

## **FY 2015 Drug-Free Communities Mentoring (DFC-M) Program New Terms and Conditions**

### **PROGRAM OVERVIEW**

The purpose of the Drug-Free Communities Mentoring (DFC-M) Program is, through the assistance and expertise of existing DFC recipients, to encourage the development of new, self-supporting community coalitions that are focused on the prevention of youth substance use. Through the Implementation of appropriate training and technical assistance, it is the intent of the DFC Mentoring (DFC-M) Program to bolster newer coalitions and move them onto becoming DFC recipients in the near future.

While responsibility rests with the recipient for achieving the primary goals of the program, SAMHSA shall monitor and provide continuing technical assistance, consultation, and coordination in the implementation of the project during the funding period. You can find additional details about the support available to you as a recipient on the program's website at <http://www.whitehouse.gov/ondcp/Drug-Free-Communities-Support-Program>.

In addition to these Terms and Conditions and the applicable statutes and regulations, recipients are bound by the Health and Human Services (HHS) Grants Policy Statement, which can be accessed through <http://www.samhsa.gov/grants/grants-management/policies-regulations/hhs-grants-policy-statement> and all requirements in the FY 2015 Program Announcement for the DFC Mentoring Program is available at <http://www.samhsa.gov/grants/grant-announcements/sp-15-002>.

### **TERMS AND CONDITIONS OF AWARD**

Failure to comply with the Terms and Conditions of the award may result in financial drawdown restrictions on your Payment Management System account or denial of funding in the future as outlined in the following section. Sub-recipients and contractors under grants are subject to the requirements of the cost principles otherwise applicable to their type of organization and to any requirements placed on them by the recipient to be able to comply with the terms and conditions of the award. Please refer to the HHS Grants Policy Statement available at <http://www.samhsa.gov/grants/grants-management/policies-regulations/hhs-grants-policy-statement> for detailed information.

### **PROGRESSIVE DISCIPLINE AND APPEALS PROCESS**

If for any reason you do not comply with the applicable terms, conditions, rules and regulations for the DFC-M Program, your grant will be subject to the Progressive Discipline and Appeals Process developed by ONDCP and SAMHSA. There are three progressive discipline actions that can be taken: 1) High Risk status, 2) Suspension, and 3) Termination, if applicable. Failure to comply with special Terms and Conditions may also result in a financial drawdown restriction on your Payment Management System account or denial of funding in the future.

An overview of this plan and the complete explanation and procedures are posted on the Drug-Free Communities Support Program website at: <http://www.whitehouse.gov/ondcp/Drug-Free-Communities-Support-Program>.

### **ROLES AND RESPONSIBILITIES OF THE RECIPIENT**

For the purposes of the DFC-M Program, a "recipient" is either a coalition that has received a grant or is an outside agent that is serving as the recipient on behalf of a community. The following Statutory Eligibility Requirements **must** be met each year while the coalition is funded by the DFC Mentoring Program. Failure to meet one of these requirements is considered non-compliance with grant regulations (see Progressive Discipline and Appeals Process).

Statutory Eligibility Requirements for DFC-funded coalitions (if you are the recipient for a separate coalition, you are still responsible for ensuring all eligibility criteria are met by the coalition):

- The Mentor coalition **must** maintain that it has been in existence for at least five (5) years.
- The Mentor coalition **must** be in compliance with all requirements of their existing DFC grant for the previous year and remain in good standing for the full duration of the Mentoring grant.
- The Mentor coalition **must** continue to document achievable results in the prevention of youth substance use.
- The Mentor coalition **must** have at least one staff person, as well as sector volunteers willing to serve as mentors to the Mentee community/coalition.
- The Mentee coalition **must** not have received a DFC grant in the past year.
- The Mentor coalition may request up to \$75,000 from the DFC Mentoring Program.
- The Mentor coalition **must** demonstrate a minimum of a one-to-one match in non-Federal funds, which are not identified as match on their DFC grant.

