




United States Department of the Interior
OFFICE OF THE SECRETARY
Washington, D.C. 20240

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CIVIL RIGHTS DIRECTIVE 2011-02

To: Bureau and Office Heads

From: Sharon D. Eller 
Director, Office of Civil Rights

Subject: Public Civil Rights Compliance Reviews

Purpose. The purpose of this Directive is to convey bureau responsibilities and establish standards to ensure effectiveness and consistency by the Department of the Interior (Department) bureaus and offices for conducting compliance reviews of recipients and of sub-recipients of federal financial assistance, federally conducted programs, and all state and local entities, under authority of the Americans with Disabilities Act (ADA), whether or not such state and local entities receive federal financial assistance. Such reviews are to be conducted based on the various public civil rights authorities as identified in this Directive.

Policy. The Department is obligated to provide direction and guidance while implementing federal public civil rights laws and regulations prohibiting discrimination in programs, activities, and services conducted by the Department, or on behalf of the Department, by recipients of federal financial assistance. The primary focus of the Department's Public Civil Rights (PCR) Program is to ensure that visitors and participants of federally conducted and federally assisted programs are provided access and services in a non-discriminatory manner. The Department must ensure that no person is subjected to discrimination based on race, color, national origin, gender, disability, religion, sexual orientation, or status as a parent. Federal regulations require periodic compliance reviews. The Department and bureaus shall conduct compliance reviews to ensure that policies and procedures are being implemented.

Scope. This Directive establishes a Department-wide guidance to ensure regular compliance reviews and outlines the types of reviews necessary to effectuate an evaluation of any departmental federally conducted, federally assisted, and/or ADA program.

Authorities. 28 Code of Federal Regulation (CFR) Part 42, Subpart F designates the Department of Justice (DOJ) as lead agency in providing guidance on non-discrimination in federally assisted programs to other departments. 43 CFR Part 17 provides the Department's PCR regulatory requirements for Title VI, Age Discrimination Act of 1975, Section 504 of Rehabilitation Act, as amended, federally conducted and federally assisted programs. The

Departmental Manual at 205 DM 17 provides for the delegation of authority to all bureaus for the processing of civil rights complaints, conducting investigations and compliance reviews, and providing technical assistance and training in covered program areas under their jurisdiction with appropriate oversight by the Director, Office of Civil Rights. DOJ at Title 28 CFR Section 42.407 provides that agencies shall conduct the following types of compliance reviews:

A. Pre-award review. Prior to approval of federal financial assistance, the federal agency shall make written determination as to whether the applicant is in compliance with Title VI and other authorities, which the Department enforces [see 28 CFR 50.3(c) II A]. The basis for such a determination under "the agency's own investigation" provision [see 28 CFR 50.3(c) II A(2)] shall be submission of an assurance of compliance and a review of the data submitted by the applicant. Where a determination cannot be made from this data, the bureau shall require the submission of necessary additional information and shall take other steps necessary for making the determination. Such other steps may include, for example, communicating with local government officials or minority group organizations and field reviews.

B. Post-award review. Bureaus shall establish and maintain an effective program of post-award compliance reviews regarding approved new applications (see 28 CFR 50.3(c) II A), applications for continuation or renewal of assistance (28 CFR 50.3(c) II B), and all other federally assisted programs. Such reviews are to include periodic submission of compliance reports by recipients to the bureaus, and, where appropriate, field reviews of a representative number of major recipients. In carrying out this program, bureau personnel shall follow this departmental and any bureau specific guidance that establish appropriate review procedures and standards of evaluation.

The results of post-approval reviews shall be committed to writing and shall include specific findings of fact and recommendations. A determination of the compliance status of the recipient or federally conducted program reviewed shall be made as promptly as possible, usually within 30 days unless extenuating circumstances are encountered. The only federally conducted program covered by public civil rights regards access for individuals with disabilities and is covered under the authority of Section 504 of the Rehabilitation Act of 1973, as amended. While the Department's 504 federally conducted regulations do not specifically require compliance reviews as Title VI and DOJ require for federally assisted, the Department is mandated to ensure that the general prohibitions against discrimination in 43 CFR 17.530 are followed by Department officials. Therefore compliance reviews of federally conducted programs are necessary for compliance accountability.

