

2026 OIIF Subaward Federal Terms and Conditions

I. Debarment, Suspension Ineligibility and Voluntary Exclusion

The Grantee certifies by accepting grant funds that neither it nor its principles or contractors are presently debarred, suspended, proposed for debarment, declared ineligible, nor voluntarily excluded from participation in this transaction by any Federal department or agency. This certification is required by regulations published May 26, 1988, implementing Executive Order 12549, Debarment and Suspension Title 28 in the Code of Federal Regulations (CFR) Part 69 and 28 CFR Part 67.

II. No Supplanting

The Grantee certifies that Federal funds will not be used to supplant State or local funds and will be used to supplement the amount of funds that, in the absence of Federal aid, would be made available for the project or program.

III. Compliance with Applicable Law.

The Grantee will comply with all applicable laws, regulations, and guidelines as written or as amended, of the State of Oregon, the Federal Government and CJC in the performance of this Agreement. Without limiting the generality of the foregoing, Grantee shall comply with all laws, rules and guidelines set forth in the most recent version of the *Grant Administration Guide* published by CJC, including but not limited to:

- A. The provisions of 28 CFR applicable to grants and cooperative agreements include Part 18, Administrative Review Procedure; Part 20, Criminal Justice Information Systems; Part 22, Confidentiality of Identifiable Research and Statistical Information; Part 23, Criminal Intelligence Operating Policies; Part 30, Intergovernmental review of Department of Justice Programs and Activities; Part 38 Equal Treatment Regulations; Part 42, Non-Discrimination/Equal Employment Opportunity Policies and Procedures; Part 46, Protection of Human Subjects; Part 54, Title IX Regulations; Part 61, Procedures for Implementing the National Environmental Policy Act; Part 63, Floodplain Management and Wetland Protection Procedures, and Federal laws or regulations applicable to Federal assistance programs.
- B. Uniform Relocation Assistance and Real Property Acquisitions Act of 1970 (P.L. 91-646).
- C. Section 102(a) of the Flood Disaster Protection Act of 1973, P.L. 93-234, 87 Stat. 97, approved December 31, 1976.
- D. Section 106 of the National Historic Preservation Act of 1966 as amended (16 United States Code/USC 470), Executive Order 11593, and the Archeological and Historical Preservation Act of 1966 (16 USC 569a-1 et seq.).
- E. National Environmental Policy Act of 1969, 42 USC 4321 et seq.
- F. Flood Disaster Protection Act of 1973, 42 USC 4001 et seq.

- G. Clean Air Act, 42 USC 7401 et seq.
- H. Clean Water Act, 33 USC 1368 et seq.
- I. Federal Water Pollution Control Act of 1948, as amended, 33 USC 1251 et seq
- J. Safe Drinking Water Act of 1974, 42 USC 300f et seq.
- K. Endangered Species Act of 1973, 16 USC 1531 et seq.
- L. Wild and Scenic Rivers Act of 1968, as amended, 16 USC 1271 et seq.
- M. Historical and Archaeological Data Preservation Act of 1960, as amended, 16 USC 469 et seq.
- N. Coastal Zone Management Act of 1972, 16 USC 1451 et seq.
- O. Coastal Barrier Resources Act of 1982, 16 USC 3501 et seq.
- P. Indian Self-Determination Act, 25 USC 450f.
- Q. Hatch Political Activity Act of 1940, as amended, 5 USC 1501 et seq.
- R. Animal Welfare Act of 1970, 7 USC 2131 et seq.
- S. Demonstration Cities and Metropolitan Development Act of 1966, 42 USC 3301 et seq.
- T. Federal Fair Labor Standards Act of 1938 (as appropriate), as amended, 29 USC 201 et seq.
- U. 28 CFR Part 46 and all USDOJ Office of Justice Programs policies and procedures regarding the protection of human research subjects, including obtainment of Institutional Review Board approval, if appropriate, and subject informed consent.

