Organic Certification Cost Share Programs

Fiscal Year 2024 Full Notice of Funding Opportunity Announcement

Funding Opportunity Numbers: USDA-FSA-SND-NOCCSP-24-NOFO0001411 and
USDA-FSA-SND-AMA-24-NOFO0001410

Catalog of Federal Domestic Assistance Number (CFDA) /Assistance Listing Number (ALN):
10.171

Application Due Date: 7/12/2024

Initial Announcement and Program Solicitation Information

Funding Opportunity Title: Organic Certification Cost Share Programs

Funding Opportunity Numbers: USDA-FSA-SND-NOCCSP-24-NOFO0001411 and USDA-FSA-SND-AMA-24-NOFO0001410

Announcement Type: Initial

Assistance Listing Number (previously referred to as the Catalog of Federal Domestic Assistance Number): This program is listed in the System for Award Management (SAM.gov) under 10.171, Organic Certification Cost Share Programs.

Dates: Applications must be received by 11:59 p.m. Eastern Time on July 12, 2024, through Grants.gov. Applications received after this date may be considered if funds are available.

Executive Summary: The U.S. Department of Agriculture (USDA), Farm Service Agency (FSA), requests applications for the National Organic Certification Cost Share Program (NOCCSP) and the Agricultural Management Assistance (AMA) Organic Certification Cost Share Program, collectively referred to as the OCCSP, for fiscal year (FY) 2024. The purpose of the OCCSP awards is to defray the costs of receiving and maintaining organic certification.

In FY 2024, the available funding for these two programs is approximately $9.5 million for the NOCCSP and $943,000 for the AMA. FSA awards the OCCSP funds to eligible State Agencies* that serve as administering entities, to reimburse organic operations for specific organic certification costs.

This is the initial request for applications, which outlines the eligibility and performance criteria for State Agencies seeking NOCCSP and AMA funding in FY 2024. For eligible certification costs incurred from October 1, 2023, through September 30, 2024, organic operations may request reimbursement until October 31, 2024, unless the State Agency requests and receives approval for a different application deadline. The State Agencies may provide reimbursements to certified organic operators for 75% of the operation's total allowable certification costs, up to a maximum of $750 per certification scope: crops, livestock, wild crops, handling (i.e., processing), and State Organic Program fees.

* The use of "State Agencies" throughout this document refers to the 50 United States, the District of Columbia, and 5 U.S. Territories including the Commonwealth of Puerto Rico, Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands.

Program Highlights

The following highlights apply to the FY 2024 program:

- The application deadline is July 12, 2024. Applications submitted after this deadline may be considered if funding is available.
- The FY 2024 Period of Qualification for organic operations seeking reimbursement is from October 1, 2023, through September 30, 2024. Applications for reimbursement by producers may be submitted through October 31, 2024, unless the State Agency has received approval to establish a different deadline.
- A certified organic operation may receive reimbursement of 75 percent of its eligible certification costs, up to a maximum of $750 per scope.
- The Period of Performance for State Agencies starts when the grant agreement is fully executed and ends December 31, 2024. State Agencies should only apply if they reasonably expect to be able to process all applications by December 31, 2024. No-Cost Extensions of the Period of Performance will be considered only in rare situations due to unforeseeable circumstances. State Agencies must request No-Cost Extensions at least 10 calendar days before the end of the performance period.
- State Agencies must submit all requests for reimbursement and required reports by April 30, 2025, unless they have received a No-Cost Extension.
- State Agencies that issue subawards to subrecipients must submit the required subrecipient information at the time of application or request prior approval from the Federal Agency at least 30 days prior to execution of the subaward. State Agencies must also submit the name and title of the authorized representative who will sign the grant agreement and SF-3881 on behalf of the State Agency.

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1.0 FUNDING OPPORTUNITY DESCRIPTION

1.1 LEGISLATIVE AUTHORITIES

The National Organic Certification Cost Share program (NOCCSP) is authorized under section 10606(d)(1) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 6523(d)), as amended by section 10004(c) of the Agriculture Act of 2014 (2014 Farm Bill; Pub. L. 113–79), Section 10105 of the Agricultural Improvement Act of 2018 (2018 Farm Bill, Pub. L. 115-334), and Section 102 of the Further Continuing Appropriations and Other Extensions Act, 2024 (Pub. L. 118-22). Under this authority, Congress authorizes USDA to provide organic certification cost share assistance to producers and handlers of agricultural products who are obtaining certification under the National Organic Program. These producers and handlers may be located within the 50 United States, the District of Columbia, and five U.S. Territories including the Commonwealth of Puerto Rico, Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands.

The Agricultural Management Assistance Organic Certification Cost Share (AMA) is authorized under the Federal Crop Insurance Act (FCIA), as amended (7 U.S.C. 1524). Under this authority, Congress authorizes USDA to provide organic certification cost share assistance only to producers of agricultural products who are obtaining certification under the National Organic Program within the following 16 States: Connecticut, Delaware, Hawaii, Maine, Maryland, Massachusetts, Nevada, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Utah, Vermont, West Virginia, and Wyoming.

FSA administers the Organic Certification Cost Share Program (OCCSP) using relevant sections of the Organic Foods Production Act of 1990 and the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, 2 CFR 200. FSA awards OCCSP funds to eligible State Agencies, which operate as pass-through entities, by accepting and approving applications from producers and handlers so that State Agencies can issue reimbursements to organic operations.

1.2 PURPOSE

The purpose of the OCCSP is to defray the costs of receiving and maintaining organic certification under the National Organic Program.

2.0 AWARD INFORMATION

2.1 TYPE OF FEDERAL ASSISTANCE

FSA administers the OCCSP through Grant Agreements with State Agencies.

2.2 TYPE OF APPLICATIONS

FSA will review **new applications** from State Agencies for conformance with the criteria in 5.0 Application Review Information, and FSA may require applicants to provide additional information or clarification by a specified deadline.

2.3 PERIOD OF PERFORMANCE

The Period of Performance begins when the agreement is fully executed and ends December 31, 2024. The applicant must indicate the start and end dates in Box 6c (proposed project start and end dates) of the SF-424, "Application for Federal Domestic Assistance". (For FY 2024, applicants should enter the date this Notice of Funding Opportunity Announcement closes for the proposed start date.) State Agencies should only apply if they reasonably expect to be able to process all applications by December 31, 2024. No-Cost Extensions of the Period of Performance will be considered only in rare situations due to unforeseeable circumstances. State Agencies must request No-Cost Extensions at least 10 calendar days before the end of the performance period.

State Agencies may accept applications from producers and handlers prior to receiving a fully executed award. Once such applications are processed and approved **after** award execution, producers and handlers may be paid with funds awarded pursuant to this Funding Opportunity Announcement. **However, State Agencies should not process applications or make payments prior to receiving an executed award. Costs associated with activities performed outside the Agreement Period of Performance cannot be reimbursed.**

State Agencies must submit requests for reimbursements and annual financial reports for the OCCSP by April 30, 2025.

2.4 AVAILABLE FUNDING

Approximately $9.5 million is available under the NOCCSP and $943,000 under the AMA OCCSP to fund FY 2024 applications received in accordance with this initial announcement.

