Organic Certification Cost Share Programs

Fiscal Year 2019 Full Notice of Funding Opportunity Announcement

Funding Opportunity Numbers: USDA-FSA-SND-NOCCSP-2019 and
USDA-FSA-SND-AMA-2019

Catalog of Domestic Federal Assistance Number: 10.171

Application Due Date: May 29, 2019

Initial Announcement and Program Solicitation Information

Funding Opportunity Title: Organic Certification Cost Share Programs

Funding Opportunity Numbers: USDA-FSA-SND-NOCCSP-2019 and USDA-FSA-SND-AMA-2019

Announcement Type: Initial

Catalog of Federal Domestic Assistance (CFDA) Number: 10.171

Dates: Applications must be received by 5:00 p.m. Eastern Time on May 29, 2019, 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) 2019. The purpose of the OCCSP awards is to defray the costs of receiving and maintaining organic certification.

In FY 2019, the available funding for these two programs is approximately $17.4M for the NOCCSP and $931,000 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 2019. For eligible certification costs incurred from October 1, 2018, through September 30, 2019, organic operations may request reimbursement until October 31, 2019, unless the State Agency requests and receives approval for a different application deadline. The State Agencies may provide reimbursements to certified organic operators for up to 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 changes apply to the FY 2019 program:

- The application deadline is May 29, 2019. Applications submitted after this deadline may be considered if funding is available.
- The FY 2019 Period of Qualification for organic operations seeking reimbursement is from October 1, 2018, to September 30, 2019. Applications for reimbursement by producers may be submitted through October 31, 2019, unless the State Agency has received approval to establish a different deadline.
- The Period of Performance for State Agencies starts when the grant agreement is fully executed and ends October 31, 2019.
- The AMA funds are one-year funds. Thus, State Agencies must obligate them by September 30, 2019. Funds that are not obligated by September 30, 2019, must be returned to FSA so that they can be returned to the U.S. Treasury.
- State Agencies must obligate their non-AMA NOCCSP funds by October 31, 2019. Funds that are not obligated by October 31, 2019, must be returned to FSA so that they can be returned to the U.S. Treasury unless the State Agency receives an annual extension, which allows the State Agency to use remaining NOCCSP funds for reimbursements in the next FY.
- No-Cost Extensions will be considered on a case-by-case basis to allow adequate time to process the cost share reimbursements and adhere to the Final Reporting Requirements outlined in this document. 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 by January 31, 2020, unless they have received a No-Cost Extension.
- State Agencies that establish grant agreements for FY 2019 may request annual extensions to allow them to receive additional allocations and administer the program. Annual extensions may be granted for each year through FY 2023.

TABLE OF CONTENTS

1.0 Funding Opportunity Description 6
1.1 Legislative Authorities 6
1.2 Purpose 6

2.0 Award Information 6
2.1 Type of Federal Assistance 6
2.2 Type of Applications 6
2.3 Period of Performance 6
2.4 Available Funding 7
2.5 Estimated Grant Amounts 7
2.6 Definitions 9
2.6.1 Beneficiary 9
2.6.2 Certification Scope 9
2.6.3 Federal Agency 9
2.6.4 Federal Agency Project Manager 9
2.6.5 Grant 9
2.6.6 Pass-through entity 9
2.6.7 Recipient 10
2.6.8 Subrecipient 10
2.6.9 Recipient Project Coordinator 10
2.6.10 State 10
2.6.11 State Agency 10
2.6.12 Subaward 10

3.0 Eligibility Information 10
3.1 Eligible Applicants 10
3.1.1 National (NOCCSP) Organic Certification Cost Share Program 10
3.1.2 Agricultural Management Assistance (AMA) Organic Certification Cost Share Program 11
3.2 Cost-Sharing and Matching 11

