

**NATIONAL POLICY ASSURANCES  
TO BE INCLUDED AS AWARD TERMS**

**1. Nondiscrimination -**

By signing or accepting funds under the agreement, the recipient agrees that it will comply with applicable provisions of the following national policies prohibiting discrimination:

	Applies to:	Required by:	Additional Requirements:
Discrimination on the basis of race, color, or national origin	Grants, cooperative agreements, and subawards (10 C.F.R. § 600.3)	10 C.F.R. Part 600, App. A; 10 C.F.R. Part 1040; Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d <i>et seq.</i>	Requirements flow down to subawards (10 C.F.R. §§ 1040.83 & 89-2)
Discrimination on the basis of race, color, religion, sex, or national origin against any person employed by or seeking employment with Government contractors or contractors performing under Federally assisted construction contracts	Grants, cooperative agreements, and any award defined at 41 C.F.R. § 60-1.3 as a “Federally assisted construction contract”	10 C.F.R. Part 600, App. A; Part III of Exec. Order No. 11,246, 30 Fed. Reg. 12,319, 12,935 (Sept. 24, 1965) (“Equal Employment Opportunity”)	Requirements flow down to subawards (10 C.F.R. §§ 1040.83 & 89-2)

<p>Discrimination on the basis of sex or blindness</p>	<p>Federal financial assistance (10 C.F.R. §§ 1040.2 &amp; 1040.3)</p>	<p>10 C.F.R. Parts 1040-1042; Section 401 of the Energy Reorganization Act of 1974, 42 U.S.C. § 5891; Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681-1688</p>	<p>Requirements flow down to subawards (10 C.F.R. §§ 1040.83 &amp; 89-2)</p>
<p>Discrimination on the basis of age</p>	<p>Federal financial assistance (10 C.F.R. §§ 1040.2 &amp; 1040.3)</p>	<p>10 C.F.R. Part 1040; Age Discrimination Act of 1975, 42 U.S.C. § 6101 <i>et seq.</i></p>	<p>Requirements flow down to subawards (10 C.F.R. §§ 1040.83 &amp; 89-2)</p>
<p>Discrimination on the basis of disability or handicap</p>	<p>Grants, entitlements, loans, cooperative agreements, contracts (other than a procurement contract or a contract of insurance or guaranty), or any other arrangement by which the agency provides or otherwise makes available assistance through funds, property, or services of Federal personnel (28 C.F.R. § 41.3)</p>	<p>10 C.F.R. §§ 1040-1041; Section 504 of the 1973 Rehabilitation Act, 29 U.S.C. § 794</p>	<p>Requirements flow down to subawards (10 C.F.R. §§ 1040.83 &amp; 89-2)</p>

Failure to provide handicap access in the construction or alteration of buildings or facilities, except those restricted to use only by able-bodied uniformed personnel)	Grants, cooperative agreements, and subawards (10 C.F.R. § 600.3)	10 C.F.R. Part 600, App'x A; Architectural Barriers Act of 1968, 42 U.S.C. § 4151 <i>et seq.</i>	Requirements flow down to subawards (10 C.F.R. §§ 1040.83 & 89-2)
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**2. Live Organisms** - By signing and/or accepting funds under the DOE funding agreement, the recipient agrees that it will comply with applicable provisions of the following national policies concerning live organisms.

	Applies to:	Required by:	Additional Requirements:
Protection of the rights and welfare of individuals who serve as human test subjects	Any research that is conducted or supported by a Federal department or agency (10 C.F.R. § 745.101)	10 C.F.R. Part 745; 10 C.F.R. Part 600, App. A	Requirements flow down to subawards (10 C.F.R. § 745.101)
Provision of fair and equitable relocation to persons displaced from their homes, businesses, or farms by Federally funded or assisted programs	Grants, loans, or contributions provided by the United States, except any Federal guarantees or insurance, any interest reduction payments to an individual in connection with the purchase and occupancy of a residence by that individual, and any annual payments or capital loans to the District of Columbia (42 U.S.C. § 4601(4))	10 C.F.R. Part 600, App. A; Uniform Relocation Assistance and Land Acquisition Policies Act, 42 U.S.C. § 4601 <i>et seq.</i> ; 49 C.F.R. Part 24	Requirements flow down to subawards (10 C.F.R. § 600.2)

