

IMLS - Grant Applicants - Submitting an Application

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[IMLS Assurances and Certifications](#)
IMLS is required to obtain from all applicants
certifications regarding federal debt status,
debarment and suspension, nondiscrimination, and a
drug-free workplace. Applicants requesting more

than \$100,000 in grant funds must also certify regarding lobbying activities and may be required to submit a Disclosure of Lobbying Activities form (Standard Form LLL). Some applicants will be required to certify that they will comply with other federal statutes that pertain to their particular situation. These requirements are incorporated in the Assurances Statement below. The authorized representative must review the statement and provide the certification in item 9 on the Application for Federal Domestic Assistance/Short Organizational Form (SF-424s).

Assurances Statement

By signing the application form, the authorized representative, on behalf of the applicant, assures and certifies that, should a grant be awarded, the applicant will comply with the statutes outlined below and all related IMLS regulations (see 45 CFR Chapter XI and 2 CFR Chapter XXXI). These assurances are given in connection with any and all financial assistance from IMLS after the date this form is signed, but may include payments after this date for financial assistance approved prior to this date. These assurances shall obligate the applicant for the period during which the federal financial assistance is extended. The applicant recognizes and agrees that any such assistance will be extended in reliance on the representations and agreements made in these assurances, and that the United States government has the right to seek judicial enforcement of these assurances, which are binding on the applicant, its successors, transferees, and assignees, and on the authorized official whose signature appears on the application form.

Certifications Required of All Applicants Financial, Administrative, and Legal

Accountability

The authorized representative, on behalf of the applicant, certifies that the applicant has legal authority to apply for federal assistance and the institutional, managerial, and financial capability (including funds sufficient to pay the

nonfederal share of project costs) to ensure proper planning, management, and completion of the project described in this application.

The authorized representative, on behalf of the applicant, certifies that the applicant will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 (31 U.S.C. 7501 et seq.) and OMB Circular No. A-133, Audits of States, Local Governments, and Non-Profit Organizations.

The authorized representative, on behalf of the applicant, certifies that the applicant will comply with the provisions of applicable OMB Circulars.

Federal Debt Status

The authorized representative, on behalf of the applicant, certifies to the best of his or her knowledge and belief that the applicant is not delinquent in the repayment of any federal debt.

Debarment and Suspension

The applicant shall comply with 2 C.F.R. Part 3185. The authorized representative, on behalf of the applicant, certifies to the best of his or her knowledge and belief that neither the applicant nor any of its principals:

- are presently excluded or disqualified;
- have been convicted within the preceding three years of any of the offenses listed in 2 C.F.R.

- 180.800(a) or had a civil judgment rendered against it or them for one of those offenses within that time period;

- are presently indicted for or otherwise criminally or civilly charged by a governmental entity (federal, state, or local) with commission of any of the offenses listed in 2 C.F.R. 180.800(a); or

- have had one or more public transactions (federal, state, or local) terminated within the preceding three years for cause or default.

Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

The applicant, as a primary tier participant, is required to comply with 2 C.F.R. Part 180 Subpart C (Responsibilities of Participants Regarding

Transactions Doing Business with Other Persons) as a condition of participation in the award. The applicant is also required to communicate the requirement to comply with 2 C.F.R. Part 180 Subpart C (Responsibilities of Participants Regarding Transactions Doing Business with Other Persons) to persons at the next lower tier with whom the applicant enters into covered transactions.

Nondiscrimination

The authorized representative, on behalf of the applicant, certifies that the applicant will comply with the following nondiscrimination statutes and their implementing regulations:

Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. 2000 et seq.), which prohibits discrimination on the basis of race, color, or national origin;

Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 701 et seq.), which prohibits discrimination on the basis of disability;

Title IX of the Education Amendments of 1972, as amended (20 U.S.C. 168183, 168586), which prohibits discrimination on the basis of sex in education programs; and

the Age Discrimination in Employment Act of 1975, as amended (42 U.S.C. 6101 et seq.), which prohibits discrimination on the basis of age.

Drug-Free Workplace

The authorized representative, on behalf of the applicant, certifies, as a condition of the award, that the applicant will or will continue to provide a drug-free workplace by complying with the requirements in Subpart B of 45 C.F.R. Part 1186.

