



Mailing Address:
1 Baldwin Street
Drawer 33
Montpelier, Vermont 05633-5701

Tel.: (802) 828-2295
Fax: (802) 828-2483

STATE OF VERMONT
JOINT FISCAL COMMITTEE
1 Baldwin Street
Montpelier, Vermont 05633-5701

MEMORANDUM

To: James Reardon, Commissioner of Finance & Management

From: Rebecca Buck, Staff Associate *RB*

Date: July 27, 2006

Subject: Status of Grant Request

No Joint Fiscal Committee member has requested that the following item be held for review:

JFO #2259 – \$4,000 grant from the Drug Enforcement Administration, U.S. Department of Justice to the Department of Fish and Wildlife. These grant funds will be used by the Department's Law Enforcement Division to defray the costs related to location and eradication of illicit marijuana.
[JFO received 06/27/06]

In accordance with 32 V.S.A. §5, the requisite 30 days having elapsed since this item was submitted to the Joint Fiscal Committee, the Governor's approval may now be considered final. We ask that you inform the Secretary of Administration and your staff of this action.

cc: Michael Smith
Linda Morse
Thomas Torti
Wayne Laroche

From: Michael Obuchowski
To: Rebecca Buck
Date: 7/12/2006 11:01:50 AM
Subject: Fwd: RE: Questions from Rep. Obuchowski regarding JFO #2259

Okay on #2259. Answer below.

>>> "Yacono, Sher" <sher.yacono@state.vt.us> 7/6/2006 5:44 AM >>>
Representative Obuchowski,

In FY 05 we spent \$14,640 on drug related activity. In FY 06 we've spent \$17,600.

Please let me know if you require anything further. Thanks.

-----Original Message-----

From: Michael Obuchowski [mailto:obie@leg.state.vt.us]
Sent: Thursday, July 06, 2006 7:58 AM
To: Yacono, Sher
Subject: RE: Questions from Rep. Obuchowski regarding JFO #2259

How much is currently being spent on this activity?

>>> "Yacono, Sher" <sher.yacono@state.vt.us> 7/5/2006 1:48 PM >>>
Dear Representative Obuchowski,

The Department of Fish and Wildlife owns over 130,000 acres of Wildlife Management Areas. In addition to patrolling Department lands, our wardens are the primary enforcement on all State land. Many of these lands are remote and annually people attempt to grow marijuana on these lands. It is within our mission to have our law enforcement unit enforce the law and handle these situations. This Marijuana Eradication grant will help defray some of the costs associated with enforcement.

Drug related incidents comprise less than one half of one percent of incidents our warden force has had to handle this year. Approximately three percent of all incidents were to assist other agencies. (This is a reciprocal agreement we have with other law enforcement agencies.)

Please let me know if you require anything further.

-----Original Message-----

From: Rebecca Buck [mailto:rbuck@leg.state.vt.us]
Sent: Monday, July 03, 2006 8:31 AM
To: sher.yacono@anr.state.vt.us
Cc: Michael Obuchowski; Steve Klein
Subject: Questions from Rep. Obuchowski regarding JFO #2259

Good morning Sherri--Representative Obuchowski has the following questions with regard to JFO #2259 (\$4,000 DEA to aid in locating and eradication of illicit marijuana):

1) How much is currently being spent on this activity by the department without reimbursement?

2) What else is the department doing that could be considered "outside their mission" for which they are not being reimbursed?

Please cc me on your response to Representative Obuchowski. Thanks.
--Becky

From: Michael Obuchowski
To: Rebecca Buck; Steve Klein
Date: 7/6/2006 9:17:56 AM
Subject: Fwd: RE: Questions from Rep. Obuchowski regarding JFO #2259

fyi

>>> "Yacono, Sher" <sher.yacono@state.vt.us> 7/6/2006 5:44 AM >>>
Representative Obuchowski,

In FY 05 we spent \$14,640 on drug related activity. In FY 06 we've spent \$17,600.