Prohibition on trafficking in persons	Grants, contracts, and cooperative agreements (22 U.S.C. § 7104(g))	Trafficking Victims Protection Act of 2000, 22 U.S.C. § 7101 <i>et seq.</i> (see particularly § 7104(g)); 2 C.F.R. Part 175	Requirements flow down to subawards (2 C.F.R. § 175.15)
Humane transportation, handling, care, and treatment of animals used in research experiments or testing	Grants, cooperative agreements, and subawards (10 C.F.R. § 600.3)	10 C.F.R. Part 600, App'x A; 10 C.F.R. § 602.10(c)	Requirements flow down to subawards (10 C.F.R. § 600.2)

**3. Environmental Standards** - By signing and/or accepting funds under the DOE funding agreement, the recipient agrees that activities under the funding agreement will be conducted in accordance with the following environmental laws and regulations:

	Applies to:	Required by:	Additional Requirements:
The Clean Water Act	Entities that enter into agreements of any type	10 C.F.R. Part 600, App. A; Federal Water Pollution Control Act ("Clean Water Act"), 33 U.S.C. § 1251 <i>et seq.</i> ; 33 U.S.C. § 1368; Exec. Order No. 11,738, 38 Fed. Reg. 25,161 (Sept. 10, 1973)	Requirements flow down to subawards
The Clean Air Act	Entities that enter into agreements of any type with the Federal government	10 C.F.R. Part 600, App'x A; Air Pollution Control Act ("Clean Air Act"), 42 U.S.C. § 7401 <i>et seq.</i>	Requirements flow down to subawards

The Resource Conservation and Recovery Act (RCRA)	State and local institutions of higher education, hospitals, and non-profit organizations that receive direct Federal awards or other Federal funds (10 C.F.R. § 600.116)	10 C.F.R. §§ 600.116 and 600.149; Resource Conservation and Recovery Act, 42 U.S.C. § 6901 <i>et seq.</i> (see particularly § 6962)	Recipients' procurements must comply with the requirements of RCRA (10 C.F.R. § 600.149)
The Lead-Based Paint Poisoning Prevention Act	Grants, cooperative agreements, and subawards (10 C.F.R. 600.3)	10 C.F.R. Part 600, App. A; Lead-Based Paint Poisoning Prevention Act, 42 U.S.C. § 4831(b)	Requirements flow down to subawards (10 C.F.R. § 600.2)

**4. Potential Environmental Impacts** - By signing and/or accepting funds under the DOE funding agreement, the recipient agrees that it will immediately notify the awarding agency any potential impacts that activities conducted under the funding agreement may have on the following areas and resources:

	Applies to:	Required by:	Additional Requirements:
The quality of the human environment	Competitive and limited-source procurements, awards of financial assistance by a competitive process, and joint ventures entered into as a result of competitive solicitations (10 C.F.R. § 1021.216(a))	10 C.F.R. Part 600, App. A; 10 C.F.R. Part 1021; National Environmental Policy Act, 42 U.S.C. § 4321 <i>et seq.</i>	NEPA review covers subrecipient activities

