

## **CSBG CARES Act Supplemental State Plan**

**Program Name:** Community Services Block Grant CARES Act

**Grantee Name:** North Dakota

**Report Name:** CSBG CARES Act Supplemental State Plan

**Report Period:** 10/01/2019 to 09/30/2020

**Report Status:** Saved -- Validated

### Report Sections

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**CSBG Cover Page (SF-424M)**

<b>U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES</b> Administration for Children and Families Community Services Block Grant (CSBG)		Form Approved OMB No: 0970-0382 Expires:06/30/2021	
<b>COVER PAGE</b>			
* 1.a. Type of Submission: <input type="radio"/> Application <input checked="" type="radio"/> Plan <input type="radio"/> Other (2 Year)	* 1.b. Frequency: <input type="radio"/> Annual <input checked="" type="radio"/> Other (2 Year)	* 1.c. Consolidated Application/ Plan/Funding Request?  Explanation:	* 1.d. Version: <input type="radio"/> Initial <input type="radio"/> Resubmission <input checked="" type="radio"/> Revision <input type="radio"/> Update
		2. Date Received:	State Use Only:
		3. Applicant Identifier:	
		4a. Federal Entity Identifier:	5. Date Received By State:
		4b. Federal Award Identifier:	6. State Application Identifier:
<b>7. APPLICANT INFORMATION</b>			
* a. Legal Name: North Dakota Department of Commerce			
* b. Employer/Taxpayer Identification Number (EIN/TIN): 1450309764A6		* c. Organizational DUNS: 802741843	
* d. Address:			
* Street 1:	1600 East Century Avenue, Suite 2	Street 2:	Post Office Box 2057
* City:	Bismarck	County:	
* State:	ND	Province:	
* Country:	United States	* Zip / Postal Code:	58502 -
e. Organizational Unit:			
Department Name: Department of Commerce		Division Name: Division of Community Services	
f. Name and contact information of person to be contacted on matters involving this application:			
Prefix:	* First Name: Rikki	Middle Name: L	* Last Name: Roehrich
Suffix:	Title: Program Manager	Organizational Affiliation:	
* Telephone Number: (701) 328-2687	Fax Number:	* Email: rroehrich@nd.gov	
* 8a. TYPE OF APPLICANT: A: State Government			
b. Additional Description:			
* 9. Name of Federal Agency:			
10. CFDA Numbers and Titles		Catalog of Federal Domestic Assistance Number: 93569	CFDA Title: Community Services Block Grant
11. Descriptive Title of Applicant's Project CARES CSBG Funding			
12. Areas Affected by Funding:			
13. CONGRESSIONAL DISTRICTS OF:			
* a. Applicant ND		b. Program/Project:	
Attach an additional list of Program/Project Congressional Districts if needed.			
14. FUNDING PERIOD:		15. ESTIMATED FUNDING:	
a. Start Date:	b. End Date:	* a. Federal (\$):	b. Match (\$):

		\$0	\$0
<b>* 16. IS SUBMISSION SUBJECT TO REVIEW BY STATE UNDER EXECUTIVE ORDER 12372 PROCESS?</b>			
a. This submission was made available to the State under the Executive Order 12372			
Process for Review on :			
b. Program is subject to E.O. 12372 but has not been selected by State for review.			
c. Program is not covered by E.O. 12372.			
<b>* 17. Is The Applicant Delinquent On Any Federal Debt?</b>			
<input type="radio"/> YES			
<input checked="" type="radio"/> NO			
Explanation:			
18. By signing this application, I certify (1) to the statements contained in the list of certifications** and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001)			
<b>**I Agree</b> <input checked="" type="checkbox"/>			
** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.			
18a. Typed or Printed Name and Title of Authorized Certifying Official		18c. Telephone (area code, number and extension)	
		18d. Email Address	
18b. Signature of Authorized Certifying Official		18e. Date Report Submitted (Month, Day, Year)	
<b>Attach supporting documents as specified in agency instructions.</b>			

**Section 1: CSBG Lead Agency, CSBG Authorized Official, CSBG Point of Contact, and Official State Designation Letter**

<b>U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES</b> <b>Administration for Children and Families</b> <b>Community Services Block Grant (CSBG)</b>	Form Approved OMB No:0970-0382 Expires:06/30/2021
<b>SECTION 1</b> <b>CSBG Lead Agency, CSBG Authorized Official, CSBG Point of Contact, and Official State Designation Letter</b>	

<b>1.1. Identify the Submission Date of your FFY2020 CSBG State Plan:</b>  <i>Note: This information can be found on the Report Status Page of your most recently submitted CSBG State Plan.</i> <i>If you submitted a two-year plan in FFY2019, please provide that date.</i> <i>If you submitted a plan in FFY2020, please provide that date.</i>	08/27/2019
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**1.2. Lead Agency:** Update the following information in relation to the lead agency designated to administer CSBG in the state, as required by Section 676(a) of the CSBG Act.

*Information should reflect the responses provided in the Application for Federal Assistance, SF-424M.*

**Has information in regards to the state lead agency changed since the last submission of the state plan?** No

<b>1.2a. Lead agency</b>	North Dakota Department of Commerce
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**1.2b. Cabinet or administrative department of this lead agency** *[Select one option and narrative where applicable]*

Community Affairs Department

Community Services Department

Governor's Office

Health Department

Housing Department

Human Services Department

Social Services Department

Other, describe

<b>1.2c. Cabinet or Administrative Department Name:</b> Provide the name of the cabinet or administrative department of the CSBG authorized official	Division of Community Services
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**1.2d. Authorized official of the lead agency**

<b>Name:</b> Bonnie Malo	<b>Title:</b> Director, Division of Community Services
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<b>1.2e. Street Address</b>	1600 East Century Avenue, Suite 2
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<b>1.2f. City</b>	Bismarck	<b>1.2g. State</b> ND	<b>1.2h. Zip</b> 58502
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<b>1.2i. Telephone number and extension</b> (701) 328-2476 ext.	<b>1.2j. Fax number</b> (701) 328-5320
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<b>1.2k. Email address</b> bmalo@nd.gov	<b>1.2l. Lead agency website</b> <a href="https://www.communityservices.nd.gov/">https://www.communityservices.nd.gov/</a>
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**1.3. Designation Letter:**

Attach the state's official CSBG designation letter. A new designation letter is required if the chief executive officer of the state and/or the designated agency has changed.

As the Authorized Official for CSBG, I confirm that there have been no changes within this state that will require a new designation letter, such as a change to the authorized official and/or authorized CSBG state lead agency.