Please let me know if you require anything further. Thanks.

-----Original Message-----

From: Michael Obuchowski [<mailto:obie@leg.state.vt.us>]
Sent: Thursday, July 06, 2006 7:58 AM
To: Yacono, Sher
Subject: RE: Questions from Rep. Obuchowski regarding JFO #2259

How much is currently being spent on this activity?

>>> "Yacono, Sher" <sher.yacono@state.vt.us> 7/5/2006 1:48 PM >>>
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Please let me know if you require anything further.

-----Original Message-----

From: Rebecca Buck [<mailto:rbuck@leg.state.vt.us>]
Sent: Monday, July 03, 2006 8:31 AM
To: sher.yacono@anr.state.vt.us
Cc: Michael Obuchowski; Steve Klein
Subject: Questions from Rep. Obuchowski regarding JFO #2259

Good morning Sherri--Representative Obuchowski has the following questions with regard to JFO #2259 (\$4,000 DEA to aid in locating and eradication of illicit marijuana):

1) How much is currently being spent on this activity by the department without reimbursement?

2) What else is the department doing that could be considered "outside their mission" for which they are not being reimbursed?

Please cc me on your response to Representative Obuchowski. Thanks.
--Becky

From: Rebecca Buck
To: sher.yacono@anr.state.vt.us
Date: 7/3/2006 8:30:59 AM
Subject: Questions from Rep. Obuchowski regarding JFO #2259

Good morning Sherri--Representative Obuchowski has the following questions with regard to JFO #2259 (\$4,000 DEA to aid in locating and eradication of illicit marijuana):

- 1) How much is currently being spent on this activity by the department without reimbursement?
- 2) What else is the department doing that could be considered "outside their mission" for which they are not being reimbursed?

Please cc me on your response to Representative Obuchowski. Thanks. --Becky

CC: Klein, Steve; Obuchowski, Michael



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1 Baldwin Street
Drawer 33
Montpelier, Vermont 05633-5701

Tel.: (802) 828-2295
Fax: (802) 828-2483

STATE OF VERMONT
JOINT FISCAL COMMITTEE
1 Baldwin Street
Montpelier, Vermont 05633-5701

MEMORANDUM

To: Joint Fiscal Committee Members

From: Rebecca Buck, Staff Associate *RB*

Date: June 28, 2006

Subject: Grant Request

Enclosed please find one (1) request which the Joint Fiscal Office recently received from the Administration:

JFO #2259 – \$4,000 grant from the Drug Enforcement Administration, U.S. Department of Justice to the Department of Fish and Wildlife. These grant funds will be used by the Department's Law Enforcement Division to defray the costs related to location and eradication of illicit marijuana.
[JFO received 06/27/06]

The Joint Fiscal Office has reviewed this submission and determined that all appropriate forms bearing the necessary approvals are in order.

In accordance with the procedures for processing such requests, we ask you to review the enclosed and notify the Joint Fiscal Office (Rebecca Buck at 802/828-5969; rbuck@leg.state.vt.us or Stephen Klein at 802/828-5769; sklein@leg.state.vt.us) if you would like this item held for committee review. Unless we hear from you to the contrary by July 12 we will assume that you agree to consider as final the Governor's acceptance of this request.

cc: Michael Smith, Secretary
James Reardon, Commissioner
Linda Morse, Administrative Assistant
Thomas Torti, Secretary
Wayne Laroche, Commissioner

JFO #2259

STATE OF VERMONT
GRANT ACCEPTANCE FORM

GRANT SUMMARY: **Title:** Domestic Cannabis Eradication / Suppression Program
This is a request for approval of a grant from the Department of Justice DEA to provide funding to aid in the location and eradication of illicit cannabis plants.

DATE: June 14, 2006

DEPARTMENT: Fish and Wildlife (ANR)

GRANT / DONATION: The Department of Fish and Wildlife performs this enforcement activity presently, without funding from this grant.