IV. Standard Assurances and Certifications Regarding Lobbying.

- A. The Grantee, or any Subgrantee at any tier, agrees to comply with USC 1352, which prohibits federal funds awarded under this Subagreement to be used for influencing or attempting to influence an officer or employee of any federal agency, a member of Congress, an officer or employee of Congress, or any employee of a member of Congress in connection with the awarding of a Federal grant, cooperative agreement, subgrant, contract, subcontract, or loan, or with respect to actions such as renewing, expending, or modifying any such award.
- B. If this Subagreement obligates more than \$100,000, the Grantee is required to complete and submit to CJC a Standard Form-LLL, "Disclosures Form to Report Lobbying", in accordance with its instructions.
- C. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a member of

Congress, an officer or employee of Congress, or an employee of a member of Congress in connections with this Federal contract, grant, loan, or cooperative agreement, the Grantee agrees to disclose such information on a Standard Form-LLL in accordance with its instructions.

- D. The language of this certification shall be included in the award documents for all subawards at all tiers (including contracts and subcontracts) and that all Subgrantees will certify and disclose accordingly.
- E. The Grantee understands that submission of this certification is a prerequisite for making or entering into this Subagreement imposed by 31 USC 1352. Any person who fails to file the required certification will be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each failure.

V. Compliance with DOJ Regulations Pertaining to Civil Rights and Non-Discrimination

- A. The Grantee, and all its contractors, subcontractors, and subrecipients, certifies that no person shall be excluded from participation in, denied the benefits of, subjected to discrimination under, or denied employment in connection with any activity funded under this Agreement on the basis of race, color, age, religion, national origin, disability, or gender. The Grantee shall comply with any applicable federal nondiscrimination requirements, which may include the Omnibus Crime Control and Safe Streets Act of 1968 (42 USC 3789d); the Victims of Crime Act (42 USC 10604(e)); the Juvenile Justice and Delinquency Prevention Act of 2002 (42 USC 5672(b)); Title VI the Civil Rights Act of 1964 (42 USC 2000d); the Rehabilitation Act of 1973 (29 USC 794); the Americans with Disabilities Act of 1990 (42 USC 12131-34); the Education Amendments of 1972 (20 USC 1681, 1683, 1685-86); the Age Discrimination Act of 1975 (42 USC 6101-07); 28 CFR Part 42 (U.S. Department of Justice Regulations - OJJDP Grant Programs); 28 CFR Part 42, Subparts C, D, E, G, and I, and Part 54 (U.S. Department of Justice Regulations - Nondiscrimination; Equal Employment Opportunity; Policies and Procedures); Exec. Order No. 13279 (equal protection of the laws for faith-based and community organizations); and Exec. Order No. 13559 (fundamental principles and policymaking criteria for partnerships with faith-based and neighborhood organizations).
- B. The Grantee must comply with all applicable requirements of 28 CFR Part 54 (Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance).
- C. The Grantee, and any Subgrantee at any tier, must comply with all applicable requirements of 28 CFR Part 38 (U.S. Department of Justice Regulations – Equal Treatment for Faith-Based Organizations).

Among other things, 28 CFR Part 38 states that Federal financial assistance may not be used to support or engage in any explicitly religious activities except when consistent with the Establishment Clause of the First Amendment and any other applicable requirements. An organization receiving Federal financial assistance also may not, in providing services funded by the Department of Justice, or in their outreach activities related to such services, discriminate against a program beneficiary or prospective program beneficiary on the basis

or 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 our rules and requirements that pertain to organizations that engage in or conduct explicitly religious activities, as well as rules and requirements that pertain to recipients and subrecipients that are faith-based or religious organizations. In addition, Part 38 states that a faith-based organization that participates in a Department of Justice funding program retains its independence from the Government and may continue to carry out its mission consistent with religious freedom and conscience protections in Federal law.

- D. The Grantee, and any Subgrantee at any tier, must comply with all applicable requirements of 28 CFR Part 42 (Nondiscrimination; Equal Employment Opportunity; Policies and Procedures), specifically including any applicable requirements in Subpart E of 28 CFR Part 42 that relate to an equal employment opportunity program.

Among other items, 28 CFR Part 42.106(d), 28 CFR Part 42.405(c), and 28 CFR Part 42.505(f) contain notice requirements regarding the dissemination of information regarding federal nondiscrimination requirements.

