

The following Table of Federal Assurances is provided as a general summary for convenience only. It is not a detailed description of the many federal requirements of the Department of the Treasury (Treasury) to make payments to certain recipients from the Coronavirus State Fiscal Recovery Fund and the Coronavirus Local Fiscal Recovery Fund. Importantly, Treasury’s Award Terms and Conditions require compliance with all applicable federal statutes, regulations, and executive orders; not just the partial list enumerated by Treasury. The information provided, including high-level descriptions of federal laws, regulations, and/or requirements may not be current or applicable, and may not be relied on by grantees for any purpose. The Table is not legal advice, nor is it intended to be a substitute for legal advice by your own attorney. You may need to consult with your own independent legal counsel to answer questions or verify your compliance with the required federal assurances under the Grant Agreement.

Federal Assurances & Certifications		
Statute or Regulation	Requirement	Short Explanation
Drug-Free Workplace Requirements		
Drug-Free Workplace Act of 1988, 41 U.S.C. § 701-707	<p>§ 702 (§ 8103):</p> <p>A person other than an individual shall not receive a grant from a Federal agency unless the person agrees to provide a drug-free workplace by--</p> <p>(A) publishing a statement notifying employees that the unlawful manufacture, distribution, dispensation, 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 violations of the prohibition;</p> <p>(B) establishing a drug-free awareness program to inform employees about--</p> <p>(i) the dangers of drug abuse in the workplace;</p> <p>(ii) the grantee's policy of maintaining a drug-free workplace;</p> <p>(iii) available drug counseling, rehabilitation, and employee assistance programs; and</p> <p>(iv) the penalties that may be imposed on employees for drug abuse violations;</p> <p>(C) making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by subparagraph (A);</p>	Requires Drug-Free Workplace Policy

	<p>(D) notifying the employee in the statement required by subparagraph (A) that as a condition of employment in the grant the employee will--</p> <p>(i) abide by the terms of the statement; and</p> <p>(ii) notify the employer of any criminal drug statute conviction for a violation occurring in the workplace no later than 5 days after the conviction;</p> <p>(E) notifying the granting agency within 10 days after receiving notice under subparagraph (D)(ii) from an employee or otherwise receiving actual notice of a conviction;</p> <p>(F) imposing a sanction on, or requiring the satisfactory participation in a drug abuse assistance or rehabilitation program by, any employee who is convicted, as required by section 8104 of this title; and</p> <p>(G) making a good faith effort to continue to maintain a drug-free workplace through implementation of subparagraphs (A) to (F).</p>	
28 C.F.R. part 67	<p>§ 67.615:</p> <p>(2) Such a number of employees of the grantee have been convicted of violations of criminal drug statutes for violations occurring in the workplace as to indicate that the grantee has failed to make a good faith effort to provide a drug-free workplace.</p>	Provides that failure to maintain drug-free workplace policy is grounds for suspension from federal grants
Nondiscrimination		
Rehabilitation Act of 1973	No otherwise qualified individual with a disability in the United States, as defined in section 705(20) of this title, shall, solely by reason of her or his disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance or under any program or activity conducted by any Executive agency or by the United States Postal Service. The head of each such agency shall promulgate such regulations as may be necessary to carry out the amendments to this section made by the Rehabilitation, Comprehensive Services, and Developmental Disabilities Act of 1978. Copies of any	Prohibits discrimination

