Missouri Department of Public Safety
Office of Homeland Security
DPS Grants
FY 2027 Counter-Unmanned Aircraft Systems (C-UAS) Grant Program
Certified Assurances

1. **Acknowledgement of Federal Funding from DHS:** Subrecipients must acknowledge their use of federal award funding when issuing statements, press releases, requests for proposals, bid invitations, and other documents describing projects or programs funded in whole or in part with federal award funds.

2. **Activities Conducted Abroad:** Subrecipients must coordinate with appropriate government authorities when performing project activities outside the United States and obtain all appropriate licenses, permits, or approvals.

3. **Age Discrimination Act of 1975:** Subrecipients must comply with the requirements of the Age Discrimination Act of 1975, Pub. L. 94-135 (codified as amended at Title 42, U.S. Code, section 6101 et seq.), which prohibits discrimination on the basis of age in any program or activity receiving federal financial assistance.

4. **Americans with Disabilities Act of 1990:** Subrecipients must comply with the requirements of Titles, I, II and III of the Americans with Disabilities Act, Pub. L. 101-336 (1990) (codified as amended 42 U.S.C. §§ 12101-12213), which prohibits subrecipients from discriminating on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities.

5. **American Security Drone Act of 2023:** Subrecipients must comply with the American Security Drone Act of 2023, of the National Defense Authorization Act for Fiscal Year 2024, Pub. L. 118-31 (41 U.S.C. § 3901 note prec.), which prohibits the procurement and operation of covered unmanned aircraft systems manufactured or assembled by covered foreign entities.

6. **Anti-Discrimination:** Subrecipients must comply with all applicable Federal anti-discrimination laws material to the government's payment decisions for purposes of 31 U.S.C. § 372(b)(4).

   1) Definitions. As used in this clause –

   a) DEI means "diversity, equity, and inclusion."

   b) DEIA means "diversity, equity, inclusion, and accessibility."

   c) Discriminatory equity ideology has the meaning set forth in Section 2(b) of Executive Order 14190 of January 29, 2025.

d) Federal anti-discrimination laws mean Federal civil rights law that protect individual Americans from discrimination on the basis of race, color, sex, religion, and national origin.

2) Grant award certification.

a) By accepting the grant subaward, subrecipients are certifying that:

i. They do not, and will not during the term of this financial assistance subaward, operate any programs that advance or promote DEI, DEIA, or discriminatory equity ideology in violation of Federal anti-discrimination laws; and

3) DHS reserves the right to suspend payments in whole or in part and/or terminate financial assistance subawards if the Secretary of Homeland Security or her designee determines that the subrecipient has violated any provision of subsection (2).

4) Upon suspension or termination under subsection (3), all funds received by the subrecipient shall be deemed to be in excess of the amount that the subrecipient is determined to be entitled to under the Federal award for purposes of 2 C.F.R. § 200.346. As such, all amounts received will constitute a debt to the Federal Government that may be pursued to the maximum extent permitted by law.

7. **Best Practices for Collection and Use of Personally Identifiable Information (PII):** Subrecipients who collect personally identifiable information (PII) as part of carrying out the scope of work under a federal award are required to have a publicly available privacy policy that describes standards on the usage and maintenance of the PII they collect. DHS defines PII as any information that permits the identity of an individual to be directly or indirectly inferred, including any information that is linked or linkable to that individual. Subrecipients may also find the DHS Privacy Impact Assessments: Privacy Guidance and Privacy Template as useful resources respectively.

8. **Build America, Buy America Act (BABAA) Required Contract Provision & Self-Certification:** In addition to the DHS Standard Terms and Conditions regarding Required Use of American Iron, Steel, Manufactured Products, and Construction Materials., subrecipients of FEMA financial assistance for programs that are subject to BABAA must include a Buy America preference contract provision as noted in 2 C.F.R. section 184.4 and a self-certification as required by the FEMA Buy America Preference in FEMA Financial Assistance Programs for Infrastructure (FEMA Interim Policy #207-22-0001). This requirement applies to all subawards, contracts, and purchase orders for work performed, or products supplied under the FEMA award subject to BABAA.

9. **CHIPS and Science Act of 2022, Public Law 117-167 CHIPS:**

1) Subrecipients of DHS research and development (R&D) subawards must report to the DHS Component research program office any finding or determination of sex based and sexual harassment and/or an administrative or disciplinary action taken against principal investigators or

co-investigators to be completed by an authorized organizational representative (AOR) at the subrecipient institution.

2) Notification. An AOR must disclose the following information to agencies within 10 days of the date/the finding is made, or 10 days from when a subrecipient imposes an administrative action on the reported individual, whichever is sooner. Reports should include:

a) Award number,
b) Name of PI or Co-PI being reported,
c) Subawardee name,
d) Subawardee address,
e) AOR name, title, phone, and email address,
f) Indication of the report type:

i. Finding or determination has been made that the reported individual violated subawardee policies or codes of conduct, statutes, or regulations related to sexual harassment, sexual assault, or other forms of harassment, including the date that the finding was made.

ii. Imposition of an administrative or disciplinary action by the subrecipient on the reporting individual related to a finding/determination or an investigation of an alleged violation of subrecipient policy or codes of conduct, statutes, or regulations, or other forms of harassment.

iii. The date and nature of the administrative/disciplinary action, including a basic explanation or description of the event, which should not disclose personally identifiable information regarding any complaints or individuals involved. Any description provided must be consistent with the Family Educational Rights in Privacy Act.

3) Definitions.

a) An "authorized organizational representative (AOR)" is an administrative official who, on behalf of the proposing institution, is empowered to make certifications and representations and can commit the institution to the conduct of a project that an agency is being asked to support as well as adhere to various agency policies and subaward requirements.

b) "Principal investigators and co-principal investigators" are subaward personnel supported by a grant, cooperative agreement, or contract under Federal law.

c) A "reported individual" refers to subrecipient personnel who have been reported to a federal agency for potential sexual harassment violations.

d) "Sex based harassment" means a form of sex discrimination and includes harassment based on sex, sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity.

e) "Sexual harassment" means unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when this conduct explicitly or implicitly affects an individual's employment, unreasonably interferes with an individual's work performance, or creates an intimidating, hostile, or offensive work environment, whether such activity is carried out by a supervisor or by a co-worker, volunteer, or contractor.

