



EMERGENCY FOOD AND SHELTER NATIONAL BOARD PROGRAM

PHASE 38 ADDENDUM

TO THE

PHASE 35 RESPONSIBILITIES AND

REQUIREMENTS MANUAL

AND THE

PHASES 36 AND 37 & CARES

ADDENDUMS

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Table of Contents

I.	Program Contact Information	3
II.	Notice	3
	Federal Programs to Help Homeless Individuals.....	3
	Publication Statement.....	3
III.	National Board Members	4
IV.	Phase 35 Responsibilities and Requirements Manual: Phase 38 Addendum	5
	GRANT AGREEMENT ARTICLES, FINANCIAL TERMS AND CONDITIONS AND OTHER TERMS AND CONDITIONS.....	5
V.	Key Changes and Program Clarifications	6
VI.	Key Dates for Phase 38	10
VII.	Grant Agreement Articles	12
VIII.	Financial Terms and Conditions	24
IX.	Other Terms and Conditions	29
	Duplication of Benefits.....	29
	Non-Supplanting Requirement.....	29
	Hatch Act.....	29
	False Claims Act and Program Fraud Civil Remedies	29
	Debarment and Suspension	30
	Hotel and Motel Fire Safety Act of 1990.....	30
	Best Practices for Collection and Use of Personally Identifiable Information (PII).....	30
X.	Required Forms	31
	Annex 1: Spreadsheets	31
	Served Meals.....	34
	Other Food.....	35
	Mass Shelter.....	35
	Other Shelter	36
	Supplies and Equipment	37
	Rehabilitation (Emergency Repairs/Building Code).....	37
	Rent/Mortgage.....	38
	Utilities.....	38
	Administration	39

Mileage.....	40
Annex 2: Local Board Plan Certification	41
Annex 3: Local Recipient Organization (LRO) Certification	42
Annex 4: Fiscal Agent/Fiscal Conduit Agency Relationship Certification	43
Annex 5: Lobbying Certification	44

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Catalogue of Federal Domestic Assistance (CFDA) No. 97.024

Notice



The Phase 35 EFSP Responsibilities and Requirements Manual is being used for the administration of Phase 38, along with this Phases 36, 37 & CARES and 38 Addendums. The Phase 38 Addendum to the Phase 35 Responsibilities and Requirements Manual contains changes from the original manual issued and published on the Emergency Food and Shelter Program (EFSP) website to guide implementation of the EFSP. This addendum must be carefully studied along with the Phase 35 EFSP Manual prior to administering the program, giving any information to the public, or making any grant award. Questions or matters of interpretation must be referred to the National Board staff.

The addendums and manual are intended for use by Local Boards and Local Recipient Organizations administering and providing services under the Emergency Food and Shelter National Board Program. The addendums and manual are not intended for individuals seeking services.

Federal Programs to Help Homeless Individuals



For information on other Federal programs to help homeless individuals, including programs funded under the McKinney-Vento Homeless Assistance Act, contact the U.S. Interagency Council on Homelessness, 301 7th Street, SW, Room 2080, Washington, DC 20407, (202) 708-4663.

Publication Statement



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Phase 35 Responsibilities and Requirements Manual: Phase 38 Addendum

The National Board of the Emergency Food and Shelter Program (EFSP) recently approved changes to the Phase 35 Responsibilities and Requirements Manual published on the EFSP website. The Phase 35 EFSP Manual is being used for Phase 38 along with the Phases 36, 37 & CARES and 38 Addendum. These program changes were required for Federal grant administration purposes. The required program changes are provided in this addendum with citations to the appropriate pages in the Phase 35 Manual. Please keep these changes with your copy of the manual and ensure they are implemented for Phase 38, as required.

GRANT AGREEMENT ARTICLES, FINANCIAL TERMS AND CONDITIONS AND OTHER TERMS AND CONDITIONS

Pages 45-62 - Grant Agreement Articles, Financial Terms and Conditions, and Other Terms and Conditions - This section has been amended and should be replaced with the following amended section.

Pages 12-30 of the Phase 38 Addendum replaces pages 45-62 of the Phase 35 Manual.

Key Changes and Program Clarifications



This Key Changes and Program Clarifications section is provided to assist in your annual reading and review of the EFSP Responsibilities and Requirements Manual (EFSP Manual); it is not a substitute for the EFSP Manual. All State Set-Aside Committee members, Local Board members and all Local Recipient Organizations (LROs) are advised to read the entire Phase 35 EFSP Manual thoroughly for complete guidelines regarding their responsibilities, program operations, acceptable expenditures and documentation requirements as changes have been made.

GRANT AGREEMENT ARTICLES, FINANCIAL TERMS AND CONDITIONS & OTHER TERMS AND CONDITIONS

The Emergency Food and Shelter National Board Program (EFSP) is a restricted federal grant. All federal grants have terms and conditions that apply to ALL parties participating in the grant. For the EFSP, all parties mean the National Board, which is considered the Recipient, State Set-Aside Committees (SSAs), Local Boards, and Local Recipient Organizations (LROs) that are considered the Sub-Recipients. All parties need to ensure their understanding of the Phase 35 EFSP Manual, Phases 36, 37 & CARES, and 38 Addendums, and the statements on the Certification Forms. By signing the Certification Forms, they are agreeing to specific program requirements of the National Board as well as those mandated by the Federal government, including those that do not appear to apply to the types of programs and activities eligible under the EFSP. All parties will be held accountable for the provisions of the grant.

For further detail, please reference [pages 12-30](#).

ELECTRONIC SIGNATURES

Starting in Phase 35, all Local Board Plans, Local Recipient Organization Certifications, Fiscal Agent/Fiscal Conduit Relationship Certification Forms, Lobbying Certifications, Second Payment Requests, Final Reports and Spending Period End Date Extension Requests must be electronically signed using DocuSign. You do not need a DocuSign account to electronically sign EFSP documents and there is no cost for using DocuSign for EFSP documents. Please review the updated Website User Guide for step-by-step instructions for submitting forms on the EFSP website and electronically signing. The User Guide may be found on the EFSP website, (www.efsp.unitedway.org).

PAYMENTS

First payments will not be released until Final Reports for Phases 35 and 36 have been received along with spreadsheets and documentation for LROs, if requested. Agencies that participated in EFSP in past phases and have outstanding compliance exceptions in any phase, including phases 35 and 36, must resolve them before funds can be released. Payments cannot be made to agencies with outstanding compliance exceptions.

ADVERTISING AND ACKNOWLEDGEMENT OF FUNDS

All parties as referenced in the Grant Agreement Articles must acknowledge EFSP funding as Federal funds awarded through the Department of Homeland Security. The acknowledgment must be included in Local Boards' advertisement of funding to the jurisdiction and any printed material, including request for proposals, bid invitations, etc. Local Boards must advertise the availability of funds to the jurisdiction, as required per EFSP guidelines. Award announcements from previous phases will not be accepted.

Beginning with Phase 38, the advertisement requirement for EFSP changed. Local Boards are required to allow additional time for interested organizations to submit applications for funding. **Local Boards are required to allow interested organizations at least 10 business days to submit applications from the advertisement begin date.** The National Board determined that allowing additional time in the application process should be less demanding on both Local Boards and interested organizations and could potentially encourage more organizations to apply for funding.

Due to the change, Local Boards will be given additional time to submit Local Board Plans to the National Board. Board Plans will be due to the National Board **30 days** after they are made available to Local Boards.

For further detail, please reference [pages 26-27, 45-46 and 109-111 in the Phase 35 Responsibilities and Requirements Manual.](#)

LOBBYING CERTIFICATION

By signing the LRO Certification Form, each LRO is certifying that EFSP funds will not be used for any type of lobbying activities. Additionally, LROs receiving \$100,000 or more in EFSP funds must complete and submit the Certification Regarding Lobbying Form. The total of the funds is based on the original allocation to the LRO, plus any combination of subsequent awards to the LRO, including reallocations made by the Local Board.

If the Certification Regarding Lobbying Form is not submitted to the National Board, the funds may be held until it has been provided.

For further detail, please reference [pages 42,49,60-61, and 95 in the Phase 35 Responsibilities and Requirements Manual.](#)

SPENDING PERIOD EXTENSIONS

The National Board may determine on an annual basis to extend the spending period when the receipt of funding is delayed in the federal appropriations or award process. The National Board has determined that the spending period end-date options for Phase 38 can be selected from the following:

January 31, 2020	June 30, 2020	November 30, 2020	April 30, 2021
February 28, 2020	July 31, 2020	December 31, 2020	May 31, 2021
March 31, 2020	August 31, 2020	January 31, 2021	
April 30, 2020	September 30, 2020	February 28, 2021	
May 31, 2020	October 31, 2020	March 31, 2021	

LRO CERTIFICATION FORMS

Local Boards are required to have all agencies selected as LROs on the Local Board Plan e-sign and date the LRO Certification Form at the beginning of each funding cycle. A copy of this form must be retained by both the Local Board and the LRO. The certification forms for all funded LROs must be submitted electronically and e-signed by accessing the forms under LRO Plan. Funds will not be issued to any LRO who has not e-signed and dated the LRO Certification Form. Only the LRO Certification Form provided by the National Board for the funding cycle will be accepted. The National Board's LRO Certification Form process has changes from prior phases with the introduction of DocuSign. The National Board's form may not be amended in any way. Local Boards wishing to have appropriate additional requirements regarding the funding of LROs may submit an addendum with the National Board's form. The addendum must also be submitted to EFSP with the Local Board Plan.

For further detail, please reference [pages 40-42 of the Phase 35 Responsibilities and Requirements Manual.](#)

DOCUMENTATION REQUIREMENTS

LOCAL BOARD AND LRO FORMS:

Only EFSP provided forms will be accepted from State Set-Aside Committees, Local Boards and LROs and must be e-signed using DocuSign. EFSP provided forms may not be altered by either Local Boards or LROs. Local Boards making additional appropriate requirements may add an addendum to the National Board's LRO Certification Form for LROs to also sign and date. This addendum must be submitted to the National Board. (Note: LROs may use their own forms for intake and to document expenditures. EFSP provides several sample forms in the Annex section of the Manual. These forms may be copied onto LRO letterhead and the use of these samples should eliminate compliance problems, provided the forms are fully and accurately completed.) For further detail, please reference [pages 39-42 of the Phase 35 Responsibilities and Requirements Manual](#).

SPREADSHEETS FOR ALL PROGRAM CATEGORIES:

A spreadsheet for each program category (mass feeding, other food, mass shelter, other shelter, supplies/equipment, rent/mortgage, utilities and administration) must be maintained and must be provided when documentation is reviewed for the EFSP. The documentation for EFSP expenditures must support the information on the spreadsheet. Spreadsheets will provide an overview of how EFSP funds were spent and serve as a checklist with which the documentation can be compared. Sample spreadsheets can be found on the EFSP website. Specific information must be provided on the spreadsheets (i.e., check number, date of check, vendor, client name [as needed], amount of check, amount of check attributed to EFSP, etc.). Reference the sample spreadsheets on the website for the required elements for each spending category. Spreadsheets should be in the appropriate order as should the supporting documentation for each individual program category. EFSP will accept spreadsheets/schedules/reports from an LRO's financial system provided the spreadsheets/schedule/report contains the required elements.

IMPORTANT CHANGE: If an LRO pays \$100 or less on a past-due utility bill balance for a client, on the utility spreadsheet in the billing period column, please insert N/A. No billing period is required for the expenditure. Do not leave the column blank. If the column is left blank, it will result in a compliance exception.

For further detail, please reference [pages 31-40 in the Phase 38 Addendum, and 32-91 in the Phase 35 Responsibilities and Requirements Manual](#).

PROOF OF PAYMENT:

EFSP funding is intended to be used as necessary to meet emergency need and expenditures incurred under EFSP must be promptly paid to vendors. Generally, payments should be made to vendors within one accounting cycle (normally 30 days). However, the EFSP will allow payments made not more than 90 days from the invoice or intake date as appropriate. LROs must ensure any amount paid and attributed to EFSP is still due in its entirety at the time payment is made. Payments made more than 90 days following the invoice or intake date will be considered ineligible and funds will be subject to return to the National Board. It is the intent of EFSP that funds received by LROs are used for costs incurred during the program period and that vendors be paid during the program period to the extent possible. It is also the intent of EFSP that goods or services be purchased and used during the program period. Large purchases made at the end of the program period do not meet this intent and may be considered ineligible. For further detail, please reference [pages 63-64 and 79 in the Phase 35 Responsibilities and Requirements Manual](#).

REMINDER – NO FEE REQUIREMENT FOR SERVICE

No individual, family or household may be charged a fee for service or be required to attend religious/counseling services with relation to assistance received under EFSP. Please note, EFSP does not consider the receipt of donations to an agency to be the same as a fee for service. The receipt of donations does not prevent an agency from participating in the EFSP.

For further details reference [page 63 in the Phase 35 Responsibilities and Requirements Manual](#).

REMINDER – CHARGING BACK OF ELIGIBLE EXPENDITURES

LROs may submit expenditures for items and services procured prior to receiving EFSP funds. The expenditures must be incurred during the spending period and be eligible under EFSP program guidelines. All documentation requirements for the category in which the expenditures are reported will apply.

(Documentation required: Spreadsheets for the categories, documentation including invoices/receipts and proof of payment.)

For further details reference [page 74 in the Phase 35 Responsibilities and Requirements Manual](#).

REMINDER – PAYMENT TO VENDOR (NOT MORE THAN 90 DAYS)

Payments must be made to vendors for all eligible expenditures, by an approved method, not more than 90 days after the receipt/invoice date or the date of the client intake form. Payments made more than 90 days following the invoice or intake date will be considered ineligible and funds will be subject to return to the National Board.

