

CONDITIONS OF AWARD

Grant No.: 2017-JAG-LFUCG Stre-01160

Title: Lexington Street Sales Project

Subgrantee: Lexington Fayette Urban County Government - Street Sales

Grant Period: 7/1/2017 6/30/2018

Budget: **Federal:** \$75,000.00 **Match:** \$8,334.00 **Total:** \$83,334.00

Preliminary Application Score 87.%

Grants Management Branch Staff Assigned to this Award:

Financial Analyst: Elinor Harris

Program Coordinator: Leslie Burk

JAG – SPECIFIC CONDITIONS OF AWARD**CONDITIONS OF AWARD**

In addition to the General Conditions contained in the application to which this grant is subject, it is also conditioned upon and subject to compliance with the following Conditions of Award:

1. Availability of Grant Funds

The subrecipient agrees and understands that programs will be funded contingent upon the availability of federal and/or state funds designated for the project by the Kentucky Justice and Public Safety Cabinet in its capacity as the State Administering Agency.

2. Project Commencement

Unless otherwise specified in the grant application the subrecipient agrees to commence project activities within sixty (60) days of the start date. If the project is not operational within the sixty (60) day time period, written notification must be submitted to the Kentucky Justice and Public Safety Cabinet (JPSC), Grants Management Branch (GMB) that details the steps taken to initiate the project, the reason(s) for delay, and the expected starting time. If the project is not operational within ninety (90) days of the original start date, a second statement must be submitted to GMB explaining the implementation delay. Upon receipt of the 90-day letter, the Justice and Public Safety Cabinet, GMB, may cancel the project and redistribute the funds.

3. Final Approved Award and Grant Adjustment Request Process

Changes in the overall scope of the project are unallowable. Requests for reimbursement for expenditures not approved in the original budget or subsequent approved Grant Adjustment Notice(s) (GANs) by GMB will be disallowed. Prior approval must be obtained before any obligation of grant funds not approved in the most current version of the application, including salary reimbursement for new hires. All requests for revisions must be made no later than sixty (60) days prior to the end of the approved grant period and revisions shall not be retroactive. Excluding grant contact/personnel changes, GANs are limited to a maximum of two (2) throughout the duration of the grant period.

4. Compliance with Financial and Administrative Requirements

The subrecipient shall comply with the financial and administrative requirements as set forth in the current edition of state or federal grant guidelines, Office of Justice Programs (OJP) Financial Guide, <http://www.ojp.usdoj.gov/financialguide/index.htm>, and/or Office on Violence Against Women (OVW) Financial Guide,

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<http://www.ovw.usdoj.gov/docs/OVW-FGMG-Version-2-7-12-conf-cost-updates-revised-2.pdf>, as well as the procurement procedures and regulations set forth by the Commonwealth of Kentucky, Finance and Administration Cabinet, <http://finance.ky.gov/business/eprocurement/state-laws>. Note: the subrecipient must follow the more restrictive policy, whether it is the U.S. Department of Justice (if applicable), Commonwealth of Kentucky, or the subrecipient (at any tier).

5. Award Monitoring

The subrecipient understands and agrees that GMB, US Department of Justice (DOJ) (including the Office of Justice Programs (OJP) and/or the Office of the Inspector General (OIG)), and its representatives, shall have access to and the right to examine all records (including, but not limited to, books, papers, and documents) related to this award, including such records of contractor or subcontractor. Subrecipient also understands and agrees that GMB and/or USDOJ are authorized to interview any officer or employee of the subrecipient, contractor, or subcontractor regarding transactions related to this award.

6. Award Modifications and/or Additional Requirements

The subrecipient agrees to comply with any modifications or additional requirements that may be imposed by law or future program (including federal government-wide) guidance and clarification of award requirements.

7. Failure to Comply with Provisions and Conditions of Award and/or Misuse of Award Funds

The subrecipient understands and agrees that failure to comply with provisions and conditions of the award and/or misuse of award funds may result in a range of penalties including: suspension of current and/or future awards; suspension or debarment from federal grants; recoupment of monies provided under an award;

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and civil and/or criminal penalties. Actions may be taken by GMB where it finds a substantial failure to comply with: the provisions under which the application or award was made; applicable GMB, U.S. Department of Justice, U.S. Office of Management and Budget, or other governing organizations' published regulations and policies, including these award conditions; and relevant state and federal statutes, but only after notice and/or hearing as required by GMB and USDOJ policies and applicable statutes.

8. Avoidance of Conflicts of Interest Issues and Required Notification of Such Issues to Grants Management Branch

The subrecipient agrees that in using funds provided under this award, officials or employees of subrecipient shall avoid any action that might result in, or create the appearance of a "conflict of interest". See OJP/OVW Financial Guidelines. Should the subrecipient become aware of any circumstance that would constitute a conflict of interest, or the appearance thereof, the authorized representative (or other appropriate officer, board member, agent, or employee) must immediately notify the Grants Management Branch's designated program manager of the details of the situation in writing. Failure to do so may result in withholding of reimbursement, termination of award, or other appropriate action.

9. Reporting Potential Fraud, Waste and Abuse, and Similar Misconduct

Recipients of federal funds must promptly refer to the Kentucky Justice and Public Safety Cabinet, GMB Program Manager, and the U.S. Department of Justice, Office of Inspector General any credible evidence that a principal, employee, agent, contractor, subcontractor, or other person has either 1) submitted a false claim for federal funds under the False Claims Act; or 2) committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct involving federal funds. Potential fraud, waste, abuse, or misconduct should be reported by mail to:

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Office of the Inspector General
U.S. Department of Justice
Investigations Division
950 Pennsylvania Avenue, N.W., Room 4706
Washington DC 20530
E-mail: oig.hotline@usdoj.gov
Hotline: (contact information in English and Spanish): (800) 869-4499 or Hotline
fax (202) 616-9881.

Additional information is available from DOJ OIG website, www.usdoj.gov/oig.
Subrecipients of solely state funds awards must promptly refer similar
information to the Kentucky Justice and Public Safety Cabinet, GMB Program
Manager.

10. Accounting Systems Standards and Requirements

The subrecipient, and all its subrecipients/contractors, agrees to ensure each award will be accounted for separately and understands funds specifically budgeted and/or received for one project may not be used to support another. Commingling of funds is prohibited. The subrecipient is required to maintain an adequate accounting system that allows the agency to maintain documentation to support all receipts and expenditures of awarded funds. All financial statements and accounting transactions must be prepared in accordance with Generally Accepted Accounting Principles (GAAP).

11. Accounting/Vendor Codes

State agency subrecipients of grant funds are strongly encouraged to utilize the eMARS codes listed below to insure proper drawdown and reimbursement of funds from the US Department of Justice to the Grants Management Branch, Kentucky Justice and Public Safety Cabinet.

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Major Program Code:

Program Code: {Agency Discretion}

Period Code:

State agency subrecipients must designate if they will not utilize the eMARS codes provided with these special conditions. If a state agency subrecipient chooses not to use the eMARS codes provided, reimbursement for grant activities will be made via Manual Draw, upon GMB approval of the subrecipient's quarterly financial report. Local government and non-profit subrecipients of these funds are required to have an established vendor account with the Commonwealth of Kentucky, and may be required to provide documentation of same.

12. Reporting Requirements for Program Income

The subrecipient agrees that all income generated as a direct result of this award shall be deemed program income. All program income earned as a direct result of this grant award must be reported to GMB and accounted for up to the same ratio of state/federal participation as funded in the grant project. GMB prior approval is required for all activities funded with program income earned as a direct result of this project. All program income expenditures must also be reported to GMB. Program income (as defined in the Part 200 Uniform Requirements) must be used in accordance with the provisions of the Part 200 Uniform Requirements.

13. Financial Report Supporting Documentation Requirements

The subrecipient agrees invoices and other documentation of award and any required match expenditures will be submitted with each quarterly financial report, as required. Material such as payroll ledgers or copies of payroll stubs/cancelled checks verifying regular and/or overtime expenditures should be submitted to help verify claimed grant personnel expenses. Subrecipients awarded funds for contractual services agree formal written contract(s) signed by all

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involved parties will be submitted within ten (10) days of execution. The subrecipient understands that reimbursement for contractual services will not be received until this requirement has been met. Contract assistance, including type of contract needed and verbiage, may be found at http://www.ojp.gov/funding/pdfs/procurement_procedures.pdf.

14. Quarterly Financial and Program Report Submission Requirements

The subrecipient agrees to submit Financial and Program reports on an at least quarterly basis, as required.

The schedule for filing reports is as follows:

- January 1 – March 31 Quarter, Due April 15
- April 1 – June 30 Quarter, Due July 15
- July 1 - September 30 Quarter, Due October 15
- October 1 - December 31 Quarter, Due January 15

The agency's Financial Director, or designee, must approve financial reports. Failure to submit reports according to the time period set forth by policies and procedures may result in delay or withholding of funds. Additional reporting may be required to fulfill state or federal requirements, and must be completed within time and guidelines specified.

15. Non-Supplanting Requirements

The subrecipient agrees that state or federal funds received under this award must be used to supplement existing funds for program activities and may not replace funds that have been previously appropriated or allocated for the same purpose.

16. Fund Raising and Lobbying Restrictions

The subrecipient agrees that personnel costs and other expenses associated with

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fund raising will not be financed with grant funds, nor will grant funds be used for costs (direct or indirect) associated with lobbying of any law, regulation, or policy, at any level of government.