4.0 Application and Submission Information 11
4.1 Requesting an Application Package 11
4.2 Content and Form of Application Submission 11
4.2.1 SF-424 Application for Federal Domestic Assistance (Required) 11
4.2.2 Negotiated Indirect Cost Rate Agreement (NICRA) (REQUIRED) 12
4.3 Grant Submission Deadline - Date and Time 12
4.4 Intergovernmental Review 12
4.5 Funds Not Applied For 12
4.6 Funding Restrictions 12
4.6.1 Limit on Administrative (Indirect) Costs 12
4.6.2. Limit on Direct Costs 13
4.7 Other Submission Requirements 13
4.7.1 Grants.gov 13
4.7.2 Data Universal Number System (DUNS) Number 13
4.7.3 System for Award Management (SAM) 13

5.0 Application Review Information 14
5.1 Criteria 14
5.2 Review and Selection Process 14
5.3 Anticipated Announcement and Award Dates 14

6.0 Award Administration Information 14
6.1 Award Notices 14

6.2 Administrative and National Policy Requirements 15
6.3 Acceptance of an Award 17

7.0 Post Award Management 17
7.1 Eligibility Criteria 17
7.2 Allowable and Unallowable Costs 18
7.3 National OCCSP (producers and handlers) 18
7.4 AMA OCCSP (producers only) 18
7.5 Certification Cost Reimbursements Allowances 18
7.6 Limitations 18
7.7 Subrecipients 19
7.7.1 Identifying Subrecipients 19
7.7.2 Pass-Through Entity Requirements 19
7.8 Application Deadlines for Certified Organic Operations 22

8.0 Reporting 22
8.1 Prior Approvals 22
8.1.1 Change in Recipient Project Coordinator 22
8.1.2 Change in Subrecipient 22
8.1.3 No-Cost Extension of the Period of Performance 22
8.1.4 Budget Amendments 23
8.2 Financial 23
8.2.1 Request for Advance or Reimbursement - SF-270 23
8.2.2 Federal Financial Report – SF-425 23
8.3 Performance 23
8.3.1 Narrative Report 23
8.3.2 Spreadsheet of Operations Reimbursed 24
8.3.3 Audit Reports 24

9.0 Other Information 24
9.1 Record Retention 24
9.2 Release of Information 24
9.3 Limit of Federal Liability 25
9.4 Waste, Fraud, and Abuse 25
9.5 Equal Opportunity Statement 25
9.6 Prohibition on Using Fund with Entities Requiring Internal Confidentiality Agreements 25
9.7 Extension of Agreement for FYs 2020 through 2023 26

10.0 Agency Contacts 26
10.1 OCCSP Manager 26
10.2 Federal Agency Address 27

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) and Section 10105 of the Agricultural Improvement Act of 2018 (2018 Farm Bill, Pub. L. 115-334). 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 Grant Guidance, 2 CFR 200. FSA awards OCCSP funds to eligible State Agencies, which operate as a pass-through system, 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 October 31, 2019. 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 2019, applicants should enter “upon agreement execution”

for the proposed start date.) All funds must be obligated within the period stipulated on the Grant Agreement. FSA may issue a No-Cost Extension to allow adequate time to process the cost share reimbursements and adhere to the Final Reporting Requirements outlined in this document.

State Agencies may request reimbursements for the OCCSP through January 31, 2020. The State Agency must obligate its AMA grant funds by September 30, 2019. AMA allocated grant funds that are not expended must be returned to the Federal Agency by December 31, 2019. The State Agency must obligate its non-AMA NOCCSP funds by October 31, 2019. NOCCSP funds that are not obligated by October 31, 2019, must be returned to FSA so that they can be returned to FSA by January 31, 2020, unless the State Agency receives an annual extension, which allows the State Agency to use remaining NOCCSP funds for reimbursements in the next FY.

For both AMA and the NOCCSP, annual financial reports must be submitted to the Federal Agency by the January 31, 2020.

2.4 AVAILABLE FUNDING

Approximately $17.4M is available under the NOCCSP and $931,000 under the AMA OCCSP to fund FY 2019 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 FY 2018 OCCSP reimbursement requests or, if the State Agency did not administer OCCSP in FY 2018, on its most recent year of OCCSP participation, subject to availability of funding. A State Agency may request an increase to the award allocation when it submits an application if additional funds are needed to cover expected FY 2019 participation.