For further details reference [pages 63-64 and 79 in the Phase 35 Responsibilities and Requirements Manual](#).

Key Dates for Phase 38

The National Board sets key program dates during the course of each phase in an effort to ensure funds are released in a timely manner to eligible Local Boards and their LROs. **All dates are subject to change and may be changed unilaterally by the National Board, as needed**, including submission of Local Board Plans, Second Payment Requests, EFT enrollment, and Final Reports. Local Boards will be notified of changes via email, as necessary. **The failure of Local Boards and LROs to adhere to the key program dates may result in the loss of funds.**

ITEM	KEY DATE																		
Phase 38 Local Board Plan due to National Board	<p>February 5, 2021 for jurisdictions qualifying via the National Board’s funding formula.</p> <p>Date Varies for State Set-Aside Committee funded jurisdictions. A date will be noted on each jurisdiction’s Local Board Plan. The date will also be specified on the Local Board Certification.</p>																		
Phase 38 State Set-Aside Committee Plan due to National Board	<p>February 5, 2021 for State Set-Aside Committee plan. However, State Set-Aside Committees have flexibility in the submission of committee plans. To ensure funds are awarded to jurisdictions reflecting the highest need or impact due to recent changes, the Committee plan may be submitted after the due date, as necessary.</p>																		
Phase 38 Begin Spend Date	<p>January 1, 2020 for all jurisdictions</p>																		
<p>Final Report Due</p> <p>Spending Period End Date Options</p> <p>(The jurisdiction’s selected end date is listed on the Phase 38 Local Board Plan. The jurisdiction’s end date is also printed on each LRO’s payment letter notification.)</p> <p>Local Boards failing to select a spending period end date will automatically end on May 31, 2021.</p>	<p>Below are the Spending Period End Date options available for Phase 38. The end date selected by the Local Board will apply to all LROs in the jurisdiction and it is the last day that LROs can make purchases.</p> <table data-bbox="748 1272 1336 1541"> <tr> <td>January 31, 2020</td> <td>October 31, 2020</td> </tr> <tr> <td>February 28, 2020</td> <td>November 30, 2020</td> </tr> <tr> <td>March 31, 2020</td> <td>December 31, 2020</td> </tr> <tr> <td>April 30, 2020</td> <td>January 31, 2021</td> </tr> <tr> <td>May 31, 2020</td> <td>February 28, 2021</td> </tr> <tr> <td>June 30, 2020</td> <td>March 31, 2021</td> </tr> <tr> <td>July 31, 2020</td> <td>April 30, 2021</td> </tr> <tr> <td>August 31, 2020</td> <td>May 31, 2021</td> </tr> <tr> <td>September 30, 2020</td> <td></td> </tr> </table> <p>Final Report is due July 15, 2021.</p>	January 31, 2020	October 31, 2020	February 28, 2020	November 30, 2020	March 31, 2020	December 31, 2020	April 30, 2020	January 31, 2021	May 31, 2020	February 28, 2021	June 30, 2020	March 31, 2021	July 31, 2020	April 30, 2021	August 31, 2020	May 31, 2021	September 30, 2020	
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September 30, 2020																			
LROs’ Interim Report/Second Payment Requests due to National Board	<p>Not later than May 15, 2021</p>																		

<p>EFT enrollment form for <u>new</u> LROs</p>	<p>Newly funded LROs must sign up for EFT not later than <u>April 30, 2021.</u></p>
<p>Adding a new LRO</p>	<p>If an LRO has NOT previously been funded in the current phase, it may not be added for funding after <u>April 30, 2021.</u></p> <p>(This also applies when reallocating funds.)</p>
<p>Local Board Reallocation Requests due to the <u>National Board</u></p>	<p>Not later than <u>May 15, 2021</u></p>

Grant Agreement Articles



The Emergency Food and Shelter National Board Program (EFSP) is a restricted federal grant. All federal grants have terms and conditions that apply to **ALL** parties participating in the grant. For the EFSP, all parties mean the National Board which is considered the *Recipient*, State Set-Aside Committees (SSAs), Local Boards, and Local Recipient Organizations (LROs) that are considered the *Sub-Recipients*. This section of the EFSP Responsibilities and Requirements Manual (EFSP Manual) provides guidance related to the Grant Agreement Articles, Financial Terms and Conditions, and Other Terms and Conditions of the grant. The EFSP Certification Forms for all parties contain statements that incorporate the Grant Agreement Articles, Financial Terms and Conditions, and Other Terms and Conditions. All parties must ensure their understanding of this section of the EFSP Manual and the statements on the Certification Forms being signed, as they are agreeing to specific program requirements mandated by the Federal government, including those that do not appear to apply to the types of programs and activities eligible under the EFSP. While some of the articles do not appear to be consistent with the types of programs and activities funded under the EFSP and some state recipient but not sub-recipient, all Grant Agreement Articles, Financial Terms and Conditions, and Other Terms and Conditions must be passed on to all parties participating in the EFSP. ***All parties will be held accountable for complying with the provisions of the grant as well as full compliance with applicable requirements of all other Federal laws, Executive Orders, regulations, and policies governing this program including those not specifically stated in this Manual.***

Most SSAs and Local Boards do not receive funds (except administrative funds where they are considered to be an LRO and therefore a *Sub-Recipient*), these parties participating in the EFSP have responsibility for ensuring compliance in their selection of jurisdictions and/or LROs for funding and adhering to all EFSP requirements, including the Grant Agreement Articles, Financial Terms and Conditions, and Other Terms and Conditions. SSAs, Local Boards, and LROs should familiarize themselves with all specific citations noted in the Manual.

Article I - DHS Specific Acknowledgements and Assurances

All recipients, subrecipients, successors, transferees, and assignees must acknowledge and agree to comply with applicable provisions governing DHS access to records, accounts, documents, information, facilities, and staff.

1. Recipients must cooperate with any compliance reviews or compliance investigations conducted by DHS.
2. Recipients must give DHS access to, and the right to examine and copy, records, accounts, and other documents and sources of information related to the federal financial assistance award and permit access to facilities, personnel, and other individuals and information as may be necessary, as required by DHS regulations and other applicable laws or program guidance.
3. Recipients must submit timely, complete, and accurate reports to the appropriate DHS officials and maintain appropriate backup documentation to support the reports.
4. Recipients must comply with all other special reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.
5. If, during the past three years, recipients have been accused of discrimination on the grounds of race, color, national origin (including limited English proficiency (LEP)), sex, age, disability, religion, or familial status, recipients must provide a list of all such proceedings, pending or completed, including outcome and copies of settlement agreements to the DHS FAO and the DHS Office of Civil Rights and Civil Liberties (CRCL) by e-mail at crcl@hq.dhs.gov or by mail at U.S. Department of Homeland Security Office for Civil Rights and Civil Liberties Building 410, Mail Stop #0190 Washington, D.C. 20528.
6. In the event courts or administrative agencies make a finding of discrimination on grounds of race, color, national origin (including LEP), sex, age, disability, religion, or familial status against the recipient, or recipients settle a case or matter alleging such discrimination, recipients must forward a copy of the complaint and findings to the DHS FAO and the

CRCL office by e-mail or mail at the addresses listed above. The United States has the right to seek judicial enforcement of these obligations.



EFSP Applicability: This article applies to all State Set-Aside Committees, Local Boards and LROs. The Financial Terms and Conditions of the EFSP Manual speak to items 1 – 4 of this Grant Agreement Article.

Article II - Whistleblower Protection Act

All recipients must comply with the statutory requirements for whistleblower protections (if applicable) at 10 U.S.C. Section 2409, U.S.C. Section 4712, 10 U.S.C. Section 2324, 41 U.S.C. Sections 4304 and 4310.



EFSP Applicability: This article applies to all State Set-Aside Committees, Local Boards and LROs. While it may appear the types of programs and activities referenced in this article would not be consistent with the types of programs and activities funded by EFSP, the article still applies. The article speaks to employees and contractors with the Department of Defense and disallowed costs with funding. The statement contained in the Certification Forms – “Will expend monies only on EFSP eligible costs” and the Costs Eligibility sections of the EFSP Manual speak to this Grant Agreement Article.

Article III - Use of DHS Seal, Logo and Flags

All recipients must obtain permission from their DHS FAO, prior to using the DHS seal(s), logos, crests or reproductions of flags or likenesses of DHS agency officials, including use of the United States Coast Guard seal, logo, crests or reproductions of flags or likenesses of Coast Guard officials.



EFSP Applicability: This article applies to all State Set-Aside Committees, Local Boards and LROs. The use of any organization’s marks, including those of DHS, must be approved through proper channels. EFSP does not approve the use of the DHS seal(s), logos, crests or reproductions of flags or likenesses of DHS agency officials including those of the Federal Emergency Management Agency (FEMA) or those of any other National Board member agency. SSAs, Local Boards or LROs wishing to use the marks of any of these organizations must secure the individual agency’s permission. Bank accounts used by agencies funded under the EFSP should be set up in the individual agency’s name, not as FEMA.

Article IV - USA Patriot Act of 2001

All recipients must comply with requirements of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act (USA PATRIOT Act), which amends 18 U.S.C. sections 175-175c.



EFSP Applicability: This article applies to all State Set-Aside Committees, Local Boards and LROs. While it may appear the types of programs and activities referenced in this article would not be consistent with the types of programs and activities funded by EFSP, the article still applies. The statement contained in the Certification Forms – “Will expend monies only on EFSP eligible costs” and the Costs Eligibility sections of the EFSP Manual speak to this Grant Agreement Article.

Article V - Universal Identifier and System of Award Management (SAM)

All recipients are required to comply with the requirements set forth in the government-wide financial assistance award term regarding the System for Award Management and Universal Identifier Requirements located at 2 C.F.R. Part 25, Appendix A, the full text of which is incorporated here by reference in the terms and conditions.



EFSP Applicability: SAMS registration in this article applies to the recipient, the EFSP National Board. The EFSP is registered in the SAMS system. Any necessary updates to EFSP information in the system will be made yearly.

The unique identifier statement apply to all State Set-Aside Committees, Local Boards and LROs. All funded LROs are required to provide their DUNS number to EFSP before payments can be released. The statement contained in the Certification Forms – “Has provided a Data Universal Number System (DUNS) number issued by Dun & Bradstreet (D&B) and required associated information to EFSP” speak to this Grant Agreement Article.

Article VI - Reporting of Matters Related to Recipient Integrity and Performance

If the total value of the recipient's currently active grants, cooperative agreements, and procurement contracts from all federal assistance offices exceeds \$10,000,000 for any period of time during the period of performance of this federal financial assistance award, you must comply with the requirements set forth in the government-wide Award Term and Condition for Recipient Integrity and Performance Matters located at 2 C.F.R. Part 200, Appendix XII, the full text of which is incorporated here by reference in the award terms and conditions.



EFSP Applicability: The reporting in this article applies to the recipient, the EFSP National Board. The EFSP is registered in the SAMS system. Any necessary updates to EFSP information in the system or required reporting related to the grant will be made appropriately.

Article VII - Rehabilitation Act of 1973

All recipients must comply with the requirements of Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. section 794, as amended, which provides that no otherwise qualified handicapped individuals in the United States will, solely by reason of the handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.



EFSP Applicability: This article applies to all State Set-Aside Committees, Local Boards and LROs. The statement contained in the Certification Forms – “Practices non-discrimination [those agencies with a religious affiliation must agree not to refuse service to an applicant based on religion, nor engage in religious proselytizing or religious counseling with Federal funds] and the Client Eligibility sections in the EFSP Manual speak to this Grant Agreement Article.

Article VIII - Trafficking Victims Protection Act of 2000 (TVPA)

All recipients must comply with the requirements of the government-wide award term which implements Section 106(g) of the Trafficking Victims Protection Act of 2000, (TVPA) as amended by 22 U.S.C. section 7104. The award term is located at 2 C.F.R. section 175.15, the full text of which is incorporated here by reference in the award terms and conditions.



EFSP Applicability: This article applies to all State Set-Aside Committees, Local Boards and LROs. While it may appear the types of programs and activities referenced in this article would not be consistent with the types of programs and activities funded by EFSP, the article still applies. The statement contained in the Certification Forms – “Will expend monies only on EFSP eligible costs” and the Costs Eligibility sections of the EFSP Manual speak to this Grant Agreement Article.

Article IX - Education Amendments of 1972 (Equal Opportunity in Education Act) - Title IX

All recipients must comply with the requirements of Title IX of the Education Amendments of 1972 (20 U.S.C. section 1681 et seq.), which provide that no person in the United States will, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving federal financial assistance. DHS implementing regulations are codified at 6 C.F.R. Part 17 and 44 C.F.R. Part 19.



EFSP Applicability: This article applies to all State Set-Aside Committees, Local Boards and LROs. While it may appear the types of programs and activities referenced in this article would not be consistent with the types of programs and activities funded by EFSP, the article still applies. The statement contained in the Certification Forms – “Practices non-discrimination [those agencies with a religious affiliation must agree not to refuse service to an applicant based on religion, nor engage in religious proselytizing or religious counseling with Federal funds]” and the Client Eligibility sections in the EFSP Manual speak to this Grant Agreement Article.

Article X - Terrorist Financing

All recipients must comply with E.O. 13224 and U.S. law that prohibit transactions with, and the provisions of resources and support to, individuals and organizations associated with terrorism. Recipients are legally responsible to ensure compliance with the Order and laws.



EFSP Applicability: This article applies to all State Set-Aside Committees, Local Boards and LROs. While it may appear the types of programs and activities referenced in this article would not be consistent with the types of programs and activities funded by EFSP, the article still applies. The statement contained in the Certification Forms – “Will expend monies only on EFSP eligible costs” and the Costs Eligibility sections of the EFSP Manual speak to this Grant Agreement Article.