2.5 ESTIMATED GRANT AMOUNTS

Each State Agency that submits an acceptable and complete application to FSA is eligible to receive a grant amount based on its FY 2023 OCCSP reimbursement requests, adjusted to reflect the funding available for FY 2024. Estimates for State Agencies that did not participate in FY 2023 are based on participation through FSA county offices in FY 2023, adjusted to reflect the amount of funding available for FY 2024 and the portion of producers and handlers who would be expected to apply through the State Agency instead of through their FSA county office.

The Federal Government is not obligated to make any Federal award as a result of the announcement. Only authorized federal officials can bind the Federal Government to the expenditure of funds.

Estimated FY 2024 Award Allocations (Subject to Change)		
STATE	**NOCCSP**	**AMA OCCSP**
Alabama	$3,000	Not Eligible
Alaska	$6,471	Not Eligible
American Samoa	$3,000	Not Eligible
Arizona	$50,190	Not Eligible
Arkansas	$5,100	Not Eligible
California	$2,029,308	Not Eligible
Colorado	$55,800	Not Eligible
Connecticut	$14,588	$26,100
Delaware	$3,000	$2,500
District of Columbia	$3,000	Not Eligible
Florida	$43,529	Not Eligible

Estimated FY 2024 Award Allocations (Subject to Change)		
STATE	**NOCCSP**	**AMA OCCSP**
Georgia	$19,125	Not Eligible
Guam	$3,000	Not Eligible
Hawaii	$24,375	$2,500
Idaho	$51,975	Not Eligible
Illinois	$51,750	Not Eligible
Indiana	$112,350	Not Eligible
Iowa	$121,425	Not Eligible
Kansas	$33,525	Not Eligible
Kentucky	$50,550	Not Eligible
Louisiana	$5,250	Not Eligible
Maine	$197,870	$180,000
Maryland	$34,050	$32,600
Massachusetts	$4,875	$38,125
Michigan	$85,350	Not Eligible
Minnesota	$221,625	Not Eligible
Mississippi	$4,950	Not Eligible
Missouri	$49,425	Not Eligible
Montana	$135,432	Not Eligible
Nebraska	$43,425	Not Eligible
Nevada	$6,375	$2,500
New Hampshire	$7,725	$2,500
New Jersey	$48,450	$20,125
New Mexico	$9,000	Not Eligible
New York	$150,000	$260,000
North Carolina	$135,000	Not Eligible
North Dakota	$97,500	Not Eligible
Northern Mariana Islands	$3,000	Not Eligible
Ohio	$343,050	Not Eligible
Oklahoma	$5,775	Not Eligible
Oregon	$150,000	Not Eligible
Pennsylvania	$215,850	$110,000
Puerto Rico	$3,000	Not Eligible
Rhode Island	$8,100	$6,500
South Carolina	$13,350	Not Eligible
South Dakota	$22,275	Not Eligible
Tennessee	$9,750	Not Eligible
Texas	$37,725	Not Eligible
U.S. Virgin Islands	$3,000	Not Eligible
Utah	$9,000	$2,500
Vermont	$325,275	$252,050
Virginia	$30,900	Not Eligible

Estimated FY 2024 Award Allocations (Subject to Change)		
STATE	**NOCCSP**	**AMA OCCSP**
Washington	$624,000	Not Eligible
West Virginia	$3,000	$2,500
Wisconsin	$645,000	Not Eligible
Wyoming	$9,600	$2,500

2.6 DEFINITIONS

2.6.1 BENEFICIARY

The individual or entity that benefits from the grant funds; a producer or handler of agricultural products who is obtaining certification under the National Organic Program is considered the beneficiary for the OCCSP. Beneficiaries may be producers, handlers, or both.

2.6.2 CERTIFICATION SCOPE

The scopes of certification include State Organic Program fees and the four scopes defined by the USDA National Organic Program regulations (7 CFR 205): Crops, Livestock, Wild Crops, and Handler (i.e., Processor).

2.6.3 FEDERAL AGENCY

The United States Department of Agriculture (USDA), Farm Service Agency (FSA).

2.6.4 FEDERAL AGENCY PROJECT MANAGER

The individual, acting within the scope of delegated authority, who has responsibility for executing and administering awards on behalf of FSA. The FSA Deputy Administrator for Farm Programs is authorized to obligate AMA OCCSP and NOCCSP funds, while the Cost Share Manager is responsible for the administration of the program (*see* Section 10.0 Agency Contact).

2.6.5 GRANT

A legal instrument of financial assistance between a Federal awarding agency or pass-through entity and a non-Federal entity that, consistent with 31 U.S.C. 6302, 6304:

(a) Is used to enter into a relationship the principal purpose of which is to transfer anything of value from the Federal awarding agency or pass-through entity to the non-Federal entity to carry out a public purpose authorized by a law of the United States (see 31 U.S.C. 6101(3)); and not to acquire property or services for the Federal awarding agency or pass-through entity's direct benefit or use;

(b) Is distinguished from a cooperative agreement in that it does not provide for substantial involvement between the Federal awarding agency or pass-through entity and the non-Federal entity in carrying out the activity contemplated by the Federal award.

(c) Does not include an agreement that provides only:

(1) Direct United States Government cash assistance to an individual;

(2) A subsidy;

(3) A loan;

(4) A loan guarantee; or
(5) Insurance.

2.6.6 PASS-THROUGH ENTITY

Pass-through entity means a non-federal entity that provides a subaward to a subrecipient to carry out part of a Federal program or that distributes payments to beneficiaries.

2.6.7 RECIPIENT

Recipient means the non-federal entity that receives a Federal award directly from a Federal awarding agency to carry out an activity under a Federal program.

2.6.8 SUBRECIPIENT

Subrecipient means a non-Federal entity that receives a subaward from a pass-through entity to carry out part of a Federal program, but does not include an individual that is a beneficiary of such program. A subrecipient may also be a recipient of other Federal awards directly from a Federal awarding agency.

2.6.9 RECIPIENT PROJECT COORDINATOR

The individual who is authorized to commit the recipient's time and other resources to the project, to commit the recipient to comply with the terms and conditions of the award instrument including those set out herein, and to otherwise act for or on behalf of the recipient.

2.6.10 STATE

Any state of the United States, the District of Columbia, the Commonwealth of Puerto Rico, U.S. Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and any agency or instrumentality thereof exclusive of local governments.

2.6.11 STATE AGENCY

The agency, commission, or department of a State responsible for agriculture under its jurisdiction.

2.6.12 SUBAWARD

Subaward means an award provided by a pass-through entity to a subrecipient for the subrecipient to carry out part of a Federal award received by the pass-through entity. It does not include payments to a contractor or payments to an individual that is a beneficiary of a Federal program. A subaward may be provided through any form of legal agreement, including an agreement that the pass-through entity considers a contract.

3.0 ELIGIBILITY INFORMATION

3.1 ELIGIBLE APPLICANTS

State Agencies are eligible to apply to the NOCCSP and AMA OCCSP funding, as described below.

3.1.1 NATIONAL ORGANIC CERTIFICATION COST SHARE PROGRAM (NOCCSP)

State Agencies within each of the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Marina Islands are eligible to apply for funds.

3.1.2 AGRICULTURAL MANAGEMENT ASSISTANCE (AMA) ORGANIC CERTIFICATION COST SHARE PROGRAM

State Agencies within the 16 states of Connecticut, Delaware, Hawaii, Maine, Maryland, Massachusetts, Nevada, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Utah, Vermont, West Virginia, and Wyoming are eligible to participate in the AMA OCCSP.