10. **Civil Rights Act of 1964 – Title VI:** Subrecipients must comply with the requirements of Title VI of the Civil Rights Act of 1964, Pub. L. 88-352 (codified as amended at 42 U.S.C. section 2000d et seq.), which provides that no person in the United States will, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. DHS implementing regulations for the Act are found at 6 C.F.R. Part 21. Subrecipients of a federal award from the Federal Emergency Management Agency (FEMA) must also comply with FEMA's implementing regulations at 44 C.F.R. Part 7.

11. **Civil Rights Act of 1968:** Subrecipients must comply with Title VIII of the Civil Rights Act of 1968, Pub. L. 90-284 (codified as amended at 42 U.S.C. § 3601 et seq.) which prohibits subrecipients from discriminating in the sale, rental, financing, and advertising of dwellings, or in the provision of services in connection therewith, on the basis of race, color, national origin, religion, disability, familial status, and sex, as implemented by the U.S. Department of Housing and Urban Development at 24 C.F.R. Part 100. The prohibition on disability discrimination includes the requirement that new multifamily housing with four or more dwelling units—i.e., the public and common use areas and individual apartment units (all units in buildings with elevators and ground-floor units in buildings without elevators) - be designed and constructed with certain accessible features. (See 24 C.F.R. Part 100, Subpart D.)

12. **Communication and Cooperation with the Department of Homeland Security and Immigration Officials:**

    1) Where applicable, all subrecipients of funds under this subaward must agree that they will comply with the following requirements related to coordination and cooperation with the Department of Homeland Security and immigration officials:

    a) They must comply with the requirements of 8 U.S.C. §§ 1373 and 1644. These statutes prohibit restrictions on information sharing by state and local government entities with DHS regarding the citizenship or immigration status, lawful or unlawful, of any

individual. Additionally, 8 U.S.C. § 1373 prohibits any person or agency from prohibiting, or in any way restricting, a Federal, State, or local government entity from doing any of the following with respect to information regarding the immigration status of any individual:

1) sending such information to, or requesting or receiving such information from, Federal immigration officials;

2) maintaining such information; or

3) exchanging such information with any other Federal, State, or local government entity;

b) They must comply with other relevant laws related to immigration, including prohibitions on encouraging or inducing an alien to come to, enter, or reside in the United States in violation of law, 8 U.S.C. § 1324(a)(1)(A)(iv), prohibitions on transporting or moving illegal aliens, 8 U.S.C. § 1324(a)(1)(A)(ii), prohibitions on harboring, concealing, or shielding from detection illegal aliens, 8 U.S.C. § 1324(a)(1)(A)(iii), and any applicable conspiracy, aiding or abetting, or attempt liability regarding these statutes;

c) They will honor requests for cooperation with immigration detainers, including requests for information regarding criminal history, expected release date, actual release date, detention location, nationality, residence, and employment; and requests for short-term detention of not more than 48 hours of an alien pursuant to a valid detainer to allow DHS to assume custody. A jurisdiction does not fail to comply with this requirement merely because it lacks the necessary resources to assist in a particular instance. They will not prohibit voluntary cooperation with DHS under 8 U.S.C. § 1357(g);

d) That they will provide access to detainees, such as when an immigration officer seeks to interview a person who might be a removable alien; and

e) That they will not leak or otherwise publicize the existence of an immigration enforcement operation.

2) By accepting the grant subaward, subrecipients are certifying that: They do not, and will not during the term of this subaward, operate any program that benefits illegal immigrants or incentivizes illegal immigration by establishing or maintaining programs providing direct financial support or public benefits to illegal immigrants.

a) Illegal immigrant means any alien, as defined in 8 U.S.C. § 1101(a)(3), who has no lawful immigration status in the United States.

3) The subrecipient must certify under penalty of perjury pursuant to 28 U.S.C. § 1746 and using a form that is acceptable to DHS, that it will comply with the requirements of this term. Additionally, the subrecipient agrees that it will require any sub-subrecipients or contractors to certify in the same manner that they will comply with this term prior to providing them with any funding under this subaward.

4) The subrecipient agrees that compliance with this term is material to the Government's decision to make or continue with this subaward and that the Department of Homeland Security may terminate this grant, or take any other allowable enforcement action, if the subrecipient fails to comply with this term.

13. **Copyright:** Subrecipients must affix the applicable copyright notices of 17 U.S.C. §§ 401 or 402 to any work first produced under federal awards and also include an acknowledgement that the work was produced under a federal award (including the federal award number and federal awarding agency). As detailed in 2 C.F.R. § 200.315, a federal awarding agency reserves a royalty-free, nonexclusive, and irrevocable right to reproduce, publish, or otherwise use the work for federal purposes and to authorize others to do so.

14. **Debarment and Suspension:** Subrecipients must comply with the non-procurement debarment and suspension regulations implementing Executive Orders 12549 and 12689, set forth at 2 C.F.R. Part 180, as implemented by DHS at 2 C.F.R. Part 3000. These regulations prohibit subrecipients from entering into covered transactions (such as subawards and contracts) with certain parties that are debarred, suspended, or otherwise excluded from or ineligible for participation in federal assistance programs and activities.

15. **Disposition of Equipment Acquired Under the Federal Award:** When original or replacement equipment acquired under this subaward is no longer needed for the original project or program or for other activities currently or previously supported by a federal awarding agency, the subrecipient, must request instructions from FEMA/DPS/OHS to make proper disposition of the equipment pursuant to 2 C.F.R. § 200.313(e).

16. **Drug-Free Workplace Regulations:** Subrecipients must comply with the Drug-Free Workplace Act of 1988 and drug-free workplace requirements in Subpart B (or Subpart C, if the subrecipient is an individual) of 2 C.F.R. Part 3001, which adopts the government-wide implementation of the Drug-Free Workplace Act of 1988.

17. **Duplicative Costs:** Subrecipients are prohibited from charging any cost to this federal award that will be included as a cost or used to meet cost sharing requirements of any other federal award in either the current or a prior budget period. (See 2 C.F.R. § 200.403(f). However, subrecipients may shift costs that are allowable under two or more federal awards where otherwise permitted by federal statutes, regulations, or the federal award terms and conditions.

