

<p>9a. GRANTEE NAME AND ADDRESS</p> <p>GEORGE MASON UNIVERSITY 4400 University Dr Fairfax, VA 22030-4422</p>	<p>9b. GRANTEE PROJECT DIRECTOR</p> <p>[REDACTED] 4400 University Dr Fairfax, VA 22030-4422 [REDACTED]</p>
<p>10a. GRANTEE AUTHORIZING OFFICIAL</p> <p>[REDACTED] 4400 University Dr Fairfax, VA 22030-4422 [REDACTED]</p>	<p>10b. FEDERAL PROJECT OFFICER</p> <p>[REDACTED] 7th And D Street SW Washington, DC 20407-0001 [REDACTED]</p>

AUTHORIZATION (Legislation/Regulations)
Homeland Security Act of 2002, Public Law 107-296, 6 U.S.C 188

REMARKS (Other Terms and Conditions Attached - ☒ Yes ☐ No)

This Modification awards \$489,000 in supplemental funding.

A new restrictions document is attached to this NOA.

Please review the attached document and the new award document.

Please find the Standard Terms and Conditions attached.

7th and D Street, SW
Washington DC , DC 20407

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NOTICE OF AWARD (Continuation Sheet)

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DATE ISSUED

11/30/2023

GRANT NO. 17STCIN00001-07-02

Federal Financial Report Cycle			
Reporting Period Start Date	Reporting Period End Date	Reporting Type	Reporting Period Due Date
08/15/2017	09/30/2017	Quarterly	10/30/2017
10/01/2017	12/31/2017	Quarterly	01/30/2018
01/01/2018	03/31/2018	Quarterly	04/30/2018
04/01/2018	06/30/2018	Quarterly	07/30/2018
07/01/2018	09/30/2018	Annual	12/29/2018
10/01/2018	12/31/2018	Quarterly	01/30/2019
01/01/2019	03/31/2019	Quarterly	04/30/2019
04/01/2019	06/30/2019	Quarterly	07/30/2019
07/01/2019	09/30/2019	Quarterly	10/30/2019
10/01/2019	12/31/2019	Quarterly	01/30/2020
01/01/2020	03/31/2020	Quarterly	04/30/2020
04/01/2020	06/30/2020	Quarterly	07/30/2020
07/01/2020	09/30/2020	Quarterly	10/30/2020
10/01/2020	12/31/2020	Quarterly	01/30/2021
01/01/2021	03/31/2021	Quarterly	04/30/2021
04/01/2021	06/30/2021	Final	09/28/2021
07/01/2021	09/30/2021	Quarterly	10/30/2021
10/01/2021	12/31/2021	Quarterly	01/30/2022
01/01/2022	03/31/2022	Quarterly	04/30/2022
04/01/2022	06/30/2022	Quarterly	07/30/2022
07/01/2022	09/30/2022	Quarterly	10/30/2022
10/01/2022	12/31/2022	Quarterly	01/30/2023
01/01/2023	03/31/2023	Quarterly	04/30/2023
04/01/2023	06/30/2023	Quarterly	07/30/2023
07/01/2023	09/30/2023	Quarterly	10/30/2023
10/01/2023	12/31/2023	Quarterly	01/30/2024
01/01/2024	03/31/2024	Quarterly	04/30/2024
04/01/2024	06/30/2024	Quarterly	07/30/2024
07/01/2024	09/30/2024	Quarterly	10/30/2024
10/01/2024	12/31/2024	Quarterly	01/30/2025
01/01/2025	03/31/2025	Quarterly	04/30/2025
04/01/2025	06/30/2025	Quarterly	07/30/2025
07/01/2025	09/30/2025	Quarterly	10/30/2025
10/01/2025	12/31/2025	Quarterly	01/30/2026
01/01/2026	03/31/2026	Quarterly	04/30/2026
04/01/2026	06/30/2026	Quarterly	07/30/2026
07/01/2026	09/30/2026	Quarterly	10/30/2026
10/01/2026	12/31/2026	Quarterly	01/30/2027
01/01/2027	03/31/2027	Quarterly	04/30/2027
04/01/2027	06/30/2027	Quarterly	07/30/2027

NOTICE OF AWARD (Continuation Sheet)