Other Requirements for all DFC-M Recipients (coalitions or outside agents):

- The recipient **must** continue to implement the Action and/or Mentoring Plan outlined in the approved application for DFC funding.
- The “key” personnel (Program Director/Project Coordinator) of the DFC-funded coalition **must** participate in the DFC *Me* system (<https://dfcme.ondcp.eop.gov/>), so that he/she receives information from the DFC Staff on a timely basis (see Special Term #8 below for more details).
- The recipient **must** send the Grants Management Officer (GMO) and Government Project Officer (GPO) copies of all training and technical assistance related contracts and/or other documents produced as a result of participation in any training and/or technical assistance resulting directly from the expenditure of DFC grant funds, including but not limited to assessment/planning/implementation documents, evaluation agreements and documents and attendance at conferences, workshops, etc.
- The Mentor and Mentee coalitions **must** use the Strategic Prevention Framework (SPF), a five-step evidence based process for community planning and decision making.

### **RESTRICTIONS ON RECIPIENT LOBBYING**

(c) Title 18 > Part I > Chapter 93 > Section 1913: No part of the money appropriated by any enactment of Congress shall, in the absence of express authorization by Congress, be used directly or indirectly to pay for any personal service, advertisement, telegram, telephone, letter, printed or written matter, or other device, intended or designed to influence in any manner a Member of Congress, a jurisdiction, or an official of any government, to favor, adopt, or oppose, by vote or otherwise, any legislation, law, ratification, policy, or appropriation, whether before or after the introduction of any bill, measure, or resolution proposing such legislation, law, ratification, policy, or appropriation; but this shall not prevent officers or employees of the United States or of its departments or agencies from communicating to any such Member or official, at his/her request, or to Congress or such official, through the proper official channels, requests for any legislation, law, ratification, policy, or appropriations which they deem necessary for the efficient conduct of the public business, or from making any communication whose prohibition by this section might, in the opinion of the Attorney General, violate the Constitution or interfere with the conduct of foreign policy, counter-intelligence, intelligence, or national security activities. Violations of this section shall constitute as a violation of section 1352 (a) of title 31.

### **SPECIAL TERMS OF AWARD**

1. The recipient **must** receive and expend non-Federal matching funds as required in the Program Announcement. In-kind support (i.e., donations, volunteer time, etc.) may also be used to satisfy the match requirement.

2. The recipient **must** assist the Mentee(s) coalition in learning about the requirements of the DFC National Evaluation. The Mentee coalition is encouraged, but not required, to report the following data at least once during the two-year grant cycle to include alcohol, tobacco, marijuana, and prescription drugs for three grades (6th-12<sup>th</sup>) with a recommended combination of at least one middle school grade and at least one high school grade:
  1. Past 30-day use
  2. Perception of risk or harm
  3. Perception of parental disapproval of use
  4. Perception of peer disapproval of use
3. When requested, the recipient **must** develop a corrective action plan and complete the approved plan within the designated timeframe. The corrective action plan **must** be designed to address identified deficiencies in performance and/or in the conditions contributing or causing the identified unsatisfactory performance.
4. Recipients are required to adhere to all the sections of the Roles and Responsibilities of recipients as outlined in earlier sections of the Notice of Award (NoA).
5. The recipient **must** continue to meet the Statutory Eligibility Requirements, as required by the original Request for Applications and the Drug-Free Communities Act during each year of funding.
6. The recipient may only mentor each mentee community coalition for a maximum of two years.
7. Request to carryover funds from one fiscal year to another are due to the GMO by the first Monday in February. All such requests **must** include a copy of the coalition meeting minutes showing coalition approval of the request.
8. The “key” personnel (Program Director/Project Coordinator) of the DFC-funded coalition **must** participate in the DFC *Me* system (<https://dfcme.ondcp.eop.gov/>), so that he/she receives information from the DFC staff on a regular basis. This includes submitting the lead paid staff's contact information, as well as the contact information of one member from each of the required 12 sectors. The lead paid staff should discuss the use of The DFC *Me* system with sector members chosen to represent each sector, so that they understand their role in distribution of information sent to them. Information sent to specific sectors will always be sent to the “key” personnel.
9. The DUNS number recipients use on their application **must** be registered and active in the System for Award Management (SAM) which can be accessed at <https://www.sam.gov>. Recipients **must** update their SAM information at least every 12 months to maintain an active account.