Flood-prone areas and wetlands	Any agreement, the purpose of which is to carry out an agency “action” as that word is defined in 10 C.F.R. § 1022.4	10 C.F.R. Part 600, App’x A; Protection of Wetlands and Floodplains, 10 C.F.R. Part 1022; Flood Disaster Protection Act of 1973, 42 U.S.C. § 4001 <i>et seq.</i>	Requirements flow down to subawards (10 C.F.R. § 600.2)
The use of land and water resources in coastal zones	Any “Federal Agency Activity” (as defined at 15 C.F.R. § 930.31(a)) that may affect any coastal resource of States with approved coastal management programs. (15 C.F.R. § 930.33). Per 10 C.F.R. Part 600, this applies to grants, cooperative agreements, and subawards. (10 C.F.R. § 600.3).	10 C.F.R. Part 600, App’x A; Coastal Zone Management Act, 16 U.S.C. § 1451 <i>et seq.</i> ; 15 C.F.R. Part 930	Requirements flow down to subawards (10 C.F.R. § 600.2)
Existing or proposed components of the national Wild and Scenic Rivers System	Grants, cooperative agreements, and subawards (10 C.F.R. 600.3)	10 C.F.R. Part 600, App’x A; Wild and Scenic Rivers Act, 16 U.S.C. § 1271 <i>et seq.</i>	Requirements flow down to subawards (10 C.F.R. § 600.2)
Barriers along the Atlantic and Gulf Coast and Great Lake shores	Cooperative agreements, loans, grants, guaranties, insurance, payments, rebates, subsidies, or any other form of direct or indirect financial assistance except for payments or actions provided in 16 U.S.C. § 3502(3)(A)-(D)	Coastal Barriers Resource Act, 16 U.S.C. § 3501 <i>et seq.</i>	Requirements flow down to subawards (16 U.S.C. § 3502)

Underground drinking water	Any commitment of Federal financial assistance, whether it be through grant, contract, loan guarantee or otherwise (42 U.S.C. § 300h-3(e))	Safe Drinking Water Act, 42 U.S.C. § 300h-3(e)	
Streams and natural bodies of water that house fish and wildlife	Grants, cooperative agreements, and subawards (10 C.F.R. 600.3)	10 C.F.R. Part 600, App. A; Fish and Wildlife Coordination Act, 16 U.S.C. § 661 <i>et seq.</i>	Requirements are generally applicable to both prime recipients and subrecipients
Significant pre-historical, historical, or archeological data that is potentially subject to irreparable loss or destruction	Grants, cooperative agreements, and other financial assistance (10 C.F.R. Part 600, App. A)	10 C.F.R. Part 600, App'x A; National Historic Preservation Act of 1966, 16 U.S.C. § 470f (regarding grant administration); Archeological and Historic Preservation Act of 1966, 16 U.S.C. § 469 <i>et seq.</i> ; Exec. Order No. 11,593, 36 Fed. Reg. 8,921 (May 13, 1971); Protection of Historic and Cultural Properties, 36 C.F.R. Part 800	Requirements are generally applicable to both prime recipients and subrecipients

**5. Lobbying Prohibitions** - By signing and/or accepting funds under the DOE funding agreement, the recipient agrees that activities under the funding agreement will be conducted in accordance with the following lobbying laws, regulations, and policies:

	Applies to:	Required by:	Additional Requirements:
Prohibition on political activity of state and local employees whose employment is connected to and financed with Federal funds, including but not limited to running in partisan elections, use of official authority to affect the results of an election, or coercing a state or local employee for political purposes	Grants, cooperative agreements, and subawards (10 C.F.R. 600.3)	10 C.F.R. Part 600, App'x A; An Act to Prevent Pernicious Political Activities ("Hatch Act" of 1939), 5 U.S.C. §§ 1501-1508, 7324-7326	Requirements flow down to subawards (10 C.F.R. § 600.2)
Prohibition on the recipient of a Federal contract, grant, loan, or cooperative agreement expending Federal funds appropriated by any Act in order to pay 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 any Federal action	Grants, contracts, loans, or cooperative agreements (10 C.F.R. § 601.100)	10 C.F.R. Part 601; 31 U.S.C. § 1352	31 U.S.C. § 1352 requires the grantee to include certification language in the award documents for all subawards, including subcontracts, under grants, loans, and cooperative agreements and that all subrecipients shall certify and disclose accordingly



Prohibition on lobbying by nonprofit organizations, as defined in 26 U.S.C. § 501(c)(4)	Federal funds constituting an award, grant, or loan (2 U.S.C. § 1611)	Lobbying Disclosure Act of 1995, 2 U.S.C. § 1601 <i>et seq.</i> (see particularly § 1611)	
Prohibition on any member of Congress being party to, or benefiting from the funding agreement	Any contract or agreement with the Federal Government (41 U.S.C. § 6306)	41 U.S.C. § 6306	

