



# OREGON-IDAHO HIDTA PROGRAM

## HIGH INTENSITY DRUG TRAFFICKING AREA

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March 25, 2016

Chief Larry O'Dea  
Portland Police Bureau  
1111 SW 2<sup>nd</sup> Portland Police Bureau  
Portland, OR 97204

Chief O'Dea:

On March 7, 2016 the Office of National Drug Control Policy (ONDCP) notified the Oregon Department of Public Safety Standards and Training (DPSST), an ONDCP grantee and Oregon-Idaho High Intensity Drug Trafficking Area (HIDTA) Program fiduciary agency, that the program's Fiscal Year 2016 funding request has been approved and that a grant (Grant Number G16OR003A) has been awarded in the amount of \$3,138,600.00. The Fiscal Year 2016 award period is January 1, 2016-December 31, 2017.

The award notice that was sent by ONDCP was accompanied by a Grant Agreement which was signed by DPSST representative Todd Anderson and filed with ONDCP through the National HIDTA Assistance Center (NHAC).

The Portland Area Metropolitan Gang Task Force's 2016 award is \$10,000.00

I have attached, for your signature, a Memorandum of Agreement (MOA) that outlines the requirements of the award. Upon receipt of a signed copy of the MOA, the Portland Area Metropolitan Gang Task Force may begin seeking reimbursement against its \$10,000.00 award retroactively to January 1, 2016.

In order to be eligible for reimbursement, all expenditures must be within the agreed upon budget and in compliance with the provisions set forth in the HIDTA Program Policy and Budget Guidance. All reimbursement requests for authorized grant expenditures will need to be submitted to the the Oregon-Idaho HIDTA Director's Office. Approved requests will be forwarded to DPSST for payment.

Please ensure that the signed MOA and all reimbursement requests are sent to:

Chris Gibson, Director  
Oregon-Idaho HIDTA Program  
4190 Aumsville Highway  
Salem, OR 97317

In addition to the MOA, a copy of the award notification letter and Grant Agreement, which includes the initiative's budget, has been attached for your use.

Kathy Jackson, the Oregon-Idaho HIDTA Financial Manager will assist the initiative's staff with financial questions, documentation, forms, and reimbursements. Kathy may be contacted by telephone at 503-934-2046 or by e-mail at [kathleen.jackson@state.or.us](mailto:kathleen.jackson@state.or.us).

If you have questions or concerns, please feel free to contact me at any time.

Sincerely,

A handwritten signature in blue ink, appearing to read "Ch. R. Gibson".

**Chris Gibson, Director**  
**Oregon-Idaho HIDTA Program**  
**(O) 503-934-2020**  
**(C) 503-580-7680**  
[chris.r.gibson@state.or.us](mailto:chris.r.gibson@state.or.us)

Cc: Assistant Special Agency in Charge Mike Plichta, Federal Bureau of Investigation  
Lieutenant Mike Krantz, Portland Police Bureau



March 7, 2016

Director Todd Anderson  
Department of Public Safety Standards & Training  
4190 Aumsville Highway  
Salem, OR 97317

Dear Director Anderson:

We are pleased to inform you that your request for funding from the High Intensity Drug Trafficking Areas (HIDTA) Program has been approved, and a grant (Grant Number G16OR003A ) has been awarded in the amount of \$3,138,600.00. This grant will support initiatives designed to implement the Strategy proposed by the Executive Board of the Oregon - Idaho HIDTA and approved by the Office of National Drug Control Policy (ONDCP).

The original Grant Agreement, including certain Special Conditions, is enclosed. By accepting this grant, you assume the administrative and financial responsibilities outlined in the enclosed Grant Conditions, including the timely submission of all financial and programmatic reports, the resolution of audit findings, and the maintenance of a minimum level of cash-on-hand. Should your organization not adhere to these terms and conditions, ONDCP may terminate the grant for cause or take other administrative action.

If you accept this award, please sign both the Grant Agreement and the Grant Conditions and return a copy to:

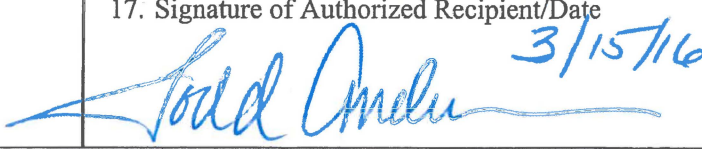
Finance Unit  
National HIDTA Assistance Center  
11200 NW 20th Street, Suite 100  
Miami, FL 33172  
(305) 715-7600  
Or via email to your respective NHAC accountant.