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DATE ISSUED

11/30/2023

GRANT NO. 17STCIN00001-07-02

Performance Progress Report Cycle			
Reporting Period Start Date	Reporting Period End Date	Reporting Type	Reporting Period Due Date
01/01/2020	06/30/2020	Semi-Annual	07/30/2020
07/01/2020	09/30/2020	Semi-Annual	10/30/2020
10/01/2020	12/31/2020	Quarterly	01/30/2021
01/01/2021	06/30/2021	Semi-Annual	07/30/2021
07/01/2021	12/31/2021	Semi-Annual	01/30/2022
01/01/2022	06/30/2022	Semi-Annual	07/30/2022
07/01/2022	12/31/2022	Semi-Annual	04/07/2023
01/01/2023	06/30/2023	Semi-Annual	07/30/2023
07/01/2023	12/31/2023	Semi-Annual	01/30/2024
01/01/2024	06/30/2024	Final	09/28/2024

AWARD ATTACHMENTS

GEORGE MASON UNIVERSITY

17STCIN00001-07-02

-
1. NOV30_FY2023_CINA_AWARD_LETTER_489K_SUPP_FINAL
 2. CINA Workplan Project Release Memo_11292023_Final
 3. FY 2024 DHS Terms and Conditions Version 2 Dated November 29 2023



Homeland
Security

November 30, 2023

[REDACTED]

Director
DHS Center of Excellence for Criminal Investigations and Network Analysis (CINA)
George Mason University
4400 University Drive
Fairfax, VA 22030-4422

Re: Grant Number: 17STCIN00001 "Center of Excellence in Criminal Activity Investigations and Network Analysis" (\$489,000 Supplemental funding)

Dear [REDACTED]

The Department of Homeland Security (DHS) has approved your application for supplemental funds under the above-referenced cooperative agreement. This modification awards supplemental funds in the amount of \$489,000. The revised award total is \$10,858,210.

Please review the attached restrictions document, as it outlines what portion of the funding is restricted by DHS. Please work with the OUP Program Office to address workplan comments and/or questions on restricted project funds.

If you have questions concerning this award, please contact me at [REDACTED]

Sincerely,

[REDACTED]

Grants and Financial Assistance Division
Office of Procurement Operations
Office of the Chief Procurement Officer

DHS CINA Center of Excellence
Year 7 Funding and Restrictions Memo

November 29, 2023

The amount totaling **\$9,698,208** is approved for release. This includes \$4,772,411 of carryover funding for R&D and for Core Management, \$4,436,797 of Year 7 funding for new research and development efforts and for core management activities, and \$489,000 in supplemental funding. CINA should work with the Program Office to address comments, questions, and any concerns identified within the workplan prior to receiving approval and release of the remaining restricted funds (**\$996,799 carryover and \$163,203 of Year 7 Funding**).

This update encompasses the release of the following projects:

- Supporting the Investigation of Criminal Networks: Developing an Effective Law Enforcement Training Program for Network and Group Reporting (*\$143,544 Year 7 Base Funding*)
- The Next Battlefield: Illicit Markets Hosted on Encrypted Communication Platforms (*\$26,000 Carryover Funding*)
- Techniques for Latent Fingerprint Synthesis and Matching (*supplemental funding \$489,000*)

DHS approves the direct to indirect budget realignment for the following project:

- Overcoming Reluctance and Increasing Intelligence Gathering from Victims of Trafficking

DHS CINA Center of Excellence Year 7 Research Project Specific Restrictions and Approvals:

