

Annex G

Awardee Certifications and Disclosures

This Annex sets forth certifications, assurances, and representations given in consideration of and for the purpose of obtaining the IAF Award. The Awardee must complete all certifications in this section and return them to the IAF by [deadline]. It is the Awardee's responsibility to update these certifications and disclosures within fourteen (14) days of any changes to the Awardee's ability to make the representation, including if changes are made to individuals holding positions subject to the representation. The Awardee recognizes and agrees that such Federal financial assistance will be extended in reliance on the representations and agreements made in this Annex G, and that the United States will have the right to terminate the Award, seek judicial enforcement, or take any other action under the Award terms if the Awardee submits a false representation.

List of Certifications and Disclosures:

[Certifications and Disclosures Applicable to All Awards](#)

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Annex G1: Certification Regarding Lobbying

In accordance with 31 USC 1352, the Awardee may not use US federal appropriated funds to lobby and must report any non-US federal appropriated funds that it used to lobby in connection with this Award. If the Award is for \$100,000USD or more, the Awardee must also submit this certification and pass-through the provisions of this Award in subgrants and contracts related to this Award.

The Awardee certifies to the best of their knowledge and belief that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of the U.S. Congress, an officer or employee of the U.S. Congress, or an employee of a Member of the U.S. Congress in connection with 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.

(2) 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 U.S. agency, a Member of the U.S. Congress, an officer or employee of the U.S. Congress, or an employee of a Member of the U.S. Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall inform the IAF. The IAF will provide the Awardee with the Standard Form-LLL, "Disclosure Form to Report Lobbying," and the Awardee will complete the form in accordance with its instructions.

3) The Awardee shall require that the language of this certification be included in the award documents for:

(A) If this Award is a grant: subgrants and contracts in connection with this Award.

(B) If this Award is a cooperative agreement: contracts in connection with this Award.

Authorized Representative Signature

Date

Name

Title

signed on behalf of _____ (Awardee name).

Annex G2: Certification of Drug Free Workplace

In accordance with the Drug Free Workplace Act of 1988 and 22 CFR 1008, the Awardee must certify that it will maintain a drug free workplace, or in the case of an individual, certify that his or her conduct of Award activity will be drug free. This requirement applies to all awardees of United States Government foreign assistance programs to the extent that making such drug free certifications are consistent with the laws or regulations of the countries in which the awardees carry out their award activities.

The Awardee 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 (illegal drugs) is prohibited in the Awardee'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:
 - (i) the dangers of drug abuse in the workplace;
 - (ii) the Awardee's policy of maintaining a drug free workplace;
 - (iii) any available drug counseling, rehabilitation, and employee assistance programs; and
 - (iv) the penalties that may be imposed upon employees for drug abuse violations occurring in the workplace
- (c) Making it a requirement that each employee to be engaged in the performance of the Award be given a copy of the statement required by paragraph (a);
- (d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will:
 - (i) abide by the terms of the statement; and
 - (ii) notify the employer of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction;
- (e) Notifying the IAF within ten days after receiving the notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction;
- (f) Taking one of the following actions, within 30 days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted:
 - (i) taking appropriate personnel action against such an employee, up to and including termination; or
 - (ii) requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a national or local health, law enforcement, or other appropriate agency;

(g) Making a good faith effort to continue to maintain a drug free workplace through implementation of paragraphs (a), (b), (c), (d), (e) and (f).

Authorized Representative Signature

Date

Name

Title

signed on behalf of _____ (Awardee name).

NOTICE: The certification is a material representation of fact upon which the IAF relied in deciding this Award. If it is later determined that the Awardee knowingly rendered a false certification, or otherwise violates the requirements of the DrugFree Workplace Act, the IAF may take action authorized under the DrugFree Workplace Act, including suspension or termination of the Agreement. A suspension of payments, termination, or suspension or debarment proceeding subject to this subsection shall be conducted in accordance with applicable law, including Executive Order 12549 or any superseding executive order and any regulations prescribed to implement the law or executive order. An Awardee debarred by a final decision under this subsection is ineligible for award of a grant by a Federal agency, and for participation in a future grant by a Federal agency, for a period specified in the decision, not to exceed 5 years.

**Annex G3: Certification Regarding Support to Terrorists, Implementing
Executive Order 13224**

In accordance with Executive Order 13224, the Awardee must certify that, as of the date on which the award application was submitted to the IAF, the Awardee did not, within the previous three years, knowingly engage in transactions with, or provide material support or resources to, any individual or entity who was, at the time, subject to sanctions administered by the Office of Foreign Assets Control (OFAC)¹ within the U.S. Department of Treasury pursuant to the Global Terrorism Sanctions Regulations (31 CFR 594), and the Foreign Terrorist Organizations Sanctions Regulations (31 CFR 597), or sanctions established by the United Nations Security Council, collectively, "U.S. or U.N. sanctions"².