## STANDARD TERMS OF AWARD

1. **As required by the Federal Funding Accountability and Transparency Act of 2006**, this new award is subject to the subaward and executive compensation reporting requirement of 2 CFR Part 170. Although the full text of this regulation is attached, you may access the language online at <https://www.fsr.gov/>.

The following SAMHSA Term of Award is applicable to all (Type 1) new SAMHSA grants which start on or after Oct. 1, 2010. At this time, Type 2s (competing renewals) and Type 3s (competing supplements) are not included, but may be subject to this requirement in the future:

1. Reporting Subawards and Executive Compensation

1. *Reporting of first-tier subawards.*

2. *Applicability.* Unless you are exempt as provided in paragraph d. of this award term, you **must** report each action that obligates \$25,000 or more in Federal funds that does not include Recovery funds (as defined in section 1512(a)(2) of the American Recovery and Reinvestment Act of 2009, Pub. L. 111-5) for a subaward to an entity (see definitions in paragraph e. of this award term).

2. *Where and when to report.*

i. You **must** report each obligating action described in paragraph a.1. of this award term to <http://www.fsr.gov>.

ii. For subaward information, report no later than the end of the month following the month in which the obligation was made. (For example, if the obligation was made on November 7, 2010, the obligation **must** be reported by no later than December 31, 2010.)

3. *What to report.* You **must** report the information about each obligating action that the submission instructions posted at <http://www.fsr.gov> specify.

a) *Reporting Total Compensation of Recipient Executives.*

1. *Applicability and what to report.* You **must** report total compensation for each of your five most highly compensated executives for the preceding completed fiscal year, if-

I. the total Federal funding authorized to date under this award is \$25,000 or more;

II. in the preceding fiscal year, you received-

A. 80 percent or more of your annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and

B. \$25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and

C. The public does not have access to information about the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986. (To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at <http://www.sec.gov/answers/execomp.htm>.)

2. *Where and when to report.* You **must** report executive total compensation described in paragraph b.1. of this award term:

i. As part of your registration profile, you **must** access the System for Award Management (SAM) at: <https://www.sam.gov/portal/public/SAM/>.

ii. By the end of the month following the month in which this award is made, and annually thereafter.

*c. Reporting of Total Compensation of Subrecipient Executives.*

1. *Applicability and what to report.* Unless you are exempt as provided in paragraph d. of this award term, for each first-tier subrecipient under this award, you shall report the names and total compensation of each of the subrecipient's five most highly compensated executives for the subrecipient's preceding completed fiscal year, if-

i. in the subrecipient's preceding fiscal year, the subrecipient received-

(A) 80 percent or more of its annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and

(B) \$25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts), and Federal financial assistance subject to the Transparency Act (and subawards); and

ii. The public does not have access to information about the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986. (To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at <http://www.sec.gov/answers/execomp.htm>.)

2. *Where and when to report.* You **must** report subrecipient executive total compensation described in paragraph c.1. of this award term:

i. To the recipient.

ii. By the end of the month following the month during which you make the subaward. For example, if a subaward is obligated on any date during the month of October of a given year (i.e., between October 1 and 31), you **must** report any required compensation information of the subrecipient by November 30 of that year.

*d. Exemptions*

If, in the previous tax year, you had gross income, from all sources, under \$300,000, you are exempt from the requirements to report:

i. Subawards,

and

ii. The total compensation of the five most highly compensated executives of any subrecipient.