Project Name	PI	Year 7 Base Funding	Center Carryover	Estimated Project Carryover	Previously Restricted Carryover	Notes
Agent-Based Learning to Utilize Local Data for Activity Recognition	FIU/Amini	\$0	\$0	\$117,574	\$0	Approved release of carryover in the amount of \$117,574.
Innovative Spatiotemporal Pattern Detection: Examining Changes in Crime Hot Spots Across 6 U.S. Cities (Phase 2)	UTSA/Tillyer	\$0	\$0	\$15,390	\$94,929	Approved release of \$15,390 of carryover funding. Additional amount of \$94,929 is approved for release as of August 2, 2023.
Digital Holographic Acquisition, Storage, Retrieval and Analysis of Three-Dimensional Fingermarks Developed with the Nanoscale Columnar-Thin-Film Technique	Univ of Dayton/Banerjee	\$150,000	\$0	\$10,500	\$0	Approved release of \$10,500 of carryover funding and \$150,000 of new project funding, combined amounts total \$160,500.
Training on Intelligence and Evidence Gathering in Darknet Environments	GSU/Maimon	\$0	\$0	\$50,000	\$148,968	Approved release of carryover funding in the amount of \$198,968
Supporting the Investigation of Criminal Networks: Developing an Effective Law Enforcement Training Program for Network and Group Reporting	University of Portsmouth (UK)/Hope	\$143,544	\$0	\$0	\$0	Approved release of Year 7 Funding in the amount of \$143,544 as of November 14, 2023.
Graph Analytics and Visualization for Criminal Network Identification	Univ of Central Florida/Reiners	\$0	\$0	\$135,000	\$167,194	Approved release of \$135,000 of carryover and new funding of \$167,194, resulting in a total amount of \$302,194. The workplan states unused funds will be spent in upcoming period for PI effort as well as effort to hire and train new students on frameworks used in project, to support development and testing in project year 2
Location Data Analytics and Visualization for Criminal Network Identification	Univ of Central Florida/Reiners	\$167,194	\$0	\$150,000	\$0	Approved release of \$150,000 of carryover and new funding of \$167,194 is restricted. Total amount release is \$317,194. The workplan states that unused funds will be spent in upcoming period for PI effort as well as effort to hire and train new students on frameworks used in project, to support development and testing in project year 2
Identity Sciences Interdisciplinary Research (Phase 2)	MSU/Ross	\$0	\$0	\$62,600	\$0	Approved release of \$62,600 of carryover funding.
Detection of Illicit Massage Businesses through Spatial and Socio-Demographic Data Enrichment	NC State Univ/Mayorga	\$124,999	\$0	\$69,913	\$0	Approved release of \$69,913 of carryover funding and new funding of \$124,999, totaling \$194,912.
The Next Battlefield: Illicit Markets Hosted on Encrypted Communication Platforms	GSU/Maimon	\$200,000	\$26,000	\$28,663	\$0	Approved release of \$28,663 of carryover and new funding of \$200,000. Total amount released is \$228,663. Carryover funds will be used in upcoming period to hire additional students. No equipment should be purchased until an equipment request is submitted and approved by DHS. Additional amount of \$26,000 in carryover funds are approved for release as of November 14, 2023.
The Emergence and Diffusion of Illicit Virtual Goods across the International Ecosystem	GSU/Wu	\$200,000	\$0	\$60,905	\$0	Approved release of \$60,905 of carryover and new funding in the amount of \$200,000. Total amount released is \$260,905. Carryover funds will be used in upcoming period to hire additional students. No equipment should be purchased until an equipment request is submitted and approved by DHS.
Data Science-integrated Experiential Digital Forensics Training based-on Real-world Case Studies of Cybercrime Artifacts	VCU/Ahmed	\$100,000	\$0	\$70,055	\$0	Approved release of \$70,055 of carryover funding and new funding of \$100,000. Total release in the amount of \$170,055.
Exploring Graph Neural Networks for Attributed Multilayer Criminal Network Analysis	PSU/Wang	\$172,620	\$0	\$100	\$0	Approved release of \$100 of carryover funding and \$172,620 of new project funding, combined amounts total \$172,720.
Effects of Natural Disasters on Spatio-Temporal Patterns of Crime Types in the United States	ASU/Jevtic	\$0	\$0	\$13,103	\$0	Approved release of \$13,103 of carryover funding.
A machine learning-based approach to analyzing and triaging encrypted data containers in law enforcement applications	UTSA/Choo	\$250,000	\$0	\$175,326	\$0	Approved release of \$175,326 of carryover and new funding of \$250,000, combine amounts totaling \$425,326. The workplan states that the carryover funds will be used in upcoming period towards PI effort (in summer 2023-24) and hiring of additional students to support development and testing in project year 2. Year 1 is set to be completed at the end of August.