18. **Education Amendments of 1972 (Equal Opportunity in Education Act) – Title IX:** Subrecipients must comply with the requirements of Title IX of the Education Amendments of 1972, Pub. L. 92-318 (codified as amended at 20 U.S.C. section 1681 et seq.), which provide that no person in the United States will, on the basis of sex, be excluded from participation in, be

denied the benefits of, or be subjected to discrimination under any educational program or activity receiving federal financial assistance. DHS implementing regulations are codified at 6 C.F.R. Part 17. Subrecipients of a federal award from the Federal Emergency Management Agency (FEMA) must also comply with FEMA's implementing regulations at 44 C.F.R. Part 19.

19. **Energy Policy and Conservation Act:** Subrecipients must comply with the requirements of the Energy Policy and Conservation Act, Pub. L. 94-163 (1975) (codified as amended at 42 U.S.C. § 6201 et seq.), which contain policies relating to energy efficiency that are defined in the state energy conservation plan issued in compliance with the Energy Policy and Conservation Act of 1975.

20. **Environmental Planning and Historic Preservation (EHP) Review:** DHS/FEMA funded activities that could have an impact on the environment are subject to the FEMA EHP review process. This review does not address all federal, state, and local requirements. Acceptance of federal funding required the subrecipient to comply with all federal, state, and local laws.

    DHS/FEMA is required to consider the potential impacts to natural and cultural resources of all projects funded by DHS/FEMA grant funds, through its EHP review process, as mandated by the National Environmental Policy Act; Endangered Species Act; National Historic Preservation Act of 1966, as amended; Clean Water Act; Clean Air Act; National Flood Insurance Program regulations; and, any other applicable laws, regulations, and executive orders. General guidance for FEMA's EHP process is available on the DHS/FEMA Website at https://www.fema.gov/grants/guidance-tools/environmental-historic.

    The FEMA EHP review process must be completed before funds are released to carry out the proposed project; otherwise DHS/FEMA may not be able to fund the project due to noncompliance with EHP laws, executive orders, regulations, and policies. DHS/FEMA may also need to perform a project closeout review to ensure the subrecipient complied with all required EHP conditions identified in the initial review.

    If ground disturbing activities occur during construction, the subrecipient will monitor ground disturbance, and if any potential archeological resources are discovered, the subrecipient will immediately cease work in that area and notify the pass-through entity, if applicable, and DHS/FEMA.

    EO 11988, Floodplain Management, and EO 11990, Protection of Wetlands, require that all federal actions in or affecting the floodplain or wetlands be reviewed for opportunities to relocate, and be evaluated for social, economic, historical, environmental, legal, and safety considerations. FEMA's regulations at 44 C.F.R. Part 9 implement the EOs and require an eight-step review process if a proposed action is in a floodplain or wetland or has the potential to affect or be affected by a floodplain or wetland. The regulation also requires that the federal agency provide public notice of the proposed action at the earliest possible time to provide the opportunity for public involvement in the decision-making process (44 C.F.R. § 9.8). Where there is no opportunity to relocate the federal action, FEMA is required to undertake a detailed review to determine what measures can be taken to minimize future damages to the floodplain or wetland.

21. **Equal Treatment of Faith-Based Organizations:** Subrecipients must comply with the equal treatment policies and requirements contained in 6 C.F.R. Part 19 and other applicable statutes, regulations, and guidance governing the participations of faith-based organizations in individual DHS programs. It is DHS policy to ensure the equal treatment of faith-based organizations in social service programs administered or supported by DHS or its component agencies, enabling those organizations to participate in providing important social services to beneficiaries.

22. **False Claims Act and Program Fraud Civil Remedies:** Subrecipients must comply with the requirements of the False Claims Act, 31 U.S.C. §§ 3729-3733, which prohibit the submission of false or fraudulent claims for payment to the Federal Government. (See 31 U.S.C. §§ 3801-3812, which details the administrative remedies for false claims and statements made.)

23. **Federal Debt Status:** All subrecipients are required to be non-delinquent in their repayment of any federal debt. Examples of relevant debt include delinquent payroll and other taxes, audit disallowances, and benefit overpayments. See OMB Circular A-129.

24. **Federal Leadership on Reducing Text Messaging while Driving:** Subrecipients are encouraged to adopt and enforce policies that ban text messaging while driving subrecipient-owned, subrecipient-rented, or privately owned vehicles when on official government business or when performing any work for or on behalf of the Federal Government. Subrecipients are also encouraged to conduct the initiatives of the type described in Section 3(a) of Executive Order 13513.

25. **Fly America Act of 1974:** Subrecipients must comply with Preference for U.S. Flag Air Carriers (a list of certified air carriers can be found at: https://www.transportation.gov/policy/aviation-policy/certified-air-carriers-list) for international air transportation of people and property to the extent that such service is available, in accordance with the International Air Transportation Fair Competitive Practices Act of 1974, 49 U.S.C. § 40118, and the interpretative guidelines issued by the Comptroller General of the United States in the March 31, 1981, amendment to Comptroller General Decision B-138942.

26. **General Acknowledgements and Assurances:** Subrecipients are required to follow the applicable provisions of the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards in effect as of the federal award date and located in Title 2, Code of Federal Regulations, Part 200 and adopted by DHS at 2 C.F.R. § 3002.10.

    All subrecipients must acknowledge and agree to provide DHS/DPS/OHS access to records, accounts, documents, information, facilities, and staff pursuant to 2 C.F.R. § 200.337.

    a. Subrecipients must cooperate with any DHS/DPS/OHS compliance reviews or compliance investigations.

    b. Subrecipients must give DHS/DPS/OHS access to examine and copy records, accounts, and other documents and sources of information related to the federal award and permit access to facilities and personnel.

c. Subrecipients must submit timely, complete, and accurate reports to the appropriate DHS/DPS/OHS officials and maintain appropriate backup documentation to support the reports.

d. Subrecipients must comply with all other special reporting, data collection, and evaluation requirements required by law, federal regulation, Notice of Funding Opportunity, federal award specific terms and conditions, and/or DHS/DPS/OHS Component program guidance.

27. **Hotel and Motel Fire Safety Act of 1990:** Subrecipients must ensure that all conference, meeting, convention, or training space funded entirely or in part by federal award funds complies with the fire prevention and control guidelines of Section 6 of the Hotel and Motel Fire Safety Act of 1990, 15 U.S.C. § 2225a.

