

Nebraska Department of  
Health and Human Services

Social Services Block Grant Plan

Federal Fiscal Year 2022

October 1, 2021– September 30, 2022



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### **Administrative Operations**

The Governor of Nebraska has designated the Nebraska Department of Health and Human Services as the state agency to receive and administer the Title XX Social Services Block Grant. The department has composed this plan to meet the requirements for receiving Title XX Social Services Block Grant funds and to facilitate public comment on the services to be supported by Title XX funds.

Temporary Assistance to Needy Families (TANF) regulations authorize the use of up to 10 percent of a state's TANF grant SSBG pursuant to Title XX of the Social Security Act.

TANF-transferred SSBG funds will support activities in this report subject to the federal requirement that TANF funds transferred to SSBG shall be used only for programs and services to children and their families whose income is below 200 percent of the federal income poverty guidelines.

The Department's mission is "Helping People Live Better Lives." This is the focus of the work that is completed every day, whether we are educating and protecting people through public health efforts; assisting the elderly, the impoverished and those with disabilities; providing safety to abused and/or neglected children or vulnerable adults; or serving those in need of 24-hour facility care.

The responsibilities for SSBG services are administered by the Division of Children and Family Services. The services provided by the Block Grant are designed to support the following objectives:

1. Enable families to stay together;
2. Allow elderly individuals and persons with disabilities to remain independent;
3. Promote integration in communities for elderly individuals and persons with disabilities;  
and;
4. Prevent or remedy abuse and neglect.

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### SSBG Program Services

The following is a brief description of the services:

1) Services for the elderly and adults with disabilities which include:

- a. Case Management;
- b. Congregate Meals;
- c. Adult Day Care;
- d. Home Delivered Meals;
- e. Home-Based Services;
- f. Homemaker for Adults;
- g. Special Services Disabled; and
- h. Transportation Services.

2) Services for children and their families which include:

- a. Case Management;
- b. Daycare-Children (Center Based Child Care Services)
- c. Independent and Transitional Living Services;
- d. Child Protective Services;
- e. Substance Abuse Services
- f. Legal Services
- g. Housing Services
- h. Adult Protective Services; and
- i. Transportation Services.

Staff provided services are delivered by the Children & Family Services Division to all populations at the local level. Other services are delivered through independent contractors.

### **Fiscal Operations**

1. Description of Criteria for Distribution:

Nebraska identifies all expenditures claimable under SSBG and distributes federal funding on a pro-rata basis.

2. Distribution and Use of Funds:

Nebraska uses historical expenditures and caseload trends to project the need for SSBG funds and distributes federal funds accordingly.

3. Description of Financial Operations System:

The Nebraska Department of Health and Human Services follows the federally approved Public Assistance Cost Allocation Plan (PACAP) to identify administrative costs related to the Social Service Block Grant.

The allocations in the PACAP have a variety of allocation methodologies depending on the category of costs. A Random Moment Time Study is used to identify costs for the Social Services section of the Service Area activities. The number of clients receiving benefits is used to identify the costs from NFOCUS, the eligibility and payment system. Time reporting and direct charge items are also used in the overall accumulation of Social Service Block Grant Costs.

## Program Operations

### SSBG Statutory Goals the State Plans to Achieve:

Social Services are authorized based on the client's need for service and income eligibility, services are not provided based on demand. Need for a particular service implies that the provision of that service will assist the client to advance toward the achievement of one of the five statutory goals:

1. Achieving or maintaining economic self-support to prevent, reduce, or eliminate dependency;
2. Achieving or maintaining self-sufficiency, including reduction or prevention of dependency;
3. Preventing or remedying neglect, abuse or exploitation of children and adults unable to protect their own interests, or preserving, rehabilitating or reuniting families;
4. Preventing or reducing inappropriate institutional care by providing community-based care, home-based care, or other forms of less intensive care; and
5. Securing referral or admission for institutional care when other forms of care are not appropriate or providing services to individuals in institutions.

### Characteristics of Individuals to be served

#### Definitions:

1. Child is defined as an individual age 18 or under.
2. Adult is defined as an individual age 19 to age 59.
3. Elderly is defined as an individual age 60 or older.
4. Family is defined as a unit consisting of one or more adults (individuals at least age 19 or age 18 for Adult Protective Services) and children, if any, related by blood, marriage, or adoption who reside in the same household. (An unborn child may be included in determining family size if proof of pregnancy is obtained.) The following individuals are not considered when determining family size:
  - a. Related adults other than spouses and unrelated adults who reside together;
  - b. Children living with non-legally responsible relatives;
  - c. Emancipated minors; and
  - d. A minor parent.

#### An Eligible Individual is defined as a person who meets the following criteria:

1. Is financially eligible;
2. Demonstrates a need for service;
3. Is a resident of Nebraska;
4. Has lawful presence in the United States; and
5. Does not permanently reside in an institution.



### Area Served

Services are available in all 93 Nebraska counties to eligible persons in need to aid them reaching one of the five program goals listed above. An individual must have a need for each specific service.