Article XI - SAFECOM

All recipients receiving federal financial assistance awards made under programs that provide emergency communication equipment and its related activities must comply with the SAFECOM Guidance for Emergency Communication Grants, including provisions on technical standards that ensure and enhance interoperable communications.



EFSP Applicability: This article applies to all State Set-Aside Committees, Local Boards and LROs. While it may appear the types of programs and activities referenced in this article would not be consistent with the types of programs and activities funded by EFSP, the article still applies. With the exception of the administrative allowance, there are no allowable activities that can be funded regarding communication equipment. The statement contained in the Certification Forms – “Will expend monies only on EFSP eligible costs” and the Costs Eligibility sections of the EFSP Manual speak to this Grant Agreement Article.

Article XII - Procurement of Recovered Materials

All recipients must comply with Section 6002 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act. The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at 40 C.F.R. Part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition.



EFSP Applicability: This article applies to all State Set-Aside Committees, Local Boards and LROs. While it may appear the types of programs and activities referenced in this article would not be consistent with the types of programs and activities funded by EFSP, the article still applies. The statement contained in the Certification Forms – “Will expend monies only on EFSP eligible costs” and the Costs Eligibility sections of the EFSP Manual speak to this Grant Agreement Article.

Article XIII - Notice of Funding Opportunity Requirements

All of the instructions, guidance, limitations, and other conditions set forth in the Notice of Funding Opportunity (NOFO) for this program are incorporated here by reference in the award terms and conditions. All recipients must comply with any such requirements set forth in the program NOFO.



EFSP Applicability: The requirements stated in this article applies to the recipient, the EFSP National Board. The NOFO and guidance is made available to the National Board via the ND Grants System. All terms and conditions of the award are agreed to when the National Board accepts the award in the ND Grants System.

Article XIV - Patents and Intellectual Property Rights

Unless otherwise provided by law, recipients are subject to the Bayh-Dole Act, Pub. L. No. 96-517, as amended, and codified in 35 U.S.C. section 200 et seq. All recipients are subject to the specific requirements governing the development, reporting, and disposition of rights to inventions and patents resulting from financial assistance awards located at 37 C.F.R. Part 401 and the standard patent rights clause located at 37 C.F.R. section 401.14.



EFSP Applicability: This article applies to all State Set-Aside Committees, Local Boards and LROs. While it may appear the types of programs and activities referenced in this article would not be consistent with the types of programs and activities funded by EFSP, the article still applies. With the exception of the administrative allowance, there are no allowable activities that would be patented with EFSP funds. Any necessary materials for use in the EFSP would not generally be patented. The statement contained in the Certification Forms – “Will expend monies only on EFSP eligible costs” and the Costs Eligibility sections of the EFSP Manual speak to this Grant Agreement Article.

Article XV - Non-supplanting Requirement

Recipients receiving federal financial assistance awards made under programs that prohibit supplanting by law must ensure that federal funds do not replace (supplant) funds that have been budgeted for the same purpose through non-federal sources.



EFSP Applicability: This applies to all State Set-Aside Committees, Local Boards and LROs. EFSP is not intended to make up for budget shortfalls or to be considered a line item in an annual budget. EFSP is non-disaster, supplemental funding. The Preamble and the statement contained in the Certification Forms – “Will use funds to supplement/extend existing resources and not to substitute or reimburse ongoing programs and services” speak to this requirement.

Article XVI - Lobbying Prohibitions

All recipients must comply with 31 U.S.C. section 1352, which provides that none of the funds provided under an federal financial assistance award may be expended by the recipient to pay any person to influence, or attempt to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with any federal action concerning the award or renewal.



EFSP Applicability: This article applies to all State Set-Aside Committees, Local Boards and LROs. The statement contained in the Certification Forms – “Will not use EFSP funding for any lobbying activities and if receiving \$100,000, or more, will provide the “Certification Regarding Lobbying” and, if applicable, will complete Standard Form LLL, “Disclosure Form to

Report Lobbying”, in advance with its instructions. The “Lobbying Prohibition and Reporting Requirements” sections in the EFSP Manual also speak to this Grant Agreement Article.

Article XVII - Limited English Proficiency (Civil Rights Act of 1964, Title VI)

All recipients must comply with the Title VI of the Civil Rights Act of 1964 (Title VI) prohibition against discrimination on the basis of national origin, which requires that recipients of federal financial assistance take reasonable steps to provide meaningful access to persons with limited English proficiency (LEP) to their programs and services. For additional assistance and information regarding language access obligations, please refer to the DHS Recipient Guidance <https://www.dhs.gov/guidance-published-help-department-supported-organizations-provide-meaningful-access-people-limited> and additional resources on <http://www.lep.gov>.



***EFSP Applicability:** This article applies to all State Set-Aside Committees, Local Boards and LROs. The statement contained in the Certification Forms – “Practices non-discrimination [those agencies with a religious affiliation must agree not to refuse service to an applicant based on religion, nor engage in religious proselytizing or religious counseling with Federal funds]” and the Client Eligibility sections in the EFSP Manual speak to this Grant Agreement Article.*

Article XVIII - Hotel and Motel Fire Safety Act of 1990

In accordance with Section 6 of the Hotel and Motel Fire Safety Act of 1990, 15 U.S.C. section 2225a, all recipients must ensure that all conference, meeting, convention, or training space funded in whole or in part with federal funds complies with the fire prevention and control guidelines of the Federal Fire Prevention and Control Act of 1974, as amended, 15 U.S.C. section 2225.



***EFSP Applicability:** This applies to all State Set-Aside Committees, Local Boards and LROs. Should SSAs, Local Boards, or LROs conduct conferences, meetings, or trainings for EFSP using any administrative funding from the EFSP, they must comply with this requirement.*

Article XIX - Fly America Act of 1974

All recipients must comply with Preference for U.S. Flag Air Carriers (air carriers holding certificates under 49 U.S.C. section 41102) for international air transportation of people and property to the extent that such service is available, in accordance with the International Air Transportation Fair Competitive Practices Act of 1974 (49 U.S.C. section 40118) and the interpretative guidelines issued by the Comptroller General of the United States in the March 31, 1981 amendment to Comptroller General Decision B-138942.



***EFSP Applicability:** This article applies to all State Set-Aside Committees, Local Boards and LROs. While it may appear the types of programs and activities referenced in this article would not be consistent with the types of programs and activities funded by EFSP, the article still applies. With the exception of the administrative allowance, there are no allowable activities that can be funded regarding air travel with EFSP funds. Any necessary air travel would be limited to travel necessary for the administration of the EFSP and would not include international travel. The statement contained in the Certification Forms – “Will expend monies only on EFSP eligible costs” and the Costs Eligibility sections of the EFSP Manual speak to this Grant Agreement Article.*

Article XX - Federal Leadership on Reducing Text Messaging while Driving

All recipients are encouraged to adopt and enforce policies that ban text messaging while driving as described in E.O. 13513, including conducting initiatives described in Section 3(a) of the Order when on official government business or when performing any work for or on behalf of the federal government.



EFSP Applicability: This article applies to the EFSP National Board as the recipient, all State Set-Aside Committees, Local Boards and LROs as subrecipients of funds.

Article XXI - Federal Debt Status

All recipients are required to be non-delinquent in their repayment of any federal debt. Examples of relevant debt include delinquent payroll and other taxes, audit disallowances, and benefit overpayments. (See OMB Circular A-129.)



EFSP Applicability: This article applies to all State Set-Aside Committees, Local Boards and LROs.

Article XXII - False Claims Act and Program Fraud Civil Remedies

All recipients must comply with the requirements of 31 U.S.C. section 3729 - 3733 which prohibits the submission of false or fraudulent claims for payment to the federal government. (See 31 U.S.C. section 3801-3812 which details the administrative remedies for false claims and statements made.)



EFSP Applicability: This applies to all State Set-Aside Committees, Local Boards and LROs. Generally, this act provides for criminal penalties if false claims are filed.

Article XXIII - Reporting Subawards and Executive Compensation

All recipients are required to comply with the requirements set forth in the government-wide Award Term on Reporting Subawards and Executive Compensation located at 2 C.F.R. Part 170, Appendix A, the full text of which is incorporated here by reference in the award terms and conditions.



EFSP Applicability: This article applies to the Grantee (National Board) and all State Set-Aside Committees, Local Boards and LROs. As information received from State Set-Aside Committees, Local Boards and LROs are necessary components of the required reports, the statements contained in the Certification Forms regarding the DUNS number, Federal Employer Identification Number (FEIN), and reporting requirements also speak to this Grant Agreement Article.

Article XXIV - Energy Policy and Conservation Act

All recipients must comply with the requirements of 42 U.S.C. section 6201 which contain policies relating to energy efficiency that are defined in the state energy conservation plan issued in compliance with this Act.



EFSP Applicability: This article applies to all State Set-Aside Committees, Local Boards and LROs. While it may appear the types of programs and activities referenced in this article would not be consistent with the types of programs and activities funded by EFSP, the article still applies. With the exception of supplies and equipment purchases, up to \$300 per item, and emergency rehabilitation costs/ building code citations for mass shelter and mass feeding sites, there are no allowable activities that can be funded

with EFSP funds. The statement contained in the Certification Forms – “Will expend monies only on EFSP eligible costs” and the Costs Eligibility sections of the EFSP Manual speak to this Grant Agreement Article.

Article XXV - Duplication of Benefits

Any cost allocable to a particular federal financial assistance award provided for in 2 C.F.R. Part 200, Subpart E may not be charged to other federal financial assistance awards to overcome fund deficiencies, to avoid restrictions imposed by federal statutes, regulations, or federal financial assistance award terms and conditions, or for other reasons. However, these prohibitions would not preclude recipients from shifting costs that are allowable under two or more awards in accordance with existing federal statutes, regulations, or the federal financial assistance award terms and conditions.



EFSP Applicability: This applies to all State Set-Aside Committees, Local Boards and LROs. EFSP is not intended to make up for budget shortfalls or to be considered a line item in an annual budget. EFSP is non-disaster, supplemental funding. Expenditures charged in full to the EFSP grant may not also be charged to other awards/grants; nor may expenditures paid for with EFSP funding be charged to other awards/grants. The statements contained in the Certification Forms – “Will use funds to supplement/ extend existing resources and not to substitute or reimburse ongoing programs and services” and “Will expend monies only on EFSP eligible costs” as well as the Costs Eligibility sections of the EFSP Manual speak to this requirement.

Article XXVI - Drug-Free Workplace Regulations

All recipients must comply with the Drug-Free Workplace Act of 1988 (41 U.S.C. section 8101 et seq.), which requires all organizations receiving grants from any federal agency agree to maintain a drug-free workplace. You as the recipient must comply with drug-free workplace requirements in Subpart B (or Subpart C, if the recipient is an individual) of 2 CFR part 3001, which adopts the Government-wide implementation (2 CFR part 182) of sec. 5152-5158 of the Drug-Free Workplace Act of 1988 (Pub. L. 100-690, Title V, Subtitle D; 41 U.S.C. 8101-8107).



EFSP Applicability: This article applies to all State Set-Aside Committees, Local Boards and LROs.

Article XXVII - Debarment and Suspension

All recipients are subject to the non-procurement debarment and suspension regulations implementing Executive Orders (E.O.) 12549 and 12689, and 2 C.F.R. Part 180. These regulations restrict federal financial assistance awards, subawards, and contracts with certain parties that are debarred, suspended, or otherwise excluded from or ineligible for participation in federal assistance programs or activities.



EFSP Applicability: This article applies to all State Set-Aside Committees, Local Boards and LROs. The statement contained in the Certification Forms – “Is not debarred or suspended from receiving Federal funds” and the Financial Terms and Conditions sections in the EFSP Manual speak to this requirement.

Article XXVIII - Copyright

All recipients must affix the applicable copyright notices of 17 U.S.C. sections 401 or 402 and an acknowledgement of U.S. Government sponsorship (including the award number) to any work first produced under federal financial assistance awards.



EFSP Applicability: This article applies to all State Set-Aside Committees, Local Boards and LROs. While it may appear the types of programs and activities referenced in this article would not be consistent with the types of programs and activities funded by EFSP, the article still applies. With the exception of the administrative allowance, there are no allowable activities that can be funded regarding materials that would be copyrighted with EFSP funds. Any necessary materials for use in the EFSP would not generally be copyrighted. The statement contained in the Certification Forms – “Will expend monies only on EFSP eligible costs” and the Costs Eligibility sections of the EFSP Manual speak to this Grant Agreement Article.

Article XXIX - Civil Rights Act of 1968

All recipients must comply with Title VIII of the Civil Rights Act of 1968, which prohibits recipients from discriminating in the sale, rental, financing, and advertising of dwellings, or in the provision of services in connection therewith, on the basis of race, color, national origin, religion, disability, familial status, and sex (42 U.S.C. section 3601 et seq.), as implemented by the Department of Housing and Urban Development at 24 C.F.R. Part 100. The prohibition on disability discrimination includes the requirement that new multifamily housing with four or more dwelling units-i.e., the public and common use areas and individual apartment units (all units in buildings with elevators and ground-floor units in buildings without elevators)-be designed and constructed with certain accessible features. (See 24 C.F.R. section 100.201.)



EFSP Applicability: This article applies to all State Set-Aside Committees, Local Boards and LROs. The statement contained in the Certification Forms – “Practices non-discrimination [those agencies with a religious affiliation must agree not to refuse service to an applicant based on religion, nor engage in religious proselytizing or religious counseling with Federal funds]” and the Client Eligibility sections in the EFSP Manual speak to this Grant Agreement Article.