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 2019 Award Allocations (Subject to Change)		
STATE	**NOCCSP**	**AMA OCCSP**
Alabama	$5,000	Not Eligible
Alaska	$9,000	Not Eligible
American Samoa	$5,000	Not Eligible
Arizona	$75,000	Not Eligible
Arkansas	$11,000	Not Eligible
California	$2,518,000	Not Eligible
Colorado	$163,000	Not Eligible
Connecticut	$26,000	$24,000
Delaware	$5,000	$5,000
District of Columbia	$5,000	Not Eligible
Florida	$78,000	Not Eligible
Georgia	$47,000	Not Eligible
Guam	$5,000	Not Eligible
Hawaii	$47,000	$30,000
Idaho	$60,000	Not Eligible
Illinois	$60,000	Not Eligible

Estimated FY 2019 Award Allocations (Subject to Change)		
STATE	**NOCCSP**	**AMA OCCSP**
Indiana	$74,000	Not Eligible
Iowa	$245,000	Not Eligible
Kansas	$40,000	Not Eligible
Kentucky	$50,000	Not Eligible
Louisiana	$9,000	Not Eligible
Maine	$263,000	$100,000
Maryland	$46,000	$14,000
Massachusetts	$5,000	$47,000
Michigan	$153,000	Not Eligible
Minnesota	$493,000	Not Eligible
Mississippi	$5,000	Not Eligible
Missouri	$39,000	Not Eligible
Montana	$172,000	Not Eligible
Nebraska	$5,000	Not Eligible
Nevada	$5,000	$9,000
New Hampshire	$5,000	$17,000
New Jersey	$57,000	$20,000
New Mexico	$10,000	Not Eligible
New York	$448,000	$255,000
North Carolina	$209,000	Not Eligible
North Dakota	$105,000	Not Eligible
Northern Mariana Islands	$5,000	Not Eligible
Ohio	$343,000	Not Eligible
Oklahoma	$13,000	Not Eligible
Oregon	$284,000	Not Eligible
Pennsylvania	$215,000	$189,000
Puerto Rico	$5,000	Not Eligible
Rhode Island	$8,000	$5,000
South Carolina	$11,000	Not Eligible
South Dakota	$45,000	Not Eligible
Tennessee	$21,000	Not Eligible
Texas	$14,000	Not Eligible
U.S. Virgin Islands	$5,000	Not Eligible
Utah	$5,000	$5,000
Vermont	$363,000	$130,000
Virginia	$43,000	Not Eligible
Washington	$602,000	Not Eligible
West Virginia	$6,000	$5,000
Wisconsin	$1,005,000	Not Eligible
Wyoming	$24,000	$18,000

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 Deputy Administrator, FSA is authorized to obligate OCCSP funds, while the Cost Share Manager is responsible for the administration of the OCCSP (*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.

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, as described below.

3.1.1 NATIONAL (NOCCSP) ORGANIC CERTIFICATION COST SHARE PROGRAM

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 REQUESTING AN APPLICATION PACKAGE

FSA posts a synopsis of each new funding opportunity at Grants.gov and includes a link on the program website at https://www.fsa.usda.gov/programs-and-services/occsp. 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 SF-424 as well as SF-424B, Assurance for Non-Construction Programs via Grants.gov. If an applicant is applying for both the AMA and NOCCSP, then the applicant must submit a separate application for each funding opportunity.