**1.4. CSBG Point of Contact:** provide the following information in relation to the designated state CSBG point of contact.  
*The state CSBG point of contact should be the person that will be the main point of contact for CSBG within the state.*

**Has Information in regards to the state point of contact has changed since the last submission of the state plan?**

<b>1.4a. Agency Name</b> Department of Commerce
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**1.4b Point of Contact Name**

<b>Name:</b> Rikki Roehrich	<b>Title:</b> Program Administrator
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<b>1.4c. Street Address</b>	1600 East Century Avenue, Suite 2
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1.4d. City	Bismarck	1.4e. StateND	1.4f. Zip 58502
1.4g. Telephone Number (701) 328-2687 ext.	1.4h. Fax Number (701) 328-5320		
1.4i. Email Address rroehrich@nd.gov	1.4j. Agency Website <a href="https://www.communityservices.nd.gov/">https://www.communityservices.nd.gov/</a>		

## Section 2: State Legislation and Regulation

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES  
Administration for Children and Families  
Community Services Block Grant (CSBG)

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### SECTION 2 State Legislation and Regulation

For the purposes of the CARES Act, the Office of Community Services accepts the data submitted by the state in Section 2 of the most recently submitted CSBG State Plan (as dated in Section 1 of this Supplemental State Plan).

**2.1 Emergency Legislation or Regulation (Optional):** If applicable, please describe any special state legislation or regulation that directly impacts the implementation of CSBG CARES supplemental funding, including any emergency procedures to amend any existing legislation or regulation described in the accepted FFY2020 CSBG State plan (as dated in Section 1 of this state plan).

No, there is no special state legislation or regulation that directly impacts the implementation of CSBG CARES supplemental funding

Yes, there is special state legislation or regulation that directly impacts the implementation of CSBG CARES supplemental funding as described below

Since the CARES supplemental funds increased the amount available to provide to the Community Action Agencies, our department had to request an increase in their spending authority by the state's Emergency Commission. We would not be allowed to expend the additional funds without this legislative approval.

## Section 3: State Plan Development and Statewide Goals

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES  
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### SECTION 3 State Plan Development and Statewide Goals

For the purposes of the CARES Act, the Office of Community Services accepts the data submitted by the state in Section 3 of the most recently submitted CSBG State Plan (as dated in Section 1 of this Supplemental State Plan).

The following additional information is requested for CSBG CARES supplemental funding.

**3.1. State Plan Goals: Describe the state's specific goals for state administration of CSBG as it directly relates to the CSBG CARES funding.**

**Note: For examples of "goals," see State Accountability Measure 1Sa(i).**

The goals of the state office related to CARES funding are: 1. Distribution of the funds to eligible entities in compliance with all program regulations, while also seeking flexibility and expediency so that CAAs may quickly respond to the pandemic-related needs of their communities. 2. Development of a CARES-compliant state plan. 3. Complete reporting requirements and data collection for the CSBG CARES funding within the required timeframes. 4. Monitoring eligible entities to ensure that all regulations and compliance requirements are met, including assessing their achievement of the Organizational Standards. 5. To provide training and technical assistance to eligible entities in complying with CSBG CARES regulations, program objectives, ROMA, and Organizational Standards.

**3.2. Eligible Entity Involvement: Describe the specific steps the state took in developing the CSBG CARES Supplemental State Plan to involve the eligible entities**

The State office works closely with the Community Action partnership of North Dakota (CAPND) on a weekly basis, which has involved the topic of CARES funding since late March. The state office also met in a virtual meeting weekly with the Directors from all agencies across the state between the third week in March through the third week in May, then decreased to bi-weekly through June. These meetings were held to answer questions and provide updates specifically related to COVID-19 services and CARES funding. The state is also working with all 7 CAAs to complete a statewide Needs Assessment, which will have information specific to all the regions. The data collection period will end on 8/31/2020, although updates, including preliminary data reports have been provided to the agencies. This information was accounted for when developing the state plan. Additionally, all agencies were informed when the DRAFT CSBG CARES State Plan was posted to the Division of Community Services Website, and they were invited to provide feedback, so that changes could be made to the state plan before it was submitted to OCS.

## Section 4: CSBG Hearing Requirements

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES  
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### SECTION 4 CSBG Hearing Requirements

For the purposes of the CARES Act, the Office of Community Services accepts the data submitted by the state in Section 4 of the most recently submitted CSBG State Plan (as dated in Section 1 of this Supplemental State Plan).

The CSBG CARES Supplemental State Plan is considered to be a plan revision, consistent with Section 676(e) of the CSBG Act (Revisions and Inspection).

**4.1. Public Inspection: Describe how the CSBG CARES Supplemental State Plan has been made available for public inspection within the state to facilitate public review and comment.**

The CSBG CARES Supplemental Plan was posted to the Department of Commerce, Division of Community Services, website on August 10, 2020. A press release was also issued informing the public of the plans availability on the website on August 10, 2020. A sixteen-day comment period was allowed, in which any interested citizen or entity could submit feedback to the CSBG Program Manager by the end of business day on 8/26/2020. Additionally, the 7 CAAs and the state association were notified directly via e-mail of the plans availability and were asked to share the information about the plans availability and the opportunity to comment with any partners agencies or other interested entities that they may know about.

**Note:**

**For the purposes of this CSBG CARES Supplemental State Plan, a public hearing is not required. However, the state should notify eligible entities and other known stakeholders that this plan is available for a public review and comment, and post publicly, e.g., on the state's public website, for a reasonable timeframe.**

**Although, a reasonable timeframe is not specified in the statute, for purposes of the CSBG CARES Supplemental State Plan, OCS recommends a minimum of 10 business days.**



## Section 5: CSBG Eligible Entities

**U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES  
Administration for Children and Families  
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### SECTION 5 CSBG Eligible Entities

**For the purposes of the CARES Act, the Office of Community Services accepts the data submitted by the state in Section 5 of the most recently submitted CSBG State Plan (as dated in Section 1 of this Supplemental State Plan).**

As the Authorized Official for CSBG, I confirm that there are no changes to the CSBG Eligible Entities as submitted in Section 5 of the most recently submitted CSBG State Plan (as dated in Section 1)

As the Authorized Official for CSBG, I confirm that yes, there were changes to the CSBG Eligible Entities as submitted in Section 5 of the most recently submitted CSBG State Plan (as dated in Section 1).