Article XXX - Civil Rights Act of 1964 - Title VI

All recipients must comply with the requirements of Title VI of the Civil Rights Act of 1964 (42 U.S.C. section 2000d et seq.), which provides that no person in the United States will, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. DHS implementing regulations for the Act are found at 6 C.F.R. Part 21 and 44 C.F.R. Part 7.



EFSP Applicability: This article applies to all State Set-Aside Committees, Local Boards and LROs. The statement contained in the Certification Forms – “Practices non-discrimination [those agencies with a religious affiliation must agree not to refuse service to an applicant based on religion, nor engage in religious proselytizing or religious counseling with Federal funds]” and the Client Eligibility sections in the EFSP Manual speak to this Grant Agreement Article.

Article XXXI - Best Practices for Collection and Use of Personally Identifiable Information (PII)

DHS defines personally identifiable information (PII) as any information that permits the identity of an individual to be directly or indirectly inferred, including any information that is linked or linkable to that individual. All recipients who collect PII are required to have a publicly-available privacy policy that describes standards on the usage and maintenance of PII they collect. Recipients may also find the DHS Privacy Impact Assessments: Privacy Guidance and Privacy template as useful resources respectively.



EFSP Applicability: This applies to all State Set-Aside Committees, Local Boards and LROs. In order to meet the documentation requirements of the EFSP in certain program categories, it is necessary to obtain, retain, and provide, if requested, PII for clients served with EFSP funding. Additionally, there must be a system in place to ensure there is no duplication of service in the specific categories of rent / mortgage and utility assistance which may require the sharing of PII for this purpose. The National Board does not require and does not expect to receive PII beyond what is noted in the EFSP Documentation Requirements as stated

in the Manual. Items that should not be submitted to EFSP as documentation include, but are not limited, to driver's licenses, Social Security Numbers or cards, pay stubs, etc.

Article XXXII - Americans with Disabilities Act of 1990

All recipients must comply with the requirements of Titles I, II, and III of the Americans with Disabilities Act, which prohibits recipients from discriminating on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities. (42 U.S.C. sections 12101-12213).

✓ *EFSP Applicability: This article applies to all State Set-Aside Committees, Local Boards and LROs. The statement contained in the Certification Forms – “Practices non-discrimination [those agencies with a religious affiliation must agree not to refuse service to an applicant based on religion, nor engage in religious proselytizing or religious counseling with Federal funds] and the Client Eligibility sections in the EFSP Manual speak to this Grant Agreement Article.*

Article XXXIII - Age Discrimination Act of 1975

All recipients must comply with the requirements of the Age Discrimination Act of 1975 (Title 42 U.S. Code, section 6101 et seq.), which prohibits discrimination on the basis of age in any program or activity receiving federal financial assistance.

✓ *EFSP Applicability: This article applies to all State Set-Aside Committees, Local Boards and LROs. The statement contained in the Certification Forms – “Practices non-discrimination [those agencies with a religious affiliation must agree not to refuse service to an applicant based on religion, nor engage in religious proselytizing or religious counseling with Federal funds]” and the Client Eligibility sections in the EFSP Manual speak to this Grant Agreement Article.*

Article XXXIV - Activities Conducted Abroad

All recipients must ensure that project activities carried on outside the United States are coordinated as necessary with appropriate government authorities and that appropriate licenses, permits, or approvals are obtained.

✓ *EFSP Applicability: This article applies to all State Set-Aside Committees, Local Boards and LROs. While it may appear the types of programs and activities referenced in this article would not be consistent with the types of programs and activities funded by EFSP, the article still applies. The statement contained in the Certification Forms – “Will expend monies only on EFSP eligible costs” and the Costs Eligibility sections of the EFSP Manual speak to this Grant Agreement Article.*

Article XXXV - Acknowledgment of Federal Funding from DHS

All recipients must acknowledge their use of federal funding when issuing statements, press releases, requests for proposals, bid invitations, and other documents describing projects or programs funded in whole or in part with federal funds.

✓ *EFSP Applicability: This article applies to all State Set-Aside Committees, Local Boards and LROs. The use of the Sample Advertisement in the EFSP Manual complies with this Grant Agreement Article for advertising purposes only. If the Sample Advertisement is not used, the Acknowledgement of Federal Funding from DHS must be included in the advertisement made by the Local Board. Please note: this acknowledgement is not just for the advertisement.*

Article XXXVI - Assurances, Administrative Requirements, Cost Principles, and Representations and Certifications

DHS financial assistance recipients must complete either the OMB Standard Form 424B Assurances - Non-Construction Programs, or OMB Standard Form 424D Assurances - Construction Programs as applicable. Certain assurances in these documents may not be applicable to your program, and the DHS financial assistance office may require applicants to certify additional assurances. Applicants are required to fill out the assurances applicable to their program as instructed by the awarding agency. Please contact the financial assistance office if you have any questions. DHS financial assistance recipients are required to follow the applicable provisions of the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards located at 2 C.F.R. Part 200, and adopted by DHS at 2 C.F.R. Part 3002.



***EFSP Applicability:** This article applies to all State Set-Aside Committees, Local Boards and LROs. The statements contained in the Certification Forms – “Will expend monies only on EFSP eligible costs” as well as those regarding accounting systems, audits, and other financial matters and the Financial Terms and Conditions and the Costs Eligibility sections of the EFSP Manual speak to this Grant Agreement Article.*

Article XXXVII - Acceptance of Post Award Changes

In the event FEMA determines that changes are necessary to the award document after an award has been made, including changes to period of performance or terms and conditions, recipients will be notified of the changes in writing. Once notification has been made, any subsequent request for funds will indicate recipient acceptance of the changes to the award. Please call the FEMA/GMD Call Center at (866) 927-5646 or via e-mail to ASK-GMD@dhs.gov if you have any questions.



***EFSP Applicability:** This article applies to all State Set-Aside Committees, Local Boards and LROs. Should there be changes to the award, the EFSP National Board will communicate changes (as necessary) to State Set-Aside Committees, Local Boards and LROs. Item 2 (Amendments) under Financial Terms and Conditions also speaks to this Grant Agreement Article.*

Article XXXVIII - Disposition of Equipment Acquired Under the Federal Award

When original or replacement equipment acquired under this award by the recipient or its sub-recipients is no longer needed for the original project or program or for other activities currently or previously supported by DHS/FEMA, you must request instructions from DHS/FEMA to make proper disposition of the equipment pursuant to 2 C.F.R. Section 200.313.



***EFSP Applicability:** This article applies to all State Set-Aside Committees, Local Boards and LROs. While it may appear the types of programs and activities referenced in this article would not be consistent with the types of programs and activities funded by EFSP, the article still applies. LROs may use up to \$300 to purchase eligible equipment with EFSP funds and would generally fall beneath the \$5,000 threshold. The statement contained in the Certification Forms –“Will expend monies only on EFSP eligible costs” and the Costs Eligibility sections of the EFSP Manual speak to this Grant Agreement Article.*

Article XXXIX - National Environmental Policy Act

All recipients must comply with the requirements of the National Environmental Policy Act (NEPA) and the Council on Environmental Quality (CEQ) Regulations for Implementing the Procedural Provisions of NEPA, which requires recipients to use all practicable means within their authority, and consistent with other essential considerations of national policy, to create and maintain conditions under which people and nature can exist in productive harmony and fulfill the social, economic, and other needs of present and future generations of Americans.



EFSP Applicability: This article applies to all State Set-Aside Committees, Local Boards and LROs. While it may appear the types of programs and activities referenced in this article would not be consistent with the types of programs and activities funded by EFSP, the article still applies.

Article XL - Nondiscrimination in Matters Pertaining to Faith-Based Organizations

It is DHS policy to ensure the equal treatment of faith-based organizations in social service programs administered or supported by DHS or its component agencies, enabling those organizations to participate in providing important social services to beneficiaries. All recipients must comply with the equal treatment policies and requirements contained in 6 C.F.R. Part 19 and other applicable statutes, regulations, and guidance governing the participations of faith-based organizations in individual DHS programs.



EFSP Applicability: This article applies to all State Set-Aside Committees, Local Boards and LROs. EFSP guidelines prohibits discrimination based on age, race, sex, religion, national origin, disability, economic status or sexual orientation.

Article XLI- Prior Approval for Modification of Approved Budget

Before making any change to the DHS/FEMA approved budget for this award, you must request prior written approval from DHS/FEMA where required by 2 C.F.R. Section 200.308. For awards with an approved budget greater than \$150,000, you may not transfer funds among direct cost categories, programs, functions, or activities without prior written approval from DHS/FEMA where the cumulative amount of such transfers exceeds or is expected to exceed ten percent (10%) of the total budget DHS/FEMA last approved. You must report any deviations from your DHS/FEMA approved budget in the first Federal Financial Report (SF-425) you submit following any budget deviation, regardless of whether the budget deviation requires prior written approval.



EFSP Applicability: This article applies to the EFSP National Board. The budget submitted with the application in the ND Grant system generally remains the same. The scope and purpose of the program does not change, the guidelines are detailed in the EFSP Manual.

Financial Terms and Conditions

The National Board requires all participants to meet the requirements stated in this manual regarding program compliance, reporting, documentation and submission of documentation.

1. Definitions

- a. “Jurisdiction” refers to the city, county or combination receiving funds through EFSP.
- b. “Local Recipient Organization” or “LRO” refers to the local private or public agency that will receive any award of funds from the National Board.
- c. “Award” refers to the award of funds made by the National Board to a local private or public agency on the recommendation of a Local Board.
- d. “End-of-program” refers to the jurisdiction’s end date, as agreed by Local and National Board, by which all monies must be spent or returned to the National Board.
- e. “Begin Date” is the date LROs may begin expending funds.
- f. “End date” is the date by which all funds must be expended or returned to the National Board.

2. Amendments

An award may be amended at any time by a written modification. Amendments, which reflect the rights and obligations of either party, shall be executed by both the National Board and the LRO. ***Administrative amendments such as changes in accounting data may be issued unilaterally by the National Board.***

3. Local Board Authority Related to Local Recipient Organizations

The Local Board is responsible for monitoring expenditures of LROs receiving EFSP funds; authorizing the adjustment of funds between EFSP funded services; and, reallocating funds from one LRO to another.

Local Boards may not alter or change National Board cost eligibility or approve expenditures outside of the National Board’s criteria without National Board permission. Local Boards may not alter or change the National Board’s documentation requirements.

A Local Board can recall an award to an LRO and reallocate to another LRO in the case of gross negligence, inadequate use of funds, failure to use funds, failure to use funds for purposes intended, for any other violation of the National Board guidelines, or in cases of critical need in the community. **The Local Board must advise, in writing, all concerned LROs of any reallocation of their original award.**

In the event the Local Board discovers ineligible expenditures by an LRO, the Local Board must send to the LRO a written request for reimbursement of the amount. The National Board must also be notified. If the LRO is unwilling or unable to reimburse the National Board for the ineligible expenditure, the Local Board must refer the matter to the National Board. The National Board may ask the Local Board to take further action to see that reimbursement of **ineligible** expenditures is made to the National Board, or the National Board may refer the matter to FEMA.

If the Local Board suspects that fraud has been committed by an LRO, the Local Board must contact the DHS/Office of Inspector General with details of the suspected fraud or misuse of Federal funds. The OIG’s preferred method for reporting fraud is to submit their online allegation form from their website www.oig.dhs.gov. The address for mailing information is DHS Office of Inspector General/MAIL STOP 0305, Attention: Office of Integrity & Quality Oversight – Hotline, Murray Lane SW, Washington, DC 20528-0305. See [pages 34-35 in the Phase 35 Responsibilities and Requirements Manual](#) for more details.

If an LRO received an award under previous phases (Public Laws 98-8, 98-151 and 98-181, 98-396, 99-88 and 99-160, 99-500 and 100-6, 100-71 and 100-120, 100-404 and 101-45, 101-100, 101-467, 102-139, 102-389, 103-124, 103-327, 104-91 and 104-134, 104-204, 105-65, 105-276, 106-74, 106-377, 107-73, 107-294 and 108-7, 108-90, 108-334, 109-90, 109-295, 110-161, 110-329 and 111-5, 111-83, 112-10, 112-74, 113-6, 113-76, 114-4, 114-113, 115-31, 115-141, 116-26, 116-6, or 116-136), it must not include those funds in any reporting for the current award. Reports should be confined to the amount granted by the National Board under the new appropriations legislation (Public Law 116-93).

4. Cash Depositories

- a. Any money advanced to the LRO under the terms of this award must be deposited in a checking account in a bank with Federal Deposit Insurance Corporation (FDIC) or Federal Savings & Loan Insurance Corporation (FSLIC) insurance coverage (whose responsibility has been taken over by FDIC), and the balance exceeding the FDIC or FSLIC coverage must be collaterally secured. Interest income earned on these funds must be put back into eligible program costs, not administration.
- b. LROs are encouraged to use minority-owned banks (a bank that is owned at least 51 percent by minority group members). This is consistent with the national goal of expanding the opportunities for minority business enterprises. A list of minority-owned banks can be obtained at the addresses below.
 - i. www.federalreserve.gov/releases/mob/current/default.htm
 - ii. www.fdic.gov/regulations/resources/minority/MDI.html

5. Retention and Custodial Requirements for Records

- a. Financial records, supporting documentation, statistical records, and all other records pertinent to the award shall be retained by the LRO for a period of three years from the end-of-program date with the following exceptions: See **Annex 13, page 105-106 in the Phase 35 Responsibilities and Requirements Manual**.
 - i. If any litigation, claim, program compliance review, or audit is started before the expiration of the three-year period, the records shall be retained until all litigation, claims, program compliance problems, or audit findings involving the records have been resolved.
 - ii. Records for non-expendable property, if any, acquired in part with EFSP funds shall be retained for three years after submission of the final financial report (Final Report). Non-expendable property is defined as tangible property having a useful life of more than one year and an acquisition cost of more than \$300 per unit.
- b. The retention period starts from the date of the submission by the LRO of the final expenditure report (Final Report).
- c. The National Board may request transfer of certain records to its custody from the LRO when it determines that the records possess long-term retention value. The LRO shall make such transfers as requested.
- d. The Director of FEMA, the Comptroller General of the United States, and the National Board, or any of their duly authorized representatives, shall have access to any pertinent books, documents, papers, and records of the LRO, and its sub grantees, to make audits, examinations, excerpts, and transcripts.