*e. Definitions.* For purposes of this award term:

1. *Entity* means all of the following, as defined in 2 CFR part 25:
  - i. A Governmental organization, which is a State, local government, or Indian tribe;
  - ii. A foreign public entity;
  - iii. A domestic or foreign nonprofit organization;
  - iv. A domestic or foreign for-profit organization;
  - v. A Federal agency, but only as a subrecipient under an award or subaward to a non-Federal entity.
2. *Executive* means officers, managing partners, or any other employees in management positions.
3. *Subaward*:
  - i. This term means a legal instrument to provide support for the performance of any portion of the substantive project or program for which you received this award and that you as the recipient award to an eligible subrecipient.
  - ii. The term does not include your procurement of property and services needed to carry out the project or program (for further explanation, see Sec. 11.210 of the attachment to OMB Circular A-133, "Audits of States, Local Governments, and Non-Profit Organizations").
  - iii. A subaward may be provided through any legal agreement, including an agreement that you or a subrecipient considers a contract.
4. *Subrecipient* means an entity that:
  - i. Receives a subaward from you (the recipient) under this award; and
  - ii. Is accountable to you for the use of the Federal funds provided by the subaward.
5. *Total compensation* means the cash and noncash dollar value earned by the executive during the recipient's or subrecipient's preceding fiscal year and includes the following (for more information see 17 CFR 229.402(c)(2)):
  - i. *Salary and bonus*.
  - ii. *Awards of stock, stock options, and stock appreciation rights*. Use the dollar amount recognized for financial statement reporting purposes with respect to the fiscal year in accordance with the Statement of Financial Accounting Standards No. 123 (Revised 2004) (FAS 123R), Shared Based Payments.
  - iii. *Earnings for services under non-equity incentive plans*. This does not include group life, health, hospitalization or medical reimbursement plans that do not discriminate in favor of executives, and are available generally to all salaried employees.

iv. Change in pension value. This is the change in present value of defined benefit and actuarial pension plans.

v. Above-market earnings on deferred compensation which is not tax-qualified.

vi. Other compensation, if the aggregate value of all such other compensation (e.g. severance, termination payments, value of life insurance paid on behalf of the employee, perquisites or property) for the executive exceeds \$10,000.

## **2. Indirect Cost Rates:** §200.414/§75.414

(f) In addition to the procedures outlined in the appendices in paragraph (e) of this section, any non-Federal entity that has never received a negotiated indirect cost rate, except for those non-Federal entities described in Appendix VII to Part 200/Appendix VII to part 75 —States and Local Government and Indian Tribe Indirect Cost Proposals, paragraph D.1.b, may elect to charge a de minimis rate of 10% of modified total direct costs (MTDC) which may be used indefinitely. As described in §200.403/§75.403 FACTORS AFFECTING ALLOWABILITY OF COSTS, costs **must** be consistently charged as either indirect or direct costs, but may not be double charged or inconsistently charged as both. If chosen, this methodology once elected **must** be used consistently for all Federal awards until such time as a non-Federal entity chooses to negotiate for a rate, which the non-Federal entity may apply to do at any time.

(g) Any non-Federal entity that has a current federally negotiated indirect cost rate may apply for a one-time extension of the rates in that agreement for a period of up to four years. This extension will be subject to the review and approval of the cognizant agency for indirect costs. If an extension is granted the non-Federal entity may not request a rate review until the extension period ends. At the end of the 4-year 5 extension, the non-Federal entity **must** re-apply to negotiate a rate. Subsequent one-time extensions (up to four years) are permitted if a renegotiation is completed between each extension request.

## **3. Mandatory disclosures**

The non-Federal entity or applicant for a Federal award **must** disclose, in a timely manner, in writing to the Federal awarding agency or pass-through entity all violations of Federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the Federal award. Failure to make required disclosures can result in any of the remedies described in §200.338 Remedies for noncompliance, including suspension or debarment. (See also 2 CFR part 180 and 31 U.S.C. 3321).

## **4. English Language**

All Federal financial assistance announcements and Federal award information **must** be in the English language. Applications **must** be submitted in the English language and **must** be in the terms of U.S. dollars. If the Federal awarding agency receives applications in another currency, the Federal awarding agency will evaluate the application by converting the foreign currency to United States currency using the date specified for receipt of the application.