This includes: making a good faith effort, on a continuing basis, to maintain a drug-free workplace; publishing a drug-free workplace statement; establishing a drug-free awareness program for its employees; taking actions concerning employees who are convicted of violating drug statutes in the workplace; and identifying (either with this application or upon award, or in documents kept on file in the

applicants office) all known workplaces under the award.

[Note: IMLS Drug Free Workplace regulations will shortly be relocated from 45 C.F.R. Part 1186 to 2 CFR.]

Certification Regarding Lobbying Activities

(Applies to Applicants Requesting Funds in Excess of \$100,000)

The authorized representative certifies, to the best of his or her knowledge and belief, that:

(a) no federal appropriated funds have been paid or will be paid by or on behalf of the authorized representative 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 connection with the awarding of a federal contract, the making of a federal grant, the making of a federal loan, the entering into of a cooperative agreement, or the extension, continuation, renewal, amendment, or modification of a federal contract, grant, loan, or cooperative agreement;

(b) if any funds other than appropriated federal funds have been paid or will be paid to any person (other than a regularly employed officer or employee of the applicant) 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 this federal contract, grant, loan, or cooperative agreement, the authorized representative shall request, complete, and submit Standard Form LLL,

Disclosure of Lobbying Activities, in accordance with its instructions; and

(c) the authorized representative shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

General Certification

The authorized representative, on behalf of the applicant, certifies that the applicant will

comply with all applicable requirements of all other federal laws, executive orders, regulations, and policies governing the program. IMLS grant regulations may be found at 45 C.F.R. Chapter XI and 2 C.F.R. Chapter XXXI.

Certifications Required of Some Applicants

The following certifications are required if applicable to the project for which an application is being submitted. Applicants should be aware that additional federal certifications, not listed below, might apply to a particular project.

Subcontracts

A grantee may not make a subgrant (for more details, see 45 C.F.R. Chapter XI, Subchapter E [Institute of Museum and Library Services]).

Applicants who plan to use awards to fund contracts and subcontracts should be aware that they must comply with the communication and verification requirements set forth in the above Debarment and Suspension provisions.

Native American Human Remains and Associated Funerary Objects

The authorized representative, on behalf of the applicant, certifies that the applicant will comply with the provisions of the Native American Graves Protection and Repatriation Act of 1990 (25 U.S.C. 3001 et seq.), which applies to any organization that controls or possesses Native American human remains and associated funerary objects, and which receives federal funding, even for a purpose unrelated to the Act.

Historic Properties

The authorized representative, on behalf of the applicant, certifies that the applicant will assist the awarding agency in ensuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. 470f), Executive Order (E.O.) 11593, and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. 469 et seq.).

Environmental Protections

The authorized representative, on behalf of the applicant, certifies that the project will comply with environmental standards, including the following:

- (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969, as amended (42 U.S.C. 4321 et seq.) and E.O. 11514;
- (b) notification of violating facilities pursuant to E.O. 11738;
- (c) protection of wetlands pursuant to E.O. 11990, as amended by E.O. 12608;
- (d) evaluation of flood hazards in floodplains in accordance with E.O. 11988, as amended;
- (e) assurance of project consistency with the approved state management program developed under the Coastal Zone Management Act of 1972, as amended (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 (42 U.S.C. 300f et seq.); and
- (h) protection of endangered species under the Endangered Species Act of 1973, as amended (16 U.S.C. 1531-1543).

The authorized representative, on behalf of the applicant, certifies that the project will comply with the Wild and Scenic Rivers Act of 1968, as amended (16 U.S.C. 1271 et seq.), related to protecting components or potential components of the national wild and scenic rivers system.

The authorized representative, on behalf of the applicant, certifies that the applicant will comply with the flood insurance requirements of the Flood Disaster Protection Act of 1973, as amended (42 U.S.C. 4001 et seq.), 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.

Research on Human and Animal Subjects
The authorized representative, on behalf of the applicant, certifies that the project will comply with 45 C.F.R. Part 46 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.

The authorized representative, on behalf of the applicant, certifies that the project will comply with the Laboratory Animal Welfare Act of 1966, 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. ¶ ¶ ¶
For further information on these certifications, contact IMLS, 1800 M Street, NW, 9th Floor, Washington, DC 20036. Or call 202/653-IMLS (4657).

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