

NI_120_340, Revised Fiscal Year (FY) 2012 Appropriations Restrictions on Use of Funds to Enter Into Financial Transactions with Corporations with Felony Convictions or Delinquent Taxes

340.0 Purpose

To provide additional guidance to implement the FY 2012 appropriations restrictions on the expenditure of funds to enter into financial transactions with corporations that have been convicted of felonies or that have Federal tax delinquencies. Immediate action is required to avoid potential Antideficiency Act violations.

340.1 Background

NRCS must comply with additional guidance from the Office of General Counsel (OGC) to comply with restrictions found in Public Law 112-55 Sections 738 and 739. This guidance assists NRCS and staff offices in identifying corporations with felony convictions and unpaid Federal tax liability status prior to entering into transactions. All award and solicitation documents should include representations that address restrictions found in Public Law 112-55 Sections 738 and 739.

340.2 Explanation of Changes

- A. All grants, cooperative agreements, and contribution agreements must include [Form AD-3030, "Representation Regarding Felony Conviction and Tax Delinquent Status for Corporate Applicants,"](#) as part of the application package.
- B. All grants, cooperative agreements, and contribution agreements must include [Form AD-3031, "Assurance Regarding Felony Conviction or Tax Delinquent Status for Corporate Applicants,"](#) as part of the award package.
- C. All memoranda of understanding (MOUs) and memoranda of agreement (MOAs) must include [Form AD-3031, "Assurance Regarding Felony Conviction or Tax Delinquent Status for Corporate Applicants,"](#) attached to the MOU or MOA document.