- E. In accordance with Federal civil rights laws, the Grantee shall not retaliate against individuals for taking action or participating in action to secure rights protected by these laws.**

In the event that a Federal or State court or administrative agency, such as the Oregon Bureau of Labor and Industries, makes a finding of discrimination after a due process hearing on the grounds of race, color, age, religion, national origin, disability or gender against the Grantee or any of its contractors or subcontractors, the Grantee or any of its contractors or subcontractors will forward a copy of the finding to CJC. CJC will forward a copy of the finding to the Office for Civil Rights at OJP.

The addresses for CJC and OCR are:

Oregon Criminal Justice Commission
885 Summer St, NE
Salem, Oregon 97301

Office for Civil Rights
Office of Justice Programs
U.S Department of Justice
810 7th Street, NW
Washington, DC 20531

VI. Systems Requirements

- A. Information sharing projects funded under this award must comply with DOJ's Global Justice Information Sharing Initiative (Global) guidelines. The Grantee (and subrecipient at any tier) must conform to the Global Standards Package (GSP) on all constituent elements, where applicable, as described at: http://www.it.ojp.gov.gsp_grantcondition. The Grantee shall document planned approaches to information sharing and describe compliance with the GSP and appropriate privacy

policy that protects shared information or provide detailed justification for why an alternative approach is recommended.

- B. Any information technology system funded or supported by OJP funds will comply with 28 CFR Part 23, Criminal Intelligence Systems Operating Policies, if OJP determines this regulation to be applicable. Should OJP determine 28 CFR Part 23 to be applicable, OJP may, at its discretion, perform audits of the system, as per the regulation. Should any violation of 28 CFR Part 23 occur, the Grantee may be fined as per 34 USC 10231(c)-(d). The Grantee may not satisfy such a fine with federal funds.
- C. The Grantee 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.
- D. To avoid duplicating existing networks or information technology systems in any initiatives funded by OJP, Bureau of Justice Assistance (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 grantee 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 information technology system.

VII. Meaningful Access Requirement for Individuals with Limited English Proficiency.

The Grantee must take reasonable steps to ensure that individuals with limited English proficiency (LEP) have meaningful access to their programs and activities and to comply with Title VI of the Civil Rights Act of 1964 (Title VI), which prohibits discrimination on the basis of national origin, including discrimination against individuals with LEP. Such steps may require providing language assistance services, such as interpretation or translation services. The Department of Justice guidance on compliance with this requirement may be found at “guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons” (67 Fed. Reg. 41455-41472) (<https://www.federalregister.gov/d/02-15207>) and is incorporated by reference here.

VIII. Certification Regarding Drug Free Workplace Requirements.

The Grantee certifies that it will provide a drug-free workplace by:

- A. Publishing a statement notifying employees that the unlawful manufacture distribution, dispensing, possession, or use of a controlled substance is prohibited in the Grantee’s workplace and specifying the actions that will be taken against employees for violation of such prohibition;
- B. Establishing a drug-free awareness program to inform employees about:
 - 1. The dangers of drug abuse in the workplace;

2. The Grantee's policy of maintaining a drug-free workplace;
 3. Any available drug counseling, rehabilitation, and employee assistance programs; and
 4. The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace
- C. Requiring that each employee engaged in the performance of the Subagreement be given a copy of the employer's statement required by paragraph (1).
- D. Notifying the employee that, as a condition of employment under the award, the employee will:
1. Abide by the terms of the statement; and
 2. Notify the employer of any criminal drug statute conviction for a violation occurring in the workplace not later than five days after such conviction.
- E. Notifying the Grantee within ten days after receiving notice from an employee or otherwise receiving actual notice of such conviction.
- F. Taking one of the following actions, within 30 days of receiving notice, with respect to any employee who is so convicted:
1. Taking appropriate personnel action against such an employee, up to and including termination; or
 2. Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by Federal, State, or local health, law enforcement, or other appropriate agency.
- G. Making a good faith effort to continue to maintain a drug-free workplace.

IX. No Text Messaging While Driving.

Pursuant to Executive Order 13513, "Federal Leadership on Reducing Text Messaging While Driving," the Grantee is encouraged to adopt and enforce policies banning employees from text messaging while driving any vehicle during the course of performing work funded by this Subagreement and to establish workplace safety policies and conduct education, awareness and other outreach to decrease crashes caused by distracted drivers.