3.2 COST-SHARING AND MATCHING

There are no Federal cost-sharing or matching requirements for State Agencies participating in the NOCCSP or AMA OCCSP.

4.0 APPLICATION AND SUBMISSION INFORMATION

4.1 APPLICATION PACKAGE

FSA posts each new funding opportunity at Grants.gov. Additionally, FSA will electronically mail notice of the funding opportunity directly to each eligible State Agency.

4.2 CONTENT AND FORM OF APPLICATION SUBMISSION

State Agencies interested in applying for the OCCSP must submit an SF-424 and SF-424A via Grants.gov along with the additional required materials described below. If an applicant is applying for both the AMA OCCSP and NOCCSP, then the applicant must submit a separate application for each funding opportunity.

4.2.1 SF-424 APPLICATION FOR FEDERAL DOMESTIC ASSISTANCE AND OTHER REQUIRED MATERIALS

Standard Form (SF) 424, Application for Federal Domestic Assistance. Please refer to SF-424, Application for Federal Assistance Instructions for help completing the SF-424. Please use the following supplemental instructions to complete each OCCSP application.

Block	Instruction
#15 Descriptive Title of Applicant's Project	For NOCCSP: "National Organic Certification Cost Share Program (NOCCSP)" **OR** For AMA OCCSP: "Agricultural Management Assistance (AMA) Organic Certification Cost Share Program"

Block	Instruction
***For State Agencies that will make subawards**	Include subrecipient information as requested in Section 7.7 and 8.1 in this block, if available at the time of application.
#16 Congressional District	Use this link to find your Congressional District Number: http://www.house.gov/representatives/find/
#17 Proposed Project Start and End Dates	Start Date: Enter the date this Notice of Funding Announcement closes. End Date: December 31, 2024
#21 Authorized Representative Signature	Please have this block signed by the signatory for the agreement. Alternatively, please identify who will sign award documents on behalf of the state by providing that information in the budget narrative described below.

Standard Form (SF) 424A, Budget Information - Non-Construction Programs. Enter either NOCCSP or AMA in Section A, Row 1, Column (a). Enter the requested Federal Agency funds in Section A, Row 1, Column (e). Section B, Item 6, Column (1) should reflect the requested Federal Agency funds. Payments to producers/handlers and subawards should go in the "Other" cost category. Direct administrative costs should go into the applicable category (for example, salaries of applicant's employees should go in the Personnel cost category).

Budget Narrative. In a separate document titled "Budget Narrative," explain and justify all requested budget items/costs. Detail how the estimates on the SF- 424A were determined. For personnel salary costs, include the base-line salary figures and the estimates of time (as percentages) to be directly charged to the project. A sample budget narrative will be provided upon request.

Grants.gov Lobbying Form, Certification and Disclosure of Lobbying Activities. Under Title 31 of the United States Code, Section 1352, an applicant or recipient must not use any federally appropriated funds (both annually appropriated and continuing appropriations) or matching funds under a grant or cooperative agreement award to pay any person for lobbying in connection with the award. Lobbying is defined as 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 connected with the award. Submission of an application also represents the applicant's certification of the statements in 2 CFR part 418, Appendix A-Certification Regarding Lobbying. If you/your organization have/has made or agrees to make any payment using non-appropriated funds for lobbying, you must also complete and submit the SF LLL, Disclosure of Lobbying Activities located at 2 CFR 418, Appendix B. See 2 CFR 418.110 for more information on when additional submission of this form is required.

4.2.2 NEGOTIATED INDIRECT COST RATE AGREEMENT (NICRA) (REQUIRED IF APPLICABLE)

Submit a copy of the State Agency's approved negotiated indirect cost rate agreement to substantiate the indirect cost request, as described in Appendix VII to 2 CFR Part 200—States and Local Government and Indian Tribe Indirect Cost Proposals. Eligible states may also elect to use the de minimis rate as described at 2 CFR 200.414.

4.2.3 AGREEMENT SIGNATORY (REQUIRED)

Submit the name and title of the authorized representative who will sign the grant agreement in a cover memo or a separate document.

4.2.4 BANKING INFORMATION (REQUIRED)

Submit SF-3881, ACH Vendor/Miscellaneous Payment Enrollment Form.

4.3 GRANT SUBMISSION DEADLINE - DATE AND TIME

Applications must be received via Grants.gov by 11:59 p.m. Eastern Time on July 12, 2024. FSA may consider applications received after this date if funds are available.

4.4 INTERGOVERNMENTAL REVIEW

This funding opportunity is not subject to Executive Order 12372, "Intergovernmental Review of Federal Programs."

4.5 FUNDS NOT APPLIED FOR

Eligible State Agencies that do not apply for or do not request all authorized funding during the specified grant application period will forfeit the full portion of authorized funding not requested. Subsequently, FSA may allocate the unrequested funds to other eligible State Agencies.

4.6 FUNDING RESTRICTIONS

4.6.1 INDIRECT COSTS

A State Agency may charge its negotiated indirect cost rate to the direct administrative costs of the award, but cannot charge it to payments to producers and handlers. A copy of the approved negotiated indirect cost rate agreement must be submitted with the application in accordance with 4.0 Application and Submission Information. The State Agency must notify any subrecipient(s) of the limit on indirect costs. Subrecipients may charge an approved federally recognized indirect cost rate negotiated between the subrecipient and the Federal government or, if no such rate exists, either a rate negotiated between the State agency and the subrecipient, or a de minimis indirect cost rate as defined in 2 CFR 200.414, Indirect (F&A) Costs.

Sample Calculation

Estimated FY 2024 Award Allocation: $324,000 (maximum grant amount)

Payments to Producers and Handlers: $300,000

Total Direct Administrative Cost (does not include payments to producers and handlers): $20,000

Total Indirect Cost assuming a negotiated rate of 20% = $4,000

Total Grant Amount = $324,000 (This amount must not exceed the total award allocation for the State Agency.)

4.6.2. LIMIT ON DIRECT AND INDIRECT COSTS

For this award, direct costs are limited to funds reimbursed to certified organic operations for certification costs and administrative costs, such as salaries and fringe benefits, incurred to administer the program under the grant. Costs for promotional materials and mailing expenses are not eligible for reimbursement.

The total amount of administrative costs, including both direct costs and their associated indirect costs, cannot exceed 10 percent of the amount requested for payments to producers and handlers.

Note: If a State Agency does not use all of its allocated funds, the State Agency must ensure it meets the requirements for Indirect Costs described in Section 4.6.1. and return and/or de-obligate any unused funds (direct and indirect) in accordance with specified instructions from FSA, which will be provided to the State Agency when FSA is notified about the need to return and/or de-obligate funds.

4.7 OTHER SUBMISSION REQUIREMENTS

4.7.1 GRANTS.GOV

FSA requires applicants to submit applications electronically through the central Federal grants website, Grants.gov. When applying through Grants.gov, applicants are not required to submit any paper documents to FSA.

4.7.2 SYSTEM FOR AWARD MANAGEMENT (SAM) AND GRANTS.GOV SUBMISSION

(a) Steps to Register

(i) Obtain a Unique Entity Identifier (UEI): All entities applying for funding must have a UEI issued by SAM.gov. Applicants must enter the UEI in the data entry field labeled "UEI" on the SF-424 form.