C. Enforcement. The Office of Civil Rights enforces laws prohibiting discrimination in federally conducted programs, activities, and services, those receiving federal financial assistance, and those state and local entities covered by the ADA, whether or not receiving federal assistance. The Department has delegated to the bureaus enforcement of various civil rights laws. The enforcement authorities are as follows:

- (1) Civil Rights Act of 1964, Title VI (Pub. L. 88-352; 78 Stat. 241; 42 U.S.C. 2000d

2000d-4) prohibits discrimination based on race, color, or national origin in programs, activities, or services receiving federal financial assistance.

(2) Architectural Barriers Act (ABA) of 1968 (Pub. L. 90-480; 42 U.S.C. 4151 *et seq.*) ensures that certain buildings financed with federal funds are so designed and constructed to be accessible to the physically disabled by establishing accessibility standards under Section 2.

(3) Section 504 of the Rehabilitation Act of 1973 (Pub. L. 93-112; 87 Stat. 394; 29 U.S.C. 794) as amended by the Rehabilitation Act Amendments of 1974 (Pub. L. 93-516; 88 Stat. 1617) and the Rehabilitation, Comprehensive Service, and Developmental Disabilities Act of 1978 (Pub. L. 95-602; 92 Stat. 2955; 29 U.S.C. 700 *et seq.*) prohibits discrimination based on disability in federally assisted and conducted programs, services, and activities.

(4) Section 508 of the Rehabilitation Act of 1973 (29 U.S.C. 794d) as amended by the Workforce Investment Act of 1998 (Pub. L. 105-220; 112 Stat. 936) Section 508 requires Federal departments and agencies that develop, procure, maintain, or use electronic and information technology to ensure that federal employees and members of the public with disabilities have access to and use of information and data, comparable to that of the employees and members of the public without disabilities.

(5) Education Amendments of 1972, Title IX (Pub. L. 92-318; 86 Stat. 235; 373) as amended by Pub. L. 93-568, 88 Stat. 1855 (except sections 904 and 906 of those Amendments) is designed to eliminate (with certain exceptions) discrimination on the basis of sex in any education program or activity receiving federal financial assistance, whether or not such program or activity is offered or sponsored by an educational institution.

(6) Age Discrimination Act of 1975, as amended, (Pub. L. 94-135, Title III; 42 U.S.C. 6101 *et seq.*) prohibits discrimination based on age in programs, services, and activities receiving federal financial assistance.

(7) Civil Rights Restoration Act of 1987 (Pub. L. 100-259; 102 Stat. 28) as amended by Civil Rights Restoration Act of 1991 (Pub. L. 102-166; 205 DM 17) to overturn the Supreme Court's 1984 decision in *Grove City College v. Bell*, and to restore the effectiveness and vitality of the four major federal civil rights laws that prohibit discrimination in programs, services, and activities receiving federal financial assistance. For civil rights coverage purposes, the law broadly defines the terms "program" or "activity."

(8) Telecommunications Accessibility Enhancement Act of 1988 (Pub. L. 100-542; 102 Stat. 2721) expands our national telecommunications system for the benefit of the hearing-impaired and speech-impaired populations, and provides for GSA coordinated relay services.

(9) Americans with Disabilities Act of 1990 (Pub. L. 101-336) with DOJ regulations at 28 CFR 35, including published revisions taking effect March 15, 2011 with revised 2010 design standards taking effect March 15, 2012. Title II of the ADA, prohibits discrimination on the basis of disability in State or local government programs, services, and activities whether or not they receive federal financial assistance.

(10) Executive Order (EO) 12898, *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations* identifies as discrimination, program actions taken, which adversely affect the health and environment of minority populations (eco-systems, human health, pollution and noise, historic/religious environmental effects). The EO provides coverage for federally conducted programs, services, and activities and notes that the same duties are relevant to federal financial assistance programs, services, and activities covered under Title VI of the Civil Rights Act of 1964.

(11) EO 13160, *Nondiscrimination on the Basis of Race, Color, National Origin Disability, Religion, Age, Sexual Orientation and Status as a Parent in Federally Conducted Education and Training Programs* ensures equal opportunity in government educational programs, services and activities.