	proposed regulation shall be submitted to appropriate authorizing committees of the Congress, and such regulation may take effect no earlier than the thirtieth day after the date on which such regulation is so submitted to such committees.	
Omnibus Crime Control and Safe Streets Act of 1968, 42 U.S.C. § 3789d	(1) No person in any State shall on the ground of race, color, religion, national origin, or sex be excluded from participation in, be denied the benefits of, or be subjected to discrimination under or denied employment in connection with any programs or activity funded in whole or in part with funds made available under this chapter.	Prohibits discrimination
Civil Rights Act of 1964, 42 U.S.C. § 2000d	No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.	Prohibits discrimination
The Rehabilitation Act of 1973, 29 U.S.C. § 794	No otherwise qualified individual with a disability in the United States, as defined in section 705(20) of this title, shall, solely by reason of her or his disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance or under any program or activity conducted by any Executive agency or by the United States Postal Service. The head of each such agency shall promulgate such regulations as may be necessary to carry out the amendments to this section made by the Rehabilitation, Comprehensive Services, and Developmental Disabilities Act of 1978. Copies of any proposed regulation shall be submitted to appropriate authorizing committees of the Congress, and such regulation may take effect no earlier than the thirtieth day after the date on which such regulation is so submitted to such committees.	Prohibits discrimination under federal grants and programs
Americans With Disabilities Act of 1990, 42 U.S.C. § 12131-34	Subject to the provisions of this subchapter, no qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a	Prohibits discrimination

	public entity, or be subjected to discrimination by any such entity.	
Age Discrimination Act of 1975, 42 U.S.C. § 6101-07	Pursuant to regulations prescribed under section 6103 of this title, and except as provided by section 6103(b) and section 6103(c) of this title, no person in the United States shall, on the basis of age, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under, any program or activity receiving Federal financial assistance.	Prohibits discrimination
Fair Housing Act, title VIII of the Civil Rights Act of 1968, 42 U.S.C. §§ 3601 et seq.	Prohibits discrimination in housing on the basis of race, color, religion, sex, national origin, familial status, and disability. Prohibits the refusal to make reasonable accommodations in rules, policies, practices, or services when such accommodations may be necessary to afford a person with a disability the equal opportunity to use and enjoy a dwelling.	Prohibits discrimination in housing
Environmental Laws		
National Environmental Policy Act of 1969, 42 U.S.C. § 4321	[I]nclude in every recommendation or report on proposals for legislation and other major Federal actions significantly affecting the quality of the human environment, a detailed statement by the responsible official on-- <ul style="list-style-type: none"> (i) the environmental impact of the proposed action, (ii) any adverse environmental effects which cannot be avoided should the proposal be implemented, (iii) alternatives to the proposed action, (iv) the relationship between local short-term uses of man's environment and the maintenance and enhancement of long-term productivity, and (v) any irreversible and irretrievable commitments of resources which would be involved in the proposed action should it be implemented. 	Requires environmental studies for projects significantly affecting the environment
Resource Conservation and Recovery Act, 42 U.S.C. § 6901	§ 6925 Not later than eighteen months after October 21, 1976, the Administrator shall promulgate regulations requiring each person owning or operating an existing facility or	Permit requirement for hazardous waste disposal

	planning to construct a new facility for the treatment, storage, or disposal of hazardous waste identified or listed under this subchapter to have a permit issued pursuant to this section.	
Property and Acquisition		
Uniform Relocation Assistance and Real Property Acquisitions Act of 1970, 42 U.S.C. § 4604	<p>§ 4627</p> <p>Whenever real property is acquired by a State agency and furnished as a required contribution incident to a Federal program or project, the Federal agency having authority over the program or project may not accept such property unless such State agency has made all payments and provided all assistance and assurances, as are required of a State agency by sections 4630 and 4655 of this title. Such State agency shall pay the cost of such requirements in the same manner and to the same extent as the real property acquired for such project, except that in the case of any real property acquisition or displacement occurring prior to July 1, 1972, such Federal agency shall pay 100 per centum of the first \$25,000 of the cost of providing such payments and assistance.</p>	<p>Provides rules for property acquisition</p> <p>Establishes minimum standards for federally funded programs and projects that require the acquisition of real property (real estate) or displace persons from their homes, businesses, or farms.</p> <p>Applies to the acquisition, rehabilitation, or demolition of real property for federal or federally funded projects.</p>
Lobbying & Campaigning		
Hatch Act, 5 U.S.C. § 1501-28	<p>§ 1502:</p> <p>(a) A State or local officer or employee may not--</p> <p>(1) use his official authority or influence for the purpose of interfering with or affecting the result of an election or a nomination for office;</p> <p>(2) directly or indirectly coerce, attempt to coerce, command, or advise a State or local officer or employee to pay, lend, or contribute anything of value to a party, committee, organization, agency, or person for political purposes; or</p> <p>(3) if the salary of the employee is paid completely, directly or indirectly, by loans or grants made by the United States or a Federal agency, be a candidate for elective office.</p>	Prohibits government employees from campaigning