17. Notification Requirements for Employee Changes

Grants Management Branch shall be notified in writing (including via email) of all employee changes affecting the grant project including, but not limited to, agency executive director, financial officer, project director, and project staff. A timely Grant Adjustment Notice (GAN) is required for changes in any grant-funded (federal or match) staff, Agency Executive Director, Financial Officer, or Project Director. (See also Award Condition "Final Approved Award and Grant Adjustment Request Process".)

18. Hiring and Compensation for Grant Funded Personnel

The subrecipient's hiring decisions must be made in accordance with organization policy and meet merit system or other requirements as required by federal law, where applicable. Salaries and benefits for grant funded positions should also conform to organization policy and be comparable to those offered to non-grant funded positions. (See also Award Conditions "Final Approved Award and Grant Adjustment Request Process" and "Avoidance of Conflicts of Interest Issues and Required Notification of Such Issues to Grants Management Branch".)

19. Personnel Time and Attendance Reporting

The subrecipient agrees that time and attendance records reflecting all funding sources must be maintained for all personnel, including volunteers (for in-kind match, if allowed), if applicable, assigned to this award/subaward. The timesheet records must be signed by the individual and their immediate supervisor.

20. Maximum Allowable Rates for Professional or Consultant Services

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The subrecipient agrees that approval of this award does not indicate approval of any professional or consultant services in excess of the current OJP Financial Guide/OVW Financial Guide maximum allowable rate for an eight-hour day. A detailed justification of contractual costs must be submitted to and approved by GMB prior to obligation and expenditure of such funds.

21. Completion of Equipment Purchases within Specified Time Period

Unless otherwise approved, the subrecipient agrees that equipment purchases funded with this award will be completed within the first four months of the project. This time frame allows acquisition time and provides eight project months in which to use the equipment.

22. Faith-Based Subrecipients and Religious Activities

The subrecipient agrees to comply with the applicable requirements of 28 C.F.R. Part 38, the Department of Justice regulation governing "Equal Treatment for Faith Based Organizations" (the "Equal Treatment Regulation"). The Equal Treatment Regulation provides in part that Department of Justice grant awards of direct funding may not be used to fund any inherently religious activities, such as worship, religious instruction, or proselytization. Subrecipients of grants may still engage in inherently religious activities, but such activities must be separate in time or place from the Department of Justice funded program, and participation in such activities by individuals receiving services from the subrecipient must be voluntary. The Equal Treatment Regulation also makes clear that organizations participating in programs directly funded by the Department of Justice are not permitted to discriminate in the provision of services on the basis of a beneficiary's religion.

A. As appropriate to the funded projects, the recipient/subrecipient may require participant attendance at peer mentored recovery groups. However, as required by the Equal Treatment Regulation's prohibition against mandated

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participation in inherently religious activities, such participation may not be limited to twelve-step programs (e.g., Alcoholics Anonymous, Narcotics Anonymous).

B. Notwithstanding any other special condition of this award, faith-based organizations may, in some circumstances, consider religion as a basis for employment. See www.justice.ky.gov/departments/gmb for waiver request.

C. The subrecipient understands and agrees that award funds may not be used to discriminate against or denigrate the religious or moral beliefs of students who participate in programs for which financial assistance is provided from those funds, or of the parents or legal guardians for such students.

23. Requirements for Wireless Communications Interoperability Projects

The subrecipient understands that all awards for Wireless Communications Interoperability projects (i.e., mobile data terminals and related equipment) require documentation of approval of a wireless plan by the Kentucky Wireless Interoperability Executive Committee (KWIEC), www.KWIEC.ky.gov prior to reimbursement of expenses by GMB.

24. Acknowledgement of Grant Support on Literature Printed with Grant Funds

The subrecipient agrees that any materials (written, visual, sound) resulting from project activities will contain an acknowledgement of support through the use of the following or comparable footnote: "This project was supported by Grant Number (insert current grant number) awarded through the Kentucky Justice and Public Safety Cabinet by the U.S. Department of Justice. The opinions, findings, conclusions, and recommendations expressed in this publication/program/exhibition are those of the author(s) and do not necessarily reflect the views of the KY Justice and Public Safety Cabinet or U.S. Department of Justice."

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25. Maintaining of Licenses, Certifications, and Insurance

The subrecipient agrees to maintain all necessary and appropriate licenses, certifications, insurances, etc., relevant to the operation of a business or agency of its size and/or type. Subrecipients are required to provide documentation of compliance at GMB request.

26. Reducing Texting While Driving

Pursuant to Executive Order 13513, "Federal Leadership on Reducing Text Messaging While Driving," 74 Fed. Reg. 51225 (October 1, 2009), the Department encourages recipients/subrecipients to adopt and enforce policies banning employees from text messaging while driving any vehicle during the course of performing work funded by this grant, and to establish workplace safety policies and conduct education, awareness, and other outreach to decrease crashes caused by distracted drivers.

27. ACORN Funding Prohibition

The subrecipient understands and agrees that it cannot use any federal funds, either directly or indirectly, in support of any contract or subaward to either the Association of Community Organizations for Reform Now (ACORN) or its subsidiaries, without the express written approval USDOJ.

28. Additional Federal Awards

The subrecipient agrees that if it currently has an open award of federal funds or if it receives an award of federal funds other than this award, and those award funds have been, are being, or are to be used, in whole or in part, for one or more of the identical cost items for which funds are being provided under this award, the recipient will promptly notify, in writing, the grant manager for this award, and, if so requested, seek a budget-modification or change-of-scope grant adjustment notice (GAN) to eliminate any inappropriate

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duplication of funding.

29. Computer Networks

The subrecipient understands and agrees that – (a) No award funds may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography, and (b) Nothing in subsection (a) limits the use of funds necessary for any Federal, State, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecution, or adjudication activities.

30. Additional Requirements

The subrecipient agrees to comply with any additional requirements that may be imposed during the grant performance period if the agency determines that the recipient is a high-risk grantee Cf. 28 C.F.R. 66, 70.

31. Training/Training Materials

The recipient/subrecipient understands and agrees that any training or training materials developed or delivered with funding provided under this award must adhere to the OJP Training Guiding Principles for Grantees and Subgrantees, available at <http://ojp.usdoj.gov/funding/ojptrainingguidingprinciples.htm>

32. Requirements of the award; remedies for non-compliance or for materially false statements

The conditions of this award are material requirements of the award. Compliance with any certifications or assurances submitted by or on behalf of the recipient/subrecipient that relate to conduct during the period of performance also is a material requirement of this award.

Failure to comply with any one or more of these award requirements -- whether a

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condition set out in full below, a condition incorporated by reference below, or a certification or assurance related to conduct during the award period may result in the Office of Justice Programs ("OJP") taking appropriate action with respect to the recipient/subrecipient and the award. Among other things, the OJP may withhold award funds, disallow costs, or suspend or terminate the award. The Department of Justice ("DOJ"), including OJP, also may take other legal action as appropriate.

Any materially false, fictitious, or fraudulent statement to the federal government related to this award (or concealment or omission of a material fact) may be the subject of criminal prosecution (including under 18 U.S.C. 1001 and/or 1621, and/or 42 U.S.C. 3795a), and also may lead to imposition of civil penalties and administrative remedies for false claims or otherwise (including under 31 U.S.C. 3729-3730 and 3801-3812).

Should any provision of a requirement of this award be held to be invalid or unenforceable by its terms, that provision shall first be applied with a limited construction so as to give it the maximum effect permitted by law. Should it be held, instead, that the provision is utterly invalid or -unenforceable, such provision shall be deemed severable from this award.

33. Applicability of Part 200 Uniform Requirements

The Uniform Administrative Requirements, Cost Principles, and Audit Requirements in 2 C.F.R. Part 200, as adopted and supplemented by DOJ in 2 C.F.R. Part 2800 (together, the "Part 200 Uniform Requirements") apply to this FY 2017 award from OJP.

The Part 200 Uniform Requirements were first adopted by DOJ on December 26, 2014. If this FY 2017 award supplements funds previously awarded by OJP under the same award number (e.g., funds awarded during or before December 2014), the Part 200 Uniform Requirements apply with respect to all funds under that award number (regardless of the award date, and regardless of whether derived from the

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initial award or a supplemental award) that are obligated on or after the acceptance date of this FY 2017 award.

For more information and resources on the Part 200 Uniform Requirements as they relate to OJP awards and subawards ("subgrants"), see the OJP website at <https://ojp.gov/funding/Part200UniformRequirements.htm>.

In the event that an award-related question arises from documents or other materials prepared or distributed by OJP that may appear to conflict with, or differ in some way from, the provisions of the Part 200 Uniform Requirements, the recipient/subrecipient is to contact OJP promptly for clarification.

34. Compliance with DOJ Grants Financial Guide

The recipient/subrecipient agrees to comply with the DOJ Grants Financial Guide as posted on the OJP website (currently, the "2015 DOJ Grants Financial Guide" available at <https://ojp.gov/financialguide/DOJ/index.htm>), including any updated version that may be posted during the period of performance.

35. Required training for Point of Contact and all Financial Points of Contact

The subrecipient should anticipate that OJP will immediately withhold ("freeze") award funds if the recipient fails to comply with the condition requiring both the recipient's Point of Contact (POC) and all Financial Points of Contact (FPOCs) for this award must have successfully completed an "OJP financial management and grant administration training" by 120 days after the date of the recipient's acceptance of the award. The recipient's failure to comply also may lead OJP to impose additional appropriate conditions on this award.