**If there were changes to the CSBG Eligible Entity list, please update within Section 7.2 of this State Plan accordingly:**

**Designation and Re-Designation: add at the end of the table**

**De-Designations and Voluntary Relinquishments: do not remove the entity. Rather just add zero to the appropriate line.**

**Mergers: Do not remove the eligible entities. Rather just add zero to the appropriate line.**

**OCS reserves the opportunity to request more information at a later date.**

**5.1. CSBG Eligible Entities: In the table below, indicate whether eligible entity in the state is public or private, the type(s) of entity, and the geographical area served by the entity.**

#	CSBG Eligible Entity	Geographical Area Served by county (Provide all counties)	Public or Nonprofit	Type of Entity [choose all that apply]
1	Community Action Partnership Region I & VIII	Divide County, Williams County, McKenzie County, Golden Valley County, Billings County, Dunn County, Stark County, Slope County, Hettinger County, Bowman County, Adams County	Non-Profit	Community Action Agency
2	Community Action Partnership Minot Region	Burke County, Renville County, Bottineau County, Mountrail County, Ward County, McHenry County, Pierce County	Non-Profit	Community Action Agency
3	Dakota Prairie Community Action	Rolette County, Towner County, Cavalier County, Ramsey County, Benson County, Eddy County	Non-Profit	Community Action Agency
4	Red River Valley Community Action Agency	Pembina County, Walsh County, Nelson County, Grand Forks County	Non-Profit	Community Action Agency
5	Southeastern ND Community Action Agency	Steel County, Traill County, Cass County, Ransom County, Sargent County, Richland County	Non-Profit	Community Action Agency
6	Community Action Region VI, Inc.	Wells County, Foster County, Griggs County, Stutsman County, Barnes County, Logan County, Lamoure County, McIntosh County, Dickey County	Non-Profit	Community Action Agency
7	Community Action Program Region VII, Inc.	Mercer County, McLean County, Sheridan County, Oliver County, Burleigh County, Kidder County, Morton County, Grant County, Sioux County, Emmons County	Non-Profit	Community Action Agency

**5.3. Special Circumstances [Optional]: If the state has any specific circumstances that will affect the allocation, such as a pending de-designation hearing for an eligible entity, please describe below:**

**Please note: Additional information should be sent directly to your Program Specialist.**

No, special circumstances were implemented to the CSBG CARES Supplemental allocations

Yes, special circumstances were implemented to the CSBG CARES Supplemental pending de-designation(s) for an eligible entity

## Section 6: Organizational Standards for Eligible Entities

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES  
Administration for Children and Families  
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### SECTION 6 Organizational Standards for Eligible Entities

For the purposes of the CARES Act, the Office of Community Services accepts the data submitted by the state in Section 6 of the most recently submitted CSBG State Plan (as dated in Section 1 of this Supplemental State Plan), and seeks no additional information.

## Section 7: State Use of Funds

<b>U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES</b> Administration for Children and Families Community Services Block Grant (CSBG)	Form Approved OMB No: 0970-0382 Expires:06/30/2021
<b>SECTION 7</b> <b>State Use of Funds</b>	

**Eligible Entity Allocation (90 Percent Funds) [Section 675C(a) of the CSBG Act]**

**7.1. Formula:**

Select the method (formula) that best describes the current practice for allocating CSBG funds to eligible entities.

- Historic
- Base + Formula
- Formula Alone
- Formula with Variables
- Hold Harmless + Formula
- Other

**7.2. Planned Allocation:**

Specify the percentage of your CSBG planned allocation that will be funded to eligible entities and "not less than of 90 percent funds" as described under Section 675C(a) of the CSBG Act.

In the table, provide the planned allocation for each eligible entity receiving funds for the fiscal year(s) covered by this plan. [Numeric Response, specify dollar amount]

**Planned CSBG 90 Percent Funds**

CSBG Eligible Entity	Funding Amount \$	Delete
Community Action Partnership Region I & VIII	\$283,071	
Community Action Partnership Minot Region	\$144,751	
Dakota Prairie Community Action	\$143,748	
Red River Valley Community Action Agency	\$145,314	
Southeastern ND Community Action Agency	\$149,093	
Community Action Region VI, Inc.	\$142,740	
Community Action Program Region VII, Inc.	\$146,702	
<b>Total</b>	<b>\$1,155,419</b>	

**Administrative Funds [Section 675C(b)(2) of the CSBG Act]**

**7.3. Allocated Funds:** Specify the amount of your CSBG funds allocated for administrative activities for the FFY(s) covered by this State plan.

64,190

**7.4. State Staff:** Provide the number of state staff positions to be funded in whole or in part with CSBG CARES funds for the FFY(s) covered by this State Plan.

3.00

**7.5. State FTEs:** Provide the number of state Full Time Equivalents (FTEs) to be funded with CSBG CARES funds for the FFY(s) covered by this State Plan?

0.50

**Use of Remainder/Discretionary Funds [Section 675C(b) of the CSBG Act]**

**7.6. Remainder/Discretionary Funds Use:** Does the state have remainder/discretionary funds, as described in Section 675C(b)(1) of the CSBG Act?  Yes  No

If yes, provide the allocated percentage and describe the use of the remainder/discretionary funds in the table below.

**Use of Remainder/Discretionary Funds**

Remainder/Discretionary Fund Uses	Planned \$	Brief description of services/activities and/or activities
7.6a. Training/technical assistance to eligible entities	\$14190.00	These planned services/activities will be described in State Plan Item 8.1.

7.6b. Coordination of state-operated programs and/or local programs	\$50000.00	Funds provided to CAPND for statewide initiatives and technological upgrades.	
7.6c. Statewide coordination and communication among eligible entities			
7.6d. Analysis of distribution of CSBG funds to determine if targeting greatest need			
7.6e. Asset-building programs			
7.6f. Innovative programs/activities by eligible entities or other neighborhood groups			
7.6g. State charity tax credits			
7.6h. Other activities, specify in column 3			
Total	\$0.00	\$64,190.00	
<b>7.7. Summary of State Allocations: Provide a total breakdown of planned amounts. Please note that this table will automatically populate with the totals from 7.2, 7.3, and 7.6 above.</b>			
90 Percent Funds	Administrative Funds	Discretionary Funds	Total
\$1,155,419	\$64,190	\$64,190	\$1,283,799

## Section 8: State Training and Technical Assistance

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES  
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### SECTION 8 State Use of Funds

**8.1. Training and Technical Assistance Plan:**

Describe the State's plan for delivering CSBG-funded training and technical assistance to eligible entities under this State Plan by completing the table below.

Add a row for each activity: indicate the timeframe; whether it is training, technical assistance or both; and the topic.

*(CSBG funding used for this activity is referenced under item 7.6(a), Remainder/Discretionary Funds.*

*Note: This information is associated with State Accountability Measure 3Sc*

#### Training and Technical Assistance

	Planned Timeframe	Training, Technical Assistance, or Both	Topic	Brief Description of "Other"
1	Ongoing/Multiple Years	Training	Technology	
2	FY2021	Technical Assistance	Reporting	

**8.1a. Training and Technical Assistance Budget:** The planned budget for the training and technical assistance plan *(as indicated in the Remainder/Discretionary Funds table in item 7.6):*

\$14,190.00

**8.1b. Training and Technical Assistance Collaboration:** Describe how the state will collaborate with the state association and other stakeholders in the planning and delivery of training and technical assistance.