31 CFR Part 21 – New Restrictions on Lobbying	31 C.F.R. § 21.100 Conditions on use of funds. (a) No appropriated funds may be expended by the recipient of a Federal contract, grant, loan, or cooperative agreement to pay 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 connection with any of the following covered Federal actions: the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.	
31 U.S.C. § 1352	<p>(a)(1) None of the funds appropriated by any Act may be expended by the recipient of a Federal contract, grant, loan, or cooperative agreement to pay 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 connection with any Federal action described in paragraph (2) of this subsection.</p> <p>(2) The prohibition in paragraph (1) of this subsection applies with respect to the following Federal actions:</p> <p>(A) The awarding of any Federal contract.</p> <p>(B) The making of any Federal grant.</p> <p>(C) The making of any Federal loan.</p> <p>(D) The entering into of any cooperative agreement.</p> <p>(E) The extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.</p>	<p>Lobbying Restrictions on Grant Recipients</p> <p>Prevents using grant funds to lobbying federal government for contracts, grants, loans, or agreements</p>
General Administration		
2 CFR Part 200 – “Super Circular”	<p>Comprehensive regulations covering requirements for grants and cooperative agreements.</p> <ul style="list-style-type: none"> • Subpart A – Acronyms and Definitions (2 CFR 200.0 through 2 CFR 200.99) • Subpart B – General Provisions (2 CFR 200.100 through 2 CFR 200.113) 	

	<ul style="list-style-type: none"> • Subpart C – Pre-Federal Award Requirements and Contents of Federal Awards (2 CFR 200.200 through 2 CFR 200.213) • Subpart D – Post Federal Award Requirements (2 CFR 200.300 through 2 CFR 200.345) • Subpart E – Cost Principles (2 CFR 200.400 to 2 CFR 200.475) • Subpart F – Audit Requirements (2 CFR 200.500 to 2 CFR 200.521) • Appendices (Appendix I to Appendix XII) 	
Executive Order 12549	To the extent permitted by law and subject to the limitations in Section 1(c), Executive departments and agencies shall participate in a system for debarment and suspension from programs and activities involving Federal financial and nonfinancial assistance and benefits. Debarment or suspension of a participant in a program by one agency shall have government-wide effect.	Requires online registration
28 C.F.R. part 67	This part adopts a governmentwide system of debarment and suspension for Department of Justice non-procurement activities. It also provides for reciprocal exclusion of persons who have been excluded under the Federal Acquisition Regulation, and provides for the consolidated listing of all persons who are excluded, or disqualified by statute, executive order, or other legal authority. This part satisfies the requirements in section 3 of Executive Order 12549, ‘‘Debarment and Suspension’’	Requires online registration
28 C.F.R. § 67.510	In accordance with the OMB guidelines, the General Services Administration (GSA) maintains the EPLS. When a Federal agency takes an action to exclude a person under the non-procurement or procurement debarment and suspension system, the agency enters the information about the excluded person into the EPLS	Requires online registration
2 CFR § 200.339 - Remedies for noncompliance.	§ 200.339 Remedies for noncompliance. If a non-Federal entity fails to comply with the U.S. Constitution, Federal statutes, regulations or the terms and conditions of a Federal award, the Federal awarding	