X. Requirement to Report Actual or Imminent Breach of Personally Identifiable Information (PII)

The Grantee, and any Subgrantee at any tier, must have written procedures in place to respond in the event of an actual or imminent "breach" (OMB M-17-12) if it: (1) creates, collects, uses, processes, stores, maintains, disseminates, discloses, or disposes of "Personally Identifiable Information (PII)" (2001) within the scope of an OJP grant-funded program or activity, or (2) uses or operates a "Federal

information system” (OMB Circular A-130. The Grantee’s breach procedures must include a requirement to report actual or imminent breach of PII to CJC no later than 24 hours after an occurrence of an actual breach, or the detection of an imminent breach.

XI. Compliance with 41 USC 4712 (Including Prohibitions on Reprisal)

The Grantee, and any Subgrantee 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.

XII. Determination of Suitability to Interact with Participating Minors

The Grantee, and any Subgrantee of any tier, must make determinations of suitability before certain individuals may interact with participating minors. This requirement applies regardless of an individual’s employment status. The details of this requirement are posted on the OJP web site at <https://ojp.gov/funding/Explore/Interact-Minors.htm> and are incorporated by reference here.

XIII. Compliance with General Appropriations-Law Restrictions on the Use of Federal Funds (FY 24)

The Grantee, and any Subgrantee at any tier, must comply with all applicable restrictions on the use of federal funds set out in federal appropriations statutes. Pertinent restrictions that may be set out in application appropriations statutes are indicated at <https://www.ojp.gov/funding/Explore/FY24AppropriationsRestrictions.htm>, and are incorporated by reference here.

XIV. Employment Eligibility Verification for Hiring under the Subagreement

The Grantee, and any Subgrantee of any tier, must—

- A. Ensure that, as part of the hiring process for any position within the United States that is or will be funded (in whole or in part) with Subagreement funds, the employment eligibility is verified for the individual being hired, consistent with the provisions of 8 USC 1324a(a)(1).
- B. Maintain records of all employment eligibility certifications pertinent to compliance with this award condition in accordance with Form I-9 record retention requirements, as well as records of all pertinent notifications and trainings.

For purposes of this condition, persons “who are or will be involved in activities under this award” specifically includes any and all Subgrantee officials or other staff who are or will be involved in the hiring process with respect to a position that is or will be funded (in whole or in part) with Subagreement funds.

For purposes of satisfying the requirement of this condition regarding verification of employment eligibility, the Subgrantee may choose to use E-Verify (www.e-verify.gov), provided an appropriate

person authorized to act on behalf of the Subgrantee uses E-Verify (and follows the proper E-Verify procedures) to confirm employment eligibility for each hiring for a position in the United States that will be funded (in whole or in part) with Subagreement funds. Questions about E-Verify should be directed to DHS. For more information about E-Verify visit the E-Verify website (<https://www.e-verify.gov/>) or email E-Verify at E-Verify@dhs.gov.

XV. Restrictions and Certifications Regarding Non-Disclosure Agreements

The Grantee shall not 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.

XVI. OJP Training Guiding Principles

Any training or training materials that the Grantee develops or delivers with funding under this Subagreement must adhere to OJP Training Guiding Principles for Grantees and Subgrantees, available at: <https://ojp.gov/funding/implement/training-guiding-principles-grantees-and-subgrantees>.

XVII. Prohibition of Conduct Related to Trafficking in Persons

The Grantee, and any 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 Grantee, or individuals defined as “employees” of the Grantee.

The details related to the Grantee’s obligations related to prohibited conduct related to trafficking in persons are posted on the OJP website at <https://ojp.gov/funding/Explore/ProhibitedConduct-Trafficking> and are incorporated by reference here.

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

The Grantee must promptly refer to the DOJ Office of the Inspector General (OIG) any credible evidence that a principal, employee, agent, subrecipient, contractor, subcontractor, or other person has, in connection with funds under this Subagreement—(1) any submittal of claim that violates the False Claims Act; or (2) any committing of 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 Subagreement should be reported to the OIG by (1) online submission accessible via the OIG webpage at <https://oig.justice.gov/hotline/contact-grants.htm> (select “Submit Report Online”); (2) mail directed to: U.S. Department of Justice, Office of the Inspector General, Investigations Division, ATTN: Grantee Reporting, 950 Pennsylvania Ave. NW, Washington, DC 20530; and/or (3) by facsimile directed to the DOJ OIG Investigations Division (Attn: Grantee Reporting) at (202) 616-9881 (fax).