28. **John S. McCain National Defense Authorization Act of Fiscal Year 2019:** Subrecipients, their contractors, and subcontractors are prohibited from obligating or expending federal award funds on certain telecommunications and video surveillance products and contracted with certain entities for national security reasons described in section 889 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019, 2 C.F.R. §§ 200.216, 200.327, 200.471, and Appendix II to 2 C.F.R. Part 200.

29. **Lobbying Prohibitions:** Subrecipients must comply with 31 U.S.C. § 1352 and 6 C.F.R. Part 9, which provide that none of the funds provided under a federal award may be expended by the subrecipient to pay any person to influence, or attempt to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with any federal action related to a federal award or contract, including any extension, continuation, renewal, amendment, or modification.

30. **National Environmental Policy Act:** Subrecipients must comply with the requirements of the National Environmental Policy Act of 1969, Pub. L. 91-190 (1970) (codified as amended at 43 U.S.C. § 4321 et seq.) (NEPA) and the Council on Environmental Quality (CEQ) Regulations for Implementing the Procedural Provisions of NEPA, which require subrecipients to use all practicable means within their authority, and consistent with other essential considerations of national policy, to create and maintain conditions under which people and nature can exist in productive harmony and fulfill the social, economic, and other needs of present and future generations of Americans.

31. **National Security Presidential Memorandum-33 (NSPM-33) and provisions of the CHIPS and Science Act of 2022:** Subrecipient research institutions ("covered institutions") must comply with the requirements in NSPM-33 and provisions of Pub. L 117-167, Section 10254 (codified at 42 U.S.C. § 18951) certifying that the institution has established and operates a research security program that includes elements relating to: (a) cybersecurity; (b) foreign travel security; (c) research security training; and (d) export control training, as appropriate. "Covered Institutions" means subrecipient research institutions receiving federal Research and Development (R&D) science and engineering support "in excess of $50 million per year."

32. **Non-Supplanting Requirement:** Subrecipients of federal awards made under programs that prohibit supplanting by law must ensure that federal funds supplement but do not supplant non-federal funds that, in the absence of such federal funds, would otherwise have been made available for the same purpose.

33. **Notice of Funding Opportunity Requirements:** All of the instructions, guidance, limitations, scope of work, and other conditions set forth in the Notice of Funding Opportunity (NOFO) for this federal award are incorporated here by reference. All subrecipients must comply with any such requirements set forth in the NOFO. If a condition of the NOFO is inconsistent with these terms and conditions and any such terms of the federal award, the condition in the NOFO shall be invalid to the extent of the inconsistency. The remainder of that condition and all other conditions set forth in the NOFO shall remain in effect.

34. **Patents and Intellectual Property Rights:** Subrecipients are subject to the Bayh-Dole Act, 35 U.S.C. § 200 et seq. and applicable regulations governing inventions and patents, include the regulations issued by the Department of Commerce at 37 C.F.R. Part 401 (Rights to Inventions Made by Nonprofit Organizations and Small Business Firms under Government Awards, Contracts, and Cooperative Agreements) and the standard patent rights clause set forth at 37 C.F.R § 401.14.

35. **Presidential Executive Orders:** Subrecipients must comply with the requirements of Presidential Executive Orders related to grants (also known as federal assistance and financial assistance), the full text of which are incorporated by reference.

36. **Procurement of Recovered Materials:** States, political subdivisions of states, and their contractors must comply with section 6002 of the Solid Waste Disposal Act, Pub. L. 89-272 (1965), (codified as amended by the Resource Conservation and Recovery Act, 42 U.S.C. § 6962.) and 2 C.F.R. § 200.323. The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at 40 C.F.R. Part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition.

37. **Rehabilitation Act of 1973:** Subrecipients must comply with the requirements of Section 504 of the Rehabilitation Act of 1973, Pub. L. 93-112 (codified as amended at 29 U.S.C. § 794), which provides that no otherwise qualified handicapped individuals in the United States will, solely by reason of the handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.

38. **Reporting Recipient Integrity and Performance Matters:** If the total value of the subrecipient's currently active grants, cooperative agreements, and procurement contracts from all federal awarding agencies exceeds $10,000,000 for any period of time during the period of performance of the federal award, then the subrecipient must comply with the requirements set forth in the government-wide federal award term and condition for Recipient Integrity and Performance Matters in 2 C.F.R. Part 200, Appendix XII, the full text of which is incorporated here by reference.

39. **Reporting Subawards and Executive Compensation:** For federal awards that equal or exceed $30,000, subrecipients are required to comply with the requirements set forth in the government-wide award term and condition on Reporting Subawards and Executive Compensation set forth at 2 C.F.R. Part 170, Appendix A, the full text of which is incorporated by reference.

40. **Required Use of American Iron, Steel, Manufactured Products, and Construction Materials:**

1) Subrecipients of an award from a financial assistance that provides funding for infrastructure are hereby notified that none of the funds provided under this federal award may be used for a project for infrastructure unless:

a) All iron and steel used in the project are produced in the United States – this means all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States;

b) All manufactured products used in the project are produced in the United States – this means the manufactured product was manufactured in the United States; and the cost of the components of the manufactured product that are mined, produced, or manufactured in the United States is greater than 55 percent of the total cost of all components of the manufactured product, unless another standard for determining the minimum amount of domestic content of the manufactured product has been established under applicable law or regulation; and

c) All construction materials are manufactured in the United States – this means that all manufacturing processes for the construction material occurred in the United States.

2) The Buy America preference only applies to articles, materials, and supplies that are consumed in, incorporated into, or affixed to an infrastructure project. As such, it does not apply to tools, equipment, and supplies, such as temporary scaffolding, brought to the construction site and removed at or before the completion of the infrastructure project. Nor does a Buy America preference apply to equipment and furnishings, such as movable chairs, desk, and portable computer equipment, that are used at or within the finished infrastructure project but are not an integral part of the structure or permanently affixed to the infrastructure project.