4.2.1 SF-424 APPLICATION FOR FEDERAL DOMESTIC ASSISTANCE (REQUIRED)

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 (NOCCSP) Organic Certification Cost Share Program**" **OR** For AMA OCCSP: "**Agricultural Management Assistance (AMA) Organic Certification Cost Share Program**"
***For Pass-through Entities**	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: "**Upon final agreement execution**" For AMA OCCSP: End Date: "**September 30, 2019**" For NOCCSP: End Date: **"October 31, 2019"**

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

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

4.3 GRANT SUBMISSION DEADLINE - DATE AND TIME

Applications must be received via Grants.gov by 5:00 p.m. Eastern Time on May 29, 2019. 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 award. 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 its subapplicant(s) of the limit on indirect costs in its requests for proposals/applications/contracts. Subapplicants may charge an approved federally recognized indirect cost rate negotiated between the subapplicant and the Federal government or, if no such rate exists, either a rate negotiated between the State agency and the subapplicant, or a de minimis indirect cost rate as defined in §200.414 Indirect (F&A) costs, paragraph (b) of this part.

Sample Calculation

Total Direct Cost = $80,000

Total Indirect Cost assuming a negotiated cognizant rate of 30% = $24,000

Total Grant Amount = $104,000

4.6.2. LIMIT ON DIRECT COSTS

For this award, direct costs are limited to funds reimbursed to certified organic operations for certification costs.

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.

For information on how to apply electronically, please consult the Grants.gov Get Registered webpage. When submitting through Grants.gov, please limit the file name to 50 or fewer characters and use only the following characters when naming your attachments: A-Z, a-z, 0-9, underscore (_), hyphen (-), space, and period. Attachments that do not follow this rule may cause the entire application to be rejected or cause issues during processing.

4.7.2 DATA UNIVERSAL NUMBER SYSTEM (DUNS) NUMBER

The State Agency must ensure that it and its sub-applicants, with the exception of individuals, have a Data Universal Number System (DUNS) number at the time of application. A DUNS number is a unique number established and assigned by Dun and Bradstreet, Inc. (D&B) to identify organizations. A DUNS number is required for every application. Potential applicants and sub-applicants may acquire a DUNS number at no cost online at http://fedgov.dnb.com/webform. To acquire a DUNS number by phone, contact the D&B Government Customer Response Center:

U.S. and U.S. Virgin Islands: 1-866-705-5711

Alaska and Puerto Rico: 1-800-234-3867 (Select option 2, then option 1)
Monday – Friday 7 a.m. to 8 p.m., CST

4.7.3 SYSTEM FOR AWARD MANAGEMENT (SAM)

The System for Award Management (SAM) has replaced the Central Contractor Registration (CCR) as the central government repository for organizations working with the Federal government. To receive an award under the OCCSP, applicants are required to register with SAM and, in doing so, to designate an e-Business Point of Contact (e-Business POC). The SAM registration must be updated annually. The SAM registration must be active and maintained with current information, at all times, while the State Agency has an active award or an application under consideration.

The e-Business POC authorizes individuals to submit grant and cooperative agreement applications on behalf of the organization and creates a special password called a Marketing Partner ID Number (M-PIN) to verify individuals authorized to submit grant applications for the organization.

Organizations that need to register in SAM for the first time or need to update their SAM registration can do so at https://www.sam.gov/. Questions about SAM should be directed to askSAM@gsa.gov.

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 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 subcontract any portion of the federal award to another entity, the State Agency must provide a copy of the executed agreement within 30 days of 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 completes the application review process within one (1) week 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 June 12, 2019.

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 issues 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.

Federal statutes and regulations found on the SF-424B "Assurances –Non-Construction Programs" (this form was submitted through Grants.gov with your application package)

2 CFR §25 – *System for Award Management and Universal Identifier Requirements.* See Appendix A to §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 provided its DUNS number. You must not make a subaward to an entity unless the entity has provided its DUNS number.

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

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

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

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

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

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

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

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

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

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

7 CFR §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 §331 and 9 CFR §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 §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 §25 – *Foreign Acquisition*, which implements the *Buy American Act* (41 U.S.C. Ch. 83)

48 CFR 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 §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 recipient should notify the FSA Cost Share Manager immediately upon receipt of the Grant Agreement. Once the recipient accepts the award, the contents of the Grant Agreement are legally binding on the recipient.