6. Financial Management Systems

The LRO/Fiscal Agent or Fiscal Conduit shall maintain a financial management system that provides for the following:

- a. Accurate, current and complete disclosures of the financial results of this program.
- b. Records that identify adequately the source and application of funds for federally supported activities. These records shall contain information pertaining to Federal awards, authorizations, obligations, non-obligated balances, assets, outlays, and incomes.
- c. Effective control over and accountability for all funds, property, and other assets.
- d. Procedures for determining eligibility of costs in accordance with this manual.

- e. Accounting records that are supported by source documentation. The LRO must maintain and retain a register of cash receipts and disbursements and original supporting documentation such as purchase orders, invoices, canceled checks or documentation for other acceptable payment methods, sign-in logs and any other documentation that is necessary to support their costs under the program.
- f. A systematic method to assure timely and appropriate resolution of audit findings and recommendations.
- g. In cases where more than one civil jurisdiction (e.g., a city and a balance of county, or several counties) recommends awards to the same LRO, the LRO can combine these funds in a single account. However, separate program records for each civil jurisdiction award must be kept.

7. Audit Requirements

If receiving \$100,000 or more in EFSP funds, the LRO will be eligible to receive the funds if it arranges for an independent audit of funds to coincide with the next scheduled annual audit of its financial affairs. If receiving \$50,000 to \$99,999 in EFSP funds, the LRO will be eligible to receive the funds if it arranges for an annual accountant’s review of funds to coincide with the next scheduled annual review of its financial affairs. An original copy of this audit or review will be provided to the

*A webinar providing background on audit requirements is available on the EFSP website under **Training Workshops** on the left-hand menu after you login.*

National Board upon request. **It is not necessary to have a separate, independent audit/review for this award so long as program funds are treated as a separate element in the LRO’s regular annual audit/review.** If the LRO does not have a certified annual audit/review, that audit/review must be provided by a Local Board designated Fiscal Agent for the LRO willing to account for the funds. **The audit submitted must be from the current year or one year prior. See Annex 12, page 103 in the Phase 35 Responsibilities and Requirements Manual.**

All EFSP funded LROs (both governmental and not-for-profit) that expend \$750,000 or more in Federal funds must comply with the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards at 2 CFR 200 of the Office of Management and Budget (Uniform Guidance), Audits of States, Local Government, and Nonprofit Organizations, which requires a single organization-wide audit. This \$750,000 could be exclusively EFSP funds or a combination of EFSP and other Federal funds that an agency might be receiving. **Note: A copy of the audit report must be forwarded to the National Board annually along with the regular audit. EFSP funds must be clearly identified by ID number in the audit/review and Schedule of Federal Awards.**

Audits of units of government shall be made annually unless the state or local government had, by January 1, 1987, a constitutional or statutory requirement for less frequent audits. **LROs receiving funds in a single or multiple jurisdictions must identify each award individually by their LRO ID number in each jurisdiction under the Pass-Through Grantors Number on the Schedule of Expenditures of Federal Awards.**

8. Payment

A first payment shall be made to the LRO upon recommendation of the Local Board and approval by the National Board. Second payment requests include an interim report to be submitted and signed by each LRO. The request is also signed by the Local Board chair, and submitted to the National Board. For each LRO funded in the previous phase, second installments will be held until the jurisdiction’s final Local Board report and documentation for the previous year has been reviewed and found to be compliant.

9. Financial Reporting Requirements

The National Board shall provide the LRO, through the Local Board, with the necessary reporting requirements in advance of report deadlines.

LROs shall submit their final report to the Local Board that will then be forwarded to the National Board approximately 45 days after the jurisdiction's program ending date or the date designated by the National Board.

10. Closeout

The following definitions shall apply:

- a. "Closeout" is the process by which the National Board determines that all applicable administrative actions and all required work of the award have been completed.
- b. "Disallowed costs" are those charges that the National Board determined to be unallowable in accordance with the legislation, National Board requirements and applicable Federal cost principles or other conditions contained in the award. The applicable cost principles are contained in the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards at 2 CFR 200 of the Office of Management and Budget (Uniform Guidance.) If you are unsure of where to find this circular check with your local Congressional Representative, contact the National Board staff, or visit the Office of Management and Budget's website: www.omb.gov.

11. Suspension and Termination Procedures

The following definitions shall apply:

- a. Termination – termination of this award means the cancellation of EFSP assistance, in whole or in part, under the award at any time prior to the date of completion.
- b. Suspension – the suspension of this award is an action by the Local Board or National Board that temporarily suspends EFSP assistance under the award pending corrective action by the LRO or pending a decision by the National Board to terminate the award.
- c. Local Board Authority – authority to suspend/reallocate all or a portion of an LRO's award at its discretion for any cause (i.e., inability to deliver services, suspected fraud, violation of eligible costs, changing need in the community, etc.).

12. Lobbying

Pursuant to [31 U.S.C. §1352](#), an LRO is prohibited from using federally appropriated grant funds for lobbying activities. This condition bars the use of Federal money for political activities, but does not in any way restrict lobbying or political activities paid for with non-Federal funds. This condition prohibits the use of Federal grant funds for the following activities:

- Federal, state or local electioneering and support of such entities as campaign organizations and political action committees;
- Direct lobbying of the Congress and State Legislatures to influence legislation;
- Grassroots lobbying concerning either Federal or state legislation;
- Lobbying of the Executive Branch in connection with decisions to sign or veto enrolled legislation; and,
- Efforts to utilize state or local officials to lobby the Congressional or State Legislatures.

*A webinar detailing the process for submitting Certification Forms is available on the EFSP website under **Training Workshops** on the left-hand menu after you login.*

Any LRO that will receive more than \$100,000 in EFSP funds is required to submit:

- a certification form that EFSP funds will not be used for lobbying activities; and,
- a disclosure of lobbying activities (if applicable).

This certification and disclosure must be submitted prior to grant payment. See [Annex 5, page 44](#) for certification and disclosure forms.

13. Debarment and Suspension Regarding Funding

Pursuant to Executive Order 12549, Debarment and Suspension, all LROs, including Fiscal Agents, Fiscal Conduits, and agencies benefiting from EFSP funding under the Fiscal Conduit, must certify that they have not been debarred or suspended from receiving funds from or doing business with the Federal government. Each LRO will make this certification by signing the LRO certification Form which states the requirement. Each Local Board must certify they have received the LRO Certification Form from the LRO which state the requirements. Additionally, the Local Board will return each LRO Certification Form with the Local Board Plan.

Other Terms and Conditions

Duplication of Benefits

There may not be a duplication of any Federal assistance by governmental entities, per [2 CFR Part §225](#) (Uniform Guidance), basic Guidelines Section C.(c), which states: Any cost allocable to a particular Federal award or cost objective under the principles provided for in this Authority may not be charged to other Federal awards to overcome fund deficiencies, to avoid restrictions imposed by law or terms of the Federal awards, or for other reasons. However, this prohibition would not preclude governmental units from shifting costs that are allowable under two or more awards in accordance with existing program agreements. Non-governmental entities are also subject to this prohibition per [2 CFR Parts §220 and §230](#) and [48 CFR Part §31.2](#) (Uniform Guidance.)

EFSP Applicability: This applies to all State Set-Aside Committees, Local Boards and LROs. EFSP is not intended to make up for budget shortfalls or to be considered a line item in an annual budget. EFSP is non-disaster, supplemental funding. Expenditures charged in full to the EFSP grant may not also be charged to other awards/grants; nor may expenditures paid for with EFSP funding be charged to other awards/grants. The statements contained in the Certification Forms – “Will use funds to supplement/extend existing resources and not to substitute or reimburse ongoing programs and services” and “Will expend monies only on EFSP eligible costs” as well as the Costs Eligibility sections of the EFSP Manual speak to this requirement.

Non-Supplanting Requirement

Grant funds will not replace (supplant) funds that have been budgeted for the same purpose through non-Federal sources. Applicants or grantees may be required to demonstrate and document that a reduction in non-Federal resources occurred for reasons other than the receipt or expected receipt of Federal funds.

EFSP Applicability: This applies to all State Set-Aside Committees, Local Boards and LROs. EFSP is not intended to make up for budget shortfalls or to be considered a line item in an annual budget. EFSP is supplemental (non-disaster) funding. The Preamble and the statement contained in the Certification Forms – “Will use funds to supplement/extend existing resources and not to substitute or reimburse ongoing programs and services” speak to this requirement.

Hatch Act

The Hatch Act restricts the political activity of individuals principally employed by state or local executive agencies and who work in connection with programs financed in whole or in part by Federal loans or grants. All recipients of financial assistance will comply with the regulations, as applicable, to States and Local Governments, of the Hatch Act, [5 U.S.C. § 1501 – 1508](#), as amended.

EFSP Applicability: This applies to all State Set-Aside Committees, Local Boards and LROs (both governmental and non-profit). These entities are responsible for determining the applicability of this requirement to the employees of their agency/organization as this requirement is fact-dependent and needs to be compared to the work of the individual employee.

False Claims Act and Program Fraud Civil Remedies

All recipients of financial assistance will comply with the requirements of [31 U.S.C. § 3729](#) which sets forth that no recipient of Federal payments shall submit a false claim for payment. Further, [38 U.S.C. § 3801 – 3812](#) contains administrative remedies for false claims and statements made.

EFSP Applicability: This applies to all State Set-Aside Committees, Local Boards and LROs. Generally, this act provides for criminal penalties if false claims are filed.

Debarment and Suspension

[Executive Orders 12549](#) and [12689](#) provide protection against waste, fraud and abuse by debaring or suspending those persons/agencies deemed irresponsible in their dealings with the Federal government. The recipient agency must certify that they are not debarred or suspended from receiving Federal assistance. For additional information, see [2 CFR Part §3000](#) (Uniform Guidance.) *See also Appendix B. Certifications and Assurances*

EFSP Applicability: This article applies to all State Set-Aside Committees, Local Boards and LROs. The statement contained in the Certification Forms – “Is not debarred or suspended from receiving Federal funds” and the Financial Terms and Conditions sections in the EFSP Manual speak to this requirement.

Hotel and Motel Fire Safety Act of 1990

In accordance with Section 6 of the Hotel and Motel Fire Safety Act of 1990, [15 U.S.C. §2225\(a\)](#), the recipient agrees to ensure that all conference, meeting, convention, or training space funded in whole or in part with Federal funds complies with the fire prevention and control guidelines of the Federal Fire Prevention and Control Act of 1974, [15 U.S.C. §2225](#).

EFSP Applicability: This applies to all State Set-Aside Committees, Local Boards and LROs. Should SSAs, Local Boards, or LROs conduct conferences, meetings, or trainings for EFSP using any administrative funding from the EFSP, they must comply with this requirement.

Best Practices for Collection and Use of Personally Identifiable Information (PII)

DHS recommends that all grantees who collect PII have a publicly-available privacy policy that describes what PII they collect, how they use the PII, whether they share the PII with third parties, and how individuals may have their PII corrected where appropriate. Grantees may also find as a useful resource the DHS Privacy Impact Assessments: The Privacy Office Official Guidance and the Privacy Impact Assessment Template (available on the DHS Privacy Office website at:

http://www.dhs.gov/xlibrary/assets/privacy/privacy_pia_guidance_june2010.pdf and
http://www.dhs.gov/xlibrary/assets/privacy/privacy_pia_template.pdf.

EFSP Applicability: This applies to all State Set-Aside Committees, Local Boards and LROs. In order to meet the documentation requirements of the EFSP in certain program categories, it is necessary to obtain, retain, and provide, if requested, PII for clients served with EFSP funding. Additionally, there must be a system in place to ensure there is no duplication of service in the specific categories of rent/ mortgage and utility assistance which may require the sharing of PII for this purpose. The National Board does not require and does not expect to receive PII beyond what is noted in the EFSP Documentation Requirements as stated in the Manual. Items that should not be submitted to EFSP as documentation include, but are not limited, to driver’s licenses, Social Security Numbers or cards, pay stubs, etc.



EMERGENCY FOOD AND SHELTER NATIONAL BOARD PROGRAM PHASE 38 ANNEXES

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Required Forms



The following pages include samples of the required forms that must be used by participants of the EFSP. *These forms may not be altered.* Copies of the spreadsheet templates are available under Forms on the EFSP Website. All certification forms will be sent to the required signers as part of the e-signing process. Please direct any questions regarding the forms to the National Board staff.

Annex 1: Spreadsheets

Spreadsheets are required as part of the documentation requirements to support all expenditures made with EFSP funds. Samples of the required spreadsheets and elements for each category are included in this manual and can be found on the EFSP website under **Forms**. The following is a list of the elements required for the spreadsheets.