36. Requirements related to System for Award Management and Universal Identifier Requirements

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The recipient/subrecipient must comply with applicable requirements regarding the System for Award Management (SAM), currently accessible at <https://www.sam.gov/>. This includes applicable requirements regarding registration with SAM, as well as maintaining the currency of information in SAM.

The details of the recipient/subrecipient's obligations related to SAM and to unique entity identifiers are posted on the OJP web site at <https://ojp.gov/funding/Explore/SAM.htm> (Award condition: System for Award Management (SAM) and Universal Identifier Requirements), and are incorporated by reference here.

This condition does not apply to an award to an individual who received the award as a natural person (i.e., unrelated to any business or non-profit organization that he or she may own or operate in his or her name).

37. All subawards ("subgrants") must have specific federal authorization

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements for authorization of any subaward. This condition applies to agreements that -- for purposes of federal grants administrative requirements -- OJP considers a "subaward" (and therefore does not consider a procurement "contract").

The details of the requirement for authorization of any subaward are posted on the OJP web site at <https://ojp.gov/funding/Explore/SubawardAuthorization.htm> (Award condition: All subawards ("subgrants") must have specific federal authorization), and are incorporated by reference here.

38. Specific post-award approval required to use a noncompetitive approach in any procurement contract that would exceed \$150,000

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with

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all applicable requirements to obtain specific advance approval to use a noncompetitive approach in any procurement contract that would exceed the Simplified Acquisition Threshold (currently, \$150,000). This condition applies to agreements that -- for purposes of federal grants administrative requirements -- OJP considers a procurement "contract" (and therefore does not consider a subaward).

The details of the requirement for advance approval to use a noncompetitive approach in a procurement contract under an OJP award are posted on the OJP web site at <https://ojp.gov/funding/Explore/NoncompetitiveProcurement.htm> (Award condition: Specific post-award approval required to use a noncompetitive approach in a procurement contract (if contract would exceed \$150,000)), and are incorporated by reference here.

39. Requirements pertaining to prohibited conduct related to trafficking in persons (including reporting requirements and OJP authority to terminate award)

The recipient/subrecipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements (including requirements to report allegations) pertaining to prohibited conduct related to the trafficking of persons, whether on the part of recipient/subrecipients, subrecipients ("subgrantees"), or individuals defined (for purposes of this condition) as "employees" of the recipient/subrecipient or of any subrecipient.

The details of the recipient/subrecipient's obligations related to prohibited conduct related to trafficking in persons are posted on the OJP web site at <https://ojp.gov/funding/Explore/ProhibitedConduct-Trafficking.htm> (Award condition: Prohibited conduct by recipient/subrecipients and subrecipients related to trafficking in persons (including reporting requirements and OJP authority to terminate award)), and are incorporated by reference here.

40. Compliance with applicable rules regarding approval, planning, and reporting of conferences, meetings, trainings, and other events

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USDOJ has identified meeting and conference planning and hosting costs as an area of concern. Accordingly, the subrecipient is required to seek specific approval from GMB at least 90 days in advance for all related expenditures not specifically approved in their award budget. This does not include previously approved salaries and benefits, but does include all other costs related to a proposed event to ensure that costs are absolutely critical and do not exceed reasonable and necessary levels.

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable laws, regulations, policies, and official DOJ guidance (including specific cost limits, prior approval and reporting requirements, where applicable) governing the use of federal funds for expenses related to conferences (as that term is defined by DOJ), including the provision of food and/or beverages at such conferences, and costs of attendance at such conferences.

Information on the pertinent DOJ definition of conferences and the rules applicable to this award appears in the DOJ Grants Financial Guide (currently, as section 3.10 of "Postaward Requirements" in the "2015 DOJ Grants Financial Guide").

41. Requirement for data on performance and effectiveness under the award

The recipient/subrecipient must collect and maintain data that measure the performance and effectiveness of work under this award. The data must be provided to OJP in the manner (including within the timeframes) specified by OJP in the program solicitation or other applicable written guidance. Data collection supports compliance with the Government Performance and Results Act (GPRA) and the GPRA Modernization Act of 2010, and other applicable laws.

42. OJP Training Guiding Principles

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Any training or training materials that the recipient/subrecipient -- or any subrecipient ("subgrantee") at any tier -- develops or delivers with OJP award funds must adhere to the OJP Training Guiding Principles for Grantees and Subgrantees, available at <https://ojp.gov/funding/ojptrainingguidingprinciples.htm>.

43. Effect of failure to address audit issues

The recipient/subrecipient understands and agrees that the DOJ awarding agency (OJP or OVW, as appropriate) may withhold award funds, or may impose other related requirements, if (as determined by the DOJ awarding agency) the recipient/subrecipient does not satisfactorily and promptly address outstanding issues from audits required by the Part 200 Uniform Requirements (or by the terms of this award), or other outstanding issues that arise in connection with audits, investigations, or reviews of DOJ awards.

44. Potential imposition of additional requirements

The recipient/subrecipient agrees to comply with any additional requirements that may be imposed by the DOJ awarding agency (OJP or OVW, as appropriate) during the period of performance for this award, if the recipient is designated as "highrisk" for purposes of the DOJ high-risk grantee list.

45. Compliance with DOJ regulations pertaining to civil rights and nondiscrimination - 28 C.F.R. Part 42

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements of 28 C.F.R. Part 42, specifically including any applicable requirements in Subpart E of 28 C.F.R. Part 42 that relate to an equal employment opportunity program.

46. Compliance with DOJ regulations pertaining to civil rights and nondiscrimination - 28 C.F.R. Part 54

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The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements of 28 C.F.R. Part 54, which relates to nondiscrimination on the basis of sex in certain "education programs."

47. Compliance with DOJ regulations pertaining to civil rights and nondiscrimination - 28 C.F.R. Part 38

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements of 28 C.F.R. Part 38, specifically including any applicable requirements regarding written notice to program beneficiaries and prospective program beneficiaries. Part 38 of 28 C.F.R., a DOJ regulation, was amended effective May 4, 2016.

Among other things, 28 C.F.R. Part 38 includes rules that prohibit specific forms of discrimination on the basis of religion, a religious belief, a refusal to hold a religious belief, or refusal to attend or participate in a religious practice. Part 38 also sets out rules and requirements that pertain to recipient and subrecipient ("subgrantee") organizations that engage in or conduct explicitly religious activities, as well as rules and requirements that pertain to recipient and subrecipients that are faith-based or religious organizations.

The text of the regulation, now entitled "Partnerships with Faith-Based and Other Neighborhood Organizations," is available via the Electronic Code of Federal Regulations (currently accessible at <https://www.ecfr.gov/cgi-bin/ECFR?page=browse>), by browsing to Title 28-Judicial Administration, Chapter 1, Part 38, under e-CFR "current" data.

48. Restrictions on "lobbying"

In general, as a matter of federal law, federal funds awarded by OJP may not be used by the recipient, or any subrecipient ("subgrantee") at any tier, either

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directly or indirectly, to support or oppose the enactment, repeal, modification, or adoption of any law, regulation, or policy, at any level of government. See 18 U.S.C. 1913. (There may be exceptions if an applicable federal statute specifically authorizes certain activities that otherwise would be barred by law.)

Another federal law generally prohibits federal funds awarded by OJP from being used by the recipient, or any subrecipient at any tier, to pay any person to influence (or attempt to influence) a particular use of federal funds by a recipient (or subrecipient) would or might fall within the scope of these prohibitions, the recipient/subrecipient is to contact OJP for guidance, and may not proceed without the express prior written approval of OJP.

49. Compliance with general appropriations-law restrictions on the use of federal funds (FY 2017)

The recipient/subrecipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable restrictions on the use of federal funds set out in federal appropriations statutes. Pertinent restrictions, including from various "general provisions" in the Consolidated Appropriations Act, 2017, are set out at <https://ojp.gov/funding/Explore/FY17AppropriationsRestrictions.htm>, and are incorporated by reference here.

Should a question arise as to whether a particular use of federal funds by a recipient/subrecipient (or a subrecipient) would or might fall within the scope of an appropriations-law restriction, the recipient/subrecipient is to contact OJP for guidance, and may not proceed without the express prior written approval of OJP.

50. Reporting potential fraud, waste, and abuse, and similar misconduct

The recipient, and any subrecipients ("subgrantees") at any tier, must promptly refer to the DOJ Office of the Inspector General (OIG) any credible evidence

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that a principal, employee, agent, subrecipient, contractor, subcontractor, or other person has, in connection with funds under this award-- (1) submitted a claim that violates the False Claims Act; or (2) committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct.

Potential fraud, waste, abuse, or misconduct involving or relating to funds under this award should be reported to the OIG by-- (1) mail directed to: Office of the Inspector General, U.S. Department of Justice, Investigations Division, 950 Pennsylvania Avenue, N.W. Room 4706, Washington, DC 20530; (2) e-mail to: oig.hotline@usdoj.gov; and/or (3) the DOJ OIG hotline: (contact information in English and Spanish) at (800) 869-4499 (phone) or (202) 616-9881 (fax).

Additional information is available from the DOJ OIG website at <https://www.usdoj.gov/oig>.

51. Restrictions and certifications regarding non-disclosure agreements and related matters

No recipient or subrecipient ("subgrantee") under this award, or entity that receives a procurement contract or subcontract with any funds under this award, may require any employee or contractor to sign an internal confidentiality agreement or statement that prohibits or otherwise restricts, or purports to prohibit or restrict, the reporting (in accordance with law) of waste, fraud, or abuse to an investigative or law enforcement representative of a federal department or agency authorized to receive such information.

