civil rights laws enforced by HHS. See <https://www.hhs.gov/civil-rights/for-providers/provider-obligations/index.html> and <https://www.hhs.gov/civil-rights/for-individuals/nondiscrimination/index.html>.

- For guidance on meeting your legal obligation to take reasonable steps to ensure meaningful access to your programs or activities by limited English proficient individuals, see <https://www.hhs.gov/civil-rights/for-individuals/special-topics/limited-english-proficiency/fact-sheet-guidance/index.html> and <https://www.lep.gov>.
- For information on your specific legal obligations for serving qualified individuals with disabilities, including providing program access, reasonable modifications, and to provide effective communication, see <https://www.hhs.gov/civil-rights/for-individuals/disability/index.html>.
- HHS funded health and education programs must be administered in an environment free of sexual harassment, see <https://www.hhs.gov/civil-rights/for-individuals/sex-discrimination/index.html>.
- For guidance on administering your project in compliance with applicable Federal religious nondiscrimination laws and applicable Federal conscience protection and associated anti-discrimination laws, see <https://www.hhs.gov/conscience/conscience-protections/index.html> and <https://www.hhs.gov/conscience/religious-freedom/index.html>.
- Pursuant to 45 CFR 80.3(d), an individual shall not be deemed subjected to discrimination by reason of their exclusion from benefits limited by Federal law to individuals eligible for benefits and services from the IHS.

14. Whistleblower Protections

As a recipient of this award you must comply with the National Defense Authorization Act (NDAA) for Fiscal Year (FY) 2013 (Public Law 112-239, 41 U.S.C. 4712) “Enhancement of contractor protection from reprisal for disclosure of certain information,” and 48 CFR part 3 subpart 3.9, “Whistleblower Protections for Contractor Employees.” For more information see: <https://oig.hhs.gov/fraud/whistleblower/>.