*A webinar providing guidance on preparing spreadsheets is available on the EFSP website under **Training Workshops** on the left-hand menu after you login.*

Required Elements with Explanation

1. **Billing Period Covered with Payment:** service period paid for client’s utility bill; if a non-metered utility bill is paid, indicate not applicable (N/A) on the spreadsheet. The required date format is MM/DD/YY-MM/DD/YY. If an LRO pays \$100 or less for a client from a past due balance of disconnect/cutoff/shutoff notice from the utility company, the “billing period covered” information is not required on the spreadsheet. Enter “N/A” in the column labeled “billing period covered”.
2. **Building Code Citation Date:** date the agency (feeding or shelter site) received the citation from the local city/county government indicating required work needed on building where services are provided. The required date format is MM/DD/YY.
3. **Client First Name:** legal name of the individual seeking assistance (this only applies to other shelter, rent/mortgage and utility categories.)
4. **Client Last Name:** legal name of the individual seeking assistance (this only applies to other shelter, rent/mortgage and utility categories.)
5. **Client Street Address:** the physical residence of the individual seeking assistance; the individual must be responsible for the service at the address (this only applies to rent/mortgage and utility categories.) P.O. Boxes are not allowed.
6. **Dates of Stay:** for assistance made in the Other Shelter category, indicate the dates the clients stayed in the motel, hotel, etc. The required date format is MM/DD/YY-MM/DD/YY.
7. **Due Date:** date the client’s rent/mortgage and/or utility bills had to be paid (this only applies to rent/mortgage and utility categories.) For rent please use the due date per the lease, not the due date listed on the eviction notice. The required date format is MM/DD/YY.
8. **Delivery Date:** if a non-metered utility bill (propane, firewood, coal, kerosene) is paid, indicate the date of delivery to the client. The required date format is MM/DD/YY.
9. **EFSP Portion of Invoice Amount:** portion of the purchase paid with EFSP funds; the column must be totaled on each page if multiple pages are required for the category. The total amount must be provided for the category on the last page, if multiple pages are required.
10. **Invoice/Receipt Amount:** total cost of purchase as listed on the invoice or receipt.
11. **Invoice/Receipt Date:** date the vendor prints on the invoice or receipt. The required date format is MM/DD/YY.
12. **Invoice/Receipt Number:** preprinted number on the invoice/receipt from vendors; if there is no invoice number, indicate not applicable (N/A) on the spreadsheet.

13. **Landlord/Mortgage Company Name:** individual or company that a client is required to pay their rent or mortgage payment to each month
14. **Member Agency Name:** food banks must provide the name of the agency(ies) that received food when using a shared maintenance fee.
15. **Month Covered with Payment:** service period paid for client's rent/mortgage or utility (month paid.) The required date format is MM/DD/YY-MM/DD/YY, should indicate the month of coverage provided by the payment.
16. **Monthly Rent/Mortgage:** a client's regular/usual rent or mortgage (principal and interest only) (**no deposits, late fees or other fees**) for one month as listed on the client's lease or mortgage papers.
17. **Page Numbers:** number all pages of the spreadsheets, when multiple pages are required for a category.
18. **Payment/Check Clear Date:** date the payment/check goes through banking system (also known as cancellation date of a check); EFSP generally references the check or the bank statement for this information. If an agency's debit/credit card is used, the date will be the same as the purchase date. The required date format is MM/DD/YY.
19. **Payment/Check Date:** date the payment/check is issued (date printed on the check, money order, etc.) to pay vendors; if an agency's credit/debit card is used, indicate the date of the purchase (**do not include the card number.**) The required date format is MM/DD/YY.
20. **Payment/Check Number:** preprinted number on check, money order, etc. used to pay vendors for service; if an agency's credit/debit card is used, indicate credit card or debit card in the spreadsheet (**do not include the card number.**)
21. **Payroll Registers:** payroll registers from the LRO's system for all employees who worked on the EFSP and the percentage of time charged to EFSP.
22. **Phase and LRO Identification (Name and Number):** provide the Phase number and the LRO's name and 9-digit ID number.
23. **Total Check Amount:** cost paid to vendors for services provided for agency or clients (can include partial or total EFSP payment.)
24. **Type of Repair:** for expenditures made in the REHABILITATION category, briefly explain the type of repair.
25. **Type of Service:** for utility payments, indicate if the assistance was for gas, electric, water, propane, kerosene, firewood or coal.
26. **Vendor Name:** company or individual that provided services for agency or clients.

Served Meals

Below is a sample spreadsheet of the elements that must be included in the spreadsheet provided to the National Board to support ALL expenditures made in the **Served Meals** category (when not using the per meal allowance) with Emergency Food and Shelter Program (EFSP) funds. The spreadsheet must be presented to the National Board in order by payment/check number. The documentation provided to support the expenditures attributable to EFSP should also be in payment/check number order following the schedule, if required to be submitted.

Ensure that your agency's name is included on the page along with your LRO 9-digit ID number and the Phase number.

A spreadsheet is required when not using the per meal allowance. The per meal schedule replaces the spreadsheets.

Phase Number:	37				Spreadsheets alone are not sufficient. Documentation must be obtained, maintained, retained and submitted to EFSP (if required) to support all expenditures made with EFSP funds.			
LRO Name:	Sample LRO							
LRO ID (9 digits):	123456789							
SERVED MEALS EXPENDITURES - DIRECT COST								
(A spreadsheet is required when <u>not</u> using the per meal allowance. The per meal log replaces the spreadsheet.)								
Payment/Check Number	Payment/Check Date (MM/DD/YY)	Payment/Check Clear Date (MM/DD/YY)	Invoice/Receipt Date (MM/DD/YY)	Invoice/Receipt Number (if no number, enter N/A)	Vendor Name	Invoice/Receipt Amount	Total Check Amount	EFSP Portion of Invoice Amount
1234567	06/01/19	06/05/19	05/12/19	INV123	Sample Vendor	150.00	150.00	150.00
7654321	07/01/19	07/08/19	06/15/19	INV155	Other Vendor	850.00	850.00	500.00
							Total	650.00
Sample Spreadsheets and Guidance are available on EFSP website under Forms and listed on the dashboard under Final Report.								

Sample Daily Per Meal Log

DAILY PER MEAL LOG			
Phase Number:	37		
LRO ID Number:	123456789		
(9 digits)	Sample LRO		
	LRO Name		
	123 Sample Street		
	Street Address		
	City, State, Zip		
	City, State, Zip		
Date (Month/Date/Year)	Number of Meals Served	Per Meal Rate (\$2.00)	Total
05/01/19	100	\$ 2.00	\$ 200.00
05/02/19	75	\$ 2.00	\$ 150.00
05/03/19	80	\$ 2.00	\$ 160.00
05/04/19	90	\$ 2.00	\$ 180.00
Total Number of Meals	345	Grand Total	\$ 690.00
Per meal log must show a daily count. Sample per meal log and guidance are available on EFSP website under Forms and listed on the dashboard under Final Report.			

Other Food

Below is a sample spreadsheet of the elements that must be included in the spreadsheet provided to the National Board to support ALL expenditures made in the **Other Food** category with Emergency Food and Shelter Program (EFSP) funds. The spreadsheet must be presented to the National Board in order by payment/check number. The documentation provided to support the expenditures attributable to EFSP should also be in payment/check number order following the schedule, if required to be submitted.

Phase Number:	37			Spreadsheets alone are not sufficient. Documentation must be obtained, maintained, retained and submitted to EFSP (if required) to support all expenditures made with EFSP funds.					
LRO Name:	Sample LRO								
LRO ID (9 digits):	173456789								
OTHER FOOD EXPENDITURES									
Payment/Check Number	Payment/Check Date (MM/DD/YY)	Payment/Check Clear Date (MM/DD/YY)	Invoice/Receipt Date (MM/DD/YY)	Invoice/Receipt Number (If no number, enter N/A)	Vendor Name	Invoice/Receipt Amount	Total Check Amount	EFSP Portion of Invoice Amount	
963	08/05/19	08/28/19	08/01/19	INV12345	Other Food Supplier	895.00	895.00	895.00	
1012	10/04/19	12/13/19	08/01/19	ABC985	Sample Vendor	594.00	594.00	235.00	
							Total	1,130.00	
Sample Spreadsheets and Guidance are available on EFSP website under Forms and listed on the dashboard under Final Report									

Mass Shelter

Below is a sample spreadsheet of the elements that must be included in the spreadsheet provided to the National Board to support ALL expenditures made in the **Mass Shelter** category (when not using a per diem allowance) with Emergency Food and Shelter Program (EFSP) funds. The spreadsheet must be presented to the National Board in order by payment/check number. The documentation provided to support the expenditures attributable to EFSP should also be in payment/check number order following the schedule, if required to be submitted.

A spreadsheet is required when not using the per diem allowance. The per diem schedule replaces the spreadsheets.

Phase Number:	37			Spreadsheets alone are not sufficient. Documentation must be obtained, maintained, retained and submitted to EFSP (if required) to support all expenditures made with EFSP funds.					
LRO Name:	Sample LRO								
LRO ID (9 digits):	173456789								
MASS SHELTER EXPENDITURES - DIRECT COST									
(A spreadsheet is required when <u>not</u> using the per diem allowance. The per diem log replaces the spreadsheet.)									
Payment/Check Number	Payment/Check Date (MM/DD/YY)	Payment/Check Clear Date (MM/DD/YY)	Invoice/Receipt Date (MM/DD/YY)	Invoice/Receipt Number (If no number, enter N/A)	Vendor Name	Invoice/Receipt Amount	Total Check Amount	EFSP Portion of Invoice Amount	
145	09/15/19	10/04/19	07/29/19	INV951	Sample Vendor	847.00	847.00	450.00	
Credit Card	10/04/19	10/04/19	10/04/19	284539	Sample Supplier	975.00	975.00	975.00	
							Total	1,425.00	
Sample Spreadsheets and Guidance are available on EFSP website under Forms and listed on the dashboard under Final Report.									

Sample Daily Per Diem Log

DAILY PER DIEM LOG			
Phase Number:	37		
LRO ID Number: (9 digits)	123456789		
	Sample LRO		
	LRO Name		
	123 Saple Street		
	Street Address		
	City, State, Zip		
	City, State, Zip		
Date (Month/Date/Year)	Number of Clients Served	Per Diem Rate (exactly \$7.50 or \$12.50 as approved by Local Board)	Total
03/01/19	25	12.50	312.50
03/02/19	24	12.50	300.00
03/03/19	24	12.50	300.00
03/04/19	25	12.50	312.50
Total Number of Clients	98	Grand Total	1,225.00
Per diem log must show a daily count. Sample per diem log and guidance are available on EFSP website under Forms and listed on the dashboard under Final Report.			

Other Shelter

Below is a sample spreadsheet of the elements that must be included in the spreadsheet provided to the National Board to support ALL expenditures made in the **Other Shelter** category with Emergency Food and Shelter Program (EFSP) funds. The spreadsheet must be presented to the National Board in **alphabetical order by the clients' last names**. The documentation provided to support the expenditures attributable to EFSP should also be in order by clients' last names following the schedule, if required to be submitted.

Phase Number:	37																				Spreadsheets alone are not sufficient. Documentation must be obtained, maintained, retained and submitted to EFSP (if required) to support all expenditures made with EFSP funds.	
LRO Name:	Sample LRO																					
LRO ID (9 digits):	123456789																					
OTHER SHELTER EXPENDITURES																						
Client Last Name (In Alphabetical Order)	Client First Name	Start Date of Stay (MM/DD/YY)	End Date of Stay (MM/DD/YY)	Vendor Name	Invoice Date (MM/DD/YY)	Invoice Amount	Invoice Number (if no invoice number, enter N/A)	Payment/Check Number	Payment/Check Date (MM/DD/YY)	Payment/Check Clear Date (MM/DD/YY)	Total Check Amount	EFSP Portion of Invoice Amount										
Doe	Jane	05/02/19	05/13/19	Sample Hotel	05/13/19	935.00	45636	Credit	05/13/19	05/13/19	935.00	935.00										
Smith	John	07/25/19	07/28/19	Sample Motel	07/28/19	225.00	964735	Credit	07/28/19	07/28/19	255.00	255.00										
											Total	1,190.00										
Sample Spreadsheets and Guidance are available on EFSP website under Forms and listed on the dashboard under Final Report.																						
<i>If the client's name cannot be provided because of confidentiality, please provide the supporting statute and provide the unique identifier on the spreadsheet for each</i>																						

Supplies and Equipment

Below is a sample spreadsheet of the elements that must be included in the spreadsheet provided to the National Board to support ALL expenditures made in the **Supplies and Equipment** category with Emergency Food and Shelter Program (EFSP) funds. The spreadsheet must be presented to the National Board in order by payment/check number. The documentation provided to support the expenditures attributable to EFSP should also be in payment/check number order following the schedule, if required to be submitted.

Phase Number:	37								Spreadsheets alone are not sufficient. Documentation must be obtained, maintained, retained and submitted to EFSP (if required) to support all expenditures made with EFSP funds.	
LRO Name:	Sample LRO									
LRO ID (9 digits):	123456789									
SUPPLIES AND EQUIPMENT EXPENDITURES										
Payment/Check Number	Payment /Check Date (MM/DD/YY)	Payment /Check Clear Date (MM/DD/YY)	Invoice/Receipt Date (MM/DD/YY)	Invoice/Receipt Number (If no number, enter N/A)	Vendor Name	Invoice/ Receipt Amount	Total Check Amount	EFSP Portion of Invoice Amount		
Credit	11/02/19	11/02/19	11/02/19	8825473	Sample Vendor	625.00	625.00	625.00		
3358	11/18/19	11/20/19	11/18/19	INV774	Sample Supplier	1,565.00	1,565.00	1,075.00		
							Total	1,700.00		
Sample Spreadsheets and Guidance are available on EFSP website under Forms and listed on the dashboard under Final Report										

Rehabilitation (Emergency Repairs/Building Code)

Below is a sample spreadsheet of the elements that must be included in the spreadsheet provided to the National Board to support ALL expenditures made in the **Rehabilitation (Emergency Repairs/Building Code)** category with Emergency Food and Shelter Program (EFSP) funds. The spreadsheet must be presented to the National Board in order by payment/check number. The documentation provided to support the expenditures attributable to EFSP should also be in payment/check number order following the schedule, if required to be submitted.