FEDERAL CATALOG No.: OMB Approval Number 0348-004

GRANTOR / DONOR: DEA
Department of Justice

AMOUNT / VALUE: \$4,000.00

POSITIONS REQUESTED: None

GRANT PERIOD: 01/01/06 to 12/31/06

COMMENTS: See attachments.

DEPARTMENT OF FINANCE AND MANAGEMENT: (INITIAL) SM
SECRETARY OF ADMINISTRATION (INITIAL) RS
SENT TO JOINT FISCAL OFFICE: DATE: 6/15/06

RECEIVED
JUN 27 2006
JOINT FISCAL OFFICE

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*Vermont Department of Finance & Management
Office of Budget and Management*

AA-1 Request

To: Michael K. Smith
Via: James Reardon
From: Jason Aronowitz
Date: June 14, 2006
Subject: ANR / F&W AA-1 Request

Request: Acceptance of Grant: Domestic Cannabis Eradication / Suppression Program

CFDA #:

Amount: \$4,000

Background: The Department of Fish and Wildlife performs this enforcement activity presently, without funding from this grant.

ANR is unable to provide a CFDA number. The Grant ID# is 2006-107 and the OMB approval number is 0348-004.

RECOMMENDATION:

Recommend **Approval** of this AA-1 request.

Aronowitz, Jason

From: Yacono, Sher
Sent: Tuesday, June 06, 2006 12:21 PM
To: Aronowitz, Jason
Subject: RE:

Great. Thanks.

From: Aronowitz, Jason
Sent: Tuesday, June 06, 2006 9:18 AM
To: Yacono, Sher
Subject: RE:

I will process the paperwork with the OMB number. We'll see what happens.

Jason Aronowitz
Budget Analyst
Finance and Management
(802) 828-6451

From: Yacono, Sher
Sent: Tuesday, June 06, 2006 7:28 AM
To: Aronowitz, Jason
Subject: FW:

Hi Jason,

We've had a VERY difficult time trying to find a CFDA # for our marijuana grant. I spent a lot of time on the Federal website and couldn't find one...then Dave was able to get the OMB # below. The Grant # is all that the Feds provided us on the grant award. I don't know what else to do at this point! I think we've spent the \$4,000 grant on just trying to find the number!!

From: Dave LeCours [mailto:dlecours@dps.state.vt.us]
Sent: Monday, June 05, 2006 3:03 PM
To: Yacono, Sher
Subject: RE:

Sher,

I have two numbers I don't know which one is the one you need

Grant ID # 2006-107---I assume this is the yearly grant number

OMB approval #---- 0348-004 (this is likely the number you're looking for)

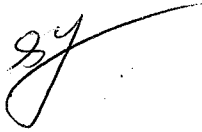
I hope this helps!!!!

Major David LeCours
Vermont Fish & Wildlife Department
Law Enforcement Division

6/14/2006

**Department of Fish and Wildlife
Business Office
103 South Main Street
10 South
Waterbury, VT 05671-0501
802-241-3704**

To: Sarah Clark, Budget Analyst
Finance & Management

From: Sherri A. Yacono, Business Manager 

Date: April 17, 2006

Subject: AA-1: US Dept of Justice Grant

Please find attached the AA-1 package for the above subject. We expect to receive an upfront payment of \$4,000 to be wired transferred to the State Treasurer's Office as soon as this grant is approved by USDJ. No expenditures associated with this grant will occur prior to receiving Joint Fiscal approval.

If there are any questions, please call me at 241-3704. Thanks for your assistance.