3) Waivers

When necessary, subrecipients may apply for, and the agency may grant, a waiver from these requirements. The agency should notify the subrecipient for information on the process for requesting a waiver for these requirements.

a) When the federal agency has made a determination that one of the following exceptions applies, the federal awarding official may waive the application of the domestic content procurement preference in any case in which the agency determines that:

i. Applying the domestic content procurement preference would be inconsistent with public interest;
ii. The types of iron, steel, manufactured products, or construction materials are not produced in the United States in sufficient and reasonably available quantities or of a satisfactory quality; or

iii. The inclusion of iron, steel, manufactured products, or construction materials produced in the United States will increase the cost of the overall project by more than 25 percent.

b) A request to waive the application of the domestic content procurement preference must be in writing. The agency will provide instructions on the format, contents, and supporting materials required for any waiver request. Waiver requests are subject to public comment periods of no less than 15 days and must be reviewed by the Made in America Office.

c) There may be instances where a federal award qualifies, in whole, or in part, for an existing waiver described at "Buy America" Preference in FEMA Financial Assistance Programs for Infrastructure.

4) Definitions. The definitions applicable to this term are set forth at 2 C.F.R. § 184.3, the full text of which is incorporated by reference.

41. **SAFECOM:** Subrecipients receiving federal awards made under programs that provide emergency communication equipment and its related activities must comply with the SAFECOM Guidance for Emergency Communication Grants, including provisions on technical standards that ensure and enhance interoperable communications. The SAFECOM guidance is updated annually and can be found at Funding and Sustainment.

42. **Subrecipient Monitoring and Management:** Pass-through entities must comply with the requirements for subrecipient monitoring and management as set forth in 2 C.F.R. §§ 200.331-333.

43. **System for Award Management and Unique Entity Identifier Requirements:** Subrecipients are required to comply with the requirements set forth in the governmentwide federal award term and condition regarding the System for Award Management and Unique Entity Identifier Requirements in 2 C.F.R. Part 25, Appendix A, the full text of which is incorporated by reference.

44. **Termination of a Federal Award:**

1) By DHS. DHS may terminate a federal award, in whole or in part, for the following reasons:

a) If the recipient fails to comply with the terms and conditions of the federal award;

b) With the consent of the recipient, in which case the parties must agree upon the termination conditions, including the effective date, and in the case of partial termination, the portion to be terminated; or

c) Pursuant to the terms and conditions of the federal award, including, to the extent authorized by law, if the federal award no longer effectuates the program goals or agency priorities.

d) For convenience, pursuant to Executive Order 14332, Improving Oversight of Federal Grantmaking, including when the award no longer advances agency priorities or the national interest, but subject to appropriate exceptions, including agreements entered into in furtherance of international trade agreements or those awarded by the Department of Commerce under title XCIX of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116-283), the CHIPS and Science Act of 2022 (Public Law 117-167), or Division F of the Infrastructure Investment and Jobs Act (Public Law 117-58).

2) By the Recipient. The recipient may terminate the federal award, in whole or in part, by sending written notification to DHS stating the reasons for such termination, the effective date, and in the case of partial termination, the portion to be terminated. However, if DHS determines that the remaining portion of the federal award will not accomplish the purposes for which the federal award was made, DHS may terminate the federal award in its entirety.

3) Notice. Either party will provide written notice of intent to terminate for any reason to the other party no less than 30 calendar days prior to the effective date of the termination.

4) Compliance with Closeout Requirements for Terminated Awards. The recipient must continue to comply with closeout requirements in 2 C.F.R. §§ 200.344-200.345 after an award is terminated.

45. **Terrorist Financing:** Subrecipients must comply with Executive Order 13224 and applicable statutory prohibitions on transactions with, and the provisions of resources and support to, individuals and organizations associated with terrorism. Subrecipients are legally responsible for ensuring compliance with the Executive Order and laws.

46. **Trafficking Victims Protection Act of 2000 (TVPA):** Subrecipients must comply with the requirements of the government-wide federal award term and condition which implements Trafficking Victims Protection Act of 2000, Pub. L. 106-386 § 106 (codified as amended by 22 U.S.C. § 7104). The federal award term and condition is in 2 C.F.R. § 175.105, the full text of which is incorporated here by reference.

47. **Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (USA PATRIOT) Act of 2001, Pub. L. 107-56:** Subrecipients must

comply with the requirements of Pub. L. 107-56, Section 817 of the USA PATRIOT Act, which amends 18 U.S.C. §§ 175-175c.

48. **Use of DHS Seal, Logo, and Flags:** Subrecipients must obtain permission from DHS prior to using the DHS seals, logos, crests or reproductions of flags or likenesses of DHS agency officials. This includes use of DHS component (e.g., FEMA, CISA, etc.) seals, logos, crests, or reproductions of flags, or likenesses of component officials.

49. **Whistleblower Protection Act:** Subrecipients must comply with the statutory requirements for whistleblower protections in 10 U.S.C. § 470141 and U.S.C. § 4712.

50. Missouri Department of Public Safety (DPS) Office of Homeland Security (OHS), Specific: By accepting this subaward, the subrecipient agrees:

    a. **Allowable Costs:** The subrecipient understands that only allowable and approved expenditures will be reimbursed under this subaward. These monies may not be utilized to pay debts incurred by other activities. The subrecipient agrees to obligate funds no later than the last day of the project period. (Funds are obligated when a legal liability to pay a determinable sum for services or goods is incurred and will require payment during the same or future period.) The subrecipient also agrees to expend funds no later than the date identified in the Notice of Funding Opportunity. (Funds are considered to be expended when payment is made.) Any funds not properly obligated and/or expended will lapse. Any deviation from the approved subaward must have prior approval from the Missouri Department of Public Safety/Office of Homeland Security (DPS/OHS). The subrecipient shall fully coordinate all activities in the performance of the project with those of the DPS/OHS. The subrecipient certifies that all expendable and non-expendable property purchased funds under this subaward shall be used for approved project purposes only.

    b. **Award Adjustments:** The subrecipient understands that any deviation from the approved subaward must have prior approval from the DPS/OHS. No additional funding shall be awarded to a subrecipient (unless specifically notified by the DPS/OHS of additional funding being awarded), but changes from one budget line to another budget line may be possible if the request is allowable and within the scope of the guidelines. Prior approval must be requested via the "Subaward Adjustment" component of WebGrants.