**6. Health and Safety** - By signing and/or accepting funds under the DOE funding agreement, the recipient agrees that activities under the funding agreement will be conducted in accordance with the following health and safety laws, regulations, policies, and requirements:

	Applies to:	Required by:	Additional Requirements:
Occupational Safety and Health Administration standards for laboratories engaged in the use of hazardous chemicals	Any employer engaged in the laboratory use of hazardous chemicals, as defined in 29 C.F.R. § 1910.1450	29 C.F.R. § 1910.1450	
The Public Health Service Act	Grants, cooperative agreements, and other financial assistance (10 C.F.R. Part 600, App. A)	10 C.F.R. Part 600, App'x A; Title XIV, Public Health Service Act, 42 U.S.C. § 300f <i>et seq.</i>	Requirements flow down to subawards (10 C.F.R. § 600.2)
Persons transporting or distributing approved new drugs to clinical investigators across state lines are required to submit a marketing application to the Food and Drug Administration	Any person introducing or delivering for introduction into interstate commerce any new drug	10 C.F.R. § 35.7; Investigational New Drug Application, Federal Food, Drug, and Cosmetic Act, 21 U.S.C. § 301 <i>et seq.</i> (see particularly § 355)	

Provision of drug education and training, drug testing, employee assistance, and removal, discipline, treatment, and rehabilitation of any employees using drugs and DOE notification of drug-related actions taken	Grants, cooperative agreements, and subawards (10 C.F.R. 600.3)	10 C.F.R. Part 600, App'x A; Drug Abuse Office and Treatment Act, 42 U.S.C. § 290dd; Comprehensive Alcohol Abuse and Alcoholism Prevent, Treatment and Rehabilitation Act of 1970, 42 U.S.C. § 290dd-1	Requirements flow down to subawards (10 C.F.R. § 600.2)
Safe handling and transport of etiological agents	Entities or persons engaging in the packaging, pre-transportation, or transportation of etiological agents (49 C.F.R. § 171.1)	49 U.S.C. § 5101 <i>et. seq.</i> ; 49 C.F.R. §§ 171-180	
Federal labor standards for construction, including a standard workweek	Contracts by, with, funded in part by, or on behalf of the Federal government (40 U.S.C. § 3701)	Construction Work Hours and Safety Standards Act, 40 U.S.C. § 3701 <i>et seq.</i>	Requirements flow down to subawards (40 U.S.C. § 3701(b)(1)(B)(iii))
Safe handling of recombinant DNA and transgenic materials	Grants, cooperative agreements, and subawards (10 C.F.R. § 600.3)	10 C.F.R. § 602.10(b); NIH Guidelines for Research Involving Recombinant DNA Molecules	Requirements flow down to subawards (10 C.F.R. § 600.2)
Prohibition on text messaging while driving a Government-owned vehicle	Procurement contracts, grants, and cooperative agreements, and other grants to the extent authorized by applicable statutory authority, entered into after October 1, 2009 (Exec. Order No. 13,513)	Exec. Order No. 13,513; 74 Fed. Reg. 51,225 (Oct. 1, 2009) ("Federal Leadership on Reducing Text Messaging While Driving")	

**7. National Security** - By signing and/or accepting funds under the DOE funding agreement, the recipient agrees that it will comply with the following national security laws, regulations, policies, and requirements:

	Applies to:	Required by:	Additional Requirements:
Cooperation with the Government in blocking and prohibiting transactions with persons who commit, threaten to commit, or support terrorism	Entities who assist in, sponsor, or provide financial, material, or technological support for, or financial or other services to or in support of terrorists or terrorist actions	Exec. Order No. 13,224; 66 Fed. Reg. 49,079 (Sept. 23, 2001) ("Blocking Property and Prohibiting Transactions with Persons Who Commit, Threaten to Commit, or Support Terrorism")	
Use of a uniform system for classifying, safeguarding, and declassifying national security information	Government employees, contractors, licensees, and grantees (32 C.F.R. § 2001.1)	Exec. Order No. 13,526; 75 Fed. Reg. 707 (Dec. 29, 2009) ("Classified National Security Information"), as implemented by 32 C.F.R. Parts 2001 & 2003	
Registration with the Center for Disease Control or U.S. Department of Agriculture before using select agents and toxins for research or storage	Research with or storage of select agents and toxins	7 C.F.R. Part 331; 9 C.F.R. Part 121; 42 C.F.R. Part 73	

