



Certifications and Representations Guidance

This guidance document provides information about government-wide and U.S. Department of Energy (DOE)-specific certifications and representations that generally apply to DOE Office of Clean Energy Demonstrations (OCED) applications.

What are certifications and representations?

Certifications and representations are written guarantees made by entities to sponsoring agencies to comply with various requirements. Certain certifications and representations are generally required for non-Federal entities and for-profit entities to apply for Federal financial assistance. The Financial Assistance General Certifications and Representations are a common set of certifications and representations required by Federal statutes or regulations in accordance with the grant's guidance under Title 2 of the Code of Federal Regulations ([2 CFR §200.209](#) - Certifications and Representations). Non-Federal entities and for-profit entities that apply for, or are already recipients of, Federal financial assistance, must read and agree to certifications and representations when required.

Who can make the required certifications and representations on behalf of the applicant?

Each applicant must designate a properly authorized individual to submit the applicable representations and certifications. The individual, named by the applicant organization, who is authorized to act for the applicant and to assume the obligations imposed by the Federal laws, regulations, requirements, and conditions that apply to financial assistance applications or awards.

What is SAM.gov?

The System for Award Management (SAM.gov) is an official website of the U.S. Government. There is no cost to use [SAM.gov](#) and it offers a single login to navigate the Federal award lifecycle. The applicant must use this site to register to do business with the U.S. Government; update, renew, or check the status of their registration; get a Unique Entity Identifier (UEI); provide entity registration and exclusion records; and agree to government-wide representations and certifications.

Prior to proposal submission, all proposing organizations are required to have reviewed and certified compliance with the government-wide financial assistance representations and certifications maintained in SAM.gov. Failure to comply with SAM.gov registration and certification requirements will negatively impact the submission and processing of the application. If an entity's SAM.gov registration is not active, it will generally not be able to submit an application, nor will DOE be able to take approval actions on any submitted applications or recommended awards. Additionally, payments cannot be processed and approved.

This guidance document does not supersede Federal laws and regulations. This OCED guidance document is for informational purposes only and is not a requirements document. If there are inconsistencies between this OCED guidance document and any specific program or project document, the specific OCED program or project document should be relied upon as it is the controlling document.



What are the Financial Assistance General Certifications and Representations?

By registering with SAM.gov and accepting the certifications and representations, an entity organization is attesting to the accuracy of the certifications and representations. If the entity misrepresents or provides false, fictitious, or fraudulent information to the U.S. Government, they may be subject to criminal prosecution under Section 1001 of Title 18 of the United States Code or civil liability under the False Claims Act.

When applying for Federal financial assistance projects or programs, each entity organization must certify and attest that it:

1. Has the legal authority to apply for Federal assistance and the institutional, managerial and financial capability to ensure proper planning, management, and completion of any financial assistance project covered by this Certifications and Representations document; (See [2 CFR §200.113](#) Mandatory disclosures, [2 CFR §200.214](#) Suspension and debarment, [OMB Guidance A- 129, "Policies for Federal Credit Programs and Non-Tax Receivables"](#));
2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives (See [2 CFR §200.302](#) Financial Management and [2 CFR §200.303](#) Internal controls);
3. Will disclose in writing any potential conflict of interest to the Federal awarding agency or pass through entity in accordance with applicable Federal awarding agency policy (See [2 CFR §200.112](#) Conflict of interest);
4. Will comply with all limitations imposed by annual appropriation acts;
5. Will comply with the U.S. Constitution, all Federal laws, and relevant Executive guidance in promoting the freedom of speech and religious liberty in the administration of federally-funded programs (See [2 CFR §200.300](#) Statutory and national policy requirements and [2 CFR §200.303](#) Internal controls);
6. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and public policies governing financial assistance awards and any Federal financial assistance project covered by this certification document, including but not limited to:
 - A. Trafficking Victims Protection Act (TVPA) of 2000, as amended, [22 USC §7104\(g\)](#);
 - B. Drug Free Workplace, [41 USC §8103](#);
 - C. Protection from Retaliation or Disclosure of Certain Information, [41 USC §4712](#);
 - D. National Environmental Policy Act of 1969, as amended, [42 USC §4321 et seq](#);
 - E. Universal Identifier and System for Award Management, [2 CFR part 25](#);
 - F. Reporting Subaward and Executive Compensation Information, [2 CFR part 170](#);
 - G. OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Non-procurement), [2 CFR part 180](#);
 - H. Civil Actions for False Claims Act, [31 USC §3730](#);
 - I. False Claims Act, [31 USC §3729](#), [18 USC §§287](#) and [1001](#);
 - J. Program Fraud and Civil Remedies Act, [31 USC §3801 et seq](#);
 - K. Lobbying Disclosure Act of 1995, [2 USC §1601 et seq](#);
 - L. Title VI of the Civil Rights Act of 1964, [42 USC §2000d et seq](#);
 - M. Title VIII of the Civil Rights Act of 1968, [42 USC §3601 et seq](#);
 - N. Title IX of the Education Amendments of 1972, as amended; [20 USC §1681 et seq](#)
 - O. Section 504 of the Rehabilitation Act of 1973, as amended; [29 USC §794](#); and
 - P. Age Discrimination Act of 1975, as amended, [42 USC §6101 et seq](#).



What certifications and representations apply at the application stage?

All OCED funding opportunities require [Standard Form 424: Application for Federal Assistance](#) to be submitted with the application. In Field 21 of the Standard Form 424, the applicant's authorized representative must certify and agree with [Assurances for Non-Construction Programs \(SF-424B\)](#) or [Assurances for Construction Programs \(SF-424D\)](#).