	<p>agency or pass-through entity may impose additional conditions, as described in § 200.208. If the Federal awarding agency or pass-through entity determines that noncompliance cannot be remedied by imposing additional conditions, the Federal awarding agency or pass-through entity may take one or more of the following actions, as appropriate in the circumstances:</p> <p>(a) Temporarily withhold cash payments pending correction of the deficiency by the non-Federal entity or more severe enforcement action by the Federal awarding agency or pass-through entity.</p> <p>(b) Disallow (that is, deny both use of funds and any applicable matching credit for) all or part of the cost of the activity or action not in compliance.</p> <p>(c) Wholly or partly suspend or terminate the Federal award.</p> <p>(d) Initiate suspension or debarment proceedings as authorized under 2 CFR part 180 and Federal awarding agency regulations (or in the case of a pass-through entity, recommend such a proceeding be initiated by a Federal awarding agency).</p> <p>(e) Withhold further Federal awards for the project or program.</p> <p>(f) Take other remedies that may be legally available.</p>	
<p>Federal Funding Accountability and Transparency Act (FFATA) of 2006</p>	<p>—Not later than January 1, 2008, the Office of Management and Budget shall, in accordance with this section, section 204 of the E-Government Act of 2002 (Public Law 107–347; 44 U.S.C. 3501 note), and the Office of Federal Procurement Policy Act (41 U.S.C. 403 et seq.), ensure the existence and operation of a single searchable website, accessible by the public at no cost to access, that includes for each Federal award— (A) the name of the entity receiving the award; (B) the amount of</p>	<p>Requires reporting sub-grant recipients</p>

	<p>the award; (C) information on the award including transaction type, funding agency, the North American Industry Classification System code or Catalog of Federal Domestic Assistance number (where applicable), program source, and an award title descriptive of the purpose of each funding action; (D) the location of the entity receiving the award and the primary location of performance under the award, including the city, State, congressional district, and country; (E) a unique identifier of the entity receiving the award and of the parent entity of the recipient, should the entity be owned by another entity; and (F) any other relevant information specified by the Office of Management and Budget</p>	
<p>Program Fraud Civil Remedies Act, 31 U.S.C. § 3801, 3802</p>	<p>(a)(1) Any person who makes, presents, or submits, or causes to be made, presented, or submitted, a claim that the person knows or has reason to know--</p> <p>(A) is false, fictitious, or fraudulent;</p> <p>(B) includes or is supported by any written statement which asserts a material fact which is false, fictitious, or fraudulent;</p> <p>(C) includes or is supported by any written statement that--</p> <p>(i) omits a material fact;</p> <p>(ii) is false, fictitious, or fraudulent as a result of such omission; and</p> <p>(iii) is a statement in which the person making, presenting, or submitting such statement has a duty to include such material fact; or</p> <p>(D) is for payment for the provision of property or services which the person has not provided as claimed,</p> <p>shall be subject to, in addition to any other remedy that may be prescribed by law, a civil penalty of not more than \$5,000 for each such claim. Except as provided in paragraph (3) of this subsection, such person shall also be subject to an assessment, in lieu of damages sustained by the United States because of such claim, of not more than twice the amount of such claim, or the portion of such</p>	<p>Prohibits false statements in grant applications and registration</p>

	claim, which is determined under this chapter to be in violation of the preceding sentence.	
2 C.F.R. § 200.318(c).	<ul style="list-style-type: none"> • Recipient must maintain a conflict of interest policy consistent with 2 C.F.R. § 200.318(c). • The conflict of interest policy is applicable to each activity funded under this award. • (c)(1) Recipients must maintain written standards of conduct covering conflicts of interest and governing the actions of its employees engaged in the selection, award and administration of contracts. • No employee, officer, or agent may participate in the selection, award, or administration of a contract supported by an award if he or she has a real or apparent conflict of interest. • A conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties enumerated above, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract. • The officers, employees, and agents of the recipient may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts. However, non-Federal entities may set standards for situations in which the financial interest is not substantial or the gift is an unsolicited item of nominal value. • The conflict of interest policy and standards of conduct must provide for disciplinary actions to be applied for violations of such standards by officers, employees, or agents of the recipient. • Recipient and subrecipients must disclose in writing to Treasury or the pass-through entity, as appropriate, any potential conflict of interest affecting the awarded funds. 	Requires Conflict of Interest Policy

2 C.F.R. Part 200	“give the awarding agency or the General Accounting Office, through any authorized representative, access to and the right to examine all paper or electronic records related to the financial assistance.”	Requires Record-Keeping and Access Policy
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