The State office and the state association have a very strong working relationship and communicate weekly to discuss ongoing training and technical assistance needs. The state has already worked with the software vendor for all agencies (CAP60) to add the CARES funding source to the database so that services and outcomes can be tracked separately. The software vendor and the state worked with each agency one-on-one to address any outstanding questions.

**8.2. Training and Technical Assistance Organizations:** Indicate the types of organizations through which the state plans to provide training and/or technical assistance

as described in item 8.1, and briefly describe their involvement. *[Check all that apply.]*

- CSBG eligible entities *(if checked, provide the expected number of CSBG eligible entities to receive funds)* 7
- Other community-based organizations
- State Community Action association
- Regional CSBG technical assistance provider(s)
- National technical assistance provider(s)
- Individual consultant(s)
- Tribes and Tribal Organizations
- Other

The state office will work with the state association to determine what training and technical assistance needs are, and then develop a plan to provide training to all of the eligible entities. At a minimum, the state office plans to hold a training session on data reporting when we know more details of the requirements, and one-on-one sessions with all of the agencies to discuss using the reporting software, CAP60.

## Section 9: State Linkages and Communication

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES  
Administration for Children and Families  
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### SECTION 9 State Linkages and Communication

*Note: This section describes activities that the state may support with CSBG remainder/discretionary funds, described under Section 675C(b)(1) of the CSBG Act. The state may indicate planned use of remainder/discretionary funds for linkage/communication activities in Section 7, State Use of Funds, items 7.6(b) and (c).*

*Note: Only describe additional or unique partnerships related to CSBG CARES funding. Do not re-describe partnerships, linkages, and communications already noted in your regular CSBG State Plan.*

**9.1. State Linkages and Coordination at the state Level:**

Describe the linkages and coordination at the state level that the state intends to create or maintain to ensure increased access to CSBG services to low-income people and communities under this State Plan and avoid duplication of services (as required by the assurance under Section 676(b)(5)). Describe additional information as needed.

**[Check all that apply and narrative where applicable]**

- State Low Income Home Energy Assistance Program (LIHEAP) office
- State Weatherization office
- State Temporary Assistance for Needy Families (TANF) office
- State Head Start office
- State public health office
- State education department
- State Workforce Innovation and Opportunity Act (WIOA) agency
- State budget office
- Supplemental Nutrition Assistance Program (SNAP)
- State child welfare office
- State housing office
- Emergency Management
- Public Health/Disease Control
- Other

In addition to the normal linkages and partnerships that are maintained through normal CSBG activities, the CARES funding and COVID-19 pandemic have spurred greater collaboration between our office and the state health office. We have been monitoring the evolving guidelines and ensuring that the CAAs get information necessary to deliver services safely. We have also been attending increasing numbers of calls with the Creating a Hunger-Free North Dakota Coalition so that we are informed of their activities regarding food distribution and availability. We have also worked with the state Human Services office while they developed the Emergency Rent Bridge. We have regular meetings with this group so that the CAAs know when they can refer clients eligible for the rent bridge funding and when they should assist clients at the local agency.

**9.2. Communication with Eligible Entities and the State Community Action Association:**

In the table below, detail how the state intends to communicate with eligible entities, the state community action association, and other partners identified under this State Plan on the topics listed below.

For any topic that is not applicable, select "Not Applicable" under Expected Frequency.

Subject Matter	Expected Frequency	Format	Brief description of "Other"
State Monitoring Plans and Policies	Biannual	1:1	
Training and Technical Assistance (T/TA) Plans	Quarterly	Meetings/Presentation	
State Interagency Coordination	Quarterly	Meetings/Presentation	
CSBG CARES Funding and Activities	Quarterly	Meetings/Presentation	
Subject Matter	Expected Frequency	Format	Brief Description of "Other"
1 Additional questions/topics as requested	As needed		

by agencies.			
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## Section 10: Monitoring, Corrective Action, and Fiscal Controls

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES  
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### SECTION 10 State Use of Funds

#### Monitoring, Corrective Action and Fiscal Controls (Section 678B(a) of the Act )

**10.1. CSBG CARES Supplemental Monitoring Schedule:** In the table below, provide how the state plans to monitor as it specifically relates to the CSBG CARES Supplemental.

The following schedule does not supersede or replace the Monitoring Schedule submitted in your FFY2020 CSBG State Plan as dated in Section 1 of this supplemental state plan.

*Note: This information is associated with State Accountability Measure 4Sa(i)*

	CSBG Eligible Entity	CSBG CARES Monitoring Approach	Review Type	Target Year
1	Community Action Partnership Region I & VIII	Integrated into Regular CSBG Full On-Site	Onsite Review	FY2020
2	Community Action Partnership Minot Region	Integrated into Regular CSBG Full On-Site	Onsite Review	FY2020
3	Dakota Prairie Community Action	Integrated into Regular CSBG Full On-Site	Onsite Review	FY2021
4	Red River Valley Community Action Agency	Integrated into Regular CSBG Full On-Site	Onsite Review	FY2021
5	Southeastern ND Community Action Agency	Integrated into Regular CSBG Full On-Site	Onsite Review	FY2020
6	Community Action Region VI, Inc.	Integrated into Regular CSBG Full On-Site	Onsite Review	FY2021
7	Community Action Program Region VII, Inc.	Integrated into Regular CSBG Full On-Site	Onsite Review	FY2020

**10.2. CSBG CARES Supplemental Monitoring Approach:**

Describe how the state intends to implement monitoring policies and procedures as it relates directly to the CSBG CARES Supplemental.

The state will monitor the CARES funding while conducting regular on-site monitoring sessions. These activities will include looking at direct client files who receive assistance and tracking CARES-related expenses.

**10.3. CSBG CARES Supplemental Initial Monitoring Reports:**

If the state monitors for CSBG CARES Supplemental only, provide the number of calendar days by which the state must disseminate an initial CSBG CARES Supplemental monitoring reports to local entities?

60

*Note: This item is associated with State Accountability Measure 4Sa(ii)*

*Note: If the state is integrating all CSBG CARES Supplemental monitoring into the Regular CSBG Full On-Site, the state should include an additional section specific to the CSBG CARES Supplemental monitoring. If the state is conducting a CSBG CARES Supplemental only monitoring, the state must create a CSBG CARES Supplemental monitoring report.*

#### Corrective Action, Termination and Reduction of Funding and Assurance Requirements (Section 678C of the Act )

**10.4. Closing Findings:**

Is the state adding additional provisions to state monitoring procedures for addressing eligible entity findings/deficiencies, and the documenting closure of findings as it specifically relates to the CSBG CARES Supplemental?  Yes  No

**10.4a. Closing Findings Procedures:**

If yes, describe the additional provisions here.

There will be a section added to the narrative to describe any findings related to CARES funding.