### Income Guidelines

Persons must be eligible under one of the following categories:

1. Current recipients of the Temporary Assistance for Needy Families Program (TANF).
2. Current recipients of the Supplemental Security Income Program (SSI), persons eligible for SSI special benefits, or recipients of the Nebraska State Supplemental Program.
3. Low Income Aged: Persons who are 60 years of age or older with gross monthly income of \$1,248 or less for a family of one, or gross monthly income of \$1,401 or less for family of two or more.
4. Low Income Disabled: Persons age 19 through 59 with:
  - a. A medically verifiable physical or mental impairment which substantially hinders them from engaging in employment or homemaking; and
  - b. Gross monthly income of \$1,248 or less for a family of one, or gross monthly income of \$1,401 or less for a family of two or more.
5. Low Income Family: A family unit with gross monthly income, adjusted by family size, less than \$2,184 for a family of four.
6. Without Regard to Income: All persons requiring Protective Services, or families receiving Family and Child Welfare Services.

7. Child Care Services: Persons whose gross monthly income is at or below 185% of poverty (e.g. below \$4,039 for a family of four) for Transitional Child Care and 130% of poverty (e.g. below \$2,838 for a family of four) for non-Transitional Child Care.
8. Income adjustments for Social Services for Aged and Disabled (SSAD) services are made annually to coincide with the Social Security COLA increases.

### **Types of Activities to be Supported and Service Descriptions**

#### Services for Elderly Individuals and Adults with Disabilities:

1. Congregate Meals
  - a. Preparation of nourishing meals served in a dining facility.
2. Day Care -- Adults (Adult Day Care)
  - a. Services provided for part of the day in a supervised setting outside a person's own home to prevent unnecessary institutionalization through intensive and individualized opportunities for intellectual, physical, and social activities and instruction in personal care and independent living; and
  - b. In-home supervision to allow caregiver participation in employment and training
3. Home-Based Services (Chore Services)
  - a. Activities include housekeeping tasks, laundry, food preparation, personal assistance and essential shopping.
4. Home Delivered Meals
  - a. Preparation of nourishing meals delivered to a person's home; ready to eat.
5. Protective Services -- Adults

- a. Receiving and responding to reports of abuse, neglect or exploitation of vulnerable adults 18 years of age and older who are unable to protect or care for themselves; and investigating reported situations, counseling and providing services coordination to arrange needed services or legal intervention.
6. Special Services–Disabled
    - a. Special services for individuals with disabilities are services or activities to realize the potential of persons with disabilities, by helping alleviate the effects of disabilities and enabling these individuals to live in the least restrictive environment possible. Component services or activities may include homemaker; transportation; aid to assist with independent functioning in the community; and training in mobility, communication skills, the use of special aids and appliances, and self-sufficiency skills.
  7. Transportation Services for Adults
    - a. Travel for the aged and individuals with disabilities to health related treatment or care and other allowable community facilities and resources.

Services for Children and Families:

1. Homemaker – Families
  - a. Homemaker services provide in-home assistance and instruction to maintain and strengthen families and alleviate stress within the home. This may include the supervision and care of children, out-of-home instruction in child welfare or child

protective services cases to maintain and strengthen families, alleviating stresses in the home or preparing the biological family for return of the child to the home.

## 2. Independent and Transitional Living Services

- a. Independent and transitional living services are designed to help older youth in foster care or homeless youth make the transition to independent living, or to help adults make the transition from an institution or from homelessness to independent living. Component services or activities may include educational and employment assistance, training in daily living skills, and housing assistance. Specific component services and activities may include supervised practice living and post-foster care services.

## 3. Protective Services – Children

- a. Activities to protect the rights, health and welfare of children under age 18 to ensure that they have an opportunity for healthy growth and development;
- b. Receiving and responding to reports, investigating reported situations, counseling and arranging for needed services; and
- c. Services to children and families to maintain and strengthen families and alleviate stresses within the home.
- d. Services to Foster Parents who are employed or in an education/training program can receive childcare assistance with no co-pay requirement.

## 4. Case Management

- a. Provides services or activities to assist with the arrangement, coordination, and monitoring of services to meet the needs of individuals and families. Activities may include individual service plan development; monitoring, developing, securing, and

coordinating services; monitoring and evaluating client progress; and assuring that client's rights are protected.

5. Legal Services

- a. Assists families in seeking or obtaining legal help in civil matters such as housing, divorce, child support, guardianship, paternity and legal separation.

6. Housing Services

- a. Assists families in locating, obtaining and retaining suitable housing.

7. Substance Abuse Services

- a. Provides a comprehensive range of personal and family counseling through substance abuse treatment programs. The program is provided in a facility where women and their children safely remain together during treatment.

Services to Elderly Individuals, Adults with Disabilities, and Children and Families:

1. Case Management

- a. Provides services or activities to assist with the arrangement, coordination, and monitoring of services to meet the needs of individuals and families. Activities may include individual service plan development; monitoring, developing, securing, and coordinating services; monitoring and evaluating client progress; and assuring that client's rights are protected.