5. Non-Federal entities may translate the Federal award and other documents into another language. In the event of inconsistency between any terms and conditions of the Federal award and any translation into another language, the English language meaning will control. Where a significant portion of the non-Federal entity's employees who are working on the Federal award are not fluent in English, the non-Federal entity **must** provide the Federal award in English and the language(s) with which employees are more familiar.

6. The Division of Grants Management created a Public Assistance (P) Account in the Division of Payment Management's (DPM) Payment Management System to provide a separate accounting of

Federal funds per SAMHSA grant. When discussing your account with the DPM's Account Representative, provide the document number identified on Page 2 of the Notice of Award under Section I - AWARD DATA, Fiscal Information.

7. As the recipient organization, you acknowledge acceptance of the grant Terms and Conditions by drawing down or otherwise obtaining funds from the Payment Management System. In doing so, your organization **must** ensure that you exercise prudent stewardship over Federal funds and that all costs are allowable, allocable and reasonable.

8. The Department of Health and Human Services' (HHS), Office of General Counsel (OGC) has provided guidance on how the lobbying restrictions in the Fiscal Year 2012 Consolidated Appropriations Act (CAA, 2012) will affect HHS programs. Section 503 of the Labor, HHS, and Education Appropriation Act (Division F of the CAA, 2012) is the most comprehensive provision focused on lobbying restrictions. Recent changes to this section may have implications for SAMHSA and its recipients. Language provided by OGC, below provides specific guidance on: agency actions; recipient lobbying; tax increases and other restrictions on legal consumer products; and clarification of Internal Revenue Code provisions.

#### Section 503 - Agency Actions

a) No part of any appropriation contained in this Act or transferred pursuant to section 4002 of Public Law 111-148 shall be used, other than for normal and recognized executive-legislative relationships, for publicity or propaganda purposes, for the preparation, distribution, or use of any kit, pamphlet, booklet, publication, electronic communication, radio, television, or video presentation designed to support or defeat the enactment of legislation before the Congress or any State or local legislature or legislative body, except in presentation to the Congress or any State or local legislature itself, or designed to support or defeat any proposed or pending regulation, administrative action, or order issued by the executive branch of any State or local government, except in presentation to the executive branch of any State or local government itself.

#### Section 503(b) - Recipient and Contractor Lobbying

b) No part of any appropriation contained in this Act or transferred pursuant to section 4002 of Public Law 111-148 shall be used to pay the salary or expenses of any grant or contract recipient, or agent acting for such recipient, related to any activity designed to influence the enactment of legislation, appropriations, regulation, administrative action, or Executive order proposed or pending before the Congress or any State government, State legislature or local legislature or legislative body, other than for normal and recognized executive-legislative relationships or participation by an agency or officer of a State, local or tribal government in policymaking and administrative processes within the executive branch of that government.

The prohibitions in subsections (a) and (b) shall include any activity to advocate or promote any proposed, pending or future Federal, State or local tax increase, or any proposed, pending, or future requirement or restriction on any legal consumer product, including its sale or marketing, including but not limited to the advocacy or promotion of gun control.

9. Grant funds cannot be used to supplant current funding of existing activities. Under the HHS Grants Policy Directives, 1.02 General-Definition: Supplant is to replace funding of a recipient's existing program with funds from a Federal grant.



**10.** The recommended future support as indicated on the NoA reflects total costs (direct plus indirect). Funding is subject to the availability of Federal funds, the demonstration of matching funds, and acceptable documentation of the progress of the grant.

**11.** Confidentiality of Alcohol and Drug Abuse Patient Records regulations (42 CFR 2) are applicable to any information about alcohol and other drug abuse patients obtained by a program (42 CFR 2.11) if the program is Federally-assisted in any manner (42 CFR 2.12b). Accordingly, all project patient records are confidential and may be disclosed and used only in accordance with (42 CFR 2). The recipient is responsible for assuring compliance with these regulations and principles, including responsibility for assuring the security and confidentiality of all electronically transmitted patient material.