The foregoing is not intended, and shall not be understood by the agency making this award, to contravene requirements applicable to Standard Form 312 (which relates to classified information), Form 4414 (which relates to sensitive compartmented information), or any other form issued by a federal department or agency governing the nondisclosure of classified information.

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1. In accepting this award, the recipient/subrecipient--

- a. represents that it neither requires nor has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above; and
- b. certifies that, if it learns or is notified that it is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of award funds, will provide prompt written notification to the federal agency making this award, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by that agency.

2. If the recipient/subrecipient does or is authorized under this award to make subawards ("subgrants"), procurement contracts, or both--

- a. it represents that--

- (1) it has determined that no other entity that the recipient/subrecipient's application proposes may or will receive award funds (whether through a subaward ("subgrant"), procurement contract, or subcontract under a procurement contract) either requires or has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above; and

- (2) it has made appropriate inquiry, or otherwise has an adequate factual basis, to support this representation; and
- b. it certifies that, if it learns or is notified that any subrecipient, contractor, or subcontractor entity that receives funds under this award is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, it will

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immediately stop any further obligations of award funds to or by that entity, will provide prompt written notification to the federal agency making this award, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by that agency.

52. Compliance with 41 U.S.C. 4712 (including prohibitions on reprisal; notice to employees)

The recipient (and any subrecipient at any tier) must comply with, and is subject to, all applicable provisions of 41 U.S.C. 4712, including all applicable provisions that prohibit, under specified circumstances, discrimination against an employee as reprisal for the employee's disclosure of information related to gross mismanagement of a federal grant, a gross waste of federal funds, an abuse of authority relating to a federal grant, a substantial and specific danger to public health or safety, or a violation of law, rule, or regulation related to a federal grant.

The recipient/subrecipient also must inform its employees, in writing (and in the predominant native language of the workforce), of employee rights and remedies under 41 U.S.C. 4712.

Should a question arise as to the applicability of the provisions of 41 U.S.C. 4712 to this award, the subrecipient is to contact the recipient who is to contact the DOJ awarding agency (OJP or OVW, as appropriate) for guidance.

53. Encouragement of policies to ban text messaging while driving

Pursuant to Executive Order 13513, "Federal Leadership on Reducing Text Messaging While Driving," 74 Fed. Reg. 51225 (October 1, 2009), DOJ encourages recipient/subrecipients and subrecipients ("subgrantees") to adopt and enforce policies banning employees from text messaging while driving any vehicle during the course of performing work funded by this award, and to establish workplace safety policies and conduct education, awareness, and other outreach to decrease

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crashes caused by distracted drivers.

54. Cooperating with OJP Monitoring

The recipient/subrecipient agrees to cooperate with OJP monitoring of this award pursuant to OJP's guidelines, protocols, and procedures, and to cooperate with OJP (including the grant manager for this award and the Office of Chief Financial Officer (OCFO)) requests related to such monitoring, including requests related to desk reviews and/or site visits. The recipient/subrecipient agrees to provide to OJP all documentation necessary for OJP to complete its monitoring tasks, including documentation related to any subawards made under this award. Further, the recipient/subrecipient agrees to abide by reasonable deadlines set by OJP for providing the requested documents. Failure to cooperate with OJP's monitoring activities may result in actions that affect the recipient/subrecipient's DOJ awards, including, but not limited to: withholdings and/or other restrictions on the recipient/subrecipient's access to award funds; referral to the DOJ OIG for audit review; designation of the recipient/subrecipient as a DOJ High Risk grantee; or termination of an award(s).

55. FFATA reporting: Subawards and executive compensation

The recipient/subrecipient must comply with applicable requirements to report first-tier subawards ("subgrants") of \$25,000 or more and, in certain circumstances, to report the names and total compensation of the five most highly compensated executives of the recipient and first-tier subrecipients (first-tier "subgrantees") of award funds. The details of recipient/subrecipient obligations, which derive from the Federal Funding Accountability and Transparency Act of 2006 (FFATA), are posted on the OJP web site at <https://ojp.gov/funding/Explore/FFATA.htm> (Award condition: Reporting Subawards and Executive Compensation), and are incorporated by reference here.

This condition, including its reporting requirement, does not apply to-- (1) an

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award of less than \$25,000, or (2) an award made to an individual who received the award as a natural person (i.e., unrelated to any business or non-profit organization that he or she may own or operate in his or her name).

56. Justice Information Sharing

In order to promote information sharing and enable interoperability among disparate systems across the justice and public safety community, the recipient/subrecipient (and any subrecipient at any tier) must comply with DOJ's Global Justice Information Sharing Initiative (DOJ's Global) guidelines and recommendations for this particular award. The recipient/subrecipient shall conform to the Global Standards Package (GSP) and all constituent elements, where applicable, as described at: https://it.ojp.gov/gsp_grantcondition. The recipient/subrecipient shall document planned approaches to information sharing and describe compliance to the GSP and appropriate privacy policy that protects shared information, or provide detailed justification for why an alternative approach is recommended.

57. Avoidance of duplication of networks

To avoid duplicating existing networks or IT systems in any initiatives funded by BJA for law enforcement information sharing systems which involve interstate connectivity between jurisdictions, such systems shall employ, to the extent possible, existing networks as the communication backbone to achieve interstate connectivity, unless the recipient/subrecipient can demonstrate to the satisfaction of BJA that this requirement would not be cost effective or would impair the functionality of an existing or proposed IT system.

58. Compliance with 28 C.F.R. Part 23

With respect to any information technology system funded or supported by funds under this award, the recipient/subrecipient (and any subrecipient at any tier) must comply with 28 C.F.R. Part 23, Criminal Intelligence Systems Operating

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Policies, if OJP determines this regulation to be applicable. Should OJP determine 28 C.F.R. Part 23 to be applicable, OJP may, at its discretion, perform audits of the system, as per the regulation. Should any violation of 28 C.F.R. Part 23 occur, the recipient/subrecipient may be fined as per 42 U.S.C. 3789g(c)-(d). The recipient/subrecipient may not satisfy such a fine with federal funds.

59. Protection of human research subjects

The recipient/subrecipient (and any subrecipient at any tier) must comply with the requirements of 28 C.F.R. Part 46 and all OJP policies and procedures regarding the protection of human research subjects, including obtainment of Institutional Review Board approval, if appropriate, and subject informed consent.

60. Confidentiality of data

The recipient/subrecipient (and any subrecipient at any tier) must comply with all confidentiality requirements of 42 U.S.C. 3789g and 28 C.F.R. Part 22 that are applicable to collection, use, and revelation of data or information. The recipient/subrecipient further agrees, as a condition of award approval, to submit a Privacy Certificate that is in accord with requirements of 28 C.F.R. Part 22 and, in particular, 28 C.F.R. 22.23.

61. Law enforcement task forces - required training

Within 120 days of award acceptance, each current member of a law enforcement task force funded with award funds who is a task force commander, agency executive, task force officer, or other task force member of equivalent rank, must complete required online (internet-based) task force training. Additionally, all future task force members must complete this training once during the period of performance for this award, or once every four years if multiple OJP awards include this requirement.

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The required training is available free of charge online through the BJA-funded Center for Task Force Integrity and Leadership (www.ctfli.org). The training addresses task force effectiveness, as well as other key issues including privacy and civil liberties/rights, task force performance measurement, personnel selection, and task force oversight and accountability. If award funds are used to support a task force, the recipient/subrecipient must compile and maintain a task force personnel roster, along with course completion certificates.

Additional information regarding the training is available through BJA's web site and the Center for Task Force Integrity and Leadership (www.ctfli.org).

62. Required attendance at BJA-sponsored events

The recipient (and its subrecipients at any tier) must participate in BJA-sponsored training events, technical assistance events, or conferences held by BJA or its designees, upon BJA's request.

63. Justification of consultant rate

Approval of this award does not indicate approval of any consultant rate in excess of \$650 per day. A detailed justification must be submitted, through GMB, to and approved by the OJP program office prior to obligation or expenditure of such funds.

64. Compliance with National Environmental Policy Act and related statutes

Upon request, the recipient (and any subrecipient at any tier) must assist BJA in complying with the National Environmental Policy Act (NEPA), the National Historic Preservation Act, and other related federal environmental impact analyses requirements in the use of these award funds, either directly by the recipient or by a subrecipient. Accordingly, the recipient/subrecipient agrees

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to first determine if any of the following activities will be funded by the grant, prior to obligating funds for any of these purposes. If it is determined that any of the following activities will be funded by the award, the subrecipient agrees to promptly contact GMB who will contact BJA.

The recipient/subrecipient understands that this condition applies to new activities as set out below, whether or not they are being specifically funded with these award funds. That is, as long as the activity is being conducted by the recipient, a subrecipient, or any third party, and the activity needs to be undertaken in order to use these award funds, this condition must first be met. The activities covered by this condition are:

- a. New construction;
- b. Minor renovation or remodeling of a property located in an environmentally or historically sensitive area, including properties located within a 100-year flood plain, a wetland, or habitat for endangered species, or a property listed on or eligible for listing on the National Register of Historic Places;
- c. A renovation, lease, or any proposed use of a building or facility that will either (a) result in a change in its basic prior use or (b) significantly change its size;
- d. Implementation of a new program involving the use of chemicals other than chemicals that are (a) purchased as an incidental component of a funded activity and (b) traditionally used, for example, in office, household, recreational, or education environments; and
- e. Implementation of a program relating to clandestine methamphetamine laboratory operations, including the identification, seizure, or closure of clandestine methamphetamine laboratories.