#### Fiscal Controls and Audits and Cooperation Assurance

**10.5. Fiscal Controls and Accounting:**

As it relates specifically to the CSBG CARES Supplemental, describe any additional provisions to the state's fiscal controls and accounting

**procedures that will a) permit preparation of the SF-425 Federal fiscal reports (FFR) and b) permit the tracing of expenditures adequate to ensure funds have been used appropriately under the block grant, as required by Block Grant regulations applicable to CSBG at 45 CFR 96.30(a)**

The State utilizes an accrual form of accounting which applies a breakdown of funds, projects, and activity numbers specific to each grant. It also identifies expenditures for each subrecipient, administrative costs, and discretionary funds. Monthly reports are run and verified to make sure that the funds have been disbursed appropriately. The SF-425 is prepared on a semi-annual and annual basis. Report and spreadsheet documentation are kept on file during the records retention time period. These processes will apply to the CARES supplemental funding as well as regular CSBG funding. The subrecipients are financially monitored every two years to make sure that they are following their approved budget, have the appropriate internal control system in place, and expenditures are allowable. This monitoring will review CARES funds, as well. Our state agency is also audited by our state Auditors office on a biennial basis for the state Single Audit, most recently completed in summer 2020.

**10.6. Single Audit Management Decisions:**

**As it relates specifically to the CSBG CARES Supplemental, describe any additional provisions to state procedures for issuing management decisions for eligible entity single audits, as required by Block Grant regulations applicable to CSBG at 45 CFR 75.521.**

The CARES supplemental funding will follow the same state procedures regarding management decisions as normal CSBG funding. Assurance 678D(a)1 and 678D(a)2: The DCS, as administering agency of the CSBG on behalf of the State of North Dakota, has established fiscal control, accountability, and proper disbursement of CSBG funds. The DCS requires all CSBG subgrantee accounting systems to meet the requirements established by OMB Super Circular CFR Part 200. Each subgrantee is required to submit an annual audit of its operations to the DCS, prepared in accordance with the audit standards in CFR Part 200.

**10.7. Assurance on Federal Investigations:**

**The state will "permit and cooperate with Federal investigations undertaken in accordance with Section 678D" of the CSBG Act, as required by the assurance under Section 676(b)(7) of the CSBG Act.  Yes  No**

## Section 11: Eligible Entity Tripartite Board

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES  
Administration for Children and Families  
Community Services Block Grant (CSBG)

Form Approved  
OMB No: 0970-0382  
Expires:06/30/2021

### SECTION 11 State Use of Funds

For the purposes of the CARES Act, the Office of Community Services accepts the data submitted by the state in Section 11 of the most recently submitted CSBG State Plan (as dated in Section 1 of this Supplemental State Plan), and seeks no additional information now or at a later date.

## Section 12: Individual and Community Eligibility Requirements

<b>U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES</b> <b>Administration for Children and Families</b> <b>Community Services Block Grant (CSBG)</b>	<b>Form Approved</b> <b>OMB No: 0970-0382</b> <b>Expires:06/30/2021</b>
<b>SECTION 12</b> <b>Individual and Community Income Eligibility Requirements</b>	
<b>12.1. Required Income Eligibility:</b> Provide the income eligibility threshold for services in the state. <i>[Select one item below and numeric response where applicable.]</i>	
<input checked="" type="radio"/> 200% of the HHS poverty line <input type="radio"/> 125% of the HHS poverty line <input type="radio"/> X% of the HHS poverty line (fill in the threshold) <input type="radio"/> Varies by eligible entity	
0%	
<b>12.1a. Describe any changes to the state policy and/or procedures for income eligibility, such as treatment of income and family/household composition as originally described in your FFY2020 CSBG State Plan [as dated in Section 1 of this Plan].</b>	
<input type="radio"/> No, there are no changes to state policy and/or procedures for income eligibility	
<input checked="" type="radio"/> Yes, there are changes to state policy and/or procedures for income eligibility as described below	
The state defined that the \$600 additional in unemployment payments related to COVID-19 would be counted as income for the purposes of determining income eligibility.	
<b>12.1b. The change in the income eligibility threshold will apply to:</b>	
<input type="radio"/> No change in the income eligibility threshold	
<input type="radio"/> CSBG CARES Supplemental ONLY	
<input checked="" type="radio"/> CSBG CARES Supplemental AND regular CSBG funds	
<b>12.2. Income Eligibility for General/Short-Term Services:</b> Describe how the state ensures eligible entities generally verify income eligibility for those services with limited in-take procedures (where individual income verification is not possible or practical). An example of these services is emergency food assistance.	
<input checked="" type="radio"/> No changes were made to income eligibility verification	
<input type="radio"/> Yes, there are changes to income eligibility verification as described below	
<b>12.3. Community-targeted Services:</b> Describe how the state ensures eligible entities' services target and benefit low-income communities for services that provide a community-wide benefit (e.g., development of community assets/facilities, building partnerships with other organizations).	
<input checked="" type="radio"/> No changes were made to targeting services that provide community-wide benefit.	
<input type="radio"/> Yes, there are changes to targeting services that provide community-wide benefit as described below:	

## Section 13: Results Oriented Management and Accountability (ROMA) System

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES  
Administration for Children and Families  
Community Services Block Grant (CSBG)

Form Approved  
OMB No: 0970-0382  
Expires:06/30/2021

### SECTION 13 Results Oriented Management and Accountability (ROMA) System

For the purposes of the CARES Act, the Office of Community Services accepts the information on the ROMA system submitted by the state in Section 13 of the most recently submitted CSBG State Plan (as dated in Section 1 of this Supplemental State Plan), and seeks no additional information on the state's ROMA system.

Please note that the state may describe state discretionary expenditures or additional training and technical assistance related to documentation and performance management for CSBG CARES Supplemental funding in Sections 7 and 8 of this Supplemental State Plan.

## Section 14: CSBG Programmatic Assurances and Information Narrative

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES  
Administration for Children and Families  
Community Services Block Grant (CSBG)

Form Approved  
OMB No: 0970-0382  
Expires:06/30/2021

### SECTION 14 State Use of Funds

#### 14.1 Use of Funds Supporting Local Activities

#### CSBG Services

14.1a. 676(b)(1)(A): Describe how the state will assure "that funds made available through grant or allotment will be used -

(A) to support activities that are designed to assist low-income families and individuals, including families and individuals receiving assistance under title IV of the Social Security Act, homeless families and individuals, migrant or seasonal farm workers, and elderly low-income individuals and families, and a description of how such activities will enable the families and individuals--

(i) to remove obstacles and solve problems that block the achievement of self sufficiency (particularly for families and individuals who are attempting to transition off a State program carried out under part A of title IV of the Social Security Act);

(ii) to secure and retain meaningful employment;

(iii) to attain an adequate education with particular attention toward improving literacy skills of the low-income families in the community, which may include family literacy initiatives;

(iv) to make better use of available income;

(v) to obtain and maintain adequate housing and a suitable living environment;

(vi) to obtain emergency assistance through loans, grants, or other means to meet immediate and urgent individual and family needs;

(vii) to achieve greater participation in the affairs of the communities involved, including the development of public and private grassroots partnerships with local law enforcement agencies, local housing authorities, private foundations, and other public and private partners to -

(I) document best practices based on successful grassroots intervention in urban areas, to develop methodologies for widespread replication; and

(II) strengthen and improve relationships with local law enforcement agencies, which may include participation in activities such as neighborhood or community policing efforts;

Please select the applicable response:

No change to the standard assurance in the CSBG State Plan.