Cc: Colonel Rooks
Steve Chadwick

**STATE OF VERMONT
REQUEST FOR GRANT ACCEPTANCE
(use additional sheets as needed)**

FORM AA-1
(Rev. 9-90)

1. **Agency:** Agency of Natural Resources
 2. **Department:** Fish & Wildlife
 3. **Program:** Law Enforcement
 4. **Legal Title of Grant:** Domestic Cannabis Eradication/Suppression Program
 5. **Federal Catalog No.:** 2006-107
 6. **Grantor and Office Address:** US Dept Justice, DEA

7. **Grant Period:** From: 1/1/06 To: 12/31/06

8. **Purpose of Grant:** (attach additional sheets if needed)
 Grant to provide funding to aid in locating and eradication of illicit cannabis plants. This activity is and has been conducted by the Dept of Fish and Wildlife's law enforcement division without compensation for over 30 years.

9. **Impact on Existing Programs if Grant is not Accepted:**
 The activities will continue to be funded with Department funds.

10. **Budget Information:**

	(1st State FY) FY 2006	(2nd State FY) FY	(3rd State FY) FY
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EXPENDITURES:

Personal Services	\$ 4,000.00	\$	\$
Operating Expenses	\$	\$	\$
Grants	\$	\$	\$
TOTAL	\$ 4,000.00	\$ 0.00	\$ 0.00

REVENUES:

<u>State Funds:</u>			
Cash	\$	\$	\$
In-Kind	\$	\$	\$
<u>Federal Funds:</u>			
(Direct Costs)	\$ 4,000.00	\$	\$
(Statewide Indirect)	\$	\$	\$
(Department Indirect)	\$	\$	\$
<u>Other Funds:</u>			
(source) Donation	\$	\$	\$

TOTAL	\$ 4,000.00	\$ 0.00	\$ 0.00
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Appropriation Nos.

Amounts

612000000

\$ 4,000.00

-over-

REC'D APR 25 2006

11. Will grant monies be spent by one or more personal service contracts?

YES NO

If YES, signature of appointing authority here indicates intent to follow current guidelines on bidding.

X

12a. Please list any requested Limited Service positions:


Titles	Number of Positions
TOTAL Positions	0

12b. Equipment and space for these positions:

- Is presently available.
- Can be obtained with available funds.

13. Signature of Appointing Authority

I certify that no funds have been expended or committed in anticipation of Joint Fiscal Committee approval of this grant.


 (Signature)

4/21/06
 (Date)

Commissioner
 (Title)

14. Action by Governor:

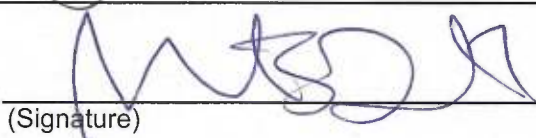
- Approved
- Rejected


 (Signature)

6/15/06
 (Date)

15. Secretary of Administration:

- Request to JFO
- Information to JFO


 (Signature)

6-14-06
 (Date)

16. Action by Joint Fiscal Committee:

(Dates)

- Request to be placed on JFC agenda
- Approved (not placed on agenda in 30 days)
- Approved by JFC
- Rejected by JFC
- Approved by Legislature

(Signature) (Date)



U. S. Department of Justice
Drug Enforcement Administration

Agreement Number: 2006-107

AGREEMENT

This agreement is entered between the **VERMONT FISH & WILDLIFE** hereinafter referred to as the **VTWV** and the **DRUG ENFORCEMENT ADMINISTRATION OF THE UNITED STATES DEPARTMENT OF JUSTICE**, hereinafter referred to as **DEA**, with a reference to the following:

There is evidence that trafficking in controlled substances exists and that such illegal activity has a substantial and detrimental effect on the health and general welfare of the people of the State of **VERMONT**. The parties hereto agree that it is to their mutual benefit to cooperate in locating and eradicating illicit cannabis plants and in the investigation and prosecution of cases before the courts of the United States and the courts of the State of **VERMONT** involving controlled substances. The **DEA**, pursuant to the authority of 21 USC 873, proposes to provide certain necessary funds and the **VTWV** is desirous of securing funds.