Project Name	PI	Year 7 Base Funding	Center Carryover	Estimated Project Carryover	Previously Restricted Carryover	Notes
An Architectural Model for Web-Based Technologies to Enhance Text-Image Capabilities in Detecting Sex Trafficking Cases	ECSU/Das	\$171,038	\$0	\$25,000	\$0	Approved release of \$25,000 of carryover funding. Additional amount of \$171,038 is released as of August 2, 2023.
Overcoming Reluctance and Increasing Intelligence Gathering from Victims of Trafficking	GMU/Redlich UCI/Quas	\$0	\$0	\$138,072	\$0	Approved release of \$138,000 of carryover funding.
Time Series Analysis of Anonymized Communication Channels	GMU/Simon	\$48,317	\$0	\$38,000	\$131,162	Approved release of \$169,162 of carryover funding new amount of \$48,317, totaling \$217,479
Cross-platforms Cybercrime Detection on Inter-connected Heterogeneous Networks	Emory Univ/Zhao & Zuffe	\$199,404	\$0	\$70,934	\$0	Approved release of \$70,934 of carryover and new funding of \$199,404, combined amounts total \$270,338.
Digital Forensic Investigations Involving Cryptocurrency Wallets Installed on Mobile Devices	GMU/TBD	\$0	\$14,283	\$0	\$0	Restricted, please resubmit once PI is identified.
Development of an Improved and Semi-Quantitative Presumptive Test for THC and Derivatives in Plant and Edible Samples	GMU/Eckerdode	\$0	\$0	\$0	\$147,987	Restricted, needs further discussion with DHS stakeholders.
Drug Smuggling along the US-Mexico Border: Identification and Network Analysis of DTOs and Facilitators of the Drug Trade	GMU/Cabrera	\$0	\$0	\$0	\$177,334	Restricted, needs further discussion with DHS stakeholders as initial discussions uncovered that a portion of this research may be duplicative to ongoing work.
PLC Forensic Toolset for Industrial Control Systems	VCU/Ahmed	\$0	\$0	\$0	\$225,000	Approved release of \$225,000.
Network Interdiction Models to Improve Effectiveness of Coordinated Labor Trafficking Disruption Efforts	NEU/Maass	\$0	\$0	\$0	\$192,449	Approved release of \$192,449 on August 2, 2023.
A Methodology to Extract, Process, Report, and Display Crime Evidence from Unstructured Parameters, Imagery, Video, and Audio Using Natural Language Processing and Graphs	UTK/Tress	\$0	\$0	\$0	\$123,154	Disapproved
Threatened Attribution: Privacy-Preserving AI-driven Criminal Activity Recognition: Intersection of AI and Criminology	FIU/Amiri	\$0	\$0	\$0	\$230,000	Disapproved
Education and Workforce Training for Artificial Intelligence in Criminal Activity Recognition: Computing and Criminology Perspectives	FIU/Amiri	\$0	\$0	\$0	\$99,500	Approved release of \$99,500.
Understanding and Disrupting the Formation of New Criminal Networks: The Case of Novel Illicit Drug Trafficking Operations	CU/Sharkey	\$0	\$0	\$0	\$200,000	Approved release of \$200,000 on August 2, 2023.
Adding STIX Support to the Volatility Memory Forensics Framework	LSU/Richard	\$0	\$0	\$0	\$249,450	Approved release of \$249,450 on August 2, 2023.
Memory Forensics-Guided Execution Reconstruction for Android Devices	LSU/AI-Gombe	\$179,180	\$0	\$0	\$65,135	Approved release of \$244,215 on August 2, 2023.
Determinants of Spatio-Temporal Patterns of Cybercrimes across the United States	ASU/Jevic	\$0	\$0	\$0	\$129,968	Approved release of \$129,698.

Project Name	PI	Year 7 Base Funding	Center Carryover	Estimated Project Carryover	Previously Restricted Carryover	Supplemental Funding	Notes
Illuminating Illicit Drug Supply Network Structures through Optimal Aggregation of Diverse Domestic Data Sources	UMD/ Bjarnadottir MSU/ Chandra	\$163,203	\$0	\$0	\$57,768	-	Restricted, CINA to work on revisions to workplan.
Optimality, Zeros, Investment, and Policy Safety: A Multiscale Investigation	UTPA/Chen	\$0	\$0	\$0	\$25,493	-	Disapproved, limited release for previous work; however, as senior PI indicated that there is no DHS collaboration for this research and may be applicable for another research agency to fund.
Tony Stefanidis SciCom	William & Mary	\$38,162	\$0	\$30,000	\$2,396	-	Approved release of \$32,396 of carryover and new amount of \$38,162 totaling 70,588.
Campbell Collaboration	TBD	\$0	\$0	\$0	\$150,000	-	Restricted, no information included in the workplan.
Pooled Funds for Transition Efforts	N/A	\$0	\$0	\$0	\$252,373	-	Approved release of \$252,373 on August 2, 2023. Please discuss transition efforts with DHS Program Officer once they are identified.
Pooled Research Funds for Yr7 RFP	N/A	\$0	\$0	\$0	\$16,770	-	Restricted until RFP is released, projects are proposed, and are submitted to DHS for review and approval.
Techniques for Latent Fingerprint Synthesis and Matching	MSU/Ross	-	-	-	-	\$489,000	Approved release of an additional \$489,000 (provided by DHS) as of November 14, 2023.