(ii) Register with SAM: All organizations (entities) must register with System for Award Management (SAM) to apply online through Grants.gov. Failure to register with SAM will prevent your organization from applying through Grants.gov. SAM registration must be renewed annually. Part of the SAM registration process includes designating an Electronic Business Point of Contact (EBiz POC). The EBiz POC plays an integral part in the organization's Grants.gov registration and application process. The individual in that role must authorize all other roles in Grants.gov. For more detailed instructions for registering with SAM, refer to https://www.grants.gov/applicants/applicant-registration/.

(iii) Create a Grants.gov Account: From the Grants.gov webpage (https://www.grants.gov/), click "Register" in the top right-hand corner and follow the on-screen instructions.

(iv) Add a Profile to a Grants.gov Account: A profile in Grants.gov corresponds to a single applicant organization the user represents (i.e., an applicant) or an individual applicant submitting on their own behalf. If you work for or consult with multiple organizations, you can have a profile for each organization under one Grants.gov account. In such cases you can log in to one Grants.gov account to access all your grant profiles. To add an organizational profile to your Grants.gov account, enter the UEI for the organization in the UEI field. If you are an individual applicant submitting on your own behalf, you do not need a UEI to add the profile. For more detailed instructions about creating a profile on Grants.gov, refer to https://www.grants.gov/applicants/applicant-registration/add-profile.

(v) EBiz POC Authorized Profile Roles: After you register with Grants.gov and create an Organization Applicant Profile, you must establish roles for individuals in the organization. The Authorized Organizational Representative (AOR) role is critical; it gives an individual permission to complete and submit applications on behalf of the organization. Without this role, the organization cannot submit any applications. The request for role assignment will be routed to the organization's EBiz POC for approval. Once approved, the AOR can submit an application online. For more detailed instructions about creating a EBiz POC authorized profile on Grants.gov, refer to https://www.grants.gov/applicants/applicant-registration/ebiz-poc-authorizes-profile-roles.

Track Role Status: To track your role request, refer to https://www.grants.gov/applicants/applicant-registration/track-profile-role-status.

(b) Electronic Signature

When applications are submitted through Grants.gov, the name of the organization applicant with the AOR role that submitted the application is inserted into the signature line of the application, serving as the electronic signature. The EBiz POC must authorize people who are able to make legally binding commitments on behalf of the organization as a user with the AOR role. This step (step c.v. above) is often missed, and it is crucial for valid and timely submissions.

(c) Workspace

Workspace is a shared, online environment where members of a grant team may simultaneously access and edit different webforms within an application. For each NFO, you can create individual instances of a workspace. An applicant can start an application in Workspace and return to work on it later within Workspace.

Applicants using unreliable internet connections should be aware that the process of completing the Workspace can take some time. Therefore, applicants should allow enough time to prepare and submit the application before the package closing date.

(d) Apply for an Opportunity

Below is an overview of applying on Grants.gov. For complete instructions on how to apply for opportunities, refer to https://www.grants.gov/applicants/workspace-overview/.

If the Apply button in the opportunity is not active (greyed out), the user does not have the appropriate permissions or has an incomplete applicant registration. For additional information, refer to https://grantsgovprod.wordpress.com/2023/06/08/unlock-the-mystery-of-the-gray-apply-button-four-scenarios/.

(i) Create a Workspace: Creating a workspace allows you to complete an application online and route it through your organization for review before submitting.

(ii) Complete a Workspace: Add participants to the workspace to work on the application together, complete all the required forms online or by downloading PDF versions, and check for errors before submission. The Workspace progress bar will display the status of your application process as you apply. As you apply using Workspace, you may click the blue question mark icon near the upper-right corner of each page to access context-sensitive help.

- Adobe Reader: If you decide not to apply by filling out webforms you can download individual PDF forms in Workspace. The individual PDF forms can be downloaded and saved to your local device storage, network drive(s), or external drives, then accessed through Adobe Reader.

  NOTE: Visit the Adobe Software Compatibility page on Grants.gov to download the appropriate version of the software at https://www.grants.gov/applicants/adobe-software-compatibility.
- Mandatory Fields in Forms: In the forms, you will note fields marked with an asterisk and a different background color. These fields are mandatory fields that must be completed to successfully submit your application.
- Complete SF-424 Fields First: The forms are designed to fill in common required fields across other forms, such as the applicant name, address, and UEI. Once it is completed, the information will transfer (i.e., prepopulate) to the other forms.

(iii) Submit a Workspace: An application may be submitted through workspace by clicking the Sign and Submit button on the Manage Workspace page, under the Forms tab. Grants.gov recommends submitting your application package at least 24-48 hours prior to the close date to provide you with time to correct any potential technical issues that may disrupt the application submission.

(iv) Track a Workspace Submission: After successfully submitting a workspace application, a Grants.gov Tracking Number (GRANTXXXXXXXX) is automatically assigned to the application. The number will be listed on the Confirmation page that is generated after submission. Using the tracking number, access the Track My Application page under the Applicants tab or the Details tab in the submitted workspace.

For additional training resources, including video tutorials, refer to https://www.grants.gov/applicants/applicant-training.

5.0 APPLICATION REVIEW INFORMATION

5.1 CRITERIA

FSA will review grant applications to ensure the application criteria are in accordance with 4.0 Application and Submission Information.

FSA will review the application to ensure that the applicant is an eligible entity as defined in Section 3.0. There are no other statutory, regulatory, or other preferences applied in the review process, other than merit and risk criteria as described below:

1. The application was properly completed, i.e., all required information is contained on the application form.
2. If applicable, the application identifies and includes specified information on sub-applicants.
3. The applicant is an eligible entity.
4. When a State Agency intends to make subawards or contract any portion of the federal award to another entity, the State Agency must request prior agency approval at least 30 days before awarding the contract or award.
5. In accordance with 2 CFR part 200, FSA may use past performance to assist in determining the level of participation or allocation of funding to the applicant during the current funding cycle.

5.2 REVIEW AND SELECTION PROCESS

FSA reviews applications upon their submission to Grants.gov and initiates the application review process as they are submitted. FSA expects to make all awards within 30 days of the closing date.

FSA will notify the individual listed in block 8 “Primary Contact/Grants Administrator” of the SF-424 “Application for Federal Assistance” if additional information is required after the initial application review. Upon completion of a successful application review, FSA will send an Award Notice in accordance with 6.3 Acceptance of Award to Primary Contact/Grants Administrator.

5.3 ANTICIPATED ANNOUNCEMENT AND AWARD DATES

FSA intends to notify State Agencies and execute grant agreements by 09/16/2024.

6.0 AWARD ADMINISTRATION INFORMATION

6.1 AWARD NOTICES

Once all administrative and programmatic issues are satisfactorily approved by FSA, FSA will provide the State Agency applicant with a formal award notice in the form of an electronic Grant Agreement (Grant Agreement).

The Grant Agreement sets forth pertinent information about the grant, including, but not limited to, the following:

- Federal Agreement Identification Number (FAIN) or "agreement number;"
- Statutory authority for the award and any applicable program regulations;
- Name of recipient organization;
- Name of the Recipient Project Coordinator;
- Approved period of performance start and end dates;
- Amount of Federal funds authorized for obligation by the recipient;
- Name of the Federal Agency Project Manager; and
- Applicable terms and conditions of award by either reference or inclusion.