NOW, therefore, in consideration of the mutual covenants hereinafter contained, the parties hereto have agreed as follows:

1. The **VTWV**, will, with its own law enforcement personnel and employees, as hereinafter perform specified, performed the activities and duties described below:
 - a. Gather and report intelligence data relating to the illicit possession and distribution of marijuana.
 - b. Investigate and report instances involving the trafficking in controlled substances.
 - c. Provide staffing of law enforcement personnel for the eradication of illicit marijuana located within the State of **VERMONT**.
 - d. Arrest and bring to prosecution defendants charged with violation of the controlled substance laws.
 - e. Send required samples of eradicated marijuana to the **NIDA** marijuana Potency Monitoring Program.

It is understood and agreed by the parties to this agreement that the activities described in Sub-paragraphs a, b, c, d, and e above shall be provided with the existing personnel and that the scope of the **VTWV** program with respect to those activities by such personnel, shall be solely at the **VTWV'S** discretion, subject to appropriate limitations contained in the budget adopted by the **VTWV**.



2. DEA will pay to the VTVW the amount of ^{Four} ~~TWENTY THOUSAND, FIVE HUNDRED~~ **DOLLARS (\$4,000.00)** for the period of JANUARY 1, 2006 TO DECEMBER 31, 2006 to defray the cost relating to the eradication and suppression of illicit marijuana. It is explicitly understood and agreed that Federal funds provided to the VTVW under this agreement may not be used to defray costs relating to herbicidal eradication of marijuana without the advance written consent of DEA.

The Federal funds provided to the VTVW are primarily intended for payment of deputies'/officers' overtime, and salary and overtime of reserve officers while they are actively engaged in the cannabis eradication process, as well as per diem as appropriate and other direct costs related to the actual conduct of cannabis eradication, such as rental of equipment and vehicles, fuel for vehicles and aircraft, and minor repairs and maintenance necessitated by their use to support cannabis eradication. These Federal funds are not primarily intended for purchase of equipment. Unless specifically itemized and approved in advance in the operational plan, expenditures for expendable and non-expendable equipment should not normally exceed 10% of the total Federal funds awarded. All purchases of property having a useful life of one year or more with an acquisition cost of \$300.00 or more per unit or an aggregate cost of \$1,000.00 or more require the advance approval of the Domestic Cannabis Eradication/Suppression Program (DCE/SP) coordinator, unless specifically approved in the operational plan.

If DEA approves the purchase of non-expendable equipment with an acquisition cost of \$5,000.00 or more per unit for the use of the VTVW personnel engaged in cannabis eradication under this Agreement, DEA may elect to claim ownership of the equipment at the termination of this Agreement. DEA may also, at its discretion, allow the VTVW to retain ownership of the equipment for its future use in accordance with applicable Federal rules and regulations.

Payment by DEA to the VTVW will be in accordance with a schedule determined by DEA and said payment will be made pursuant to the execution by the VTVW of a Standard Form SF-270, Request for Advance or Reimbursement, and receipt of same by DEA. However, no funds will be paid by DEA to a state/county agency under this Agreement until DEA has received to its satisfaction an accounting of the expenditures of all funds paid to this state/county agency during the periods of previous Agreements for this same purpose. These expenditures will be reported on a Standard Form SF-269, Financial Status Report, and December Monthly Accounting Form.

3. Employees of the VTVW shall at no time be considered employees of the United States Government or the DEA for any purpose, nor will this Agreement establish an agency relationship between the VTVW and the DEA.

4. The VTVW shall maintain complete and accurate reports, records and accounts of all obligations and expenditures of DEA funds under this Agreement in accordance with generally accepted accounting principle and in accordance with state laws and procedures for expending and accounting for its own funds. The VTVW shall further maintain its records of all obligations and expenditures of DEA funds under this Agreement in accordance with all instructions provided by DEA to facilitate on-site inspection and auditing of such records and accounts.



