





## **INSTRUCTION ON CERTIFICATION OF NON-DELINQUENCY BY APPLICANTS FOR FEDERAL ASSISTANCE**

Pursuant to OMB Circular A-129, "Except where required by law or approved by the head of the agency, no award of Federal funds shall be made to an applicant who is delinquent on a Federal debt until the delinquent account is made current or satisfactory arrangements are made between affected agencies and the debtor."

For the purposes of this certification, the following definitions of delinquency apply:

Direct loans – a debt more than 31 days past due on a scheduled payment.

Grants – recipients of a "Notice of Grants Cost Disallowance" who have not repaid the disallowed amount or who have not resolved the disallowance.

Guaranteed and insured loans -- recipients of a loan guaranteed by the Federal Government that the Federal Government has repurchased from a lender because the borrower breached the loan agreement and is in default.

Examples of debts include delinquent taxes, audit disallowances, guaranteed and direct student loans, housing loans, farm loans, business loans, Department of Education institutional loans, benefit overpayments and other miscellaneous administrative debts.

## **INSTRUCTIONS ON CERTIFICATION REGARDING DEBARMENT AND SUSPENSION**

1. The inability of a person to provide the certification will not necessarily result in denial of participation in this covered transaction. The applicant shall submit an explanation of why it cannot provide the certification. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the applicant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.

2. The certification in this clause is any material representation of fact upon which reliance was placed when the department or agency determined to enter into this transaction. If it is later determined that the applicant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause of default.

3. The applicant shall provide immediate written notice to the department or agency to whom this application is submitted if at any time the applicant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

4. The terms "covered transaction," "debarred," "suspended," "ineligible," "lower tier-covered transaction," "applicant," "person," "primary covered transaction," "principal," "proposal," and "voluntarily excluded," as used in this clause, have the meanings set out in the Definitions and Coverage sections of the rules implementing Executive Order 12549. You may contact the department or agency to which this application is being submitted for assistance in obtaining a copy of those regulations.

5. Covered transactions are of two types: primary and lower tier.

A primary covered transaction is any nonprocurement transaction between an agency and a person, regardless of type, including: grants, cooperative agreements, scholarships, fellowships, contracts of assistance, loans, loan guarantees, subsidies, insurance payments for specified use, donation agreements and any other nonprocurement transactions between a Federal agency and a person. Primary covered transactions also include those transactions specially designated by the U. S. Department of Housing and Urban Development in such agency's regulations governing debarment and suspension.

A lower tier covered transaction is:

a. Any transaction between an applicant and a person other than a procurement contract for goods or services, regardless of type, under a primary covered transaction.

b. Any procurement contract for goods or services between an applicant and a person, regardless of type, expected to equal or exceed the Federal procurement small purchase threshold fixed at 10 U.S.C. 2304(g) and 41 U.S.C. 253(g) (currently \$25,000) under a primary covered transaction.

c. Any procurement contract for goods or services between an applicant and a person under a covered transaction, regardless of amount, under which that person will have a critical influence on or substantive control over that covered transaction.

**(PLEASE CERTIFY ON REVERSE SIDE.)**

## CERTIFICATIONS PAGE

There are three certifications which must by law be made before the National Science Foundation can authorize funds for a fellowship award. These concern 1) controlled substances; 2) delinquency on Federal debt; and 3) debarment and suspension. (See instructions on reverse side.)

### CERTIFICATIONS

I certify that:

1. I will not engage in unlawful manufacture, distribution, dispensing, possession or use of a controlled substance in the conduct of any activity with this fellowship award;
2. I am not delinquent on repayment of any Federal debt, and
3. To the best of my knowledge and belief:
  - (a) I am not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from covered transactions by any Federal department or agency;
  - (b) I have not within a three-year period preceding my application been convicted of or had a civil judgment rendered against me for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
  - (c) I am not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (3) (b) of this certification; and
  - (d) I have not within a three-year period preceding this application had one or more public transactions (Federal, State or local) terminated for cause or default.

---

**Printed Name**

---

**Signature**

---

**Date**

**Please return one copy of this form, by April 30, 2001, to the Graduate Research Fellowship Program, National Science Foundation, 4201 Wilson Boulevard, Room 907N, Arlington, VA 22230.**