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

XIX. Justification of Consultant Rate

The Grantee must submit a detailed justification to CJC for approval of any consultant rate more than \$650 per day or \$821.25 per hour, prior to the obligation or expenditure of funds for such purposes.

XX. Required Monitoring of Subawards

The Grantee must monitor second-tier subawards under this Subagreement in accordance with applicable statutes, regulations, and the DOJ Grants Financial Guide, and must include the applicable conditions of this Subagreement in any second-tier subaward. Among other things, the Grantee is responsible for oversight of Subgrantee spending and monitoring of specific outcomes and benefits attributable to use of Subagreement funds by Subgrantees. The Grantee agrees to submit, upon request, documentation of its policies and procedures for monitoring of subawards under this Subagreement.

XXI. Specific Approval Required to Use a Non-Competitive Approach in any Procurement Contract Exceeding \$250,000

The Grantee, and any Subgrantee at any tier, must comply with 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 \$250,000).

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 website at <https://ojp.gov/funding/Explore/NoncompetitiveProcurement.htm>.

XXII. Required Data on Law Enforcement Agency Training

Any law enforcement agency receiving funding from this Subagreement must submit quarterly accountability metrics data related to training that officers have received on the use of force, racial and ethnic bias, de-escalation of conflict, and constructive engagement with the public.

XXIII. Compliance with Restrictions on the Use of Federal Funds—Prohibited and Controlled Equipment under OJP Awards

The Grantee is prohibited from using funds under this Subagreement to acquire or transfer any property identified on the “prohibited and controlled equipment” list, found at <https://ojp.gov/funding/explore/prohibited-and-controlled-equipment>.

XXIV. Federal Funding and Federal Disclaimer for Written, Visual, or Audio Publications

Any written, visual, or audio publications funded in whole or in part under this Subagreement, with the exception of press releases, shall contain the following statements: “This project was supported by Grant No. <AWARD_NUMBER> awarded by the Bureau of Justice Assistance. The Bureau of Justice Assistance is a component of the Department of Justice’s Office of Justice Programs, which also includes the Bureau of Justice Statistics, the National Institute of Justice, the Office of Juvenile Justice and Delinquency Prevention, the Office for Victims of Crime, and the SMART Office. Points of view or

opinions in this department are those of the author and do not necessarily represent the official position or policies of the U.S. Department of Justice.”

XXV. Federal Funding and Federal Disclaimer for Web Sites

Any Web site that is funded in whole or part under this Subagreement must include the following statement on the home page, on all major entry pages (i.e., pages—exclusive of documents—whose primary purpose is to navigate the user to interior content), and on any pages from which a visitor may access or use a Web-based service, including any pages that provide results or outputs from the service: “This Web site is funded in whole or in part through a grant from the Bureau of Justice Assistance, Office of Justice Programs, U.S. Department of Justice. Neither the U.S. Department of Justice nor any of its components operate, control, are responsible for, or necessarily endorse, this Web site (including, without limitation, its content, technical infrastructure, and policies, and any services or tools provided).” The full text of the foregoing statement must be clearly visible on the home page. On other pages, the statement may be included through a link, entitled “Notice of Federal Funding and Federal Disclaimer,” to the full text of the statement.

XXVI. Data Confidentiality

The Grantee, and any Subgrantee at any tier, must comply with all confidentiality requirements of 34 USC 10231 and 28 CFR Part 22 that are applicable to the collection, use and revelation of data or information.

XXVII. Applicability of 2 CFR Part 200 Uniform Guidance Requirements

The Uniform Administrative Requirements, Cost Principles, and Audit Requirements in 2 CFR Part 200, as adopted and supplemented by DOJ in 2 CFR Part 2800 (together, the “Part 200 Uniform Guidance Requirements”) apply to this Subagreement.

XXVIII. Compliance with Applicable Rules Regarding Approval, Planning and Reporting of Conferences, Meetings, Trainings, and Other Events

The Grantee, and any 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 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, section 3.10 of “Postaward Requirements” in the “DOJ Grants Financial Guide”).