    c. **Award Document Changes:** In the event DPS/OHS determines that changes are necessary to the subaward document after a subaward has been made, including changes to period of performance or Articles of Agreement, the subrecipient will be notified of the changes in writing. Once notification has been made, any subsequent request for funds will indicate subrecipient acceptance of the changes to the subaward.

    d. **Buy American:** The subrecipient acknowledges Sections 34.350-34.359 RSMo regarding the Missouri Domestic Products Procurement Act (or commonly referred to as the Buy American Act) and the requirement to purchase or lease goods manufactured or produced in the United States, unless exceptions to the Buy American Act mandate in Section 34.353 RSMo are met.

e. **Buy Missouri:** The subrecipient also acknowledges Sections 34.070 and 34.073 RSMo regarding the preference given to all commodities and tangible personal property manufactured, mined, produced, or grown within the State of Missouri and to all firms, corporations, or individuals doing business as Missouri firms, corporations, or individuals, or which maintain Missouri offices or places of business, when quality is equal or better and delivered price is the same or less, quality of performance promised is equal or better and the price quoted is the same or less, or when competing bids are comparable.

f. **Change in Personnel:** The subrecipient agrees to notify, within a timely manner, the DPS/OHS if there is a change in or temporary absence as it affects the 'My Profile' module, 'Contact Information' component, and/or 'Budget' component within WebGrants. The notification shall be sent as a 'Program Revision' through the 'Subaward Adjustment' component of WebGrants.

g. **Compliance Workshop:** As a subrecipient of federal and/or state funds, the subrecipient is required to participate in any applicable Compliance Workshop hosted by the DPS/OHS. The Compliance Workshop may be hosted in-person or as a webinar to provide post-award information to include, but not limited to, subaward acceptance, project implementation, reporting requirements, subaward changes, civil rights compliance, monitoring responsibilities, record retention, internal controls, and accounting responsibilities.

h. **Contractual Services:** For Contractual Services the following general requirements will be followed when subcontracting for work or services contained in this grant subaward:

    i. All consultant and contractual services shall be supported by written contracts stating the services to be performed, rate of compensation and length of time over which the services will be provided.
    ii. A copy of any contractual agreement made as a result of this subaward must be forwarded to DPS/OHS for review or be readily available for review prior to execution of the contract.

i. **Criminal Activity:** The subrecipient assures to formally report to the DPS/OHS within 48 hours of notification if an individual funded, in whole or in part, under this subaward is arrested for or formally charged with a misdemeanor or felony regardless of if the criminal offense is related to the individual's employment. The DPS/OHS reserves the right to suspend or terminate grant funding pending the adjudication of the criminal offense.

j. **Data Reporting Requirements:** The subrecipient agrees to complete and submit any data or statistical reports required for this program. Failure to submit reports by the deadline dates may result in delay for reimbursement requests and/or cancellation of the subaward.

k. **Discrimination in Public Accommodations:** The subrecipient assures compliance with Section 213.065 RSMo in regards to non-discrimination in public accommodations as it relates to accommodations, advantages, facilities, services, or privileges made available in place of public accommodations.

l. **Duplicative Funding:** The subrecipient agrees that if it currently has an open award of federal and/or state funds or if it receives an award of federal and/or state funds other than this subaward, and those award funds have been, are being, or are to be used, in whole or in part, for one or more of the identical cost items for which funds are being provided under this subaward, the subrecipient will promptly notify, in writing, the DPS/OHS. If so requested and allowed by the DPS/OHS, the subrecipient shall submit a Subaward Adjustment for a budget revision or program revision to eliminate any inappropriate duplication of funding.

m. **Emergency Medical Service (EMS) Agency Requirements:** Emergency Medical Service (EMS) agencies must be compliant with the requirements listed below, as applicable and must maintain compliance throughout the period of performance.

   i. Section 190.105 RSMo Ambulance License: Pursuant to Section 190.105 RSMo, no person, either as owner, agency or otherwise, shall furnish, operate, conduct, maintain, advertise, or otherwise be engaged in or profess to be engaged in the business or service of the transportation of patients by ambulance in the air, upon the streets, alleys, or any public way or place of the state of Missouri unless such person holds a currently valid license from the department for an ambulance service pursuant to the provisions of sections 190.001 RSMo to 190.245.

   ii. Section 190.133 RSMo Emergency Medical Response Agency License: Pursuant to Section 190.133(4) RSMo, no person or entity shall hold itself out as an emergency medical response agency that provides advanced life support or provide the services of an emergency medical response agency that provides advanced life support unless such person or entity is licensed by the state of Missouri Department of Health and Senior Services.

n. **Employment of Unauthorized Aliens:** Pursuant to Section 285.530.1 RSMo, the subrecipient assures that it does not knowingly employ, hire for employment, or continue to employ an unauthorized alien to perform work within the State of Missouri, and shall affirm, by sworn affidavit and provision of documentation, its enrollment and participation in a federal work authorization program with respect to the employees working in connection with the contracted services. Further, the subrecipient shall sign an affidavit affirming that it does not knowingly employ any person who is an unauthorized alien in connection with the contracted services.

   In accordance with Sections 285.525 to 285.550, RSMo a general contractor or subcontractor of any tier shall not be liable when such general contractor or subcontractor contracts with its direct subcontractor who violates subsection 1 of Section 285.530, RSMo if the contract binding the contractor and subcontractor affirmatively states that the direct subcontractor is not knowingly in violation of subsection 1 of Section 285.530, RSMo and shall not henceforth be in such violation and the contractor or subcontractor receives a sworn affidavit under the penalty of perjury attesting to the fact that the direct subcontractor's employees are lawfully present in the United States.

o. **Enforceability:** If a subrecipient fails to comply with all applicable state requirements governing these funds, the State of Missouri may withhold or suspend, in whole or in part, funds awarded under the subaward or recover misspent funds following an audit. This provision is in addition to all other remedies provided to the State of Missouri for recovery of misspent funds available under all applicable state laws.

p. **Equipment:** Equipment means tangible personal property (including information technology systems) having a useful life of more than one year and a per-unit acquisition cost, which equals or exceeds the lesser of the capitalization level established by the non-federal entity for financial statement purposes, or $5,000. Expenditures for equipment shall be in accordance with the approved budget. The subrecipient shall use and manage equipment in accordance with its procedures as long as the equipment is used for its intended purposes. When original or replacement equipment acquired under this subaward by the subrecipient is no longer needed for the original project or program or for other activities currently or previously supported by DPS/OHS, you must request instructions from DPS/OHS to make proper disposition of the equipment pursuant to 2 C.F.R. § 200.313 and the OHS Administrative Guide.