FY 2024 DHS STANDARD TERMS AND CONDITIONS

The Fiscal Year (FY) 2024 Department of Homeland Security (DHS) Standard Terms and Conditions apply to all new federal awards of federal financial assistance (federal awards) for which the federal award date occurs in FY 2024 and flow down to subrecipients unless a term or condition specifically indicates otherwise. For federal awards that may involve continuation awards made in subsequent FYs, these FY 2024 DHS Standard Terms and Conditions will apply to the continuation award unless otherwise specified in the terms and conditions of the continuation award. The United States has the right to seek judicial enforcement of these terms and conditions.

All legislation and digital resources are referenced with no digital links. These FY 2024 DHS Standard Terms and Conditions are maintained on the DHS website at www.dhs.gov/publication/fy15-dhs-standard-terms-and-conditions.

A. Assurances, Administrative Requirements, Cost Principles, Representations, and Certifications

- I. Recipients must complete either the Office of Management and Budget (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 (DHS FAO) may require applicants to certify additional assurances. Applicants are required to fill out the assurances as instructed by the federal awarding agency.

B. Recipients are required to follow the applicable provisions of the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards in effect as of the federal award date and located at 2 C.F.R. Part 200 and adopted by DHS at 2 C.F.R. § 3002.10. General Acknowledgements and Assurances

All recipients and subrecipients must acknowledge and agree to provide DHS access to records, accounts, documents, information, facilities, and staff pursuant to 2 C.F.R. § 200.337.

- I. Recipients must cooperate with any DHS compliance reviews or compliance investigations.
- II. Recipients must give DHS access 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 and personnel.
- III. Recipients must submit timely, complete, and accurate reports to the appropriate DHS officials and maintain appropriate backup documentation to support the reports.
- IV. Recipients must comply with all other special reporting, data collection, and evaluation requirements required by law, federal regulation, Notice of Funding Opportunity, federal award specific terms and conditions, and/or federal awarding agency program guidance.
- V. Recipients must complete the DHS Civil Rights Evaluation Tool within thirty (30) days of receiving the Notice of Award for the first award under which this term applies. Recipients of multiple federal awards from DHS should only submit one completed tool for their organization, not per federal award. After the initial submission, recipients are required to complete the tool once every two (2) years if they have an active federal award, not every time a federal award is made. Recipients must submit the completed tool, including supporting materials, to CivilRightsEvaluation@hq.dhs.gov. This tool clarifies the civil rights obligations and related reporting requirements contained in these DHS Standard Terms and

FY 2024 DHS STANDARD TERMS AND CONDITIONS

Conditions. Subrecipients are not required to complete and submit this tool to DHS. The evaluation tool can be found at <https://www.dhs.gov/publication/dhs-civil-rights-evaluation-tool>. DHS Civil Rights Evaluation Tool | Homeland Security

The DHS Office for Civil Rights and Civil Liberties will consider, in its discretion, granting an extension to the 30-day deadline if the recipient identifies steps and a timeline for completing the tool. Recipients must request extensions by emailing the request to CivilRightsEvaluation@hq.dhs.gov prior to expiration of the 30-day deadline.

C. Standard Terms & Conditions

I. Acknowledgement of Federal Funding from DHS

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

II. Activities Conducted Abroad

Recipients must coordinate with appropriate government authorities when performing project activities outside the United States obtain all appropriate licenses, permits, or approvals.

III. Age Discrimination Act of 1975

Recipients must comply with the requirements of the Age Discrimination Act of 1975, Pub. L. No. 94-135 (codified as amended at 42 U.S.C. § 6101 *et seq.*), which prohibits discrimination on the basis of age in any program or activity receiving federal financial assistance.

IV. Americans with Disabilities Act of 1990

Recipients must comply with the requirements of Titles I, II, and III of the Americans with Disabilities Act, Pub. L. No. 101-336 (1990) (codified as amended at 42 U.S.C. §§ 12101– 12213), 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.