This certification includes express terms and conditions of the Award Terms and Conditions (Annex B), and any violation of it will be grounds for unilateral termination of the Agreement by the IAF. This certification does not preclude any other remedy available to the IAF.

For purpose of this certification:

- (a) "Material support and resources" means currency or monetary instruments or financial securities, financial services, lodging, training, expert advice or assistance, safehouses, false documentation or identification, communications equipment, facilities, weapons, lethal substances, explosives, personnel, transportation, and other physical assets, except medicine or religious materials.
 - (i) "Training" means instruction or teaching designed to impart a specific skill, as opposed to general knowledge.
 - (ii) "Expert advice or assistance" means advice or assistance derived from scientific, technical, or other specialized knowledge.
- (b) "Entity" means a partnership, association, corporation, or other organization, group, or subgroup.

Authorized Representative Signature

Date

Name

Title

signed on behalf of _____ (Awardee name).

¹ Please refer to <https://ofac.treasury.gov/sanctions-list-service>.

² Please refer to <https://scsanctions.un.org/search/>.

Annex G4: Conflicts of Interest Disclosure

Per the Award Terms and Conditions (Annex B) Clause VI, the Awardee must disclose any actual, potential, or perceived personal or organizational conflicts of interest.

The Awardee must fill out the following disclosure and return it with the first disbursement request. If a new conflict arises, the Awardee must use this form to disclose the conflict and the Awardee's proposed resolution *before* taking action on the conflict if possible. If at any point the Awardee becomes aware of a previously unreported conflict of interest, this form must be resubmitted as soon as possible. Any conflicts of interest and proposed resolutions must be reviewed by IAF's Office of General Counsel before a disbursement can occur. IAF reserves the right to deny a cost associated with a conflict that was not reviewed by the IAF prior to the Awardee taking action on the conflict.

In your disclosure describe any relationships or circumstances that could contribute to a conflict of interest and the Awardee's approach for resolving the conflict. Please include the name of all relevant entities and their relationship to each other, the description of the potential conflict of interest, and the entity's proposed action including any mitigation measures. If there are multiple potential conflicts, please number them and describe them separately. Please attach your organization's Conflict of Interest Policy as well as any other relevant document such as your organization's by-laws or organization chart.

Example 1: Project Coordinator Jane Doe supervises her nephew, John Doe who is the accountant. The Project Coordinator was part of the three person panel who hired the nephew for this project. Nephew is qualified for the role and the only other applicants were deemed unqualified. Our organization proposes removing the Project Coordinator as supervisor of her nephew who will instead be supervised by the technical advisor.

Example 2: The Secretary of our Board of Directors, Juanita Lopez, is also the director of the organization ABC, who is applying for a subaward from our organization under the project using IAF funds. We propose removing the Secretary from any Board decision having to do with the IAF project including decisions on subawards.

If there are no actual, potential, or perceived conflicts of interest, please check the box certifying that there are none, below.

- By checking this box I certify that there are currently no actual, potential, or perceived conflicts of interest as defined by the Award Terms and Conditions (Annex B).

OR

- This is notice to IAF that the following actual, potential, or perceived conflicts of interest exist and that the Awardee proposes the included resolution:

Authorized Representative Signature _____ Date

Name _____ Title

on behalf of _____ (Awardee name).

Annex G5: Major Non-Profit Organization Certification

In accordance with 2 CFR 200.414, Major Nonprofit Organizations must provide IAF with additional information. Complete Part A, and if directed to, Part B to determine if this certification is required.

- (A) Per 2 CFR 200.1 a Nonprofit Organization is a corporation, trust, association, cooperative, or other organization, not including an Institute of Higher Education³, that: (1) Is operated primarily for scientific, educational, service, charitable, or similar purposes in the public interest; (2) Is not organized primarily for profit; and (3) Uses net proceeds to maintain, improve, or expand the operations of the organization.

_____ Awardee is not a Nonprofit Organization under this definition (Part I is complete, move to Part II)
_____ Awardee is a Nonprofit Organization under this definition (complete subpart (B) of this Part)

- (B) Per 2 CFR 200.414(a), Major Nonprofit Organizations are those which receive more than \$10 million dollars in direct Federal funding. Based on above, please mark as appropriate:

_____ Awardee is not a major nonprofit organization under this definition. (Annex G4 is complete, move to Annex G5)
_____ Awardee is a Major Nonprofit Organization under this definition and therefore must comply with the requirement of 2 CFR 200.415 to provide the IAF with a cost allocation plan or indirect (F&A) cost rate proposal F&A breakdown. (Sign the below certification)

I certify that the Awardee will comply with the requirement of 2 CFR 200.415 to provide the IAF with a cost allocation plan or indirect (F&A) cost rate proposal F&A breakdown.

Authorized Representative Signature

Date

Name

Title

signed on behalf of _____ (Awardee name).

³ Institute of Higher Education means an educational institution in any State of the United States that meets the requirements of 20 U.S.C. 1001.