Note: The State Agency applicant is responsible for any pre-award costs incurred prior to the establishment of an Agreement.

6.2 ADMINISTRATIVE AND NATIONAL POLICY REQUIREMENTS

Awards issued under the announcement are subject to 2 CFR Part 200 Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards. Several additional federal statutes and regulations apply to grant applications considered for review and to project grants awarded under this program. These include, but are not limited to the ones listed below.

2 CFR Part 25 – *System for Award Management and Universal Identifier Requirements.* See Appendix A to Part 25 – Award Term for Central Contractor Registration and Universal Identifier Requirements.

You must notify your potential subrecipients, with the exception of individuals, that they may not receive a subaward unless the entity has obtained a UEI from SAM. State Agencies must not make a subaward to an entity unless the entity has provided its UEI number.

2 CFR Part 170 – *Reporting Subaward and Executive Compensation Information*. See Appendix A to Part 170 – Award Term for Reporting Subawards and Executive Compensation requirements.

2 CFR Part 175 – *Award Term for Trafficking in Persons*, which is the implementation of the *Trafficking Victims Protection Act of 2000*, as amended (22 U.S.C. 7104(g))

2 CFR Parts 180 and 417 – *OMB Guidelines to Agencies on Government-Wide Debarment and Suspension (Nonprocurement)* and *USDA Nonprocurement Debarment and Suspension*

2 CFR Part 200 – *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards*

2 CFR 200.216 - The recipient (including subrecipients) is responsible for compliance with the prohibition on certain telecommunications and video surveillance services or equipment identified in 2 CFR 200.216. See Public Law 115-232, Section 889 for additional information. In accordance with 2 CFR 200.216, the recipient (including subrecipients) is prohibited from obligating or expending loan or grant funds for covered telecommunications equipment or services to:

(1) procure or obtain, extend or renew a contract to procure or obtain;
(2) enter into a contract (or extend or renew a contract) to procure; or
(3) obtain the equipment, services or systems.

2 CFR 200.340 - In accordance with 2 CFR 200.340, the recipient understands this agreement may be terminated in whole or in part as follows:

(1) By the Federal Agency or pass-through entity, if a recipient fails to comply with the terms and conditions of a Federal award;
(2) By the Federal Agency or pass-through entity, to the greatest extent authorized by law, if an award no longer effectuates the program goals or agency priorities;
(3) By the Federal Agency or pass-through entity with the consent of the recipient, in which case the two parties must agree upon the termination conditions, including the effective date and, in the case of partial termination, the portion to be terminated;
(4) By the recipient upon sending to the Federal Agency or pass-through entity written notification setting forth the reasons for such termination, the effective date, and, in the case of partial termination, the portion to be terminated. However, if the Federal Agency or pass-through entity determines in the case of partial termination that the reduced or modified portion of the Federal award or subaward will not accomplish the purposes for which the Federal award was made, the Federal Agency or pass-through entity may terminate the Federal award in its entirety.

2 CFR Part 400 – *USDA implementation of 2 CFR Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards*

2 CFR Part 415 – *USDA General Program Administrative Regulations*

2 CFR Part 416 – *USDA General Program Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments*

2 CFR Part 418 – *USDA implementation of Restrictions on Lobbying* - Imposes prohibitions and requirements for disclosure and certification related to lobbying on recipients of federal contracts, grants, cooperative agreements, and loans.

2 CFR Part 421 – *USDA Implementation of Government-wide Requirements for Drug-Free Workplace (Financial Assistance)*

7 CFR Part 1, subpart A – USDA implementation of the *Freedom of Information Act*

7 CFR Part 1b – USDA procedures to implement the *National Environmental Policy Act of 1969*, as amended

7 CFR Part 3 – USDA implementation of *OMB Circular No. A-129* regarding debt collection

7 CFR Part 15, subpart A – USDA implementation of Title VI of the *Civil Rights Act of 1964*, as amended, which prohibits you from discriminating on the basis of race, color, or national origin (42 U.S.C. 2000d et seq.)

As clarified by Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination on the basis of limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs *in accordance with LEP Implementation Strategy for AMS' Federally-Assisted Programs.* Meaningful access may entail providing language assistance services, including oral and written translation, where necessary. You are encouraged to consider the need for language services for LEP persons served or encountered both in developing your budgets and in conducting your programs and activities. For assistance and information regarding your LEP obligations, go to *http://www.lep.gov*.

7 CFR Part 331 and 9 CFR Part 121—USDA implementation of the *Agricultural Bioterrorism Protection Act of 2002*

35 U.S.C. 200 et seq.—Bayh Dole Act, controlling allocation of rights to inventions made by employees of small business firms and domestic nonprofit organizations, including universities, in federally-assisted programs (implementing regulations are contained in 37 CFR Part 401).

41 CFR 301-10.131 to 301-10.143 – *Use of United States Flag Air Carriers*, which implements the *Fly America Act* (49 U.S.C. 40118). For more information see http://www.gsa.gov/portal/content/103191.

48 CFR Part 25 – *Foreign Acquisition*, which implements the *Buy American Act* (41 U.S.C. Ch. 83)

48 CFR Part 31, subpart 31.2 – *Contracts with Commercial Organizations*

44 U.S.C. 3541 et seq. (Pub. L. 107-347) – *Federal Information System Security Management Act of 2002* (FISMA)
An Act designed to improve computer and network security within the Federal Government. Applies to recipients if it will collect, store, process, transmit, or use information on behalf of AMS.

Motor Vehicle Safety – *Highway Safety Act of 1966*, as amended (23 U.S.C. 402 & 403); *Government Organization and Employees Act,* as amended (5 U.S.C. 7902 (c)); *Occupational Safety and Health Act of 1970*, as amended (29 U.S.C. 668); *Federal Property and Administrative Services Act of 1949*, as amended (40 U.S.C. 101, et seq.); *Increasing Seat Belt Use in the United States* (EO 13043); *Federal Leadership on Reducing Text Messaging While Driving* (EO 13513)

2 CFR Part 422 – *Research Institutions Conducting USDA-Funded Extramural Research; Research Misconduct*

Appendix XII to 2 CFR Part 200 **–** Award Term and Condition for Recipient Integrity and Performance Matters.
Applicable if the Federal share of any Federal award may include more than $500,000 over the period of performance
Prohibition Against Using Funds under Grants and Cooperative Agreements with Entities that Require Certain Internal Confidentiality Agreements

(a) The recipient may not require its employees, contractors, or subrecipients seeking to report fraud, waste, or abuse to sign or comply with internal confidentiality agreements or statements prohibiting or otherwise restricting them from lawfully reporting that waste, fraud, or abuse to a designated investigative or law enforcement representative of a Federal Department or agency authorized to receive such information.

(b) The recipient must notify its employees, contractors, or subrecipients that the prohibitions and restrictions of any internal confidentiality agreements inconsistent with paragraph (a) of this award provision are no longer in effect.

(c) The prohibition in paragraph (a) of this award provision does not contravene requirements applicable to any other form issued by a Federal department or agency governing the nondisclosure of classified information.