V. Best Practices for Collection and Use of Personally Identifiable Information

Recipients who collect personally identifiable information (PII) as part of carrying out the scope of work under a federal award are required to have a publicly available privacy policy that describes standards on the usage and maintenance of the PII they collect. DHS defines 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. Recipients may also find the DHS Privacy Impact Assessments: Privacy Guidance and Privacy Template as useful resources respectively.

VI. Civil Rights Act of 1964 – Title VI

Recipients must comply with the requirements of Title VI of the Civil Rights Act of 1964, Pub. L. No. 88-352 (codified as amended at 42 U.S.C. § 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. Recipients of an award from the Federal Emergency Management Agency (FEMA) must also comply with FEMA's implementing regulations at 44 C.F.R. Part 7.

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VII. Civil Rights Act of 1968

Recipients must comply with Title VIII of the Civil Rights Act of 1968, Pub. L. No. 90-284 (codified as amended at 42 U.S.C. § 3601 *et seq.*) 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, as implemented by the U.S. 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. Part 100, Subpart D.)

VIII. Copyright

Recipients must affix the applicable copyright notices of 17 U.S.C. §§ 401 or 402 to any work first produced under federal awards and also include an acknowledgement that the work was produced under a federal award (including the federal award number and federal awarding agency). As detailed in 2 C.F.R. § 200.315, a federal awarding agency reserves a royalty-free, nonexclusive, and irrevocable right to reproduce, publish, or otherwise use the work for federal purposes and to authorize others to do so.

IX. Debarment and Suspension

Recipients must comply with the non-procurement debarment and suspension regulations implementing Executive Orders (E.O.) 12549 and 12689 set forth at 2 C.F.R. Part 180 as implemented by DHS at 2 C.F.R. Part 3000. These regulations prohibit recipients from entering into covered transactions (such as subawards and contracts) with certain parties that are debarred, suspended, or otherwise excluded from or ineligible for participation in federal assistance programs or activities.

X. Drug-Free Workplace Regulations

Recipients must comply with drug-free workplace requirements in Subpart B (or Subpart C, if the recipient is an individual) of 2 C.F.R. Part 3001, which adopts the Government-wide implementation (2 C.F.R. Part 182) of the Drug-Free Workplace Act of 1988 (41 U.S.C. §§ 8101-8106).

XI. Duplicative Costs

Recipients are prohibited from charging any cost to this federal award that will be included as a cost or used to meet cost sharing or matching requirements of any other federal award in either the current or a prior budget period. (See 2 C.F.R. § 200.403(f)). However, recipients may shift costs that are allowable under two or more federal awards where otherwise permitted by federal statutes, regulations, or the federal financial assistance award terms and conditions.

XII. Education Amendments of 1972 (Equal Opportunity in Education Act) – Title IX

Recipients must comply with the requirements of Title IX of the Education Amendments of 1972, Pub. L. No. 92-318 (codified as amended at 20 U.S.C. § 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. Recipients of an award from the Federal Emergency Management Agency (FEMA) must also comply with FEMA's implementing regulations at 44 C.F.R. Part 19.

XIII. Energy Policy and Conservation Act

Recipients must comply with the requirements of the Energy Policy and Conservation Act, Pub. L. No. 94-163 (1975) (codified as amended at 42 U.S.C. § 6201 *et seq.*), which

FY 2024 DHS STANDARD TERMS AND CONDITIONS

contain policies relating to energy efficiency that are defined in the state energy conservation plan issued in compliance with this Act.

XIV. False Claims Act and Program Fraud Civil Remedies

Recipients must comply with the requirements of the False Claims Act, 31 U.S.C. §§ 3729-3733, which prohibit the submission of false or fraudulent claims for payment to the Federal Government. (See 31 U.S.C. §§ 3801-3812, which details the administrative remedies for false claims and statements made.)

XV. 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.)

XVI. Federal Leadership on Reducing Text Messaging while Driving

Recipients are encouraged to adopt and enforce policies that ban text messaging while driving recipient-owned, recipient-rented, or privately owned vehicles when on official government business or when performing any work for or on behalf of the Federal Government. Recipients are also encouraged to conduct the initiatives of the type described in Section 3(a) of E.O. 13513.