Phase Number:	37									Spreadsheets alone are not sufficient. Documentation must be obtained, maintained, retained and submitted to EFSP (if required) to support all expenditures made with EFSP funds.	
LRO Name:	Sample LRO										
LRO ID (9 digits):	123456789										
REHABILITATION (EMERGENCY REPAIRS/BUILDING CODE) EXPENDITURES											
Payment/Check Number	Payment/ Check Date (MM/DD/YY)	Payment/Check Clear Date (MM/DD/YY)	Building Code Citation Date (MM/DD/YY)	Invoice/ Receipt Date (MM/DD/YY)	Invoice/ Receipt Number (If no number, enter N/A)	Type of Repair	Vendor Name	Invoice/ Receipt Amount	Total Check Amount	EFSP Portion of Invoice Amount	
8547	02/15/19	03/01/19	02/05/19	02/14/19	99824	Emergency Exit	Sample Vendor	450.00	450.00	250.00	
									Total	250.00	
Sample Spreadsheets and Guidance are available on EFSP website under Forms and listed on the dashboard under Final Report.											
<i>Expenditures in this category require both Local Board and National Board written approval. For building code items, a copy of the building code citation is required. All of these items must be obtained and retained per documentation retention requirements in the EFSP Responsibilities and Requirements Manual. If documentation is required to be reviewed by EFSP or other appropriate entities, these documents must be provided in the documentation for review to support the expenditures reported on the Final Report.</i>											

Rent/Mortgage

Below is a sample spreadsheet of the elements that must be included in the spreadsheet provided to the National Board to support ALL expenditures made in the **Rent/Mortgage** category with Emergency Food and Shelter Program (EFSP) funds. The spreadsheet must be presented to the National Board in **alphabetical order by the clients' last names**. The documentation provided to support the expenditures attributable to EFSP should also be in order by clients' last names following the schedule, if required to be submitted.

Phase Number:	37											Spreadsheets alone are not sufficient. Documentation must be obtained, maintained, retained and submitted to EFSP (if required) to support all expenditures made with EFSP funds.
LRO Name:	Sample LRO											
LRO ID (9 digits):	123456789											
RENT/MORTGAGE EXPENDITURES												
Client Last Name (In Alphabetical Order)	Client First Name	Client Street Address (No PO Box)	Landlord/Mortgage Company Name	Monthly Rent/Mortgage Amount	Due Date (MM/DD/YY)	Month Covered w/Payment (MM/YYYY)	Payment/Check Number	Payment/Check Date (MM/DD/YY)	Payment/Check Clear Date (MM/DD/YY)	Total Check Amount	EFSP Portion of Invoice Amount	
Brown	Jane	777 Sample Street, City, State Zip	John Landlord	950.00	07/01/19	07/2019	564	06/30/19	07/01/19	950.00	950.00	
Doe	John	9501 Sample Street, City, State Zip	Mary Landlord	880.00	08/10/19	09/2019	958	08/20/19	08/21/19	880.00	880.00	
										Total	1,830.00	
Sample Spreadsheets and Guidance are available on EFSP website under Forms and listed on the dashboard under Final Report.												

Utilities

Below is a sample spreadsheet of the elements that must be included in the spreadsheet provided to the National Board to support ALL expenditures made in the **Utilities** category with Emergency Food and Shelter Program (EFSP) funds. The spreadsheet must be presented to the National Board in **alphabetical order by the clients' last names**. The documentation provided to support the expenditures attributable to EFSP should also be in order by clients' last names following the schedule, if required to be submitted.

Phase Number:	37											Spreadsheets alone are not sufficient. Documentation must be obtained, maintained, retained and submitted to EFSP (if required) to support all expenditures made with EFSP funds.
LRO Name:	Sample LRO											
LRO ID (9 digits):	123456789											
UTILITY EXPENDITURES												
Client Last Name (In Alphabetical Order)	Client First Name	Client Street Address (No PO Box)	Vendor Name	Type of Service	Due Date/Delivery Date* (MM/DD/YY)	Billing Period Begin Date (MM/DD/YY)	Billing Period End Date (MM/DD/YY)	Payment/Check Number	Payment/Check Date (MM/DD/YY)	Payment/Check Clear Date (MM/DD/YY)	Total Check Amount	EFSP Portion of Invoice Amount
Doe	Jane	123 Sample Street, City, State Zip	Electricity Company	Electric	05/15/19	03/01/19	03/31/19	539	05/20/19	06/01/19	245.00	245.00
Smith	John	467 Sample Street, City, State Zip	Gas Company	Gas	06/01/19	04/01/19	04/30/19	852	05/30/19	06/01/19	185.00	185.00
										Total	430.00	
Sample Spreadsheets and Guidance are available on EFSP website under Forms and listed on the dashboard under Final Report.												
*For NON-METERED UTILITIES (propane, firewood, coal, kerosene), provide the date of delivery to client. If paying from disconnect/shutoff notice, enter the date from the notice.												
*Reminder - If an LRO pays \$100 or less for a client from a past due balance of disconnect/cutoff/shutoff notice from the utility company, the "billing period covered" information is not required on the												

*For NON-METERED UTILITIES (propane, firewood, coal, kerosene), provide the date of delivery to client. If paying from disconnect/shutoff notice, enter the date from the notice.



Reminder - If an LRO pays \$100 or less for a client from a past due balance of disconnect/cutoff/shutoff notice from the utility company, the "billing period covered" information is not required on the spreadsheet. Enter "N/A" in the column labeled "billing period covered".

Administration

Below is a sample spreadsheet of the elements that must be included in the spreadsheet provided to the National Board to support ALL expenditures made in the **Administration** category with Emergency Food and Shelter Program (EFSP) funds. The spreadsheet must be presented to the National Board in **order by payment/check number**. The documentation provided to support the expenditures attributable to EFSP should also be in payment/check number order following the schedule, if required to be submitted.

Phase Number: 37		Spreadsheets alone are not sufficient. Documentation must be obtained, maintained, retained and submitted to EFSP (if required) to support all expenditures made with EFSP funds.						
LRO Name: Sample LRO								
LRO ID (9 digits): 123456789								
ADMINISTRATION EXPENDITURES - DIRECT COST								
Payment/Check Number	Payment/Check Date (MM/DD/YY)	Payment/Check Clear Date (MM/DD/YY)	Invoice/Receipt Date (MM/DD/YY)	Invoice/Receipt Number (if no number, enter N/A)	Vendor Name	Invoice/Receipt Amount	Total Check Amount	EFSP Portion of Invoice Amount
87364	04/15/19	04/15/19	04/15/19	842086	Local Newspaper	250.00	250.00	250.00
Credit Card	06/01/19	06/01/19	06/01/19	789134	Office Supplies	50.00	50.00	50.00
							Total	300.00
Sample Spreadsheets and Guidance are available on EFSP website under Forms and listed on the dashboard under Final Report								
<i>Spreadsheets only have to be provided with the Final Report for administrative expenses for EFSP compliance review. Documentation for administrative costs must be maintained and retained per documentation retention requirements in the EFSP Responsibilities and Requirements Manual. This documentation may be requested at any time.</i>								

Note: Submit the following in a separate schedule if payroll information (from LRO's system) is provided to support EFSP expenditures.

Phase Number: 37		Spreadsheets alone are not sufficient. Documentation must be obtained, maintained, retained and submitted to EFSP (if required) to support all expenditures made with EFSP funds.		
LRO Name: Sample LRO				
LRO ID (9 digits): 12345678				
ADMINISTRATION EXPENDITURES - PAYROLL				
Payroll registers for all employees who worked on the EFSP and the percentage of time charged to EFSP				
Employee Name	Payroll Date (MM/DD/YY)	Percentage	Payroll Amount	EFSP Portion of Payroll Amount
Smith, Mary	04/01/19	5.00%	2,000.00	100.00
Smith, Mary	04/15/19	5.00%	2,000.00	100.00
			Total	200.00
Sample Spreadsheets and Guidance are available on EFSP website under Forms and listed on the dashboard under Final Report				
<i>Spreadsheets only have to be provided with the Final Report for administrative expenses for EFSP compliance review. Documentation for administrative costs must be maintained and retained per documentation retention requirements in the EFSP Responsibilities and Requirements Manual. This documentation may be requested at any time.</i>				

Mileage

Below is a sample mileage log provided to the National Board to support mileage expenditures made in the **Served Meals, Other Food, or Mass Shelter** categories with Emergency Food and Shelter Program (EFSP) funds.

MILEAGE LOG				
Phase Number	37			
LRO ID Number	123456789			
(9 digits)	Sample LRO			
	LRO Name			
	123 Sample Street			
	Street Address			
	City, State, Zip			
	City, State, Zip			
Date (Month/Date/Year)	Departure, destination, purpose of trip (each roundtrip)	Number of Miles	Mileage Rate (per mile)*	Total
05/01/19	Shelter, Church, Client Transportation	15.00	0.545	8.18
05/03/19	Shelter, Church, Client Transportation	15.00	0.545	8.18
05/02/19	Shelter, Church, Client Transportation	15.00	0.545	8.18
	Total Number of Miles	45.00	Grand Total	24.53
<p><i>* Reference the EFSP Responsibilities and Requirements Manual/Addendum to the Manual for the approved mileage rate.</i></p> <p><i>Sample mileage log and guidance are available on EFSP website under Forms and listed on the dashboard under Final Report.</i></p>				

Annex 2: Local Board Plan Certification

A webinar detailing the process for submitting the Local Board Plan is available on the EFSP website under **Training Workshops** on the left-hand menu after you login.

www.efsp.unitedway.org Emergency Food and Shelter Program 37-0006-01 DIRECT 1
 701 North Fairfax Street
 Alexandria, VA 22314-2064
 Phone 703-706-9660 Fax 703-706-9677

Phase 37 Local Board Plan

Due date for submission: February 05, 2021

Jurisdiction: **Birmingham/Jefferson, Shelby Counties, AL, Local Board ID# 0006-01** Award Amount: \$ **238,472.00**
 Phase 37 start date: 01/01/2020 The administrative allowance of \$4,709 is included in the award amount.
 Local Board ID: **000601**

Spending Period Extension Request If extension date is not selected, the end date for this spending period will be 05/31/2021.

<input type="checkbox"/> January 31, 2020	<input type="checkbox"/> February 28, 2020	<input type="checkbox"/> March 31, 2020	<input type="checkbox"/> April 30, 2020
<input type="checkbox"/> May 31, 2020	<input type="checkbox"/> June 30, 2020	<input type="checkbox"/> July 31, 2020	<input type="checkbox"/> August 31, 2020
<input type="checkbox"/> September 30, 2020	<input type="checkbox"/> October 31, 2020	<input type="checkbox"/> November 30, 2020	<input type="checkbox"/> December 31, 2020
<input type="checkbox"/> January 31, 2021	<input type="checkbox"/> February 28, 2021	<input type="checkbox"/> March 31, 2021	<input type="checkbox"/> April 30, 2021
<input type="checkbox"/> May 31, 2021			

The Local Board certifies that public notice of availability of these funds appeared in print in the _____ (local newspaper) on _____, 20____.

The advertisement appeared at least 5 business days prior to our Local Board's allocation decision. The Local Board will meet: _____ quarterly or _____ semiannually (select one). We understand that if meeting semiannually, copies of meeting minutes must be included with the Phase 37 Final Report.

Our Local Board _____ does (copy attached) _____ does not have additional requirements beyond those of the National Board (select one).

As the chair of the Local Board, I certify that the Local Board meets the requirements as stated on the Local Board Certification Form and that the above information and all information provided on the attached forms and via the EFSP website are correct. Our Local Board understands that all parties will be held accountable for complying with the provisions of the grant as well as full compliance with applicable requirements of all other Federal laws, Executive Orders, regulations, and policies governing this program, including those not specifically stated in the Manual and the accompanying Phase 37 Responsibilities and Requirements Manual.

Birmingham/Jefferson, Shelby Counties, AL, Local Board ID# 0006-01

Signature of Local Board Chair: _____ Date: _____

Print Name of Local Board Chair: _____

NOTE: Indicate below at least one alternate authorized signature which is acceptable for the processing of your jurisdiction's paperwork, i.e., Local Board Plans, Second Payment Requests, etc., to be used in the absence of the Local Board Chair. Alternate signatories must be members of the Local Board or the Local Board contact. Submission of any type of documentation from an unauthorized signer will not be processed.

Print Name _____	Print Name _____
Signature _____	Signature _____

Position with Local Board _____ Position with Local Board _____
 National Board use only: Cert _____ Adv _____ Sig _____ R _____ NA _____ H _____ Initials _____ K _____ E _____

000601

EMERGENCY FOOD AND SHELTER NATIONAL BOARD PROGRAM

PHASE 38 LOCAL BOARD PLAN CERTIFICATION

By signing the Local Board Certification Form, our Local Board certifies we have thoroughly read and understand the Phase 35 Responsibilities and Requirements Manual, Phases 36, 37 & CARES, and 38 Addendums (Manual). We agree to administer the Emergency Food and Shelter Program (EFSP) as required. Additionally, we certify that the local private non-profit or governmental agencies selected as LROs reflected on the Local Board Plan have read and understand the Phase 35 Responsibilities and Requirements Manual and Phases 36, 37 & CARES, and 38 Addendums, including the Grant Agreement Article, Financial Terms and Conditions, and Other Terms and Conditions as well as the Eligible and Ineligible Costs and Documentation sections and agree to comply with all program requirements. The agencies understand that all parties will be held accountable for complying with the provisions of the grant as well as full compliance with applicable requirements of all other Federal laws, Executive Orders, regulations, and policies governing this program including those not specifically stated in the Manual. They have certified this by completing and signing the Phase 38 Local Request Organization (LRO) Certification Form and/or the Fiscal Agent/Fiscal Contact Agency Certification, as necessary. This form has been forwarded by the Local Board with the Local Board Certification Form as part of the Local Board Plan. The Local Board and each LRO have retained a copy for their records.