5. The VTVW shall permit and have available for examination and auditing by DEA, the United States, Department of Justice or the Comptroller General of the United States, or any of their duly authorized agents and representatives, any and all investigative reports, records, documents, accounts, invoices, receipts or expenditures relating to this Agreement. In addition, the VTVW will maintain all such foregoing reports and records until all audits and examinations are completed and resolved, or for a period of three (3) years after termination of this Agreement, whichever sooner.

6. The recipient agrees to comply with the organizational audit requirements of OMB Circular A-133, "Audits of States, Local Governments, and Non-Profit Organizations." In conjunction with the beginning date of the award, the audit report period of the state or local government entity to be audited under the single audit requirement is (01/2006) to (12/2006). The audit report must be submitted no later than (01/2008) and each audit cycle thereafter covering the entire award period as originally approved or amended. The management letter must be submitted with the audit report. Subsequent audits must be submitted no later than thirteen (13) months after the close of the recipient organization's audited fiscal year. The submission of the audit report shall be as follows:

When the Department of Justice (DOJ) is the cognizant agency, an original and one copy of the audit report shall be sent to:

DOJ Regional Inspector General for Audit
Philadelphia Regional Audit Office
701 Market Street, Suite 201
Philadelphia, PA 19106
215-580-2111

A copy of your audit transmittal letter addressed to the Regional Inspector General, shall be sent to:

Audit Services
Office of the Controller
Office of Justice Programs
810 7th Street, NW, Room 5303
Washington, D.C. 20531

When DOJ is not the cognizant agency, an original and one copy of the audit report shall be sent to the cognizant agency:



Also, a copy of the audit report shall be sent:

DOJ Regional Inspector General for Audit
Philadelphia Regional Audit Office
701 Market Street, Suite 201
Philadelphia, PA 19106
215-580-2111

A copy of your audit transmittal letter addressed to the Regional Inspector General, shall be sent to:

Audit Services
Office of the Controller
Office of Justice Programs
810 7th Street, NW, Room 5303
Washington, D.C. 20531

The recipient agrees to submit their corrective action plan with the audit report to the DOJ Regional Inspector General for Audit, when there are findings/recommendations disclosed in the audit report. The corrective action plan should include: (1) specific steps taken to comply with the recommendations; (2) timetable for performance and/or implementation date for each recommendation; and (3) description of monitoring to be conducted to ensure implementation.

A Department of Justice Order requires the Office of Justice Programs (OJP) to maintain a data base of all grants made by DOJ components. (DOJ Order 2900.8A (June 20, 1990) copy attached). To implement this requirement, OJP requires all DOJ components to submit to it a completed form, "Grantee Information for Access, a copy of which is attached, for completion by the recipient.

The recipient acknowledges that failure to furnish an acceptable audit as determined by the cognizant Federal agency may be a basis for denial of future Federal funds and/or refunding of Federal funds and may be a basis for limiting the recipient to payment by reimbursement on a case basis.

7. Executive Order 12549

The participant agrees that an authorized officer or employee will execute and return to the DEA Investigative Support Section (OMS), 2401 Jefferson Davis Highway, Alexandria 22301, the attached OJP Form 4061/6, "Certification Regarding Lobbying; Debarment, Suspension, and other Responsibility Matters; and Drug Free Workplace Requirements." The participant acknowledges that this agreement will not take effect and that no Federal funds will be awarded by DEA until the completed certification is received.

8. Disclosure of Federal Participation

In compliance with Section 623 of Public Law 102-141, the recipient agrees that no amount of this Award shall be used to finance the acquisition of goods or services (including construction services) for the Project unless the recipient:



- (a) Specifies in any announcement of the awarding of the contract for the procurement of the goods and services involved (including construction services) the amount of Federal funds that will be used to finance the acquisition; and
- (b) Expresses the amount announced pursuant to paragraph (a) as a percentage of the total cost of the planned acquisition.

The above requirements only apply to a procurement for goods or services (including construction services) that have an aggregate value of \$500,000 or more.