(12) EO 13166, *Improving Access to Services for Persons with Limited English Proficiency* improves access to federally conducted and federally assisted programs under Title VI and activities for individuals who, as a result of national origin, are limited in their English proficiency.

(13) 41 CFR Parts 102-76.60, .65, .70, .75, .80, .85, .90, .95 are General Service Administration (GSA) Accessibility Standards in which GSA adopts Appendices C and D to 36 CFR Part 1191 (ABA Chapters 1 and 2, and Chapters 3 through 10) as the Architectural Barriers Act Accessibility Standard (ABAAS).

Bureau Responsibilities. With respect to the various PCR authorities it administers, each bureau has the responsibility to ensure that the objectives of the Department's PCR Program, the regulations of the Department, and the regulations of DOJ at 28 CFR Part 42, Subpart F are achieved.

A. The Bureau's office with PCR Program responsibility shall:

(1) Provide and maintain sufficient staff and resources to implement a PCR Program as outlined in Civil Rights Directive 2009-01, *Policy for Implementing a Public Civil Rights Program*;

(2) Maintain and provide an annual list of federally assisted grant programs (e.g. Land and Water Conservation Fund and Historic Preservation Fund) and federally conducted program sites (e.g. parks, recreation areas, visitor centers) of the Department;

(3) Provide guidance, training, and technical assistance to recipients and sub-recipients receiving federal financial assistance from the bureau;

(4) Conduct annual pre-award reviews of applicants for federal assistance to ensure that signed assurances of non-discrimination are provided along with other information to evaluate compliance and consistency with the bureaus' PCR Program;

(5) Conduct annual post-award compliance review of one or more selected recipients

and compliance reviews of one or more federally conducted programs; and

(6) The bureau EEO Office staff, Office of Civil Rights staff, or trained grants staff and/or other staff involved in monitoring funds will conduct and provide oversight for the compliance reviews it performs.

(7) Ensure that federal agency staff determinations regarding compliance reviews shall be made by, or be subject to the review of, the agency's Civil Rights Office per DOJ 28 CFR Part 42.407.

Types of Compliance Reviews. A civil rights compliance review is an examination of the policies and practices of a recipient. The purpose of the civil rights compliance review is to determine whether or not a recipient is complying with civil rights laws and related requirements. The scope of the review must include all aspects of the recipient's operations.

A. Pre-Award Review. A pre-award review is an assessment of a federal assistance applicant's compliance posture prior to an award of federal assistance. This review may be either on-site and/or accomplished through a desk audit by the bureau EEO Office staff, Office of Civil Rights staff, grants staff or other trained staff.

B. Post-Award Review. A post-award review is an assessment of a recipients and sub-recipient's civil rights compliance posture after receipt of federal assistance. This review may be either on-site and/or accomplished through a desk audit. Post-award reviews are conducted on a periodic basis. These reviews are more comprehensive than the pre-award review.

C. On-site Pre or Post Award Review. The on-site pre or post review, provides the reviewer with a greater opportunity to assess compliance on a more objective basis. The bureau observes policies and practices in action rather than through interpretations of others. It also affords the bureau an opportunity to accomplish community based contacts or interviews with actual and potential beneficiaries, including persons from different racial backgrounds, persons with disabilities, and local organizations representing the same.

D. Desk Audit Pre or Post Award Review. A desk audit review is an off-site assessment of a recipients and sub-recipients policies and practices regarding compliance with civil rights requirements. Desk audits are accomplished by requesting written policy documents and other information from the recipient, and through telephone interviews with selected individuals. This may also include photographs and/or video/DVD.

E. Follow-up Pre or Post Award Review. The follow-up pre or post review is a subsequent examination of specific aspects of a recipient's program to determine whether or not the recipient has resolved outstanding conditions of non-compliance uncovered in previous reviews. Timetables and deadlines must be established with recipients and sub-recipients for follow-up reviews.