**8. Domestic Preference** - By signing and/or accepting funds under the DOE funding agreement, the recipient agrees that activities under the funding agreement will be conducted in accordance with the following domestic preference laws, regulations, and policies:

	Applies to:	Required by:	Additional Requirements:
At least fifty (50) percent of equipment, materials, or commodities procured and transferred by ocean vessel must be transported on privately owned U.S. commercial vessels	Grants, cooperative agreements, and subawards (10 C.F.R. 600.3)	10 C.F.R. Part 600, App'x A; Cargo Preference Act, 46 U.S.C. § 55305; 46 C.F.R. § 381.7	Requirements flow down to subawards (46 C.F.R. § 381.7)

Air transport of people or property involving a country other than the United States must be performed by a U.S. carrier or under a cost-sharing arrangement with a U.S. flag carrier	Grants, cooperative agreements, and subawards (10 C.F.R. 600.3)	10 C.F.R. Part 600, App'x A; International Air Transportation Fair Competitive Practices Act ("Fly America Act"), 49 U.S.C. § 40118	Requirements flow down to subawards (49 U.S.C. § 40118(a)(1)(A))
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**9. Project Management** - By signing and/or accepting funds under the DOE funding agreement, the recipient agrees that activities under the funding agreement will be conducted in accordance with the following project management laws, regulations, and policies:

	Applies to:	Required by:	Additional Requirements:
The U.S. Government may recover for damage, loss, or destruction of Government property through negligence or wrongful acts	Grants, cooperative agreements, and subawards (10 C.F.R. 600.3)	10 C.F.R. Part 600, App'x A; 31 U.S.C. § 3711	Requirements flow down to subawards (10 C.F.R. § 600.2)
Audit of project to ensure that recipient funds are expended properly by non-Federal entities	Grants, cooperative agreements, and subawards (10 C.F.R. 600.3)	10 C.F.R. Part 600, App'x A; Single Audit Act, 31 U.S.C. § 7501 <i>et seq.</i>	Requirements flow down to subawards (10 C.F.R. § 600.2)
Prohibition on research misconduct	Grants, cooperative agreements, and subawards (10 C.F.R. § 600.3)	10 C.F.R. § 600.31; 10 C.F.R. Part 733	Requirements flow down to subawards (10 C.F.R. § 600.2)

<p>Exclusion of any person or company who is debarred or suspended based on fraud, waste, or poor performance from Federal financial and nonfinancial assistance and benefits</p>	<p>Grants, cooperative agreements, and subawards (10 C.F.R. § 600.3)</p>	<p>10 C.F.R. §§ 600.25 &amp; 600.113; 2 C.F.R. Parts 180 &amp; 901 (<i>see particularly</i> Subpart C “Responsibilities of Participants” within each section)</p>	<p>Requirements flow down to subawards (10 C.F.R. § 600.2)</p>
<p>Prime recipients must register with the Federal Funding Accountability and Transparency Act Subaward Reporting System (FSRS) and report to FSRS the names and total compensation of each of the prime recipient’s five most highly compensated executives and the names and total compensation of each subrecipient’s five most highly compensated executives</p>	<p>Grants, cooperative agreements, loans, and other forms of Federal financial assistance subject to the Federal Funding Accountability and Transparency Act, as defined at 2 C.F.R. 170.320 (2 C.F.R. § 170.105)</p>	<p>31 U.S.C. § 6101 note); 2 C.F.R. Part 170</p>	
<p>The Paperwork Reduction Act</p>	<p>Grants, cooperative agreements, and subawards (10 C.F.R. 600.3)</p>	<p>10 C.F.R. Part 600, App’x A; Paperwork Reduction Act, 44 U.S.C. § 3501 <i>et seq.</i></p>	<p>Requirements flow down to subawards (10 C.F.R. § 600.2)</p>