9. It is further covenant and agreed that the **VTWV** will hold the DEA, its agents and employees and the United States Government harmless from any and all claims, demands, suits, liabilities and cases of action, of whatever kind and designation, and wherever located in the State of **VERMONT**, resulting from the DCE/SP funded by DEA. The DEA acknowledges that the United States is liable for the wrongful or negligent acts or omissions of its officers and employees while on duty and acting within the scope of their employment to the extent permitted by the Federal Tort Claims Act, 28 USC Sections 1346(b), 2671, et seq.

10. The **VTWV** shall comply with Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, the Americans With Disabilities Act (as incorporated in the Civil Rights Act of 1991) and all requirements imposed or pursuant to the regulations of the United States Department of Justice implementing those laws, 28 C.F.R. Part 42, Subparts C, D, and F.

11. Within sixty (60) days after termination of the Agreement, the **VTWV** will prepare a December Monthly Accounting Form and a SF-269, Financial Status Report, itemizing the breakdown of final expenditures. The December Accounting form and the SF-269, along with a refund check, payable to DEA for any unexpended funds which were advanced by DEA, pursuant to this Agreement will be returned to DEA.

12. Upon submission of the SF-269 and December Accounting Form to the Investigative Support Section (OMS) for the preceding year, a copy of the general ledger and the underlying supporting documentation reflecting the expenditures for equipment in excess of \$5,000 and the expenses associated with the rental or leasing of vehicles or aircraft must be attached.

13. The duration of this Agreement shall be as specified in Paragraph 2. The terms of this Agreement may be terminated by either party for good cause shown by notice in writing given to the other party thirty (30) days prior thereof. All obligations that are outstanding on the above prescribed termination date or on the date of any thirty (30) day notice of termination shall be liquidated by the **VTWV** within sixty (60) days thereof, in which event DEA will only be liable for obligations incurred by the **VTWV** during the terms of this Agreement. In no event shall the **VTWV** incur any new obligations during the period of notice of termination. The **VTWV** shall return to DEA all unexpended funds forthwith after the sixty (60) days liquidated period.



THE VERMONT FISH & WILDLIFE

By: Col. [Signature]

Title: Director of Law Enforcement

Date: 4/10/2006

DRUG ENFORCEMENT ADMINISTRATION

By: _____

Special Agent in Charge
New England Field Division

Date: _____

*DEA ACCOUNTING DATA: _____

DEA/FFS INPUT DATE: _____, BY: _____

*DIVISIONAL FISCAL CLERK MUST INPUT INTO DEA/FFS

**TO BE FILLED OUT BY HEADQUARTERS:
APPROVAL FOR PAYMENT**

This is to verify that all of the administrative determinations have been made, that the payment is legal, proper, correct and approved for payment.

Amount:	<u>\$4,000.00</u>
Obligation Doc No.	<u>See Above</u>
Line No.	_____
Signature	_____
Printed Name /Title	<u>Philip A. Jessar – Chief, Investigative Support Section</u>
Date Approved	_____





U.S. DEPARTMENT OF JUSTICE
OFFICE OF JUSTICE PROGRAMS
OFFICE OF THE COMPTROLLER

**CERTIFICATIONS REGARDING LOBBYING; DEBARMENT, SUSPENSION AND
OTHER RESPONSIBILITY MATTERS; AND DRUG-FREE WORKPLACE REQUIREMENTS**

Applicants should refer to the regulations cited below to determine the certification to which they are required to attest. Applicants should also review the instructions for certification included in the regulations before completing this form. Signature of this form provides for compliance with certification requirements under 28 CFR Part 69, "New Restrictions on Lobbying" and 28 CFR Part 67, "Government-wide Department and Suspension (Nonprocurement) and Government-wide Requirements for Drug-Free Workplace (Grants)." The certifications shall be treated as a material representation of fact upon reliance will be placed when the Department of Justice determines to award the covered transaction, grant, or cooperative agreement.