F. Unannounced Pre or Post Award Review. An unannounced pre or post review, is a

review with no prior notification to the program officials of the site to be reviewed. Unannounced reviews shall be minimal as they can put the recipient on guard which may lead to little to no cooperation. Unannounced pre or post reviews are useful and less obtrusive when reviewing a few sites within a short period of time. If an unannounced review is to be conducted, the review may be completely unannounced or announced by selecting a range of dates e.g., August 1 through August 29.

Compliance Review Process. The review process outlined herein provides bureaus detailed information on the steps necessary to perform a comprehensive assessment of a recipient's civil rights compliance posture.

A. Selecting Recipients for Review. The first step in conducting a compliance review is to select the recipient to be reviewed. There must be a consistent basis for conducting the compliance review, for example:

- (1) a recipient has never been formally reviewed;
- (2) evidence that a problem exists;
- (3) frequency of complaints or due to a specific complaint;
- (4) frequency of past compliance reviews;
- (5) compliance information from previous reviews;
- (6) size of the federally assisted program; and/or
- (7) amount and type of federal assistance provided to the recipient.

B. Pre-review Preparation. The bureaus shall begin preparing for the review in advance. This is necessary to establish and coordinate a compatible review schedule with the recipient. Pre-review preparation shall include:

- (1) consulting with other Federal agencies, providing assistance to entities targeted for review, including appropriate department, bureaus, and offices that may have completed a recent civil rights compliance review of the same recipient (e.g., the Fish and Wildlife Service and the National Park Service provide assistance to many of the same recipients);¹
- (2) analyzing previous federal civil rights compliance reviews of recipient;
- (3) reviewing of all civil rights complaints against the recipient or the federally

¹ The bureau must check with those bureaus it believes may have provided assistance to the same State or local bureau and request information concerning the most recent civil rights compliance review. If another bureau has completed a review, the bureau must note the name of the bureau, and date of review or request a copy of the compliance review report for review purposes. Unless there is a compliance violation affecting the recipient's operations or the other review was incomplete, the bureau shall not perform another such review within the same year. The bureaus are requested to coordinate and cooperate with one another in order to avoid duplication.

conducted program and the disposition of those complaints;

(4) assessing statistical data (i.e. demographics for protected classes, types of programs and locations) relative to program participation;

(5) developing a review plan with schedules and deadlines, questions to be asked, and an inventory of documents needed for the review; and

(6) notifying the recipient and others to be interviewed.

C. Issuance of Notification Letter. Approximately sixty (60) days in advance of the scheduled review, a request for a primary contact person must be sent to the recipient advising them their program(s) will be reviewed for compliance. Recipients selected for review must be informed by letter, the date and the manner in which the review will be conducted. The notification letter must include the following:

(1) reason and the authority for conducting the review including reference to the respective departmental assistance programs and the nature of the review;

(2) purpose and the scope of the review highlighting issues to be covered;

(3) a specific request for any information that the recipient is to submit to the reviewing authority prior to the review, specifying format and deadlines for submission, and a list of documents available for on-site inspection of records;

(4) a request for a suitable location to interview appropriate recipient officials and community contacts; and

(5) date(s) of the on-site review and/or desk audit.

D. Conducting the Entrance Conference. Bureaus must schedule an entrance conference with the recipient's executive officer or designee. The executive officer or designee must be provided with an overview of the civil rights compliance review process. During the entrance conference the following must be covered:

(1) purpose and scope of the impending compliance review;

(2) confirm interview schedules, facilities to be inspected, and information and data collected and examined;

(3) recipient shall be notified of the possibility of additional interviews, information collection, and subsequent onsite visits; and

(4) date, time, and place for the closing or exit conference.

E. Collecting and Analyzing Recipient Records.² Various kinds of information and records must be collected and reviewed during the course of the review. This includes, but is not limited to, the following:

- (1) program participation records;
- (2) copies of civil rights assurances;
- (3) program materials such as flyers, brochures, posters, and newsletters that describe program availability;
- (4) training materials;
- (5) personnel policies (relative to 504 & the ADA only) and organization charts;
- (6) section 504 self-evaluations and transition plans; and
- (7) other pertinent information as applicable (See Appendix A for Compliance Checklist information).