(d) If the Government determines that the recipient is not in compliance with this award provision, it:

(1) Will prohibit the recipient's use of funds under this award, in accordance with sections 743, 744 of Division E of the Consolidated Appropriations Act, 2016, (Pub. L. 114-113) or any successor provision of law; and

(2) May pursue other remedies available for the recipient's material failure to comply with award terms and conditions.

6.3 ACCEPTANCE OF AN AWARD

A signature by an authorized representative of the State Agency on the Grant Agreement constitutes acceptance of an award and its associated terms and conditions. FSA must receive a signed Grant Agreement. If a recipient cannot accept the award, including the legal obligation to perform in accordance with award terms and conditions, then the State Agency should notify the FSA Cost Share Manager immediately upon receipt of the Grant Agreement.

Once the State Agency accepts the award, the contents of the Grant Agreement are legally binding on the State Agency.

7.0 POST AWARD MANAGEMENT

State Agencies are responsible for the following:

Announcing the availability of OCCSP award funds within their State, including directions on how beneficiaries are to apply for reimbursement; determining the eligibility of producers and handlers of agricultural products obtaining certification under the National Organic Program and issuing reimbursements based on the evaluation of criteria listed below in Sections 7.1 through 7.6; and issuing the maximum allowable reimbursement, as defined by FSA, to eligible producers and handlers of agricultural products obtaining certification under the National Organic Program on a first-come, first-served basis.

7.1 ELIGIBILITY CRITERIA FOR PRODUCERS AND HANDLERS OF AGRICULTURE PRODUCTS OBTAINING CERTIFICATION UNDER THE NATIONAL ORGANIC PROGRAM

To be eligible, a producer or handler must have paid fees/expenses related to certification under the National Organic Program between October 1, 2023, and September 30, 2024. An eligible producer or handler must provide the following information to the appropriate State Agency to apply for reimbursement through the OCCSP: evidence that the operation has a valid organic certification under the National Organic Program at the time of application; an itemized receipt that identifies allowable costs paid within the qualification period of October 1, 2023, through September 30, 2024 (*refer to Section 7.2 Allowable and Unallowable Costs)*; a completed State Agency Application for producers or handlers located within the State *(entities with operations located in more than one State must submit applications to the State Agencies in which the operations are located)*; a W-9 Tax Form *(requirements vary by State)*; other information, as required by the State Agency, to verify eligibility or issue reimbursement.

Note: Operations with suspended, revoked, or withdrawn certifications are ineligible for cost share reimbursement. The applicable USDA organic regulations and resources for certification are available on the AMS website at www.ams.usda.gov/nop.

7.2 ALLOWABLE AND UNALLOWABLE COSTS FOR PRODUCERS AND HANDLERS OF AGRICULTURAL PRODUCTS OBTAINING CERTIFICATION UNDER THE NATIONAL ORGANIC PROGRAM

Allowable Costs	Unallowable Costs
• Application fees • Inspection fees, including travel costs and per diem for organic inspectors • USDA organic certification costs, including fees necessary to access international markets with which AMS has equivalency agreements or arrangements • User fees/sale assessments • Postage • State Organic Program fees (NOCCSP only)	• Inspections due to violations of USDA Organic regulations or State Organic Program requirements • Costs related to non-USDA organic certifications • Costs related to transitional certification • Costs related to any other labeling programs • Materials, supplies, and equipment • Late fees • Membership fees • Consultant fees

7.3 NATIONAL OCCSP ELIGIBLE SCOPES

Organic operations certified for any of the five eligible scopes (i.e., crops, wild crops, livestock, handler, and State Organic Program fees) are eligible to participate in the NOCCSP.

7.4 AMA OCCSP ELIGIBLE SCOPES

Organic operations located in the states listed in Section 3.1.2 and certified for the scopes of crops, wild crops, or livestock are eligible to participate in the AMA OCCSP. AMA OCCSP does not cover the scopes of handler and State Organic Program fees.

7.5 CERTIFICATION COST REIMBURSEMENTS ALLOWANCES

Reimbursements to producers and handlers of agricultural products obtaining certification under the National Organic Program are limited to 75 percent of the operation's total allowable certification costs, up to a maximum of $750 per certification scope.

7.6 LIMITATIONS

Producers of agricultural products obtaining certification under the National Organic Program are eligible to participate in the AMA and the NOCCSP. However, to prevent duplicative reimbursements to producers in States that are eligible to participate in the AMA, the cumulative reimbursement amount cannot exceed the certification cost reimbursement allowance calculated according to Section 7.5.

A producer or handler may apply for OCCSP reimbursement from either the State Agency or through a local FSA office; they cannot receive payment from both. If a duplicate payment is inadvertently made, then FSA will inform the participant and require that funds be returned to FSA.

7.7 SUBRECIPIENTS

State Agencies may subaward a portion of or their entire award to another entity (i.e., subrecipient). Subrecipients are not required to complete the SF-424.

7.7.1 IDENTIFYING SUBRECIPIENTS

State Agencies that issue subawards to subrecipients as described in Section 7.7 must submit the following subrecipient information: the entity name, the entity point of contact, mailing address, email address, and applicable website information pertaining to the Cost Share Program. The State Agency (pass-through entity) must submit the requested information to the Cost Share Program Manager, at the time of application or request prior approval from the Federal Agency at least 30 days prior to execution of the subaward.

7.7.2 PASS-THROUGH ENTITY REQUIREMENTS

When a State Agency subawards OCCSP funds, the State Agency becomes a pass-through entity. Pass-through entities must ensure that subawards conform to the requirements outlined in 2 CFR 200.332 Requirements for pass-through entities are met, as detailed below:

§ 200.332 Requirements for pass-through entities

All pass-through entities must:

(a) Ensure that every subaward is clearly identified to the subrecipient as a subaward and includes the following information at the time of the subaward and if any of these data elements change, include the changes in subsequent subaward modification. When some of this information is not available, the pass-through entity must provide the best information available to describe the Federal award and subaward. Required information includes:

(1) Federal Award Identification.

(i) Subrecipient name (which must match registered name associated with its unique entity identifier);

(ii) Subrecipient's unique entity identifier

(iii) Federal Award Identification Number (FAIN);

(iv) Federal Award Date (see the definition of Federal award date in 2 CFR §200.1) of award to the recipient by the Federal agency);

(v) Subaward Period of Performance Start and End Date;

(vi) Subaward Budget Period Start and End Date

(vii) Amount of Federal Funds Obligated by this action by the pass-through entity to the subrecipient;

(viii)Total Amount of Federal Funds Obligated to the subrecipient by the pass-through entity, including the current financial obligation;

(ix) Total Amount of the Federal Award committed to the subrecipient by the pass-through entity;

(x) Federal award project description, as required to be responsive to the Federal Funding Accountability and Transparency Act (FFATA);

(xi) Name of Federal awarding agency, pass-through entity, and contact information for awarding official of the pass-through entity;

(xii) Assistance Listings number and Title; the pass-through entity must identify the dollar amount made available under each Federal award and the Assistance Listings Number at time of disbursement;

(xiii) Identification of whether the award is R&D; and

(xiv) Indirect cost rate for the Federal award (including if the de minimis rate is charged per §200.414.

(2) All requirements imposed by the pass-through entity on the subrecipient so that the Federal award is used in accordance with Federal statutes, regulations and the terms and conditions of the Federal award.