1. LOBBYING

As required by Section 1352, Title 31 of the U.S. Code, and implemented at 28 CFR Part 69, for persons entering into a grant or cooperative agreement over \$100,000, as defined at 28 CFR Part 69, the applicant certifies that:

(a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any Federal grant, the entering into of any cooperative agreement, and extension, continuation, renewal, amendment, or modification of any Federal grant or cooperative agreement;

(b) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, "Disclosure of Lobbying Activities," in accordance with its instructions;

(c) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants, contracts under grants and cooperative agreements, and subcontracts) and that all sub-recipients shall certify and disclose accordingly.

**2. DEBARMENT, SUSPENSION, AND OTHER
RESPONSIBILITY MATTERS
(DIRECT RECIPIENT)**

As required by Executive Order 12549, Debarment and Suspension, and implemented at 28 CFR Part 67, for prospective participants in primary covered transactions, as defined at 28 CFR Part 67, Section 67.510-

A. The applicant certifies that it and its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of Federal benefits by a State or Federal court, or voluntarily excluded from covered transactions by any Federal department or agency;

(b) Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them 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) Are 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 (1)(b) of this certification; and

(d) 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; and

B. Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

**3. DRUG-FREE WORKPLACE
(GRANTEES OTHER THAN INDIVIDUALS)**

As required by the Drug-Free Workplace Act of 1988, and implemented at 28 CFR Part 67, Subpart F, for grantees, as defined at 28 CFR Part 67 Sections 67.615 and 67.620-

A. The applicant certifies that it will or will continue to provide a drug-free workplace by:

(a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

(b) Establishing an on-going drug-free awareness program to inform employees about-

(1) The dangers of drugs abuse in the workplace;

(2) The grantee's policy of maintaining a drug-free workplace;

(3) Any available drug counseling, rehabilitation, and employee assistance programs; and

(4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

(c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);

(d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will-

(1) Abide by the terms of the statement; and

(2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;

(e) Notifying the agency, in writing, within 10 calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to: Department of Justice, Office of Justice Programs, ATTN: Control Desk, 633 Indiana Avenue, N.W., Washington, D.C. 20531. Notice shall include the identification number(s) of each affected grant;

(f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted-

(1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

(2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

(g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).

B. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address, city, country, state, zip code)

Check if there are workplace on file that are not identified here.

Section 67, 630 of the regulations provides that a grantee that is a State may elect to make one certification in each Federal fiscal year. A copy of which should be included with each application for Department of Justice funding. States and State agencies may elect to use OJP Form 4061/7.

Check if the State has elected to complete OJP Form 4061/7.

**DRUG-FREE WORKPLACE
(GRANTEES WHO ARE INDIVIDUALS)**

As required by the Drug-Free Workplace Act of 1988, and implemented at 28 CFR Part 67, Subpart F, for grantees, as defined at 28 CFR Part 67; Sections 67.615 and 67.620-

A. As a condition of the grant, I certify that I will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in condition any activity with the grant; and

B. If convicted of a criminal drug offense resulting from a violation occurring during the conduct of any grant activity, I will report the conviction, in writing, within 10 calendar days of the conviction, to: Department of Justice, Office of Justice Programs, ATTN: Control Desk, 633 Indiana Avenue, N.W., Washington, D.C. 20531.

As the duly authorized representative of the applicant, I hereby certify that the applicant will comply with the above certifications.

1. Grantee Name and Address:

VT. Fish & Wildlife Dept.
Law Enforcement Div.
COL. ROBERT ROOKS
103 SO. MAIN ST. 10 North
Waterbury, VT. 05671-0501

2. Application Number and/or Project Name

Agreement # 2006-107

3. Grantee IRS/Vendor Number

~~046000331~~
036000274

4. Typed Name and Title of Authorized Representative

COL. ROBERT ROOKS, Director of LAW Enforcement

5. Signature



6. Date

4/10/06