Adaptations to the standard assurance in the CSBG State Plan for the CSBG CARES Supplemental are described below

#### Needs of Youth

14.1b. 676(b)(1)(B) Describe how the state will assure "that funds made available through grant or allotment will be used -

(B) to address the needs of youth in low-income communities through youth development programs that support the primary role of the family, give priority to the prevention of youth problems and crime, and promote increased community coordination and collaboration in meeting the needs of youth, and support development and expansion of innovative community-based youth development programs that have demonstrated success in preventing or reducing youth crime, such as--

(i) programs for the establishment of violence-free zones that would involve youth development and intervention models (such as models involving youth mediation, youth mentoring, life skills training, job creation, and entrepreneurship programs); and

(ii) after-school child care programs;

Please select the applicable response:

No change to the standard assurance in the CSBG State Plan.

Adaptations to the standard assurance in the CSBG State Plan for the CSBG CARES Supplemental are described below

#### Coordination of Other Programs

14.1c. 676(b)(1)(C) Describe how the state will assure "that funds made available through grant or allotment will be used -

(C) to make more effective use of, and to coordinate with, other programs related to the purposes of this subtitle (including state welfare reform efforts)

Please select the applicable response:

No change to the standard assurance in the CSBG State Plan.

Adaptations to the standard assurance in the CSBG State Plan for the CSBG CARES Supplemental are described below

### State Use of Discretionary Funds

14.2 676(b)(2) Describe "how the state intends to use discretionary funds made available from the remainder of the grant or allotment described in section 675C(b) in accordance with this subtitle, including a description of how the state will support innovative community and neighborhood-based initiatives related to the purposes of this subtitle."

*Note: Any information provide in previous sections of this application will be considered to be a supplementary description of how the state plans to use funds as necessary for this assurance. Additional information does not need to be provided here.*

### Eligible Entity Service Delivery, Coordination, and Innovation

14.3a. 676(b)(3)(A) Describe "the service delivery system, for services provided or coordinated with funds made available through grants made under 675C(a), targeted to low-income individuals and families in communities within the state;

Please select the applicable response:

No change to the standard assurance in the CSBG State Plan.

Adaptations to the standard assurance in the CSBG State Plan for the CSBG CARES Supplemental are described below

### Eligible Entity Linkages - Approach to Filling Service Gaps

14.3b. 676(b)(3)(B) Describe "how linkages will be developed to fill identified gaps in the services, through the provision of information, referrals, case management, and followup consultations."

*Note: The state describes this assurance in the state linkages and communication section, item 9.3b.*

Please select the applicable response:

No change to the standard assurance in the CSBG State Plan.

Adaptations to the standard assurance in the CSBG State Plan for the CSBG CARES Supplemental are described below

### Coordination of Eligible Entity Allocation 90 Percent Funds with Public/Private Resources

14.3c. 676(b)(3)(C) Describe how funds made available through grants made under 675C(a) will be coordinated with other public and private resources."

*Note: The state describes this assurance in the state linkages and communication section, item 9.7.*

Please select the applicable response:

No change to the standard assurance in the CSBG State Plan.

Adaptations to the standard assurance in the CSBG State Plan for the CSBG CARES Supplemental are described below

### Eligible Entity Innovative Community and Neighborhood Initiatives, Including Fatherhood/Parental Responsibility

14.3d. 676(b)(3)(D) Describe "how the local entity will use the funds [made available under Section 675C(a)] to support innovative community and neighborhood-based initiatives related to the purposes of this subtitle, which may include fatherhood initiatives and other initiatives with the goal of strengthening families and encouraging parenting."

*Note: The description above is about eligible entity use of 90 percent funds to support these initiatives. States may also support these types of activities at the local level using State remainder/discretionary funds, allowable*

under Section 675C(b)(1)(F). In this State Plan, the State indicates funds allocated for these activities under item 7.9(f).

Please select the applicable response:

- No change to the standard assurance in the CSBG State Plan.
- Adaptations to the standard assurance in the CSBG State Plan for the CSBG CARES Supplemental are described below

### Eligible Entity Emergency Food and Nutrition Services

14.4. 676(b)(4) Describe how the state will assure "that eligible entities in the state will provide, on an emergency basis, for the provision of such supplies and services, nutritious foods, and related services, as may be necessary to counteract conditions of starvation and malnutrition among low-income individuals."

Please select the applicable response:

- No change to the standard assurance in the CSBG State Plan.
- Adaptations to the standard assurance in the CSBG State Plan for the CSBG CARES Supplemental are described below

### State and Eligible Entity Coordination/linkages and Workforce Innovation and Opportunity Act Employment and Training Activities

14.5. 676(b)(5) Describe how the state will assure "that the state and eligible entities in the state will coordinate, and establish linkages between, governmental and other social services programs to assure the effective delivery of such services, and [describe] how the State and the eligible entities will coordinate the provision of employment and training activities, as defined in section 3 of the Workforce Innovation and Opportunity Act, in the state and in communities with entities providing activities through statewide and local workforce development systems under such Act."

*Note: The state describes this assurance in the state linkages and communication section, items 9.1, 9.2, 9.3a, 9.4, 9.4a, and 9.4b.*

Please select the applicable response:

- No change to the standard assurance in the CSBG State Plan.
- Adaptations to the standard assurance in the CSBG State Plan for the CSBG CARES Supplemental are described below

### State Coordination/Linkages and Low-income Home Energy Assistance

14.6. 676(b)(6) Provide "an assurance that the state will ensure coordination between antipoverty programs in each community in the state, and ensure, where appropriate, that emergency energy crisis intervention programs under title XXVI (relating to low income home energy assistance) are conducted in such community."

*Note: The state describes this assurance in the state linkages and communication section, items 9.2 and 9.5.*

Please select the applicable response:

- No change to the standard assurance in the CSBG State Plan.
- Adaptations to the standard assurance in the CSBG State Plan for the CSBG CARES Supplemental are described below

### Federal Investigations

14.7. 676(b)(7) Provide "an assurance that the state will permit and cooperate with Federal investigations undertaken in accordance with section 678D."