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, 2018, and September 30, 2019. 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 is obtaining or has obtained certification under the National Organic Program; an itemized receipt that identifies allowable costs paid within the qualification period of October 1, 2018, through September 30, 2019 (*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 shall 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 PRODUCER 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 (PRODUCERS AND HANDLERS)

Producers and handlers of agricultural products obtaining certification under the National Organic Program, including organic operations certified to the scopes of crops, wild crops, livestock, handler, and State Organic Program fees are eligible to participate in the NOCCSP.

7.4 AMA OCCSP (PRODUCERS ONLY)

Organic operations, as defined in Section 3.1.2, certified to the scopes of crops, wild crops, or livestock, are eligible to participate in the AMA OCCSP. *Handlers are not eligible to participate in the AMA OCCSP. AMA OCCSP does not cover the scope of 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% 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 CCC.

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 shall 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) shall submit the requested information to the Cost Share Program Manager, at the time of application or within 30 days of establishing an agreement.

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 Section 200.331 Requirements for pass-through entities are met, as detailed below:

§200.331 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 in DUNS);

(ii) Subrecipient's DUNS number (see §200.32 Data Universal Numbering System (DUNS) number);

(iii) Federal Award Identification Number (FAIN);

(iv) Federal Award Date (see §200.39 Federal award date);

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

(vi) Amount of Federal Funds Obligated by this action;

(vii) Total Amount of Federal Funds Obligated to the subrecipient;

(viii) Total Amount of the Federal Award;

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

(x) Catalogue of Federal Domestic Assistance (CFDA) Name of Federal awarding agency, pass-through entity, and contact information for awarding official;

(xi) CFDA Number and Name; the pass-through entity must identify the dollar amount made available under each Federal award and the CFDA number at time of disbursement;

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

(xiii) Indirect cost rate for the Federal award (including if the de minimis rate is charged per §200.414 Indirect (F&A) costs).

(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) 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 pass-through entity and the subrecipient (in compliance with this part), or a de minimis indirect cost rate as defined in §200.414 Indirect (F&A) costs, paragraph (b) of this part.

(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 paragraph (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 other means.

(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 §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 §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 §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 §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, 2019, unless the State Agency has requested and been approved for a different application deadline. AMA funds must be obligated by September 30, 2019; therefore, applications after that date must be reimbursed with NOCCSP funds.

8.0 REPORTING

The State Agency is responsible for submitting financial and performance reports to FSA. Year-end reports are due within 90 calendar days of the award's expiration date, no later than January 31, 2020. See sections 8.2 and 8.3 below for additional details.

8.1 PRIOR APPROVALS

The following require written notification via email, facsimile, 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 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 the grant ending date and disbursed no later than 90 days after the grant ending date. Contact the FSA Cost Share Manager for instructions on how to continue to use OCCSP funds or how to transmit unused 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 90 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 shall 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 recipients 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 shall prepare and submit the Spreadsheet of Operations Reimbursed (using the MS Excel template provided by FSA) to the Cost Share Program Manager within 90 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 shall 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 7 CFR 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 (7 CFR § 200.333), grantees shall 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 Service Agency, FOIA Liaison, Room 4078-S, Mail Stop 0506, 1400 Independence Ave., SW, Washington, DC 20250-0273, Telephone: (202) 720-7163; or email: FSA.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).

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 FUND 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.

9.7 EXTENSION OF AGREEMENT FOR FYs 2020 through 2023

A State Agency may request additional annual allocations and extensions of its grant agreement to allow it to administer the program for FYs 2020 through 2023. Requests for additional allocations and grant agreement extensions will be considered by FSA on a case-by-case basis and are subject to FSA approval and availability of funds. State Agencies may submit requests via email to the OCCSP Manager who will provide instructions regarding any additional information required.

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@wdc.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) 720-7641
Email: RA.FSA.DCWA2.ppb@wdc.usda.gov
Website: https://www.fsa.usda.gov/programs-and-services/occsp/