XVII. Fly America Act of 1974

Recipients must comply with Preference for U.S. Flag Air Carriers (a list of certified air carriers can be found at: [Certificated Air Carriers List | US Department of Transportation](https://www.transportation.gov/policy/aviation-policy/certificated-air-carriers-list), <https://www.transportation.gov/policy/aviation-policy/certificated-air-carriers-list>) 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. § 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.

XVIII. Hotel and Motel Fire Safety Act of 1990

Recipients must ensure that all conference, meeting, convention, or training space funded entirely or in part by federal award funds complies with the fire prevention and control guidelines of Section 6 of the Hotel and Motel Fire Safety Act of 1990, 15 U.S.C. § 2225a.

XIX. John S. McCain National Defense Authorization Act of Fiscal Year 2019

Recipients, subrecipients, and their contractors and subcontractors are subject to the prohibitions described in section 889 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019, Pub. L. No. 115-232 (2018) and 2 C.F.R. §§ 200.216, 200.327, 200.471, and Appendix II to 2 C.F.R. Part 200. The statute – as it applies to DHS recipients, subrecipients, and their contractors and subcontractors – prohibits obligating or expending federal award funds on certain telecommunications and video surveillance products and contracting with certain entities for national security reasons.

XX. Limited English Proficiency (Civil Rights Act of 1964, Title VI)

Recipients must comply with Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d *et seq.*) 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>.

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XXI. Lobbying Prohibitions

Recipients must comply with 31 U.S.C. § 1352 and 6 C.F.R. Part 9, which provide that none of the funds provided under a federal 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 related to a federal award or contract, including any extension, continuation, renewal, amendment, or modification. Per 6 C.F.R. Part 9, recipients must file a lobbying certification form as described in Appendix A to 6 C.F.R. Part 9 or available on Grants.gov as the Grants.gov Lobbying Form and file a lobbying disclosure form as described in Appendix B to 6 C.F.R. Part 9 or available on Grants.gov as the Disclosure of Lobbying Activities (SF-LLL).

XXII. National Environmental Policy Act

Recipients must comply with the requirements of the National Environmental Policy Act of 1969, Pub. L. No. 91-190 (1970) (codified as amended at 42 U.S.C. § 4321 *et seq.*) (NEPA) and the Council on Environmental Quality (CEQ) Regulations for Implementing the Procedural Provisions of NEPA, which require 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.

XXIII. 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. 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.

XXIV. Non-Supplanting Requirement

Recipients of federal awards under programs that prohibit supplanting by law must ensure that federal funds supplement but do not supplant non-federal funds that, in the absence of such federal funds, would otherwise have been made available for the same purpose.

XXV. Notice of Funding Opportunity Requirements

All the instructions, guidance, limitations, scope of work, and other conditions set forth in the Notice of Funding Opportunity (NOFO) for this federal award are incorporated by reference. All recipients must comply with any such requirements set forth in the NOFO. If a condition of the NOFO is inconsistent with these terms and conditions and any such terms of the Award, the condition in the NOFO shall be invalid to the extent of the inconsistency. The remainder of that condition and all other conditions set forth in the NOFO shall remain in effect.

XXVI. Patents and Intellectual Property Rights

Recipients are subject to the Bayh-Dole Act, 35 U.S.C. § 200 *et seq.* and applicable regulations governing inventions and patents, including the regulations issued by the Department of Commerce at 37 C.F.R. Part 401 (Rights to Inventions Made by Nonprofit Organizations and Small Business Firms under Government Awards, Contracts, and Cooperative Agreements) and the standard patent rights clause set forth at 37 C.F.R. § 401.14.

XXVII. Procurement of Recovered Materials

States, political subdivisions of states, and their contractors must comply with Section 6002 of the Solid Waste Disposal Act, Pub. L. No. 89-272 (1965) (codified as amended by the Resource Conservation and Recovery Act at 42 U.S.C. § 6962) and 2 C.F.R. §

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200.323. 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.

XXVIII. Rehabilitation Act of 1973

Recipients must comply with the requirements of Section 504 of the Rehabilitation Act of 1973, Pub. L. No. 93-112 (codified as amended at 29 U.S.C. § 794), 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.

XXIX. Reporting of Matters Related to Recipient Integrity and Performance

If the total value of any currently active grants, cooperative agreements, and procurement contracts from all federal awarding agencies exceeds \$10,000,000 for any period of time during the period of performance of the federal award, then the recipient 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 by reference.