*Note: The state addresses this assurance in the Fiscal Controls and Monitoring section, item 10.13.*

Please select the applicable response:

- No change to the standard assurance in the CSBG State Plan.
- Adaptations to the standard assurance in the CSBG State Plan for the CSBG CARES Supplemental are described below

### Funding Reduction or Termination (Not Applicable to CSBG CARES Supplemental



## Funds)

14.8. 676(b)(8) Provide "an assurance that any eligible entity in the state that received funding in the previous fiscal year through a community services block grant made under this subtitle will not have its funding terminated under this subtitle, or reduced below the proportional share of funding the entity received in the previous fiscal year unless, after providing notice and an opportunity for a hearing on the record, the state determines that cause exists for such termination or such reduction, subject to review by the Secretary as provided in section 678C(b)."

*Note: The state addresses this assurance in the Fiscal Controls and Monitoring section, item 10.7.*



Check to acknowledge that Section 676(b)(8) is not applicable to the CSBG CARES Supplemental and that funds must be distributed based on the CSBG formula.

## Coordination with Faith-based Organizations, Charitable Groups, Community Organizations

14.9. 676(b)(9) Describe how the state will assure "that the state and eligible entities in the state will, to the maximum extent possible, coordinate programs with and form partnerships with other organizations serving low-income residents of the communities and members of the groups served by the state, including religious organizations, charitable groups, and community organizations."

*Note: The state describes this assurance in the state Linkages and Communication section, item 9.6.*

Please select the applicable response:



No change to the standard assurance in the CSBG State Plan.



Adaptations to the standard assurance in the CSBG State Plan for the CSBG CARES Supplemental are described below

## Eligible Entity Tripartite Board Representation

14.10. 676(b)(10) Describe how "the state will require each eligible entity in the state to establish procedures under which a low-income individual, community organization, or religious organization, or representative of low-income individuals that considers its organization, or low-income individuals, to be inadequately represented on the board (or other mechanism) of the eligible entity to petition for adequate representation."

*Note: The state describes this assurance in the Eligible Entity Tripartite Board section, 11.3.*

Please select the applicable response:



No change to the standard assurance in the CSBG State Plan.



Adaptations to the standard assurance in the CSBG State Plan for the CSBG CARES Supplemental are described below

## Eligible Entity Community Action Plans and Community Needs Assessments

14.11. 676(b)(11) Provide "an assurance that the state will secure from each eligible entity in the services block grant made under this subtitle for a program, a community action plan (which shall be submitted to the Secretary, at the request of the Secretary, with the State plan) that includes a community-needs assessment for the community served, which may be coordinated with community-needs assessments conducted for other programs."

*Note: The state describes this assurance in the ROMA section, items 13.5 and 13.6.*

Please select the applicable response:



No change to the standard assurance in the CSBG State Plan.



Adaptations to the standard assurance in the CSBG State Plan for the CSBG CARES Supplemental are described below

## State and Eligible Entity Performance Measurement: ROMA or Alternate system

14.12. 676(b)(12) Provide "an assurance that the state and all eligible entities in the State will, not later than fiscal year 2001, participate in the Results Oriented Management and Accountability System, another performance measure system for which the Secretary facilitated development pursuant to 678E(b), or an alternative system for measuring performance and results that meets the requirements of that section, and [describe] outcome measures to be used to measure eligible entity performance in promoting self-sufficiency, family stability, and community revitalization."

*Note: The state describes this assurance in the ROMA section, items 13.1, 13.2, 13.3, and 13.4.*

Please select the applicable response:



No change to the standard assurance in the CSBG State Plan.

Adaptations to the standard assurance in the CSBG State Plan for the CSBG CARES Supplemental are described below

### Validation for CSBG Eligible Entity Programmatic Narrative Sections

14.13. 676(b)(13) Provide "information describing how the state will carry out the assurances described in this section."

*Note: The state provides information for each of the assurances directly in section 14 or in corresponding items throughout the State Plan, which are included as hyperlinks in section 14.*

Please select the applicable response:

No change to the standard assurance in the CSBG State Plan.

Adaptations to the standard assurance in the CSBG State Plan for the CSBG CARES Supplemental are described below

By checking this box and signing the Cover Sheet SF-424M, the state CSBG authorized official is certifying the assurances set out above.

## Section 15: Federal Certifications

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES  
Administration for Children and Families  
Community Services Block Grant (CSBG)

Form Approved  
OMB No:0970-0382  
Expires:06/30/2021

### SECTION 15 Federal Certifications

#### 15.1. CERTIFICATION REGARDING LOBBYING

##### Certification for Contracts, Grants, Loans, and Cooperative Agreements

The undersigned certifies, to the best of his or her 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 Congress, an officer or employee of Congress, or an employee of a Member of 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 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 undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

(3) The undersigned 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. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

##### Statement for Loan Guarantees and Loan Insurance

The undersigned states, to the best of his or her knowledge and belief, that:

If any 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 connection with this commitment providing for the United States to insure or guarantee a loan, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions. Submission of this statement is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who

fails to file the required statement shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

The box after each certification must be checked by the state CSBG authorized official.

15.1. Lobbying

After assurance select a check box:



By checking this box, the state CSBG authorized official is providing the certification set out above.

**15.2. CERTIFICATION REGARDING DRUG-FREE WORKPLACE REQUIREMENTS**

This certification is required by the regulations implementing the Drug-Free Workplace Act of 1988: 45 CFR Part 76, Subpart, F. Sections 76.630(c) and (d)(2) and 76.645 (a)(1) and (b) provide that a Federal agency may designate a central receipt point for STATE-WIDE AND STATE AGENCY-WIDE certifications, and for notification of criminal drug convictions. For the Department of Health and Human Services, the central point is: Division of Grants Management and Oversight, Office of Management and Acquisition, Department of Health and Human Services, Room 517-D, 200 Independence Avenue, SW Washington, DC 20201.

**Certification Regarding Drug-Free Workplace Requirements (Instructions for Certification)**

1. By signing and/or submitting this application or grant agreement, the grantee is providing the certification set out below.
2. The certification set out below is a material representation of fact upon which reliance is placed when the agency awards the grant. If it is later determined that the grantee knowingly rendered a false certification, or otherwise violates the requirements of the Drug-Free Workplace Act, the agency, in addition to any other remedies available to the Federal Government, may take action authorized under the Drug-Free Workplace Act.
3. For grantees other than individuals, Alternate I applies.
4. For grantees who are individuals, Alternate II applies.
5. Workplaces under grants, for grantees other than individuals, need to be identified on the certification. If known, they may be identified in the grant application. If the grantee does not identify the workplaces at the time of application, or upon award, if there is no application, the grantee must keep the identity of the workplace(s) on file in its office and make the information available for Federal inspection. Failure to identify all known workplaces constitutes a violation of the grantee's drug-free workplace requirements.
6. Workplace identifications must include the actual address of buildings (or parts of buildings) or other sites where work under the grant takes place. Categorical descriptions may be used (e.g., all vehicles of a mass transit authority or state highway department while in operation, state employees in each local unemployment office, performers in concert halls or radio studios).
7. If the workplace identified to the agency changes during the performance of the grant, the grantee shall inform the agency of the change(s), if it previously identified the workplaces in question (see paragraph five).
8. Definitions of terms in the Nonprocurement Suspension and Debarment common rule and Drug-Free Workplace common rule apply to this certification. Grantees'

attention is called, in particular, to the following definitions from these rules:

**Controlled substance** means a controlled substance in Schedules I through V of the Controlled Substances Act (21 U.S.C. 812) and as further defined by regulation (21 CFR 1308.11 through 1308.15);.