(3) Any additional requirements that the pass-through entity imposes on the subrecipient in order for the pass-through entity to meet its own responsibility to the Federal awarding agency including identification of any required financial and performance reports;

(4) (i) An approved federally recognized indirect cost rate negotiated between the subrecipient and the Federal government or, if no approved rate exists, the pass-through entity must determine the appropriate rate in collaboration with the subrecipient, which is either:

(A) The negotiated indirect cost rate between the pass-through entity and the subrecipient, which can be based on a prior negotiated rate between a different pass-through entity and the same

subrecipient. If basing the rate on a previously negotiated rate, the pass-through entity is not required to collect information justifying this rate, but may elect to do so; or

(B) The de minimis indirect cost rate.

(ii) The pass-through entity must not require use of a de minimis indirect cost rate if the subrecipient has a Federally approved rate. Subrecipients can elect to use the cost allocation method to account for indirect costs in accordance with §200.405(d).

(5) A requirement that the subrecipient permit the pass-through entity and auditors to have access to the subrecipient's records and financial statements as necessary for the pass-through entity to meet the requirements of this section, §§ 200.300 Statutory and national policy requirements through 200.309 Period of performance, and Subpart F—Audit Requirements of this part; and

(6) Appropriate terms and conditions concerning closeout of the subaward.

(b) Evaluate each subrecipient's risk of noncompliance with Federal statutes, regulations, and the terms and conditions of the subaward for purposes of determining the appropriate subrecipient monitoring described in paragraphs (d) and (e) of this section, which may include consideration of such factors as:

(1) The subrecipient's prior experience with the same or similar subawards;

(2) The results of previous audits including whether or not the subrecipient receives a Single Audit in accordance with Subpart F—Audit Requirements of this part, and the extent to which the same or similar subaward has been audited as a major program;

(3) Whether the subrecipient has new personnel or new or substantially changed systems; and

(4) The extent and results of Federal awarding agency monitoring (e.g., if the subrecipient also receives Federal awards directly from a Federal awarding agency).

(c) Consider imposing specific subaward conditions upon a subrecipient if appropriate as described in § 200.207 Specific conditions.

(d) Monitor the activities of the subrecipient as necessary to ensure that the subaward is used for authorized purposes, in compliance with Federal statutes, regulations, and the terms and conditions of the subaward; and that subaward performance goals are achieved. Pass-through entity monitoring of the subrecipient must include:

(1) Reviewing financial and programmatic reports required by the pass-through entity.

(2) Following-up and ensuring that the subrecipient takes timely and appropriate action on all deficiencies pertaining to the Federal award provided to the subrecipient from the pass-through entity detected through audits, on-site reviews, and written confirmation from the subrecipient, highlighting the status of actions planned or taken to address Single Audit findings related to the particular subaward.

(3) Issuing a management decision for audit findings pertaining to the Federal award provided to the subrecipient from the pass-through entity as required by 2 CFR § 200.521 Management decision.

(e) Depending upon the pass-through entity's assessment of risk posed by the subrecipient (as described in paragraph (b) of this section), the following monitoring tools may be useful for the pass-through entity to ensure proper accountability and compliance with program requirements and achievement of performance goals:

(1) Providing subrecipients with training and technical assistance on program-related matters; and

(2) Performing on-site reviews of the subrecipient's program operations;

(3) Arranging for agreed-upon-procedures engagements as described in 2 CFR § 200.425 Audit services.

(f) Verify that every subrecipient is audited as required by Subpart F—Audit Requirements of this part when it is expected that the subrecipient's Federal awards expended during the respective fiscal year equaled or exceeded the threshold set forth in 2 CFR § 200.501 Audit requirements.

(g) Consider whether the results of the subrecipient's audits, on-site reviews, or other monitoring indicate conditions that necessitate adjustments to the pass-through entity's own records.

(h) Consider taking enforcement action against noncompliant subrecipients as described in 2 CFR § 200.338 Remedies for noncompliance of this part and in program regulations.

7.8 APPLICATION DEADLINES FOR PRODUCERS AND HANDLERS OF AGRICULTURAL PRODUCTS OBTAINING CERTIFICATION UNDER THE NATIONAL ORGANIC PROGRAM

Certified operations must submit their applications for cost share assistance to the State Agency by October 31, 2024, unless the State Agency has requested and been approved for a different application deadline.

8.0 REPORTING

The State Agency is responsible for submitting financial and performance reports to FSA. Year-end reports are due within 120 calendar days of the award's expiration date, no later than April 30, 2025. See sections 8.2 and 8.3 below for additional details.

8.1 PRIOR APPROVALS

The following require written notification via email or letter to the FSA Cost Share Program:

8.1.1 CHANGE IN RECIPIENT PROJECT COORDINATOR

When it is necessary to change the State Agency Recipient Project Coordinator for the OCCSP for a period of more than three consecutive months, or there is a significant reduction in time devoted to managing the OCCSP, the State Agency must submit a written notification (email is acceptable) to the Cost Share Program Manager. The notification must contain the new individual's name and contact information.

8.1.2 CHANGE IN SUBRECIPIENT

When a subrecipient changes or plans to relinquish active direction of the project for a period of more than three consecutive months, or there is a significant reduction in time devoted to managing the OCCSP, the subrecipient must submit written notification (email is acceptable) to the State Agency, which will report the change to the Cost Share Manager. The notification must contain the new subrecipient organization or name and the affected Grant Agreement number.

8.1.3 NO-COST EXTENSION OF THE PERIOD OF PERFORMANCE

Where a No-Cost Extension of the Period of Performance is required, the recipient must notify the FSA Cost Share

Manager in writing (email is acceptable) at least 10 calendar days before the end of the period of performance specified by the Grant Agreement. The request must contain:

1) The OCCSP Grant Agreement number(s) affected by the change;
2) The length of additional time required to complete activities and a justification for the extension;
3) A summary of progress to date;
4) An estimate of remaining funds on the scheduled expiration date; and
5) Signature of the State Agency Recipient Project Coordinator.

8.1.4 BUDGET AMENDMENTS

When a State Agency requests a budget revision (an increase or a decrease in the award amount), the change is recorded on a revised Grant Agreement, which must be signed by the recipient and Deputy Administrator.

8.2 FINANCIAL

8.2.1 REQUEST FOR ADVANCE OR REIMBURSEMENT - SF-270

OCCSP funds must be requested using standard form SF-270. OCCSP funds are electronically transferred to the bank account specified by the recipient in their SAM registration. In addition to the Request for Advance or Reimbursement, the SF-270 must indicate the number of certified organic operations to be assisted with the requested funds for the period covered by the payment request. The recipient should complete the SF-270 and email it to the Cost Share Manager, and retain the original SF-270. *Refer to FAQs for instruction on completing the SF-270.*

Advances of grant funds are limited to the minimum amount needed to meet current disbursement needs and should be scheduled so the funds are available to the recipient as close as possible to the actual disbursements by the recipient for program costs.

Requests for payment should be scheduled so that OCCSP funds are obligated no later than December 31, 2024, and disbursed no later than 120 days after December 31, 2024, unless a No-Cost Extension is approved by FSA. Contact the FSA Cost Share Manager for instructions on how to transmit unused NOCCSP and AMA funds. Late repayments are subject to an interest charge of 18 percent per year and all penalties and administrative charges as provided under the Debt Collection Act of 1996 (31 USC 3701).