XXX. Reporting Subawards and Executive Compensation

For federal awards that equal or exceed \$30,000, recipients are required to comply with the requirements set forth in the government-wide award term on Reporting Subawards and Executive Compensation set forth at 2 C.F.R. Part 170, Appendix A, the full text of which is incorporated by reference.

XXXI. Required Use of American Iron, Steel, Manufactured Products, and Construction Materials

Recipients of an award of Federal financial assistance from a program for infrastructure are hereby notified that none of the funds provided under this award may be used for a project for infrastructure unless:

- (1) all iron and steel used in the project are produced in the United States—this means all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States;
- (2) all manufactured products used in the project are produced in the United States—this means the manufactured product was manufactured in the United States; and the cost of the components of the manufactured product that are mined, produced, or manufactured in the United States is greater than 55 percent of the total cost of all components of the manufactured product, unless another standard for determining the minimum amount of domestic content of the manufactured product has been established under applicable law or regulation; and
- (3) all construction materials are manufactured in the United States—this means that all manufacturing processes for the construction material occurred in the United States.

The Buy America preference only applies to articles, materials, and supplies that are consumed in, incorporated into, or affixed to an infrastructure project. As such, it does not apply to tools, equipment, and supplies, such as temporary scaffolding, brought to the construction site and removed at or before the completion of the infrastructure project. Nor does a Buy America preference apply to equipment and furnishings, such as movable chairs, desks, and portable computer equipment, that are used at or within the finished infrastructure project but are not an integral part of the structure or permanently affixed to the infrastructure project.

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Waivers

When necessary, recipients may apply for, and the agency may grant, a waiver from these requirements. The agency should notify the recipient for information on the process for requesting a waiver from these requirements.

- (a) When the Federal agency has determined that one of the following exceptions applies, the awarding official may waive the application of the domestic content procurement preference in any case in which the agency determines that:
- (1) applying the domestic content procurement preference would be inconsistent with the public interest;
 - (2) the types of iron, steel, manufactured products, or construction materials are not produced in the United States in sufficient and reasonably available quantities or of a satisfactory quality; or
 - (3) the inclusion of iron, steel, manufactured products, or construction materials produced in the United States will increase the cost of the overall project by more than 25 percent.

A request to waive the application of the domestic content procurement preference must be in writing. The agency will provide instructions on the format, contents, and supporting materials required for any waiver request. Waiver requests are subject to public comment periods of no less than 15 days and must be reviewed by the Made in America Office.

There may be instances where an award qualifies, in whole or in part, for an existing waiver described at ["Buy America" Preference in FEMA Financial Assistance Programs for Infrastructure | FEMA.gov](#).

Definitions

The definitions applicable to this term are set forth at 2 C.F.R. § 184.3, the full text of which is incorporated by reference.

XXXII. SAFECOM

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. The SAFECOM Guidance is updated annually and can be found at [Funding and Sustainment | CISA](#).

XXXIII. Terrorist Financing

Recipients must comply with E.O. 13224 and applicable statutory prohibitions on transactions with, and the provisions of resources and support to, individuals and organizations associated with terrorism. Recipients are legally responsible for ensuring compliance with the E.O. and laws.

XXXIV. Trafficking Victims Protection Act of 2000 (TVPA)

Recipients must comply with the requirements of the government-wide financial assistance award term which implements Trafficking Victims Protection Act of 2000, Pub. L. No. 106-386, § 106 (codified as amended at 22 U.S.C. § 7104). The award term is located at 2 C.F.R. § 175.15, the full text of which is incorporated by reference.

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XXXV. Universal Identifier and System of Award Management

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 reference.

XXXVI. USA PATRIOT Act of 2001

Recipients must comply with requirements of Section 817 of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001 (USA PATRIOT Act), which amends 18 U.S.C. §§ 175–175c.

XXXVII. Use of DHS Seal, Logo and Flags

Recipients must obtain written permission from DHS prior to using the DHS seals, logos, crests, or reproductions of flags, or likenesses of DHS agency officials. This includes use of DHS component (e.g., FEMA, CISA, etc.) seals, logos, crests, or reproductions of flags, or likenesses of component officials.

XXXVIII. Whistleblower Protection Act

Recipients must comply with the statutory requirements for whistleblower protections at 10 U.S.C § 470141 U.S.C. § 4712.