<p>Prohibition on knowingly presenting, or causing the presentation of, a false or fraudulent claim for payment or approval to an officer or employee of the U.S. Government</p>	<p>Any person (as defined at 10 C.F.R. § 1013.2) who makes a false or fraudulent claim (as that term is defined at 10 C.F.R. § 1013.2) for payment or approval to an officer or employee of the U.S. Government</p>	<p>10 C.F.R. § 1013; Civil False Claims Act, 31 U.S.C. § 3729(a); Criminal False Claims Act, 18 U.S.C. § 287; 18 U.S.C. § 1001; False Claims Act, 31 U.S.C. §§ 3729-33; Program Fraud and Civil Remedies Act, 31 U.S.C. § 3801 <i>et seq.</i></p>	
<p>Registration of recipients for a DUNS number</p>	<p>Grants, cooperative agreements, loans, loan guarantees, subsidies, insurance, food commodities, direct appropriations, assessed or voluntary contributions, or any other financial assistance transaction that authorizes the non-Federal entity's expenditure of Federal funds, excluding technical assistance (i.e., services) or transfers of title in lieu of money (2 C.F.R. § 25.305)</p>	<p>2 C.F.R. Part 25</p>	<p>Requirements flow down to subawards (2 C.F.R. § 25.110)</p>

**10. Education and Culture** - By signing and/or accepting funds under the DOE funding agreement, the recipient agrees that it will comply with the following educational and cultural laws, regulations, and policies

	Applies to:	Required by:	Additional Requirements:
Return of Native American cultural items to their respective peoples	Any grant, loan, contract (other than a procurement contract), or other arrangement by which a Federal agency makes or made available to a museum aid in the form of funds (43 C.F.R. § 10.2(a)(3)(iii))	Native American Graves Protection and Repatriation Act, 25 U.S.C. 3001 <i>et seq.</i> ; 43 C.F.R. Part 10	
Preferences and opportunities for Indians for training and employment for Federal contracts or grants that benefit Indians or Indian organizations	Any contract, subcontract, grant, or agreement with or grants to Indian organizations or for the benefit of Indians (25 U.S.C. § 450e(b))	10 C.F.R. Part 600, App'x A; Indian Self-Determination and Education Act, 25 U.S.C. § 450 <i>et seq.</i> ( <i>see particularly</i> § 450e(b))	Requirements flow down to subawards (25 U.S.C. § 450e)

**11. Additional Policies** - By signing and/or accepting funds under the DOE funding agreement, the recipient agrees that it will make a good faith effort to comply with the following policies:

	Applies to:	Required by:	Additional Requirements:
Ensure that women-owned businesses have the maximum practicable opportunity to participate in contracts awarded by any Federal agency	Grants, cooperative agreements, and subawards (10 C.F.R. 600.3)	10 C.F.R. Part 600, App'x A; Exec. Order No. 12,138, 44 Fed. Reg. 29,637 (May 18, 1979) ("Creating a National Women's Business Enterprise Policy and Prescribing Arrangements for Developing, Coordinating and Implementing a National Program for Women's Business Enterprise")	Requirements flow down to subawards (10 C.F.R. § 600.2)
Use of the metric system	Grants, cooperative agreements, and subawards (10 C.F.R. § 600.3)	10 C.F.R. § 600.306; Metric Conversion Act of 1975, 15 U.S.C. § 205a <i>et seq.</i> ; Exec. Order No. 12,770, 56 Fed. Reg. 35,801 (July 29, 1991) ("Metric Usage in Federal Government Programs")	Requirements flow down to subawards (10 C.F.R. § 600.2)
Prohibition on the use, possession, sale, distribution, or manufacture of illegal drugs in the workplace	Grants and cooperative agreements (2 C.F.R. § 902.10); TIAs (2 CFR § 902.605)	Drug-Free Workplace Act, 41 U.S.C. § 8101 <i>et seq.</i> ; 2 C.F.R. Part 182 & 902	