Annex G6: Assurance of Compliance with Laws and Regulations Governing Non-discrimination in Federally Assisted Programs

United States organizations and Awards taking place within the United States are subject to additional laws and regulations. Answer Part A to determine if this certification is required.

(A) Is the Awardee a Non-U.S. organization AND will any part of the award activities be undertaken in the United States? (If awardee is a non-US organization and the entire award will be undertaken outside of the United States, answer NO.)

NO (Annex G5 is complete, move to Annex G6)

YES (Awardee must sign the below certification before moving to Annex G6)

If "YES", the Awardee must sign the following certification:

I hereby assure that no person in the United States will, on the bases set forth below, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under, any program or activity receiving financial assistance from the IAF, and that Awardee will comply with the requirements of:

(1) Title VI of the Civil Rights Act of 1964 (Pub. L. 88-352, 42 USC 2000-d), which prohibits discrimination on the basis of race, color or national origin, in programs and activities receiving Federal financial assistance;

(2) Section 504 of the Rehabilitation Act of 1973 (29 USC 794), which prohibits discrimination on the basis of disability in programs and activities receiving Federal financial assistance;

(3) The Age Discrimination Act of 1975, as amended (Pub. L. 95-478), which prohibits discrimination based on age in the delivery of services and benefits supported with Federal funds;

(4) Title IX of the Education Amendments of 1972 (20 USC 1681, et seq.), which prohibits discrimination on the basis of sex in education programs and activities receiving Federal financial assistance (whether or not the programs or activities are offered or sponsored by an educational institution); and

(5) Any IAF regulations implementing the above nondiscrimination laws, set forth in 22 CFR 1001-1009.

If the Awardee is an institution of higher education, the assurances given herein extend to admission practices and to all other practices relating to the treatment of students or clients of the institution, or relating to the opportunity to participate in the provision of services or other benefits to such individuals, and must be applicable to the entire institution unless the recipient establishes to the satisfaction of the IAF that the institution's practices in designated parts or

programs of the institution will in no way affect its practices in the program of the institution for which financial assistance is sought, or the beneficiaries of, or participants in, such programs.

Authorized Representative Signature

Date

Name

Title

signed on behalf of _____ (Awardee name).

Annex G7: Certification Regarding Trafficking in Persons

In accordance with Title XVII of the National Defense Authorization Act, awards for services to be performed outside the United States which exceed \$500,000USD must not participate in trafficking in persons. If the Award is for more than \$500,000 and Award Activities will take place outside of the United States, this certification must be completed prior to receiving an award. This certification must also be submitted annually to the IAF during the term of the Award. You do not need to complete this certification if your Award is less than \$500,000, however if your Award is amended to be for more than \$500,000, you must submit this certification before that amendment can be awarded and annually thereafter.

In accordance with Title XVII of the National Defense Authorization Act for Fiscal Year 2013, I certify on behalf of Awardee that:

1. The Awardee has implemented a compliance plan⁴ to prevent the prohibited activities identified in Award Terms and Conditions (Annex B), Section XVIII Combating Trafficking in Persons and is in compliance with that plan;
2. The Awardee has implemented procedures to prevent any activities described in Award Terms and Conditions (Annex B), Section XVIII Combating Trafficking in Persons and to monitor, detect, and terminate any contractor, subgrantee, employee, or other agent of the Awardee engaging in any activities described in such section; and
3. To the best of the Awardee representative's knowledge, neither the Awardee, nor any employee, contractor, or subgrantee of the applicant/recipient, nor any agent of the Awardee or

⁴ The compliance plan must include, at a minimum, the following:

- (i) An awareness program to inform recipient employees about the Government's policy prohibiting trafficking-related activities described in paragraph (a) of this section, the activities prohibited, and the actions that will be taken against the employee for violations. Additional information about Trafficking in Persons and examples of awareness programs can be found at the website for the Department of State's Office to Monitor and Combat Trafficking in Persons at <http://www.state.gov/j/tip/>.
- (ii) A process for employees to report, without fear of retaliation, activity inconsistent with the policy prohibiting trafficking in persons.
- (iii) A recruitment and wage plan that only permits the use of recruitment companies with trained employees, prohibits charging recruitment fees to the employees or potential employees and ensures that wages meet applicable host-country legal requirements or explains any variance.
- (iv) A housing plan, if the recipient, subrecipient, contractor, or subcontractor intends to provide or arrange housing, that ensures that the housing meets host-country housing and safety standards.
- (v) Procedures to prevent agents, subrecipients, contractors, or subcontractors at any tier and at any dollar value from engaging in trafficking in persons, including activities in paragraph (a) of this section, and to monitor, detect, and terminate any agents, subgrants, or subrecipient, contractor, or subcontractor employees that have engaged in such activities.

2 C.F.R. 175.105(b)(5).

of such a contractor or subgrantee, is engaged in any of the activities described in Award Terms and Conditions (Annex B), Section XIII Combating Trafficking in Persons.

Authorized Representative Signature

Date

Name

Title

signed on behalf of _____ (Awardee name).