The recipient/subrecipient understands and agrees that complying with NEPA may require the preparation of an Environmental Assessment and/or an Environmental Impact Statement, as directed by BJA. The recipient/subrecipient further understands and agrees to the requirements for implementation of a Mitigation Plan, as detailed at <https://bja.gov/Funding/nepa.html>, for programs relating to methamphetamine laboratory operations.

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Application of This Condition to Recipient/subrecipient's Existing Programs or Activities: For any of the recipient or its subrecipients' existing programs or activities that will be funded by these award funds, the recipient/subrecipient, upon specific request from BJA, agrees to cooperate with BJA in any preparation by BJA of a national or program environmental assessment of that funded program or activity.

65. Establishment of trust fund

If award funds are being drawn down in advance, the recipient/subrecipient (or a subrecipient, with respect to a subaward) is required to establish a trust fund account. (The trust fund may or may not be an interest-bearing account.) The fund, including any interest, may not be used to pay debts or expenses incurred by other activities beyond the scope of the Edward Byrne Memorial Justice Assistance Grant Program (JAG). The recipient/subrecipient also agrees to obligate the award funds in the trust fund (including any interest earned) during the period of performance for the award and expend within 90 days thereafter. Any unobligated or unexpended funds, including interest earned, must be returned to OJP at the time of closeout.

66. Prohibition on use of award funds for match under BVP program

JAG funds may be used to purchase vests for an agency, but they may not be used as the 50% match for purposes of the DOJ Bulletproof Vest Partnership (BVP) program.

67. Certification of body armor "mandatory wear" policies

The recipient/subrecipient agrees to submit a signed certification that all law enforcement agencies receiving body armor purchased with funds from this award have a written "mandatory wear" policy in effect. The subrecipient must submit to GMB signed certifications on file for any subrecipients planning to utilize

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funds from this award for ballistic-resistant and stab-resistant body armor purchases. This policy must be in place for at least all uniformed officers before any funds from this award may be used by an agency for body armor. There are no requirements regarding the nature of the policy other than it be a mandatory wear policy for all uniformed officers while on duty.

68. Body armor - compliance with NIJ standards

Ballistic-resistant and stab-resistant body armor purchased with JAG award funds may be purchased at any threat level, make or model, from any distributor or manufacturer, as long as the body armor has been tested and found to comply with applicable National Institute of Justice ballistic or stab standards and is listed on the NIJ Compliant Body Armor Model List (<https://nij.gov/>). In addition, ballistic-resistant and stab-resistant body armor purchased must be American-made. The latest NIJ standard information can be found here: <https://nij.gov/topics/technology/bodyarmor/pages/safety-initiative.aspx>.

69. Required monitoring of subawards

The recipient/subrecipient must monitor subawards under this JAG award in accordance with all applicable statutes, regulations, award conditions, and the DOJ Grants Financial Guide, and must include the applicable conditions of this award in any subaward. Among other things, the recipient/subrecipient is responsible for oversight of subrecipient spending and monitoring of specific outcomes and benefits attributable to use of award funds by subrecipients. The recipient/subrecipient agrees to submit, upon request, documentation of its policies and procedures for monitoring of subawards under this award.

70. Required data on law enforcement agency training

Any law enforcement agency receiving direct or sub-awarded funding from this JAG award must submit quarterly accountability metrics data related to training that officers have received on the use of force, racial and ethnic bias,

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de-escalation of conflict, and constructive engagement with the public.

71. Prohibited Expenditures List

Award funds may not be used for items that are listed on the Prohibited Expenditure List at the time of purchase or acquisition, including as the list may be amended from time to time. The Prohibited Expenditure List may be accessed here: <https://www.bja.gov/funding/JAGControlledPurchaseList.pdf>

72. Controlled expenditures - prior written approval required

Award funds may not be used for items that are listed on the Controlled Expenditure List at the time of purchase or acquisition, including as the list may be amended from time to time, without explicit written prior approval from BJA.

The Controlled Expenditure List, and instructions on how to request approval for purchase or acquisitions are set out at <https://www.bja.gov/funding/JAGControlledPurchaseList.pdf>

73. Controlled expenditures - incident reporting

If an agency uses award funds to purchase or acquire any item on the Controlled Expenditure List at the time of purchase or acquisition, including as the list may be amended from time to time, the agency must collect and retain (for at least 3 years) certain information about the use of-- (1) any federally-acquired Controlled Equipment in the agency's inventory, and (2) any other controlled equipment in the same category as the federally-acquired controlled equipment in the agency's inventory, regardless of source; and the agency must make that information available to BJA upon request. Details about what information must be collected and retained are set out at <https://ojp.gov/docs/LEEequipment-WG-Final-Report.pdf>.

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74. Sale of items on Controlled Expenditure List

Notwithstanding the provision of the Part 200 Uniform Requirements set out at 2 C.F.R. 200.313, no equipment listed on the Controlled Expenditure List that is purchased with award funds may be transferred or sold to a third party, except as described below:

- a. Agencies may transfer or sell any controlled equipment, except riot helmets and riot shields, to a Law Enforcement Agency (LEA) after obtaining prior written approval from BJA. As a condition of that approval, the acquiring LEA will be required to submit information and certifications to BJA as if it were requesting approval to use award funds for the initial purchase of items on the Controlled Expenditure List.
- b. Agencies may not transfer or sell any riot helmets or riot shields purchased under this award.
- c. Agencies may not transfer or sell any Controlled Equipment purchased under this award to non-LEAs, with the exception of fixed wing aircraft, rotary wing aircraft, and command and control vehicles. Before any such transfer or sale is finalized, the agency must obtain prior written approval from BJA. All law enforcement-related and other sensitive or potentially dangerous components, and all law enforcement insignias and identifying markings must be removed prior to transfer or sale.

The subrecipient must notify the recipient for reporting to BJA prior to the disposal of any items on the Controlled Expenditure List purchased with award funds, and must abide by any applicable laws (including regulations) in such disposal.

75. Prohibited or controlled expenditures - Effect of failure to comply

Failure to comply with an award condition related to prohibited or controlled expenditures may result in denial of any further approvals of controlled expenditures under this or other federal awards.

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76. Controlled expenditures - Standards

Consistent with recommendation 2.1 of Executive Order 13688, a law enforcement agency that acquires controlled equipment with award funds must adopt robust and specific written policies and protocols governing General Policing Standards and Specific Controlled Equipment Standards. General Policing Standards includes policies on (a) Community Policing; (b) Constitutional Policing; and (c) Community Input and Impact Considerations. Specific Controlled Equipment Standards includes policies specifically related to (a) Appropriate Use of Controlled Equipment; (b) Supervision of Use; (c) Effectiveness Evaluation; (d) Auditing and Accountability; and (e) Transparency and Notice Considerations. Upon OJP's request, the recipient/subrecipient must provide a copy of the General Policing Standards and Specific Controlled Equipment Standards, and any related policies and protocols.

77. Authorization to obligate (federal) award funds to reimburse certain project costs incurred on or after October 1, 2016

The recipient/subrecipient may obligate (federal) award funds only after the recipient/subrecipient makes a valid acceptance of the award. As of the first day of the period of performance for the award (October 1, 2016), however, the recipient/subrecipient may choose to incur project costs using non-federal funds, but any such project costs are incurred at the recipient/subrecipient's risk until, at a minimum-- (1) the recipient/subrecipient makes a valid acceptance of the award, and (2) all applicable withholding conditions are removed by OJP (via a Grant Adjustment Notice). (A withholding condition is a condition in the award document that precludes the recipient/subrecipient from obligating, expending, or drawing down all or a portion of the award funds until the condition is removed.)

Except to the extent (if any) that an award condition expressly precludes reimbursement of project costs incurred "at-risk," if and when the recipient/subrecipient makes a valid acceptance of this award and OJP removes

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each applicable withholding condition through a Grant Adjustment Notice, the recipient/subrecipient is authorized to obligate (federal) award funds to reimburse itself for project costs incurred "at-risk" earlier during the period of performance (such as project costs incurred prior to award acceptance or prior to removal of an applicable withholding condition), provided that those project costs otherwise are allowable costs under the award.

Nothing in this condition shall be understood to authorize the recipient (or any subrecipient at any tier) to use award funds to "supplant" State or local funds in violation of the recipient's certification (executed by the chief executive of the State or local government) that federal funds will be used to increase the amounts of such funds that would, in the absence of federal funds, be made available for law enforcement activities.

78. Ongoing compliance with 8 U.S.C. 1373 is required

1. With respect to the "program or activity" funded in whole or part under this award (including any such "program or activity" of any subrecipient at any tier), throughout the period of performance for the award, no State or local government entity, -agency, or -official may prohibit or in any way restrict-- (1) any government entity or -official from sending or receiving information regarding citizenship or immigration status as described in 8 U.S.C. 1373(a); or (2) a government entity or -agency from sending, requesting or receiving, maintaining, or exchanging information regarding immigration status as described in 8 U.S.C. 1373(b). For purposes of this award, any prohibition (or restriction) that violates this condition is an "information-communication restriction."

2. Certifications from subrecipients. The recipient/subrecipient may not make a subaward to a State or local government or a "public" institution of higher education, unless it first obtains a certification of compliance with 8 U.S.C. 1373, properly executed by the chief legal officer of the jurisdiction or institution that would receive the subaward, using the appropriate form

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available at <https://ojp.gov/funding/Explore/SampleCertifications-8USC1373.htm>. Similarly, no subrecipient (at any tier) may make a further subaward to a State or local government or a "public" institution of higher education, unless it first obtains a certification of compliance with 8 U.S.C. 1373, properly executed by the chief legal officer of the jurisdiction or institution that would receive the further subaward, using the appropriate OJP form.