2. Organize services by Uniform Definition of Services and the corresponding State service title.

	<b>Federal Uniform Definition of Services</b>	<b>Nebraska Service Title</b>
1	Adoption Services	N/A
2	Case Management	Case Management
3	Congregate Meals	Congregate Meals
4	Counseling Services	N/A
5	Day Care--Adults	Adult Day Care
6	Day Care--Children	Center Based Child Care Services
7	Education and Training Services	N/A
8	Employment Services	N/A
9	Family Planning Services	N/A
10	Foster Care Services--Adults	N/A
11	Foster Care Services--Children	N/A
12	Health-Related Services	N/A
13	Home-Based Services	Chore Services
14	Home-Delivered Meals	Home Delivered Meals
15	Housing Services	Housing Services
16	Independent/Transitional Living Services	Independent/Transitional Living Services
17	Information & Referral	N/A
18	Legal Services	Legal Services
19	Pregnancy & Parenting	N/A
20	Prevention & Intervention	N/A
21	Protective Services--Adults	Adults Protective Services
22	Protective Services--Children	Children Protective Services-
23	Recreation Services	N/A
24	Residential Treatment	N/A
25	Special Services--Disabled	Respite, Training Independent Skills, and Homemaker
26	Special Services--Youth at Risk	N/A
27	Substance Abuse Services	Substance Abuse Services
28	Transportation	Transportation

3. Method of Delivery and Geographic Area

- a. Services are delivered statewide by case managers at ACCESSNebraska customer services centers, and local offices through purchase of direct services.

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## **CERTIFICATION REGARDING DRUG-FREE WORKPLACE REQUIREMENTS**

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

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

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



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

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

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

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

Certification Regarding Drug-Free Workplace Requirements

Alternate I. (Grantees Other Than Individuals)

The grantee certifies that it will or will continue to provide a drug-free workplace by:

- (a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
- (b) Establishing an ongoing drug-free awareness program to inform employees

about - -

- (1) The dangers of drug abuse in the workplace;
- (2) The grantee's policy of maintaining a drug-free workplace;
- (3) Any available drug counseling, rehabilitation, and employee assistance

programs; and

- (4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
- (c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);
- (d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will - -
- (1) Abide by the terms of the statement; and

- (2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;
- (e) Notifying the agency in writing, within 10 calendar days after receiving notice under paragraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;
- (f) Taking one of the following actions, within 30 calendar days of receiving notice under paragraph (d)(2), with respect to any employee who is so convicted - -
- (1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
- (2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;
- (g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e) and (f).
- (B) The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:  
Place of Performance (Street address, city, county, state, zip code)  
Check if there are workplaces on file that are not identified here.  
Alternate II. (Grantees Who Are Individuals)
- (a) The grantee certifies that, as a condition of the grant, he or she will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in conducting any activity with the grant;
- (b) If convicted of a criminal drug offense resulting from a violation occurring during the conduct of any grant activity, he or she will report the conviction, in writing, within 10 calendar days of the conviction, to every grant officer or other designee, unless the Federal agency designates a central point for the receipt of such notices. When notice is made to such a central point, it shall include the identification number(s) of each affected grant.

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

\_\_\_\_\_  
Signature and Date

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Organization

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**CERTIFICATION REGARDING ENVIRONMENTAL TOBACCO SMOKE**

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

\_\_\_\_\_  
Signature and Date

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Organization

## **CERTIFICATION REGARDING DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS**

Certification Regarding Debarment, Suspension, and Other Responsibility Matters - -

Primary Covered Transactions

Instructions for Certification

1. By signing and submitting this proposal, the prospective primary participant is providing the certification set out below.
2. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective primary participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.
3. The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this transaction. If it is later determined that the prospective primary participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.
4. The prospective primary participant shall provide immediate written notice to the department or agency to which this proposal is submitted if at any time the prospective primary participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
5. The terms covered transaction, debarred, suspended, ineligible, lower tier covered transaction, participant, person, primary covered transaction, principal, proposal, and voluntarily excluded, as used in this clause, have the meanings set out in the Definitions and Coverage sections of the rules implementing Executive Order 12549. You may contact the department or agency to which this proposal is being submitted for assistance in obtaining a copy of those regulations.
6. The prospective primary participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency entering into this transaction.
7. The prospective primary participant further agrees by submitting this proposal that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusive-Lower Tier Covered Transaction," provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
8. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant

may, but is not required to, check the List of Parties Excluded from Federal Procurement and Nonprocurement Programs.

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

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

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

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

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

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

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

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

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

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

##### Instructions for Certification

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

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

remedies available to the Federal Government the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

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

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

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

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

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

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

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

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

(1) The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared

ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.

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

\_\_\_\_\_  
Signature and Date

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Organization

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**CERTIFICATION REGARDING LOBBYING**

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

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

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

**Statement for Loan Guarantees and Loan Insurance**

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

If any funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this commitment providing for the United States to insure or guarantee a loan, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions. Submission of this statement is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required statement shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

\_\_\_\_\_  
Signature and Date

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Organization