8.2.2 FEDERAL FINANCIAL REPORT – SF-425

The recipient must submit a final Federal Financial Report (SF-425) for each award program from which it received funds. The final Federal Financial Report is due within 120 days of the grant period of performance end date. The final SF-425 should reflect the cumulative financial activity, including both grant and operations assisted over the entire grant period. The recipient should complete and email the SF-425 to the Cost Share Manager and retain the original SF-425.

8.3 PERFORMANCE

8.3.1 NARRATIVE REPORT

The State Agency must prepare and submit a narrative report, not to exceed two pages, describing activities undertaken by the State Agency and/or any subrecipients related to making cost share funds available to eligible beneficiaries including:

1) Outreach activities carried out by the State and subrecipients, if any, including the methods used to identify potential applicants, means of contact with potential applicants and outreach materials for distribution, i.e. publications, announcements, press releases;
2) How applicants were evaluated;
3) The number of applicants approved: by certification and certified scope, and the reimbursement(s) per each certified scope;
4) The number of applicants denied, with an explanation for any denial of requests for reimbursement;
5) Other items on administration of this cost share program.

8.3.2 SPREADSHEET OF OPERATIONS REIMBURSED

The State Agency must prepare and submit the Spreadsheet of Operations Reimbursed (using the MS Excel template provided by FSA) to the Cost Share Program Manager within 120 days of the end of the grant period. The Spreadsheet of Operations Reimbursed will summarize the total number of applicants assisted during the grant period and must include the name of each operation, the total certification expenses, and the reimbursement amount per each of the five certification scopes: crops, livestock, wild crops, handling/processing, and State Organic Program fees.

8.3.3 AUDIT REPORTS

The State Agency is accountable for conducting an annual financial audit of the expenditures of all OCCSP funds. The State Agency can fulfill this requirement through the Single Audit Act (A-133) or a program-specific audit in accordance with 2 CFR part 200, subpart F, “Audit Requirements.” The Program Specific Audit Report is due to the Cost Share Program Manager within 30 days of the completion of the audit.

9.0 OTHER INFORMATION

9.1 RECORD RETENTION

In accordance with the Federal regulations (2 CFR 200.334), grantees must retain all records relating to the grant for a period of 3 years. The record retention period starts after the Final Financial Report is submitted to the Cost Share Program Manager or after final resolution of an audit finding or litigation, whichever is later. Electronic record retention is acceptable.

9.2 RELEASE OF INFORMATION

The Freedom of Information Act (FOIA) of 1966 (5 U.S.C. 552) and the Privacy Act of 1974 (5 U.S.C. 552a), as implemented by USDA’s regulations (7 CFR part 1, Subpart A) govern the release or withholding of information to the

public in connection with this Federal award. The release of information under these laws and regulations applies only to records held by FSA and imposes no requirement on the recipient or any subrecipient to permit or deny public access to their records.

FOIA requests for records relating to this federal award may be directed to USDA, Farm Production and Conservation FOIA Liaison, Room 4078-S, Mail Stop 0506, 1400 Independence Ave., SW, Washington, DC 20250-0273, Telephone: (202) 720-2979; or email: SM.FP.FOIA@usda.gov.

9.3 LIMIT OF FEDERAL LIABILITY

The maximum obligation of FSA to the recipient is the amount indicated in the award. Nothing in these award terms and conditions or in the other requirements of this award requires FSA to make any additional award of funds or limits its discretion with respect to the amount of funding provided for the same or any other purpose. In the event that an erroneous amount of funding is identified in any supporting documentation relating to the award, FSA has a unilateral right to make the correction and to make an appropriate adjustment in the FSA share of the award to align with the Federal amount authorized.

9.4 WASTE, FRAUD, AND ABUSE

Anyone who becomes aware of the existence (or apparent existence) of fraud, waste, or abuse related to the OCCSP grants or use of grant funds should report this information to the USDA. The USDA Office of the Inspector General (OIG) provides several means, including toll-free numbers, for this purpose. You may reach the OIG hotline by:

Mail: Office of the Inspector General, United States Department of Agriculture,
Attn: HOTLINE
PO Box 23399
Washington, DC 20026-3399

9.5 EQUAL OPPORTUNITY STATEMENT

In accordance with Federal civil rights law and USDA civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at How to File a Program Discrimination Complaint and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by: (1) mail: U.S. Department of Agriculture, Office

of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Stop 9410, Washington, D.C. 20250-9410; (2) fax: (202) 690-7442; or (3) email: program.intake@usda.gov.

USDA is an equal opportunity provider, employer, and lender.

9.6 PROHIBITION ON USING FUNDS UNDER GRANTS AND COOPERATIVE AGREEMENTS WITH ENTITIES THAT REQUIRE INTERNAL CONFIDENTIALITY AGREEMENTS

By submission of its proposal or application, the applicant represents that it does not require any of its employees, contractors, or subrecipients seeking to report fraud, waste, or abuse to sign or comply with internal confidentiality agreements or statements prohibiting or otherwise restricting those employees, contractors, or subrecipients from lawfully reporting that waste, fraud, or abuse to a designated investigative or law enforcement representative of a Federal department or agency authorized to receive such information. Note that: (1) the basis for this representation is a prohibition in sections 743, 744 of the Consolidated Appropriations Act, 2016, Pub. L. 114-113, (Division E, Title VII, General Provisions Government-wide) and any successor provisions of law on making funds available through grants and cooperative agreements to entities with certain internal confidentiality agreements or statements; and (2) section 744 states that it does not contravene requirements applicable to Standard Form 312, Form 4414, or any other form issued by a Federal department or agency governing the nondisclosure of classified information.

Telephone: 1-800-424-9121 (toll free) or 202-690-1202 (TDD)
Fax: 202-690-2474
E-mail: usda.hotline@oig.usda.gov
Internet: http://www.usda.gov/oig/hotline.htm

Fraud, waste, and abuse includes, but is not limited to, embezzlement, misuse, or misappropriation of grant funds or property, and false statements, whether by organizations or individuals. Examples are theft of grant funds for personal use; using funds for non-grant-related purposes; theft of federally owned property or property acquired or leased under a grant; charging inflated building rental fees for a building owned by the recipient; submitting false financial reports; and submitting false financial data in bids submitted to the recipient (for eventual payment under the grant). Callers are not required to give their names, and if they do, OIG keeps their identities confidential.

The Federal government may pursue administrative, civil, or criminal action under a variety of statutes that relate to fraud and false statements or claims. Even if the Federal government does not award a grant, the applicant may be subject to penalties if the information contained in or submitted as part of an application, including its certifications and assurances, is found to be false, fictitious, or fraudulent.

10.0 AGENCY CONTACTS

Applicants and other interested parties are encouraged to contact:

10.1 OCCSP MANAGER

Ms. Kay Niner
Phone: (202) 205-9354
Email: Kay.Niner@usda.gov

10.2 FEDERAL AGENCY ADDRESS

Organic Certification Cost Share Program
USDA, FSA, Safety Net Division
1400 Independence Avenue, SW
Room 4768 South Building, Stop 0517
Washington, DC 20250-0517
Main Office: (202) 720-6825
Website: https://www.fsa.usda.gov/programs-and-services/occsp/