**Conviction** means a finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the federal or state criminal drug statutes;

**Criminal drug statute** means a Federal or non-Federal criminal statute involving the manufacture, distribution, dispensing, use, or possession of any controlled substance;

**Employee** means the employee of a grantee directly engaged in the performance of work under a grant, including: (i) All direct charge employees; (ii) All indirect charge employees unless their impact or involvement is insignificant to the performance of the grant; and, (iii) Temporary personnel and consultants who are directly engaged in the performance of work under the grant and who are on the grantee's payroll. This definition does not include workers not on the payroll of the grantee (e.g., volunteers, even if used to meet a matching requirement; consultants or independent contractors not on the grantee's payroll; or employees of subrecipients or subcontractors in covered workplaces).

#### **Certification Regarding Drug-Free Workplace Requirements**

##### **Alternate I. (Grantees Other Than Individuals)**

The grantee certifies that it will or will continue to 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 an ongoing 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) 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 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 - -

(1) Abide by the terms of the statement; and (2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the

workplace no later than five calendar days after such conviction;

(e) Notifying the agency in writing, within 10 calendar days after receiving notice under paragraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;

(f) Taking one of the following actions, within 30 calendar days of receiving notice under paragraph (d)(2), with respect to any employee who is so convicted - -

(1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

(2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a 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 through implementation of paragraphs (a), (b), (c), (d), (e) and (f).

The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address, city, county, state, zip code)

Check if there are workplaces on file that are not identified here.

Alternate II. (Grantees Who Are Individuals)

(a)The grantee certifies that, as a condition of the grant, he or she will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in conducting any activity with the grant;

(b)If convicted of a criminal drug offense resulting from a violation occurring during the conduct of any grant activity, he or she will report the conviction, in writing, within 10 calendar days of the conviction, to every grant officer or other designee, unless the Federal agency designates a central point for the receipt of such notices. When notice is made to such a central point, it shall include the identification number(s) of each affected grant.

[55 FR 21690, 21702, May 25, 1990]

## 15.2. Drug-Free Workplace Requirements

After assurance select a check box:



By checking this box, the state CSBG authorized official is providing the certification set out above.

## 15.3. CERTIFICATION REGARDING DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS

Certification Regarding Debarment, Suspension, and Other Responsibility Matters - -  
Primary Covered Transactions

## **Instructions for Certification**

**1. By signing and submitting this proposal, the prospective primary participant is providing the certification set out below.**

**2. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective primary participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.**

**3. The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this transaction. If it is later determined that the prospective primary participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.**

**4. The prospective primary participant shall provide immediate written notice to the department or agency to which this proposal is submitted if at any time the prospective primary participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.**

**5. The terms covered transaction, debarred, suspended, ineligible, lower tier covered transaction, participant, person, primary covered transaction, principal, proposal, and voluntarily excluded, as used in this clause, have the meanings set out in the Definitions and Coverage sections of the rules implementing Executive Order 12549. You may contact the department or agency to which this proposal is being submitted for assistance in obtaining a copy of those regulations.**

**6. The prospective primary participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency entering into this transaction.**

**7. The prospective primary participant further agrees by submitting this proposal that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusive-Lower Tier Covered Transaction," provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions**

**8. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the List of Parties Excluded from Federal Procurement and**

## **Nonprocurement Programs.**

9. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

10. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.

### **Certification Regarding Debarment, Suspension, and Other Responsibility Matters - - Primary Covered Transactions**

(1) The prospective primary participant certifies to the best of its knowledge and belief, that it and its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded by any Federal department or agency;

(b) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, state or local) transaction or contract under a public transaction; violation of federal or state antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (federal, state or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and

(d) Have not within a three-year period preceding this application/proposal had one or more public transactions (federal, state or local) terminated for cause or default.

(2) Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

### **Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - - Lower Tier Covered Transactions**

#### ***Instructions for Certification***

1. By signing and submitting this proposal, the prospective lower tier participant



is providing the certification set out below

2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other

3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or had become erroneous by reason of changed circumstances.

4. The terms covered transaction, debarred, suspended, ineligible, lower tier covered transaction, participant, person, primary covered transaction, principal, proposal, and voluntarily excluded, as used in this clause, have the meaning set out in the Definitions and Coverage sections of rules implementing Executive Order 12549. You may contact the person to which this proposal is submitted for assistance in obtaining a copy of those regulations.

5. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.

6. The prospective lower tier participant further agrees by submitting this proposal that it will include this clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.

7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from covered transactions, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the List of Parties Excluded from Federal Procurement and Nonprocurement Programs.

8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

9. Except for transactions authorized under paragraph five of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

**Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - - Lower Tier Covered Transactions**

(1) The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.

(2) Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

**15.3. Debarment**

After assurance select a check box:



By checking this box, the state CSBG authorized official is providing the certification set out above.

**15.4. CERTIFICATION REGARDING ENVIRONMENTAL TOBACCO SMOKE**

Public Law 103227, Part C Environmental Tobacco Smoke, also known as the Pro Children Act of 1994, requires that smoking not be permitted in any portion of any indoor routinely owned or leased or contracted for by an entity and used routinely or regularly for provision of health, day care, education, or library services to children under the age of 18, if the services are funded by Federal programs either directly or through state or local governments, by Federal grant, contract, loan, or loan guarantee. The law does not apply to children's services provided in private residences, facilities funded solely by Medicare or Medicaid funds, and portions of facilities used for inpatient drug or alcohol treatment. Failure to comply with the provisions of the law may result in the imposition of a civil monetary penalty of up to \$1000 per day and/or the imposition of an administrative compliance order on the responsible entity by signing and submitting this application the applicant/grantee certifies that it will comply with the requirements of the Act.

The applicant/grantee further agrees that it will require the language of this certification be included in any subawards which contain provisions for the children's services and that all subgrantees shall certify accordingly.

**15.4. Environmental Tobacco Smoke**

After assurance select a check box:



By checking this box, the state CSBG authorized official is providing the certification set out above.

**THE PAPERWORK REDUCTION ACT OF 1995 (Pub. L. 104-13)**

Public reporting burden for this collection of information is estimated to average 10 hours per response, including the time for reviewing instructions, gathering and maintaining the data needed, and reviewing the collection of information.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.