**12.** Accounting Records and Disclosure: Awardees and sub-recipients **must** maintain records which adequately identify the source and application of funds provided for financially assisted activities. These records **must** contain information pertaining to grant or sub-grant awards matching funds and in-kind support, and authorizations, obligations, unobligated balances, assets, liabilities, outlays or expenditures, and income. The awardee, and all its sub-recipients, should expect that SAMHSA, or its designee, may conduct a financial compliance audit and on-site program review of grants with significant amounts of Federal funding. Please reference the Reporting Requirements section for Audit Requirements.

**13.** Per (45 CFR 75) and the HHS Grants Policy Statement, any copyrighted or copyrightable works developed under this cooperative agreement/grant shall be subject to a royalty-free, non-exclusive and irrevocable license to the government to reproduce, publish, or otherwise use them and to authorize others to do so for Federal government purposes. Income earned from any copyrightable work developed under this grant **must** be used as program income.

**14.** A notice in response to the President's Welfare-to-Work Initiative was published in the Federal Register on May 16, 1997. This initiative is designed to facilitate and encourage recipients and their sub-recipients to hire welfare recipients and to provide additional needed training and/or mentoring as needed. The text of the notice is available electronically on the OMB home page at <http://www.whitehouse.gov/omb/fedreg/omb-not.html>.

**15.** Program income accrued under this award may be used in accordance with the additional costs alternative described in (45 CFR 75.307 (e)(2)) as applicable. Program income **must** be used to further the grant objectives and shall only be used for allowable costs as set forth in the applicable OMB Circulars A-102 ("Grants and Cooperative Agreements with State and Local Governments") and A-110 ("Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations").

Program income **must** be used to further the grant objectives and shall only be used for allowable costs as set forth in the applicable OMB Circulars A-102 (Grants and Cooperative Agreements with State and Local Governments) and A-110 (Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations). Any other use of program income (such as to meet match requirements) **must** have prior approval from the Division of Grants Management.

**16.** Actions that require prior approval **must** be submitted in writing to the GMO and copy the GPO. The request **must** bear the signature of the authorized business official of the recipient organization as well as the Program Director. Approval of the request may only be granted by the GMO and will be in writing. No other written or oral approval should be accepted and will not be binding on SAMHSA.

Post-award requirements and instructions may be found at [www.samhsa.gov](http://www.samhsa.gov) then click on "grants", then "grants management".

**17.** The recipient is required to notify the Government Program Official (GPO) in writing if the Program Director (PD) or “key” personnel specifically named in the NoA will withdraw from the project entirely, be absent from the project during any continuous period of 3 months or more, or reduce time devoted to the project by 25 percent or more from the level that was approved at the time of award (for example, a proposed change from 40 percent effort to 30 percent or less effort). SAMHSA **must** approve any alternate arrangement proposed by the recipient, including any replacement of the PD or “key” personnel named in the NoA.

The request for approval of a substitute PD/“key” personnel should include a justification for the change, the biographical sketch of the individual proposed, other sources of support (if applicable), and any budget changes resulting from the proposed change. If the arrangements proposed by the recipient, including the qualifications of any proposed replacement, are not acceptable to SAMHSA, the grant may be suspended or terminated. If the recipient wants to terminate the project because it cannot make suitable alternate arrangements, it **must** notify the GMO, in writing, of its wish to terminate, and the GMO will forward closeout instructions. “Key” personnel (or “key” personnel positions, if staff has not been selected) are listed below:

Name, Program Director @ unstated level of effort  
Name, Project Coordinator @ unstated level of effort

All changes in “key” personnel including level of effort **must** be sent electronically to the GPO, including a biographical sketch and other documentation and information as stated above who will make a recommendation for approval or disapproval to the assigned Grants Management Specialist (GMS). Only the GMO may approve “key” personnel changes.