F. Conducting Interviews with Recipient and Community Contacts. Interviews are an integral part of the compliance review process in corroborating information obtained from the recipient records. Interviews must include recipient employees, actual and potential program beneficiaries, and community contacts from various racial and ethnic groups, people with disabilities, and organizations representing the same. When conducting interviews, the following steps must be adhered to:

- (1) Carefully selecting the persons to be interviewed by taking into consideration the information the interviewee may provide regarding the recipient's programs and operations;
- (2) Identifying needed information in advance by preparing questions designed to secure such information from each person interviewed;
- (3) Identifying yourself and explaining the purpose and scope of the interview;
- (4) Noting the identity, by address and relationship, which the interviewee has with the recipient;
- (5) Conducting the interview in private. The bureaus must inform the interviewee that anything said will be documented for the record, and state the information collected will be kept confidential unless it must be used in an enforcement proceeding;
- (6) Noting opinions, general impressions, and reactions, during the course of the

² Agency regulations provide legal authority to require recipients to provide access to records and sources of information necessary to determine whether the recipient is in compliance with Title VI and other nondiscrimination statutes enforced by agencies. Department regulations 43 CFR Part 17.5 give the bureaus the authority to ask recipients for records and information.

interview identifying them as such;

(7) If the interviewee has made any allegations that imply non-compliance or violations on the part of the recipient, reviewing those statements and seek clarification, confirmation, and supportive data;

(8) Avoid giving assurances of possible corrective actions to persons interviewed;

(9) Providing the interviewee with an address or contact point to provide additional information;

(10) Ensuring that written notes are made of all telephone and personal interviews. Audio\videotaping is allowed with the interviewee's written consent; and

(11) Determining the adequacy of the information given by the interviewee.

G. Random Site Inspections. The bureau's personal inspection of randomly selected program sites provide an opportunity for a more objective view of a recipient's compliance, for example, to see staff at work, the racial and ethnic make-up of participants and service areas, specific program brochures, posted civil rights notification statements, structural and non-structural accessibility. (See Appendix B for Site Inspection Checklist) The degree of maintenance allows the bureau firsthand knowledge of possible compliance problems.

The recipient can show the bureau certain "gems" within its operation. The bureau shall accept this opportunity to inspect these sites or projects independently of the recipient officials. Individual site inspections are time consuming and no paper review can replace an actual on-site inspection for an accurate determination of a recipient's compliance. Site inspections allow further opportunities for technical assistance and education of the recipient about related civil rights requirements. Below are elements of the random review:

(1) Six to eight recipient program sites of various types shall be selected at random;

(2) The recipient must advise all staff of the bureau's visit by the bureau staff;

(3) Compliance with all of the various civil rights requirements must be reviewed at each site; and

(4) The bureau must take pictures, where necessary, to accurately document disparate or inaccessible conditions.

H. Conducting the Closing Conference. During the closing conference bureau must cover the following:

(1) Reiterate the purpose and scope of the review. Inform the recipient of how the review was conducted and the records that were examined;

(2) Report findings discovered during the review from either working papers or a preliminary report. The compliance review report must clearly inform the recipient that findings may be further evaluated for inclusion or exclusion in the final report;

(3) Extreme care shall be exercised so that sources of information are not disclosed to the recipient;

(4) Allow the recipient to comment or produce information that may be relevant to the findings and note any comments or explanations, and accept, for the record, any documentation provided;

(5) Make an assessment with the recipient of the possibility of achieving voluntary compliance;

(6) Explain that findings will be outlined in a final report to be sent to respondent within 45 days; and

(7) Inform the recipient of its reporting obligations. The recipient must respond in writing, within 45 days from receipt of the report, to the reviewing authority on actions taken and planned along with timeframes to correct any compliance violations. Any other disagreement must be presented and discussed at this time.