3. The recipient/subrecipient's monitoring responsibilities include monitoring of compliance with the requirements of this condition for any subaward.

4. Allowable costs. Compliance with these requirements is an authorized and priority purpose of this award. To the extent that such costs are not reimbursed under any other federal program, award funds may be obligated (including for authorized reimbursements) for the reasonable, necessary, and allocable costs (if any) that the recipient, or any subrecipient at any tier that is a State or local government or a "public" institution of higher education, incurs to implement this condition.

5. Rules of Construction

A. For purposes of this condition:

- (1) "State" and "local government" include any agency or other entity thereof, but not any institution of higher education or any Indian tribe.
- (2) A "public" institution of higher education is one that is owned, controlled, or directly funded by a State or local government.
- (3) "Program or activity" means what it means under title VI of the Civil Rights Act of 1964 (see 42 U.S.C. 2000d-4a).
- (4) "Immigration status" means what it means for purposes of 8 U.S.C. 1373 (Illegal Immigration Reform and Immigrant Responsibility Act of 1996); and terms that are defined in 8 U.S.C. 1101 (Immigration and Nationality Act) mean what they mean under that section 1101, except that the term "State" also shall include American Samoa (cf. 42 U.S.C. 901(a)(2)).

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(5) Pursuant to the provisions set out at (or referenced in) 8 U.S.C. 1551 note ("Abolition ... and Transfer of Functions"), references to the "Immigration and Naturalization Service" in 8 U.S.C. 1373 are to be read as references to particular components of the Department of Homeland Security (DHS).

B. Nothing in this condition shall be understood to authorize or require any recipient, any subrecipient at any tier, any State or local government, any "public" institution of higher education, or any other entity (or individual) to violate any federal law, including any applicable civil rights or nondiscrimination law.

IMPORTANT NOTE: Any questions about the meaning or scope of this condition should be directed to OJP, before award acceptance.

79. Authority to obligate award funds contingent on compliance with 8 U.S.C. 1373; unallowable costs; obligation to notify

1. If the recipient/subrecipient is a State or local government--

A. The recipient/subrecipient may not obligate award funds if, at the time of the obligation, the "program or activity" of the recipient (or of any subrecipient at any tier that is either a State or unit of local government or a "public" institution of higher education) that is funded in whole or in part with award funds is subject to any "information-communication restriction."

B. In addition, with respect to any project costs it incurs "at risk," the recipient/subrecipient may not obligate award funds to reimburse itself if -- at the time it incurs such costs -- the "program or activity" of the recipient (or of any subrecipient at any tier that is either a State or unit of local government or a "public" institution of higher education) that would be reimbursed in whole or in part with award funds was subject to any "information-communication restriction."

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C. Any drawdown of award funds by the recipient/subrecipient shall be considered, for all purposes, to be a material representation by the recipient/subrecipient to OJP that, as of the date the recipient/subrecipient requests the drawdown, the recipient and all subrecipients (regardless of tier) are in compliance with 8 U.S.C. 1373.

D. The recipient must promptly notify OJP (in writing) if the recipient, from its requisite monitoring of compliance with award conditions or otherwise, has credible evidence that indicates that the funded "program or activity" of the recipient, or of any subrecipient at any tier that is either a State or a local government or a "public" institution of higher education, may be subject to any "information-communication restriction." In addition, any subaward (at any tier) to a subrecipient that is either a State or a local government or a "public" institution of higher education must require prompt notification to the entity that made the subaward, should the subrecipient such credible evidence regarding an "information-communication restriction."

2. Any subaward (at any tier) to a subrecipient that is either a State or a local government or a "public" institution of higher education must provide that the subrecipient may not obligate award funds if, at the time of the obligation, the "program or activity" of the subrecipient (or of any further such subrecipient at any tier) that is funded in whole or in part with award funds is subject to any "information-communication restriction."

3. Absent an express written determination by DOJ to the contrary, based upon a finding by DOJ of compelling circumstances (e.g., a small amount of award funds obligated by the recipient at the time of a subrecipient's minor and transitory non-compliance, which was unknown to the recipient despite diligent monitoring), any obligations of award funds that, under this condition, may not be made shall be unallowable costs for purposes of this award. In making any such determination, DOJ will give great weight to evidence submitted by the recipient that demonstrates diligent monitoring of subrecipient compliance with the

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requirements set out in the award condition entitled "Ongoing compliance with 8 U.S.C. 1373 is required."

4. Rules of Construction

A. For purposes of this condition "information-communication restriction" has the meaning set out in the award condition entitled "Ongoing compliance with 8 U.S.C. 1373 is required."

B. Both the "Rules of Construction" and the "Important Note" set out in the award condition entitled "Ongoing compliance with 8 U.S.C. 1373 is required" are incorporated by reference as though set forth here in full.

80. Required State-level rules or practices related to aliens; allowable costs

The following provisions apply to the recipient of this award, if the recipient is a State government, and also apply to any State-government subrecipient at any tier (whether or not the recipient is a State government).

1. Requirements

With respect to the "program or activity" that is funded (in whole or in part) by this award, as of the date the recipient accepts this award, and throughout the remainder of the period of performance for the award--

A. A State statute, or a State rule, -regulation, -policy, or -practice, must be in place that is designed to ensure that agents of the United States acting under color of federal law in fact are given to access any State (or State-contracted) correctional facility for the purpose of permitting such agents to meet with individuals who are (or are believed by such agents to be) aliens and to inquire as to such individuals' right to be or remain in the United States.

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B. A State statute, or a State rule, -regulation, -policy, or -practice, must be in place that is designed to ensure that, when a State (or State-contracted) correctional facility receives from DHS a formal written request authorized by the Immigration and Nationality Act that seeks advance notice of the scheduled release date and time for a particular alien in such facility, then such facility will honor such request and -- as early as practicable (see para. 4.B. of this condition) -- provide the requested notice to DHS.

2. Monitoring

The recipient/subrecipient's monitoring responsibilities include monitoring of compliance with the requirements of this condition for any subaward.

3. Allowable costs

Compliance with these requirements is an authorized and priority purpose of this award. To the extent that such costs are not reimbursed under any other federal program, award funds may be obligated (including for authorized reimbursements) for the reasonable, necessary, and allocable costs (if any) of-- (1) developing and putting into place statutes, rules, regulations, policies, and practices to satisfy this condition, and (2) permitting access as described in para. 1.A. above, and (3) honoring any request from DHS that is encompassed by para. 1.B. above.

4. Rules of construction

A. For purposes of this condition--

(1) the term "alien" means what it means under section 101 of the Immigration and Nationality Act (see 8 U.S.C.

1101(a)(3)).

(2) the term "correctional facility" means what it means under the Title I of

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the Omnibus Crime Control and Safe Streets Act of 1968 (see 42 U.S.C. 3791(a)(7)).

B. Nothing in this condition shall be understood to authorize or require any recipient, any subrecipient at any tier, any State or local government, or any other entity or individual to maintain (or detain) any individual in custody beyond the date and time the individual would have been released in the absence of this condition.

Current DHS practice is ordinarily to request advance notice of scheduled release "as early as practicable (at least 48 hours, if possible)." (See DHS Form I-247A (3/17)). In the event that (e.g., in light of the date DHS made such request) the scheduled release date and time for an alien are such as not to permit the advance notice that DHS has requested, it shall not be a violation of this condition to provide only as much advance notice as practicable.

NOTE: Current DHS practice is to use one form (DHS Form I-247A (3/17)) for two distinct purposes -- to request advance notice of scheduled release, and to request that an individual be detained for up to 48 hours AFTER the scheduled release. This condition imposes NO requirements as to such DHS requests for detention.

C. Both the "Rules of Construction" and the "Important Note" set out in the award condition entitled "Ongoing compliance with 8 U.S.C. 1373 is required" are incorporated by reference as though set forth here in full.

81. Required local-government-level rules or practices related to aliens; allowable costs

The following provisions apply to the recipient of this award, if the recipient is a unit of local government, and also apply to any local-government subrecipient of this award at any tier (whether or not the recipient itself is a unit of local government).

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1. Requirements

With respect to the "program or activity" that is funded (in whole or in part) by this award, as of the date the recipient accepts this award, and throughout the remainder of the period of performance for the award--

A. A local ordinance, -rule, -regulation, -policy, or -practice (or an applicable State statute, -rule, -regulation, - policy, or -practice) must be in place that is designed to ensure that agents of the United States acting under color of federal law in fact are given access a local-government (or local-government-contracted) correctional facility for the purpose of permitting such agents to meet with individuals who are (or are believed by such agents to be) aliens and to inquire as to such individuals' right to be or remain in the United States.

B. A local ordinance, -rule, -regulation, -policy, or -practice (or an applicable State statute, -rule, -regulation, - policy, or -practice) must be in place that is designed to ensure that, when a local-government (or local-government contracted) correctional facility receives from DHS a formal written request authorized by the Immigration and Nationality Act that seeks advance notice of the scheduled release date and time for a particular alien in such facility, then such facility will honor such request and -- as early as practicable (see "Rules of Construction" incorporated by para. 4.B. of this condition) -- provide the requested notice to DHS.

2. Monitoring

The recipient/subrecipient's monitoring responsibilities include monitoring of compliance with the requirements of this condition for any subaward.