**18.** Refer to the NoA under Section II (Payment/Hotline Information) regarding the Payment Management System and the HHS Inspector General’s Hotline concerning fraud, waste or abuse.

**19.** As the recipient organization, you acknowledge acceptance of the grant Terms and Conditions by drawing or otherwise obtaining funds from the Payment Management System. In doing so, your organization **must** ensure that you exercise prudent stewardship over Federal funds and that all costs are allowable, allocable, and reasonable.

**20.** No HHS funds may be paid as profit (fees) per (45 CFR Part 75.215 (b)).

**21.** Where a conference is funded by a grant or cooperative agreement the recipient **must** include the following statement on all conference materials (including promotional materials, agenda, and internet sites):

*Funding for this conference was made possible (in part) by (insert grant or cooperative agreement award number) from ONDCP and SAMHSA. The views expressed in written conference materials or publications and by speakers and moderators do not necessarily reflect the official policies of the Office of National Drug Control Policy or the Department of Health and Human Services; nor does mention of trade names, commercial practices, or organizations imply endorsement by the U.S. Government.*

**22.** This award is subject to the requirements of Section 106 (g) of the Trafficking Victims Protection Act of 2000, as amended (22 U.S.C. 7104). For the full text of the award term, go to:

<http://www.samhsa.gov/grants/grants-management/policies-regulations/additional-directives>.

**23.** Recipients **must** comply with the requirements of the National Historical Preservation Act and EO 13287, Preserve America. The HHS Grants Policy Statement provides clarification and uniform guidance regarding preservation issues and requirements (pages I-20, "Preservation of Cultural and Historical Resources). Questions concerning historical preservation, please contact SAMHSA's Office of Program Services, Building, Logistics and Telecommunications Branch at 240-276-1001.

**24.** Executive Order 13410: Promoting Quality and Efficient Health Care in Federal Government Administered or Sponsored Health Care Programs promotes efficient delivery of quality health care through the use of health information technology, transparency regarding health care quality and price, and incentives to promote the widespread adoption of health information technology and quality of care. Accordingly, all recipients that electronically exchange patient level health information to external entities where national standards exist **must**:

- Use recognized health information interoperability standards at the time of any Health Information Technology (HIT) system update, acquisition, or implementation, in all relevant information technology systems supported, in whole or in part, through this agreement/contract. Please consult <http://www.healthit.gov> for more information.
- Use Electronic Health Record systems (EHRs) that are certified by agencies authorized by the Office of the National Coordinator for Health Information Technology (ONC), or that will be certified during the life of the grant. For additional information contact: Jim Kretz at 240-276-1755 or [Jim.Kretz@samhsa.hhs.gov](mailto:Jim.Kretz@samhsa.hhs.gov); Kathryn Wetherby at 240-276-2899 or [Kathryn.Wetherby@samhsa.hhs.gov](mailto:Kathryn.Wetherby@samhsa.hhs.gov). Questions and issues may be raised on SAMHSA's HIT Forum at <http://cmhbbs.samhsa.gov/>.

**25.** If Federal funds are used by the recipient to attend a meeting, conference, etc. and meal(s) are provided as part of the program, then the per diem applied to the Federal travel costs (M&IE allowance) **must** be reduced by the allotted meal cost(s).

**26.** By signing the Standard Form 424 application face page in Item #21, the Authorized Representative (AR) certifies (1) to the statements contained in the list of certifications\* and (2) provides the required assurances\* and checking the I AGREE box provides SAMHSA with the AR's agreement of compliance. It is not necessary to submit signed copies of these documents, but should be retained for your records.

\*The documents are available on the SAMHSA website at <http://beta.samhsa.gov/grants/applying/forms-resources> or contained within the Request for Applications (RFA).