q. **Equipment/Supplies Usage & Maintenance:** Subrecipients purchasing equipment and/or supplies under this subaward must develop a control system to ensure adequate safeguards to prevent loss, damage, or theft. Minimum adequate safeguards include the following:

    i. Subrecipients must promptly and properly investigate and fully document any loss, damage, or theft, make the documentation part of the official project records, and report the incident to the DPS/OHS within 30 days.

    ii. Subrecipients must provide at a minimum, the equivalent insurance coverage for equipment and/or supplies acquired with federal grant funds that the subrecipient owns.

    iii. Subrecipients must develop adequate maintenance procedures to keep equipment and/or supplies in mission ready condition.

    iv. Subrecipients are responsible for replacing or repairing property that is willfully or negligently lost, stolen, damaged, or destroyed.

r. **Equipment Inventory:** Subrecipients are required to maintain proper inventory records as referenced in the Missouri Office of Homeland Security, Division of Grants, Administrative Guide for Homeland Security Grants on all equipment purchased under this subaward. Inventory records must be maintained for the lifespan of the equipment, until disposition approval has been given by the DPS/OHS.

s. **Equipment Tags:** All items that meet the DPS/OHS definition of equipment that are purchased with Homeland Security Grant Program funds must be tagged "Purchased with U.S. Department of Homeland Security Funds."

t. **Fair Labor Standards Act:** All subrecipients of state funds will comply with the minimum wage and maximum hour's provisions of the Section 290.502 RSMo.

u. **Financial Reporting Requirements:** The subrecipient agrees to complete and submit any financial reports required for this program when requested by the DPS/OHS. Failure to submit reports by the deadline dates may result in delay for reimbursement requests and/or cancellation of the subaward.

v. **Fire Agency Requirements:** Fire agencies must be compliant with the requirements listed below and must maintain compliance throughout the period of performance.

    i. Section 320.271 RSMo Fire Department Registration: Pursuant to Section 320.271 RSMo, all fire protection districts, fire departments, and all volunteer fire protection associations as defined in section 320.300 shall complete and file with the state fire marshal within sixty days after January 1, 2008 and annually thereafter, a fire department registration form provided by the state fire marshal.

w. **Fund Availability:** The subrecipient understands all subawards are subject to the availability of appropriated funds and any modifications or additional requirements that may be imposed by law. It is understood and agreed upon that, in the event funds from state sources are not appropriated, are otherwise unavailable, or are not continued at an aggregate level sufficient to cover the costs under this subaward, or in the event of a change in state law relevant to these costs, the obligations of each party hereunder shall thereupon be terminated immediately upon receipt of written notice. The subrecipient further understands and agrees that neither the DPS/OHS nor the State of Missouri shall be liable for any costs, injuries, or other damages, liquidated or otherwise, caused by or related to a lack of funds or withholdings.

x. **Governing Directives:** The subrecipient assures that it shall comply, and all its subcontractors as applicable shall comply, with the applicable provisions of the Notice of Funding Opportunity, Missouri Office of Homeland Security, Division of Grants, Administrative Guide for Homeland Security Grants, DPS/OHS Information Bulletin's and applicable state laws, orders, or regulations.

y. **Law Enforcement Agency Requirements:** Law enforcement agencies must be compliant with the requirements listed below and must maintain compliance throughout the period of performance.

    i. Section 43.505 RSMo – Uniform Crime Reporting (UCR): Pursuant to Section RSMo 43.505.3, each law enforcement agency in the sate shall: (1) Submit crime incident reports to the department of public safety on forms or in the format prescribed by the department; and (2) Submit any other crime incident information which may be required by the

department of public safety. Law enforcement agencies will be considered non-compliant if they have not submitted MIBRS reports for three or more months in the previous 12 months.

ii. Section 590.650 RSMo - Vehicle Stops Report: Pursuant to Section 590.650.3 RSMo, each law enforcement agency shall compile the data described in subsection 2 for the calendar year into a report to the attorney general and each law enforcement agency shall submit the report to the attorney general no later than March first of the following calendar year.

iii. Section 590.1265 RSMo - Police Use of Force Transparency Act of 2021: Pursuant to Section 590.1265 RSMo, each law enforcement agency shall report data submitted under subsection 3 of this section to the department of public safety. Law enforcement agencies will be considered non-compliant if they have not submitted Use of Force reports for three or more months in the previous 12 months.

iv. Section 43.544 RSMo - Written Policy in Forwarding Intoxication-Related Traffic Offenses: Pursuant to Section 43.544.1 RSMo, each law enforcement agency shall adopt a policy requiring arrest information for all intoxication-related traffic offenses be forwarded to the central repository as required by Section 43.503 RSMo.

v. Section 590.030 RSMo - Rap Back Program Participation: Pursuant to Section 590.030 RSMo, all law enforcement agencies shall enroll in the state and federal Rap Back programs on or before January 1, 2022 and continue to remain enrolled. The law enforcement agency shall take all necessary steps to maintain officer enrollment for all officers commissioned with that agency in the Rap Back programs. An officer shall submit to being fingerprinted at any law enforcement agency upon commissioning and for as long as the officer is commissioned with that agency.

vi. Section 590.700 RSMo - Custodial Interrogations: Pursuant to Section 590.700.4 RSMo, each law enforcement agency shall adopt a written policy to record custodial interrogations of persons suspected of committing or attempting to commit felony crimes as outlined in subsection 2.

z. **Lobbying:** The subrecipient understands and agrees that state funds cannot be used, either directly or indirectly, to support or oppose the enactment, repeal, modification or adoption of any law, regulation or policy, at any level of government.

aa. **Missouri Office of Homeland Security, Division of Grants, Administrative Guide:** To follow the grant program guidelines as stated in the Missouri Office of Homeland Security,

Division of Grants, Administrative Guide for Homeland Security Grants, as well as the Information Bulletins released by DPS/OHS to provide important updates, clarifications and policy statements related to DPS/OHS grant programs.

bb. **Monitoring:** The subrecipient agrees to maintain the records necessary to evaluate the effectiveness of the project. In addition, the subrecipient assures that all documentation or records relating to this subaward shall be made available to monitoring representatives of the DPS/OHS, the Office of Missouri State Auditor, or any of their authorized representatives immediately upon request. The subrecipient assures that fund accounting, auditing, monitoring, and such evaluation procedures as may be necessary to keep such records as the DPS/OHS shall prescribe, will be provided to assure fiscal control, proper management, and efficient disbursement of funds received under this subaward.

cc. **Non-Disclosure Agreements:** The subrecipient assures that it will not prohibit or otherwise restrict, or purport to prohibit or restrict, the reporting (in accordance with law) of waste, fraud, or abuse to the DPS/OHS or other agency authorized to receive such information.