3. Allowable costs

Compliance with these requirements is an authorized and priority purpose of this

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award. To the extent that such costs are not reimbursed under any other federal program, award funds may be obligated (including for authorized reimbursements) for the reasonable, necessary, and allocable costs (if any) of-- (1) developing and putting into place statutes, ordinances, rules, regulations, policies, and practices to satisfy this condition, (2) permitting access as described in para. 1.A. above, and (3) honoring any request from DHS that is encompassed by para. 1.B. above.

4. Rules of construction

A. The "Rules of Construction" and the "Important Note" set out in the award condition entitled "Ongoing compliance with 8 U.S.C. 1373 is required" are incorporated by reference as though set forth here in full.

B. The "Rules of Construction" set out in the award condition entitled "Required State-level rules or practices related to aliens; allowable costs" are incorporated by reference as though set forth here in full.

82. Use of funds for DNA testing; upload of DNA profiles

If award funds are used for DNA testing of evidentiary materials, any resulting eligible DNA profiles must be uploaded to the Combined DNA Index System ("CODIS," the DNA database operated by the FBI) by a government DNA laboratory with access to CODIS.

No profiles generated under this award may be entered or uploaded into any non-governmental DNA database without prior express written approval from BJA.

Award funds may not be used for the purchase of DNA equipment and supplies unless the resulting DNA profiles may be accepted for entry into CODIS.

83. Requirement to disclose whether recipient/subrecipient is designated "high risk" by a federal grant-making agency outside of DOJ

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If any subrecipient is designated "high risk" by a federal grant-making agency outside of DOJ, currently or at any time during the course of the period of performance under this award, it must disclose that fact and certain related information to GMB for submittal to OJP by email at OJP.ComplianceReporting@ojp.usdoj.gov. For purposes of this disclosure, high risk includes any status under which a federal awarding agency provides additional oversight due to the subrecipient's past performance, or other programmatic or financial concerns with the subrecipient. The subrecipient's disclosure must include the following: 1. The federal awarding agency that currently designates the subrecipient high risk, 2. The date the subrecipient was designated high risk, 3. The high-risk point of contact at that federal awarding agency (name, phone number, and email address), and 4. The reasons for the high-risk status, as set out by the federal awarding agency.

84. Reclassification of various statutory provisions to a new Title 34 of the United States Code

On September 1, 2017, various statutory provisions previously codified elsewhere in the U.S. Code were editorially reclassified to a new Title 34, entitled "Crime Control and Law Enforcement." The reclassification encompassed a number of statutory provisions pertinent to OJP awards (that is, OJP grants and cooperative agreements), including many provisions previously codified in Title 42 of the U.S. Code.

Effective as of September 1, 2017, any reference in this award document to a statutory provision that has been reclassified to the new Title 34 of the U.S. Code is to be read as a reference to that statutory provision as reclassified to Title 34. This rule of construction specifically includes references set out in award conditions, references set out in material incorporated by reference through award conditions, and references set out in other award requirements.

85. Subrecipient integrity and performance matters

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The subrecipient must report to the recipient any information on civil, criminal, and administrative proceedings connected with (or connected to the performance of) either this OJP award or any other grant, cooperative agreement, or procurement contract from the federal government.

86. Ensuring Access to Federally Assisted Programs

Federal laws that apply to recipient/subrecipients of financial assistance from the DOJ prohibit discrimination on the basis of race, color, national origin, religion, sex, or disability in funded programs or activities, not only in employment but also in the delivery of services or benefits. A federal law also prohibits recipient/subrecipients from discriminating on the basis of age in the delivery of services or benefits.

In March of 2013, President Obama signed the Violence Against Women Reauthorization Act of 2013. The statute amends the Violence Against Women Act of 1994 (VAWA) by including a nondiscrimination grant condition that prohibits discrimination based on actual or perceived race, color, national origin, religion, sex, disability, sexual orientation, or gender identity. The new nondiscrimination grant condition applies to certain programs funded after October 1, 2013. The OCR and the OVW have developed answers to some frequently asked questions about this provision to assist recipient/subrecipients of VAWA funds to understand their obligations. The Frequently Asked Questions are available at <http://ojp.gov/about/ocr/vawafaqs.htm>.

87. Enforcing Civil Rights Laws

All recipient/subrecipients of federal financial assistance, regardless of the particular funding source, the amount of the grant award, or the number of employees in the workforce, are subject to prohibitions against unlawful discrimination. The recipient/subrecipient's monitoring responsibilities include monitoring of compliance with applicable federal civil rights laws and

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nondiscrimination provisions for any subaward.

88. Providing Services to Limited English Proficiency (LEP) Individuals

In accordance with DOJ guidance pertaining to Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d, recipient/subrecipients of federal financial assistance must take reasonable steps to provide meaningful access to their programs and activities for persons with limited English proficiency (LEP). See U.S. Department of Justice, Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons, 67 Fed. Reg. 41,455 (2002).

Meaningful access may entail providing language assistance services, including oral and written translation when necessary. Subrecipients of federal funds must maintain a current LEP plan on file with GMB

For more information on the civil rights responsibilities that recipient/subrecipients have in providing language services to LEP individuals, please see the website <http://www.lep.gov>.

89. Ensuring Equal Treatment for Faith-Based Organizations

The subrecipient agrees to comply with the applicable requirements of 28 C.F.R. Part 38, the Department of Justice regulation governing "Equal Treatment for Faith Based Organizations" (the "Equal Treatment Regulation").

The regulation also prohibits faith-based organizations from using financial assistance from the DOJ to fund inherently (or explicitly) religious activities. While faith-based organizations can engage in non-funded inherently religious activities, such as worship, religious instruction, or proselytization, they must hold them separately from the program funded by the DOJ, and subrecipients cannot compel beneficiaries to participate in them. The Equal Treatment Regulation also makes clear that organizations participating in programs funded

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by the DOJ are not permitted to discriminate in the provision of services on the basis of a beneficiary's religion. For more information on the regulation, please see the OCR's website at http://www.ojp.usdoj.gov/about/ocr/equal_fbo.htm.

Subrecipients of grants may still engage in inherently religious activities, but such activities must be separate in time or place from the Department of Justice funded program, and participation in such activities by individuals receiving services from the subrecipient must be voluntary. The Equal Treatment Regulation also makes clear that organizations participating in programs directly funded by the Department of Justice are not permitted to discriminate in the provision of services on the basis of a beneficiary's religion.

SAAAs and faith-based organizations should also note that the Omnibus Crime Control and Safe Streets Act (Safe Streets Act) of 1968, as amended, 42 U.S.C. § 3789d(c); the Victims of Crime Act of 1984, as amended, 42 U.S.C. § 10604(e); the Juvenile Justice and Delinquency Prevention Act of 1974, as amended, 42 U.S.C. § 5672(b); and VAWA, Pub. L. No. 113-4, sec. 3(b)(4), 127 Stat. 54, 61-62 (to be codified at 42 U.S.C. § 13925(b)(13)) contain prohibitions against discrimination on the basis of religion in employment. Despite these nondiscrimination provisions, the DOJ has concluded that it may construe the Religious Freedom Restoration Act (RFRA) on a case-by-case basis to permit some faith-based organizations to receive DOJ funds while taking into account religion when hiring staff, even if the statute that authorizes the funding program generally forbids recipient/subrecipients from considering religion in employment decisions.

Please consult with the OCR if you have any questions about the regulation or the application of RFRA to the statutes that prohibit discrimination in employment.

90. Using Arrest and Conviction Records in Making Employment Decisions

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The OCR issued an advisory document on the proper use of arrest and conviction records in making hiring decisions. See Advisory for Recipient of Financial Assistance from the U.S. Department of Justice on the U.S. Equal Employment Opportunity Commission's Enforcement Guidance: Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964 (June 2013), available at

http://www.ojp.usdoj.gov/about/ocr/pdfs/UseofConviction_Advisory.pdf.

Recipient/subrecipients should be mindful that the misuse of arrest or conviction records to screen either applicants for employment or employees for retention or promotion may have a disparate impact based on race or national origin, resulting in unlawful employment discrimination. In light of the Advisory, recipient/subrecipients should consult local counsel in reviewing their employment practices. If warranted, recipient/subrecipients should also incorporate an analysis of the use of arrest and conviction records in their Equal Employment Opportunity Plans (EEOs) (see below).

JAG-SPECIFIC CONDITIONS OF AWARD

JAG-DRUG TASK FORCE SPECIFIC CONDITIONS OF AWARD

DRUG TASK FORCE OPERATIONS' STANDARD CONDITIONS

NOTE: Other special conditions may apply, but at least these standard special conditions must be agreed to prior to commencement of drug task force activities.

1. Comply with standards of operations and best practices, including de-confliction and intelligence sharing, as set forth by the Kentucky Justice and Public Safety Cabinet (JPSC), Office of Drug Control Policy (ODCP).
2. Maintain on site a complete and up-to-date Policies and Procedures Manual for task force operations. The complete manual will establish policies to select cases to be investigated; allocate, focus, and manage project resources; provide

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oversight to project investigations; Manage and control confidential funds and evidence and informant files.

3. Maintain a current list of Advisory Group or Board of Directors on file with the JPSC, Grant Management Branch (GMB), representative of each agency participating in the project. This group or board must include a commonwealth/county attorney from subrecipient's service area.

4. Maintain current formal Intergovernmental Agreement(s) on file with GMB signed by participating agencies affirming their intent to participate fully in the management and operations of the project. The agreement must also be signed by the appropriate authorizing official.

5. Maintain, on site, proof each agent assigned to the task force is a sworn officer of a participating police agency. This condition will renew as officers leave or are replaced throughout the duration of the grant period.