I. Reporting Format. When developing compliance review reports, letters of finding and close-out letters, bureaus must apply the following principles:

(1) Brief introduction with a clear explanation of the purpose and scope of the review and the jurisdictional authority for the review;

(2) The dates of the review and a brief summary of the results;

(3) Name and address of respondent representative;

(4) Name and address of bureau's reviewer;

(5) Deadline for recipient response to review report conclusions and recommendations;

(6) Analysis of the information reviewed including:

(a) A clear and concise description and discussion of each condition of non-compliance;

(b) Referencing pertinent program data and information without revealing confidential sources;

(c) Demonstrate clear interrelationship between the data and the analysis;

- (d) A discussion of all disputed facts and possible resolutions;
- (e) Attached copies of exhibits and photographs and must be identified as to the general source;
- (f) Recommendations for correcting conditions of non-compliance;
- (g) Establish recommendations that have clear relevance to the conclusions;
- (h) Propose corrective actions for remedying compliance violations; and
- (i) Identify those areas that need further study.

Records Retention. Records will be maintained by office that performs the review. The Department's Privacy Act system of records notice, as related to public civil rights compliance reviews, provides that records are retained and disposed of in compliance with the National Archives and Records Administration's General Records Schedule No. 1.

Instructional Materials and Directives. The Office of Civil Rights will prepare and disseminate, with the Department and to the Bureau Civil Rights Offices, directives, manuals, policies and other instructional documents as necessary to implement the provision of this policy.

Distribution: All Bureau/Office Equal Opportunity Officers

Inquiries: Carroll J. Andre, Chief, Public Civil Rights Division
Departmental Office of Civil Rights

Expiration: When superseded.

Appendix A

Compliance Checklist

Review of the areas listed below of a recipient/sub-recipient program will provide insight in complying with civil rights requirements.

- A. Assurances – Standard Form 424B or Standard Form 424D with each grant application.
- B. Agency Organization Chart - 504/Americans with Disabilities Act (ADA) Access Coordinator.
- C. Agency Financial Budget.
- D. Personnel Practices - Job descriptions, hiring, retention, and promotional practices, grievance process.
- E. Prior Complaints and Resolutions.
- F. Latest Demographic Information.
- G. Notification of Non-discrimination Policy: Brochures, posters, signs, job announcements.
- H. 504/ADA Self-evaluation - List of involved persons with disabilities, evaluation of structural and non-structural access.
- I. 504/ADA Transition Plan - Responsible person for ensuring structural barriers are removed.
- J. Advisory Board Policy.
- K. Volunteer Policy.
- L. List of Programs and Sites.
- M. Historic Preservation Programs - Advisory comment process followed for accessibility.
- N. Fee Structures.
- O. Program Admission Standards.
- P. Civil Rights Training - Staff and Volunteers.

Site Inspection Checklist

Review of the information listed below of a recipient/sub-recipient program will provide insight in complying with civil rights requirements.

- A. Observe type of facilities and programs for the various age groups.
- B. Observe staff to staff and staff to participant interaction.
- C. Observe maintenance of facilities.
- D. Observe employee bulletin board.
- E. Observe activities in progress.
- F. Observe site notifications regarding non-discrimination policy.
- G. Observe site notifications regarding parking, access routes, entrances, restrooms, water fountains, assembly areas, assistive devices, etc.
- H. Observe structural access (anything fastened down or part of the architectural structure of the building) and note those features not in compliance with the appropriate design standard.
- I. Observe non-structural access (primarily effective communication) and note those things not in compliance with accessibility requirements.
- J. Obtain language access plan, and policies which demonstrate that persons with limited English proficiency are given equal access to programs.
- O. Review sample environmental impact statements or environmental assessments to ensure that the input from minority and low income communities was included in these documents.
- P. Review recipient environmental policies to ensure that minority and low income communities are not targeted for a disproportionate amount of environmental pollutants or toxins.

ASSURANCES - NON-CONSTRUCTION PROGRAMS

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0040), Washington, DC 20503.

PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

NOTE: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the awarding agency. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project cost) to ensure proper planning, management and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and, (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.
7. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
8. Will comply, as applicable, with provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327-333), regarding labor standards for federally-assisted construction subagreements.
10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
11. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).
12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
13. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq.).
14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.
15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. §§2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.
16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations."
18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.

<p>* SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL</p> <p>Completed on submission to Grants.gov</p>	<p>* TITLE</p> <p>[REDACTED]</p>
<p>* APPLICANT ORGANIZATION</p> <p>[REDACTED]</p>	<p>* DATE SUBMITTED</p> <p>Completed on submission to Grants.gov</p>