In accepting this subaward, the subrecipient:

i. Represents that it neither requires nor has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above; and

ii. Certifies that, if it learns or is notified that it is or has been requiring its employees or contractors to exercise agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of subaward funds, will provide prompt written notification to the DPS/OHS, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by the DPS/OHS.

dd. **Non-Supplanting:** The subrecipient assures that state funds made available under this subaward will not be used to supplant other state and local funds but will be used to increase the amount of funds that would, in the absence of these funds, be made available for the activities of this project.

ee. **Pass-Through Entities:** If a subrecipient is a pass-through entity, copies of signed sub-subaward agreements are due to the DPS/OHS prior to the start of any project.

ff. **Procurement:** The subrecipient assures that all procurement transactions whether negotiated or competitively bid and without regard to dollar value shall be conducted in a manner to provide maximum open and free competition. In addition, the subrecipient assures that all procurement transactions will meet the minimum standards set forth in the "Missouri Office of Homeland Security, Division of Grants, Administrative Guide" and identified here:

i. All quotations and the rationale behind the selection of a source of supply shall be retained, attached to the purchase order copy, and placed in the accounting files.

ii. Purchases to a single vendor totaling less than $10,000 may be purchased with prudence on the open market.

iii. Purchases estimated to total between $10,000 but less than $100,000 to a single vendor, must be competitively bid, but need not be solicited by mail or advertisement.

iv. Purchases with an estimated total of $100,000 or over to a single vendor shall be advertised for bids in at least two daily newspapers of general circulation in such places as are most likely to reach prospective bidders at least five days before bids for such purchases are to be opened.

v. Where only one bid or positive proposal is received, it is deemed to be sole source procurement.

vi. Sole source procurement on purchases to a single vendor of $10,000 and over requires prior approval from the Missouri Department of Public Safety.

gg. **Reimbursement:** Expenditures shall be in accordance with the approved budget and documentation in the form of paid bills and vouchers shall support each expenditure. Care shall be given to assure that all items purchased directly relate to the specific project objectives for which the subaward was approved.

hh. **Relationship:** The subrecipient agrees that it will represent itself to be an independent subrecipient offering such services to the general public and shall not represent itself or its employees to be employees of the DPS/OHS. (This provision is not applicable to the DPS/OHS or any of its divisions or programs.) Therefore, the subrecipient shall assume all legal and financial responsibility for taxes, FICA, employee fringe benefits, workers' compensation, employee insurance, minimum wage requirements, overtime, etc.

ii. **Release of Funds:** The subrecipient acknowledges no funds will be disbursed under this subaward until such time as all required documents is signed by the subrecipient Authorized Official returned to the DPS/OHS for final review and signed by the Director or designee.

jj. **Reporting Potential Fraud, Waste, and Abuse:** The subrecipient shall not make false statements or claims in connection with any funds subawarded by the DPS/OHS. The result of such false statements or claims includes fines, imprisonment, and debarment from participating in state grants or contracts, and/or other remedy by law. The subrecipient must promptly refer to the DPS/OHS any credible evidence that a principal, employee, agent, subrecipient, contractor, subcontractor, or any other person has, in connection with funds under this subaward, either:

i. Submitted a claim that violates the False Claims Act; or

ii. Committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct.

Potential fraud, waste, abuse, or misconduct involving or relating to funds under this subaward, must also be reported to the DPS/OHS by one of the following methods:

Mail: Missouri Department of Public Safety Office of Homeland Security
Attn: DPS Grants
P.O. Box 749
1101 Riverside Drive
Jefferson City, MO 65102-0749
Email: dpsgrants@dps.mo.gov DPS/OHS
Fax: (573) 526-9012

The DPS/OHS reserves the right to suspend or terminate grant funding pending the review of a report of fraud, waste, or abuse relating to funds under this subaward.

kk. **Status Reports:** Status Reports are required to be submitted to the DPS/OHS through the WebGrants System by the due dates of July 10 and January 10 throughout the grant period, which must include the status updates of the milestones achieved. The Final Status Report is due to DPS/OHS within 45 days after the end of the project period.

ll. **Supplies/Operations:** Expenditures for supplies and operating expenses shall be in accordance with the approved budget and documentation in the form of paid bills and vouchers shall support each expenditure. Care shall be given to assure that all items purchased directly relate to the specific project objectives for which the contract was approved.

mm. **Suspension/Debarment:** The subrecipient acknowledges, pursuant to debarment and suspension regulations implemented at 1 CSR 40-1.060, and to other related requirements, that the State does not consider bids submitted by a suspended or debarred vendor. The subrecipient therefore certifies that it will not consider bids submitted by a suspended or debarred vendor for procurements made because of this subaward.

nn. **Suspension/Termination of Award:** The DPS/OHS reserves the right to terminate any contract entered into as a result of this grant subaward at its sole discretion and without penalty or recourse by giving a thirty (30) day written notice to the subrecipient of the effective date of termination. In the event of termination pursuant to this paragraph, all documents, data, and reports prepared by the subrecipient under the subaward shall, at the option of the DPS/OHS, become property of the State of Missouri. The subrecipient shall be entitled to receive just and equitable compensation for that work completed prior to the effective date of termination.

oo. **Unlawful Employment Practices:** The subrecipient assures compliance with Section 213.055 RSMo in regards to non-discrimination in employment practices as it relates to race, color, religion, national origin, sex, ancestry, age, or disability.

NOTE: Articles of Agreement in the final Subaward Agreement may be different than the above listed Certified Assurances.