6. The grantee agrees that within 120 days of award acceptance, each current member of a law enforcement task force funded with these funds who is a task force commander, agency executive, task force officer, or other task force member of equivalent rank, will complete required online (internet-based) task force training. Additionally, all future task force members are required to complete this training once during the life of this award, or once every four years if multiple awards include this requirement. The training is provided free of charge online through BJA's Center for Task Force Integrity and Leadership (www.ctfli.org). This training addresses task force effectiveness as well as other key issues including privacy and civil liberties/rights, task force performance measurement, personnel selection, and task force oversight and accountability. When BJA funding supports a task force, a task force personnel roster should be compiled and maintained, along with course completion certificates, by the subgrantee. The subgrantee also agrees to forward copies of all certificates of completion to their JAG Program Manager. Additional information is available regarding this required training and access method's

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via BJA's web site and the Center for Task Force Integrity and Leadership.

7. Sign and return a Confidential Funds Certification indicating the DTF Director has read, understands, and agrees to abide by all conditions pertaining to confidential funds as set forth in the current edition of the U.S. Department of Justice, Office of Justice Programs (OJP), Financial Guide, <http://www.ojp.usdoj.gov/financialguide/index.htm>.

8. Account for all income from asset seizures and forfeitures earned as a direct result of this grant award at the same ratio of federal participation as funded in the grant project per policies and time limits as stipulated in current GMB JAG Guidelines.

9. Participate in State Deconfliction efforts during the grant year.

10. Comply with special data collection requirements stipulated by OJP, ODCP, and GMB.

11. Participate in periodic site visits coordinated by ODCP and GMB.

Agency Specific Special Conditions:

12. Subgrantee shall increase the Number of Cases Initiated by twenty-five (25%) percent.

13. Subgrantee shall increase the Number of Cases Referred for State Prosecution by twenty-five (25%) percent.

14. Subgrantee shall increase the Number of Search Warrants Obtained by two hundred (200%) percent.

15. Subgrantee shall increase the Total Value of Violator Assets Seized by four hundred (400%) percent.

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16. Subgrantee shall comply with DRUG TASK FORCE OPERATIONS' STANDARD CONDITION #9.

Agency is required to report on the success of achieving said conditions on Quarterly Progress Reports. Failure to meet the conditions without adequate explanation will result in non-compliance.

Failure to comply in a timely manner with Financial/Program Reports, and agency specific special conditions will result in withdrawal of the grant award, effective immediately.

Additional Justice and Public Safety Cabinet Special Conditions:

1. The subrecipient shall comply with at all times with the federal and state constitutions; federal, state, and local law; federal and state executive orders; federal and state attorney general opinions; federal and state case law; Commonwealth of Kentucky Executive Department policy and procedures; Commonwealth Office of Technology policy and procedures; and Commonwealth policy and procedures. Subrecipient shall also comply with all applicable Commonwealth of Kentucky, Justice and Public Safety Cabinet, Office of Management and Administrative Services, Grants Management Branch policies and procedures unless a specific exemption has been granted by the Grants Management Branch to the Subrecipient.
2. The subrecipient shall report any and all acts and omissions constituting a violation of applicable federal, state, or local law; applicable Commonwealth policies and procedures; or this grant award to the Grants Management Branch in writing within one business day of the discovery of the violation.
3. To the extent permitted by law, the subrecipient agrees to indemnify and hold harmless the Commonwealth of Kentucky, Justice and Public Safety Cabinet, Office of Management and Administrative Services, Grants Management Branch against any and all claims, losses, demands, obligations, and litigation, including attorneys' fees, that result from or by: (1) services rendered by the

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subrecipient performing or supplying services in connection with performance of this award, (2) the erroneous or negligent acts of the subrecipient, its officers, or employees in the performance of this award, (3) the publication, translation, reproduction, delivery, performance, use, or disposition of any data processed under the contract in a manner not authorized by the contract, or by federal or Commonwealth regulations or statutes by the subrecipient, (4) any and all acts and omissions of the subrecipient, (5) the policies and procedures specifically involving all the subrecipient employment practices used by the subrecipient during the term of this award, and (6) any failure of the subrecipient, its officers, or employees to observe federal, state, and local laws, including but not limited to labor laws and minimum wage laws.

4. Subrecipient shall reimburse the Commonwealth for any grants or other funding lost as a direct result of Subrecipient's failure to comply with the requirements set forth by the terms of any grant of which the Commonwealth is the grantee that requires, explicitly or implicitly, Subrecipient to adhere to the terms and conditions, including but not limited to the special conditions, of the grant.

5. Subrecipient agrees that the Commonwealth, and its duly authorized agents and designees, shall have access to any books, documents, papers, records, or other evidence, which are directly pertinent to this grant award for the purpose of a financial audit or program review, including confidential and proprietary information. Subrecipient also recognizes that any and all books, documents, papers, records, or other evidence, received during a financial audit or program review shall be subject to the Kentucky Open Records Act, except to the extent that books, documents, papers, records, or other evidence is subject to KRS 61.878(1)(c)(1).

6. Subrecipient agrees that noncompliance with the terms and conditions within this award may result in the recoupment of awarded funds by GMB. Subrecipient also agrees that it will reimburse GMB for any grants or other funding lost as a direct result of subrecipient's failure to comply with the requirements of this or any other award.

7. At no point shall any subrecipient personnel be considered an employee of the Justice and Public Safety Cabinet, for any purpose, including but not

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limited to unemployment, taxes, withholding, health insurance, liability, retirement, workers' compensation, vacation, sick or other leave, the Family Medical Leave Act, accrued benefits, evaluations, or any other purpose. At all times, any such individual shall be considered and deemed to be an employee of the subrecipient.

8. Nothing in this award shall be construed, in any way, as granting to any individual providing services under this award any of the claims, privileges, or rights established or recognized under KRS Chapter 18A or KAR Title 101.

9. In no event shall any person or entity be deemed to be a third-party beneficiary of this award.

10. Subrecipient shall provide a contact to resolve any and all issues related to this award and promptly update the contact information as necessary.

11. All notices under this award shall be given in writing. Electronic mail constitutes a writing.

12. No change, waiver, or discharge of any liability or obligation under this award on any one or more occasions shall be deemed a waiver of performance of any continuing or other obligation, or shall prohibit enforcement of any obligation, on any other occasion.

13. No party shall assign its respective rights or obligations under this award. Any purported assignment or delegation in violation of this award is void.

14. The terms and conditions of this award may only be amended by mutual written consent of both parties to the extent permitted by the terms of GMB's award from USDOJ.

15. This award shall be construed and enforced in accordance with the laws of the Commonwealth of Kentucky and the United States of America.

16. The parties agree that any claim, action, or lawsuit arising under this award must be brought in Franklin Circuit Court in the Commonwealth of Kentucky or the Eastern District of Kentucky.

17. If any term or provision or any part of this award is declared invalid or unenforceable, the remainder of this award shall not be affected, and each term and provision of this award shall be valid and enforceable to the fullest extent permitted by the law.

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18. This award is the final and exclusive agreement between the parties. All prior agreements are superseded by this award.

**KENTUCKY JUSTICE AND PUBLIC SAFETY
CABINET
Grants Management Branch**

Grant No: 2017-JAG-LFUCG Stre-01160

Subgrantee: Lexington Fayette Urban County Government - S

Project Title: Lexington Street Sales Project

Grant Period: 7/1/2017 6/30/2018

Date of Award: 7/1/2018

STATEMENT OF ACTION GRANT AWARD

BUDGET

Federal Funds Awarded: \$75,000.00

Matching Contribution Provided By:

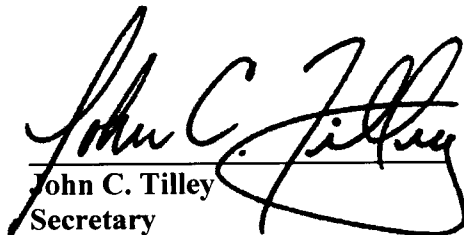
Subgrantee: \$8,334.00

Total: \$83,334.00

In Accordance with the provisions of the Anti-Drug Abuse Act of 1986, Public Law 99-570, as amended and on the basis of the federally approved application and budget, the Kentucky Justice and Public Safety Cabinet does hereby offer this grant award in the amount and for the time specified above.

This grant contract is subject to the liabilities and obligations specified in the grant application as well as the general and special conditions attached to it. It is also subject to further guidelines, regulations, and policies as may be reasonably prescribed by the U. S. Department of Justice, Bureau of Justice Assistance, Anti-Drug Abuse Act of 1986, and the Kentucky Justice and Public Safety Cabinet, consistent with the purposes and authorizations of Public Law 99-570.

In order to legally accept this award and grant contract, the authorized official of the subgrantee must execute this acceptance of grant award and immediately return the original to the Kentucky Justice and Public Safety Cabinet, Grants Management Branch.


John C. Tilley
Secretary

Recipient/Subrecipient Acceptance of Award Conditions:

I have read and agree to comply with the foregoing conditions of award as set forth herein.

Authorized Official
(Mayor, County Judge, Chief Executive of State Agency
or Designee from contact page)

 9-Aug-2018
Date

CONFIDENTIAL FUNDS CERTIFICATION

This is to certify that I have read, understand, and agree to abide by all of the conditions for confidential funds as set forth in the effective edition of the U.S. Department of Justice, Office of Justice Programs, and Financial Guide.

Signature: Jim Gray Date: 9-Aug-2018