## REPORTING REQUIREMENTS

### Annual Report:

1. DFC Mentoring recipients do NOT have to report the core measures on behalf of the Mentee(s). The Mentor coalition's responsibility is to ensure that the Mentee(s) are moving toward compliance with being able to collect the core measures in order to be eligible to apply for DFC funding on their own. The DFC Mentoring coalition **must**, however, submit an annual progress report covering each year the Mentoring grant is in effect. Mentoring progress reports for this award will be due:

August 2016

2. The Federal Financial Report (FFR), (Standard Form 425) is required on an annual basis and **must** be submitted for each budget period on the report due date(s) schedule after the close of the 12-month budget

period. The FFR is required for each 12-month period, regardless of the overall length of the approved extension period authorized by SAMHSA. In addition, a final FFR is due within 90 days after the end of the extension. The FFR **must** be submitted no later than:

Monday, January 30, 2017

**NOTE:** Single grant reporting is required for each SAMHSA project as stated on the FFR (#10 d-o). If applicable, include the required match on this form under Recipient Share (#10 i-k) and Program Income (l-o) in order for SAMHSA to determine whether matching is being provided and the rate of expenditure is appropriate. Adjustments to the award amount, if necessary, will be made if the recipient fails to meet the match. The FFR **must** be prepared on a cumulative basis and all program income **must** be reported. The status of any Federal share of unliquidated obligations for each 12-month budget period **must** be explained in the remarks section (#12). In addition, your intention to carryover the unobligated balance of funds up to 10 percent of the current Federal share **must** be stated in the remarks section. Subsequent FFRs **must** reflect the actual carryover amount. If possible, disbursements reported on the FFR should equal/or agree with the top portion of the FFR (#10 a-c). The FFR including instructions may be accessed at [http://www.whitehouse.gov/omb/grants\\_forms](http://www.whitehouse.gov/omb/grants_forms). The data can be entered directly on the form and the system will calculate the figures, then it can be printed and mailed to this office.

3. Audit requirements for Federal award recipients are detailed at [http://www.whitehouse.gov/sites/default/files/omb/assets/a133/a133\\_revised\\_2007.pdf](http://www.whitehouse.gov/sites/default/files/omb/assets/a133/a133_revised_2007.pdf). Specifically, non-Federal entities that expend a total of \$500,000 or more in Federal awards, during each Fiscal Year, are required to have an audit completed in accordance with OMB Circular A-133. The Circular defines Federal awards as Federal financial assistance (grants) and Federal cost-reimbursement (contracts) received both directly from a Federal awarding agency as well as indirectly from a pass-through entity and requires entities submit, to the Federal Audit Clearinghouse (FAC), a completed Data Collection Form (SF-SAC) along with the Audit Report, within the earlier of 30 days after receipt of the report or 9 months after the fiscal year end.

The Data Collection Forms and Audit Reports **MUST** be submitted to the FAC electronically at <http://harvester.census.gov/fac/collect/ddeindex.html>. For questions and information concerning the submission process, please visit <http://harvester.census.gov/sac> or call the FAC at 1-800-253-0696.

4. The recipient **must** comply with the Government Performance and Results Act (GPRA) requirements that include the collection and periodic reporting of performance data as specified in the RFA or by the Government Project Officer. This information is needed in order to comply with PL 102-62 which requires that ONDCP and SAMHSA report evaluation data to ensure the effectiveness and efficiency of its programs.

5. As required by the Federal Funding Accountability and Transparency Act of 2006, this new award is subject to the sub-award and executive compensation reporting requirement of 2 CFR Part 170. Although the full text of this regulation is not attached, you may access the language online at <https://www.fsr.gov>.

Failure to comply with the above stated Terms and Conditions may result in suspension, classification as High Risk status, termination of this award, or denial of funding in the future.

## CONTACTS

All responses to Terms and Conditions of award and post-award requests **must** be mailed to the Division of Grants Management, Office of Financial Resources (OFR), SAMHSA below:

For Regular Delivery:

For Overnight or Direct Delivery:

Division of Grants Management  
OFR, SAMHSA  
1 Choke Cherry Road, Room 7-1091  
Rockville, MD 20857

Division of Grants Management  
OFR, SAMHSA  
1 Choke Cherry Road, Room 7-1091  
Rockville, MD 20850