The Local Board certifies it has selected agencies that meet the EFSP requirements, including but not limited to the items noted and each agency:

- Has the capability to provide emergency food and/or shelter services.
- Will use funds to supplement or expand existing programs and services.
- Is nonprofit or an agency of government.
- Has an accounting system, and will pay all vendors by an approved method of payment.
- Understands that cash payments (including petty cash) are not eligible under EFSP.
- Conducts an independent annual review of revenues \$50,000-\$99,999 or an independent annual audit if revenues \$100,000 or more in EFSP funds, and follows OMB's Uniformed Guidance if revenues \$750,000 or more in Federal funding.
- Is not debarred or suspended from receiving Federal funds.
- Has not received an adverse or no opinion audit.
- Practices nondiscrimination (agencies with a religious affiliation will not refuse service to an applicant based on religion, nor engage in religious proselytizing or religious counseling with Federal funds).
- Does not charge any client a fee for services funded by EFSP.
- Has a private, not-for-profit voluntary board.
- Will provide all required reports and documentation, as requested, to the Local Board in a timely manner.
- Will expend monies only on EFSP eligible costs and keep complete documentation (and provide if requested) on all expenditures for a minimum of three years after end-of-program date and for compliance issues, until resolved.
- Will spend all funds and close out the program by the jurisdiction's selected end-of-program deadline.
- Will not use EFSP funding for any lobbying activities and if receiving \$100,000 or more, will provide the "Certification Regarding Lobbying" and, if applicable, will complete Standard Form LLL, "Disclosure Form to Report Lobbying", in accordance with its instructions.
- Has no known EFSP compliance exceptions in this or any other jurisdiction.
- Will not use EFSP funds as a cost-match for other Federal funds or programs.
- Has provided a Federal Employer Identification Number (EIN) to EFSP.
- Has provided a Data Universal Number System (DUNS) number issued by Dun and Bradstreet (D&B) and required associated information to EFSP.

This also certifies that the Local Board agrees to or has complied with the following roles and responsibilities:

1. Invited National Board agencies and/or their local affiliates to participate on the Local Board. Has included a homeless or formerly homeless person as a member of the Local Board. Has included a Native American to participate on the Local Board when a federally recognized reservation lies in or encompasses the jurisdiction. Has considered adding additional board members to broaden community representation including special emphasis groups (e.g., elderly, families with children, Native American, veterans, and mentally and physically disabled).
2. Has elected a chair.
3. Has advertised locally via print media, the availability of funds, including the acknowledgment of the Federal funding source and has waited 5 business days before allocating funds.
4. Has promoted the program to all agencies with the capacity to provide emergency food and/or shelter assistance, including those on Native American reservations, not just those represented on the Local Board.
5. Has held meetings to decide which local private or public agencies should receive grants and determined the amount of grant funds to each, will monitor expenditures of funds and eligible cost compliance at the local level, and will ensure all funds are properly spent before the jurisdiction's end-of-program date.
6. Has established a written appeals process for participation or funding by funded or non-funded agencies.
7. Has submitted the Local Board Certification with the Local Board Plan, Board Roster, LRO Certification forms and Certification Regarding Lobbying forms (as needed) to the National Board by the specified deadline.
8. Will provide technical assistance on EFSP guidelines and requirements to LROs.
9. Will coordinate with state agencies that administer food, utility, and other Federal assistance programs.
10. Will reallocate funds within a jurisdiction or LRO, as necessary, (e.g., from food to shelter). If funds are transferred from one LRO to another, will notify the National Board using the EFSP website and affected LROs in writing as promptly as possible or before the specified deadline.
11. Understands that if deadline dates given by the National Board to Local Boards and LROs for the submission of second payment, EFT forms and reallocations and resolution of compliance problems are not met, that the remaining unpaid funds for the jurisdiction will be forfeited and retained by the National Board.
12. Will submit Final Reports to the National Board on expenditures and LROs' programs after jurisdiction's selected end-of-program date as required.
13. Will ensure that any funds unspent (\$5.00 or more) at end-of-program are promptly returned to the National Board.
14. Will obtain and review for accuracy all Final Reports and spreadsheets for LROs and documentation for specified LROs and will forward to the National Board. Will require fund reimbursements from LROs in the event of expenditures violating the eligible costs under this award.
15. Will remain in operation until all program and compliance requirements of the National Board have been satisfied.
16. Will retain all records related to the program for three years from the end-of-program date; more than three years, if necessary, until compliance issues are resolved.

Please do not alter the Local Board Certification form; any questions regarding the form should be directed to EFSP staff.

Annex 3: Local Recipient Organization (LRO) Certification

*A webinar detailing the process for submitting LRO Certifications is available on the EFSP website under **Training Workshops** on the left-hand menu after you login.*

EMERGENCY FOOD AND SHELTER NATIONAL BOARD PROGRAM PHASE 38 LOCAL RECIPIENT ORGANIZATION CERTIFICATION

By signing this Local Recipient Organization (LRO) Certification Form, our agency certifies we have read and understand the Emergency Food and Shelter Program (EFSP) Phase 35 Responsibilities and Requirements Manual and Phases 36, 37 & CARES, and 38 Addendums, including the Grant Agreement Articles, Financial Terms and Conditions, and Other Terms and Conditions as well as the Eligible and Ineligible Costs and Documentation sections and agree to comply with all program requirements. Our agency understands that all parties will be held accountable for complying with the provisions of the grant as well as full compliance with applicable requirements of all other Federal laws, Executive Orders, regulations, and policies governing this program including those not specifically stated in the Manual. All appropriate staff and volunteers have been informed of EFSP requirements. The Local Board has been provided and we have retained a copy of this form for our records.

I certify that my public or private agency:

- Has the capability to provide emergency food and/or shelter services.
- Will use funds to supplement/extend existing resources and not to substitute or reimburse ongoing programs and services.
- Is nonprofit or an agency of government.
- Will not use EFSP funds as a cost-match for other Federal funds or programs.
- Has an accounting system, and will pay all vendors by an approved method of payment.
- Understands that cash payments (including petty cash) are not eligible under EFSP.
- Conducts an independent annual review: if receiving \$50,000-\$99,999 an independent annual audit if receiving \$100,000 or more in EFSP funds, and follows OMB's Uniformed Guidance if receiving \$750,000 or more in Federal funding.
- Has not received an adverse or no opinion audit.
- Is not debarred or suspended from receiving Federal funds.
- Has provided a Federal Employer Identification Number (FEIN) to EFSP.
- Has provided a Data Universal Number System (DUNS) number issued by Dun & Bradstreet (D&B) and required associated information to EFSP.
- Practices non-discrimination (agencies with a religious affiliation, will not refuse service to an applicant based on religion, nor engage in religious proselytizing or religious counseling in any program receiving Federal funds).
- Will not charge a fee to clients for EFSP funded services.
- Has a voluntary board if private, not-for-profit.
- Will provide all required reports to the Local Board in a timely manner; (i.e., Second Payment/Interim Request and Final Reports).
- Will expend monies only on eligible costs and keep complete documentation (copies of canceled LRO checks -- front and back, other proof of payment, invoices, receipts, etc.) on all expenditures for a minimum of three years after end-of-program date, and for compliance issues until resolved.
- Will spend all funds and close-out the program by my jurisdiction's selected end-of-program date and return any unused funds (\$5.00 or more) to the National Board.
- Will provide complete, accurate documentation of expenses to the Local Board, if requested, following my jurisdiction's selected end-of-program date.
- Has no known EFSP compliance exceptions in this or any other jurisdiction.
- Will not use EFSP funding for any lobbying activities and if receiving \$100,000 or more, will provide the "Certification Regarding Lobbying" and, if applicable, will complete Standard Form LLL, "Disclosure Form to Report Lobbying", in accordance with its instructions.
- Will not and will ensure its employees, volunteers or other individuals associated with the program will not engage in any trafficking of persons during the period this award is in effect.
- Will not and will ensure its employees, volunteers or other individuals associated with the program will not use EFSP funds to support access to classified national security information.

PLEASE ENSURE THIS INFORMATION IS ACCURATE BEFORE SIGNING.

LRO ID #: [Insert]
FEIN #: [Insert]
DUNS#: [Insert]
LRO Legal Name: [Insert]
Address: [Insert Street, City, State Zip Code]
Phone #: [Insert]
Fax #: [Insert]
Email: [Insert]
LRO Contact: [Insert]

Signature: _____

Date: [Insert]

Annex 4: Fiscal Agent/Fiscal Conduit Agency Relationship Certification

*A webinar detailing the process for submitting LRO Certifications is available on the EFSP website under **Training Workshops** on the left-hand menu after you login.*

EMERGENCY FOOD AND SHELTER NATIONAL BOARD PROGRAM PHASE 38 FISCAL AGENT/FISCAL CONDUIT AGENCY RELATIONSHIP

This certification must be signed by each agency receiving funds through a Fiscal Agent/Fiscal Conduit Agency at the beginning of the funding cycle.

By signing this Fiscal Agent/Fiscal Conduit Agency Relationship Certification Form, our agency certifies we have read and understand the Emergency Food and Shelter Program (EFSP) Phase 35 Responsibilities and Requirements Manual and the Phases 36, 37 & CARES and Phase 38 Addendums, including the Grant Agreement Articles, Financial Terms and Conditions, and Other Terms and Conditions as well as the Eligible and Ineligible Costs and Documentation sections and agree to comply with all program requirements. Our agency understands that all parties will be held accountable for complying with the provisions of the grant as well as full compliance with applicable requirements of all other Federal laws, Executive Orders, regulations, and policies governing this program including those not specifically stated in the Manual. All appropriate staff and volunteers have been informed of EFSP requirements. The Local Board, Fiscal Agent/Fiscal Conduit and the agency(ies) benefiting through the relationship have retained a copy of this form for their records.

As a recipient agency (through the Fiscal Agent/Fiscal Conduit noted below) of Emergency Food and Shelter National Board Program (EFSP) funds made available for Phase 38 and as the duly authorized representative of

(NAME OF AGENCY/SUB-RECIPIENT)

I certify that my public or private agency:

- Has a Fiscal Agent/Fiscal Conduit approved by the Local Board: _____
(LRO Name and LRO ID Number)
- Is not debarred or suspended from receiving Federal funds.
- Has the capability to provide emergency food and/or shelter services.
- Will use funds to supplement and extend existing resources and not to substitute or reimburse ongoing programs and services.
- Is nonprofit or an agency of government.
- Will not use EFSP funds as a cost match for other Federal funds or programs.
- Practices non-discrimination (agencies with a religious affiliation, will not refuse service to an applicant based on religion, nor engage in religious proselytizing or religious counseling in any program receiving Federal funds).
- Has provided a Federal Employer Identification Number (FEIN) to EFSP.
- Has provided a Data Universal Number System (DUNS) number issued by Dun & Bradstreet (D&B) and required associated information to EFSP.
- Will not charge a fee to clients for EFSP funded services.
- Has a voluntary board if private, not-for-profit.
- **Understands that cash payments (including petty cash) are not eligible under EFSP.**
- Will provide all required information to the Fiscal Agent/Fiscal Conduit.
- Will expend monies only on eligible costs and keep complete, accurate documentation (copies of canceled LRO checks -- front and back, other proof of payment, invoices, receipts, etc.) on all expenditures for a minimum of three years after end-of-program date, and for compliance issues until resolved.
- Will provide complete, accurate documentation to the Fiscal Agent/Fiscal Conduit Agency for payment to the vendor.
- Will not use EFSP funding for any lobbying activities and if receiving \$100,000 or more, will provide the "Certification Regarding Lobbying" and, if applicable, will complete Standard Form LLL, "Disclosure Form to Report Lobbying", in accordance with its instructions.
- Has certified that our employees, volunteers, or other individuals associated with the program understand they will not engage in any trafficking of persons during the period this award is in effect.
- Has certified that our employees, volunteers, or other individuals associated with the program understand they will not use EFSP funds to support access to classified national security information during the period this award is in effect.
- Has no known EFSP compliance exceptions in this or any other jurisdiction.
- Will spend all funds and close-out the program by the jurisdiction's selected end-of-program date, and return any unused funds (\$5.00 or more) to the National Board.

This form must be completed in its entirety. Please do not alter this form; any questions regarding the form should be directed to EFSP staff.

Agency Name (Sub-recipient): _____
 FEIN# (Sub-recipient): _____ DUNS # (Sub-recipient): _____
 Street Address/City/State/Zip: _____
 Phone #: _____ Fax #: _____ Email: _____
 Contact Name: _____
 Signature: _____ Date: [Insert]

Annex 5: Lobbying Certification

*A webinar detailing the process for submitting LRO Certifications is available on the EFSP website under **Training Workshops** on the left-hand menu after you login.*

EMERGENCY FOOD AND SHELTER NATIONAL BOARD PROGRAM PHASE 38 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 the behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of 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, contribution, 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 sub-awards at all tiers (including subcontracts, sub-grants, and contracts under grants, loans, and cooperative agreements) and that all sub-recipients 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 Title 31 U.S.C. §1352. 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.

This form must be completed in its entirety. Please do not alter this form; any questions regarding the form should be directed to EFSP staff.

LRO Name

LRO ID Number (9 digits)

Representative Name

Representative Signature

Date (month/day/year)

NOTE: Standard Form LLL and instructions are available at www.grants.gov