Please keep the original copy of the Grant Agreement and Grant Conditions for your file. If you have any questions pertaining to this grant award, please contact me at (202) 395-4868.

Sincerely,

Michael K. Gottlieb

Michael K. Gottlieb  
National HIDTA Director

<b>Executive Office of the President Office of National Drug Control Policy</b>		<b>Grant Agreement</b>	
1. Recipient Name and Address  Department of Public Safety Standards & Training 4190 Aumsville Highway Salem, OR 97317		4. Award Number (FAIN): G16OR003A	
		5. Period of Performance: From 01/01/2016 to 12/31/2017	
2. Total Amount of the Federal Funds Obligated: \$3,138,600.00		6. Federal Award Date: March 7, 2016	7. Action: Initial
2A. Budget Approved by the Federal Awarding Agency \$3,138,600.00		8. Supplement Number	
3. CFDA Name and Number: <i>High Intensity Drug Trafficking Areas Program - 95.001</i>		9. Previous Award Amount:	
3A. Project Title  <i>High Intensity Drug Trafficking Areas (HIDTA) Program</i>		10. Amount of Federal Funds Obligated by this Action: \$3,138,600.00	
		11. Total Amount of Federal Award: \$3,138,600.00	
12. This Grant is non-R&D and approved subject to such conditions or limitations as are set forth on the attached seven pages.			
13. Statutory Authority for Grant: <i>Public Law 114-113</i>			
<b>AGENCY APPROVAL</b>		<b>RECIPIENT ACCEPTANCE</b>	
14. Typed Name and Title of Approving Official Michael K. Gottlieb National HIDTA Director Office of National Drug Control Policy		15. Typed Name and Title of Authorized Official Director Todd Anderson  Department of Public Safety Standards & Training	
16. Signature of Approving ONDCP Official  Michael K. Gottlieb		17. Signature of Authorized Recipient/Date  3/15/16	
<b>AGENCY USE ONLY</b>			
18. Accounting Classification Code DUNS: 099140316 EIN: 1930505794A1		19. HIDTA AWARD OND1070DB1617XX OND6113 OND2000000000 OC 410001	



## GRANT CONDITIONS

### A. General Terms and Conditions

1. This award is subject to The Uniform Administrative Requirements, Cost Principles, and Audit Requirements in 2 C.F.R. Part 200 (the “Part 200 Uniform Requirements”), as adopted and implemented by the Office of National Drug Control Policy (ONDCP) in 2 C.F.R. Part 3603. For this 2016 award, the Part 200 Uniform Requirements supersede, among other things, the provisions of 28 C.F.R. Parts 66 and 70, as well as those of 2 C.F.R. Parts 215, 220, 225, and 230.

For more information on the Part 200 Uniform Requirements, see <https://cfo.gov/cofar/>. For specific, award-related questions, recipients should contact ONDCP promptly for clarification.

2. This award is subject to the following additional regulations and requirements:
  - 28 CFR Part 69 – “New Restrictions on Lobbying”
  - 2 CFR Part 25 – “Universal Identifier and System of Award Management”
  - Conflict of Interest and Mandatory Disclosure Requirements, set out in paragraph 7 of these terms and conditions
  - Non-profit Certifications (when applicable)
3. Audits conducted pursuant to 2 CFR Part 200, Subpart F, “Audit Requirements” must be submitted no later than 9 months after the close of the grantee’s audited fiscal year to the Federal Audit Clearinghouse at <https://harvester.census.gov/facweb/>.
4. Recipients are required to submit Federal Financial Reports (FFR) to the Department of Health and Human Services, Division of Payment Management (HHS/DPM). Federal Financial Report is required to be submitted quarterly and within 90 days after the grant is closed out.
5. The recipient gives ONDCP or the Government Accountability Office, through any authorized representative, access to, and the right to examine, all paper or electronic records related to the grant.
6. Recipients of HIDTA funds are not agents of ONDCP. Accordingly, the grantee, its fiscal agent (s), employees, contractors, as well as state, local, and Federal participants, either on a collective basis or on a personal level, shall not hold themselves out as being part of, or representing, the Executive Office of the President or ONDCP.
7. These general terms and conditions as well as archives of previous versions of the general terms and conditions are available online at [www.whitehouse.gov/ondcp/grants](http://www.whitehouse.gov/ondcp/grants).
8. Conflict of Interest and Mandatory Disclosures

#### A. Conflict of Interest Requirements

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As a non-Federal entity, you must follow ONDCP's conflict of interest policies for Federal awards. Recipients must disclose in writing any potential conflict of interest to an ONDCP Program Officer; recipients that are pass-through entities must require disclosure from subrecipients or contractors. This disclosure must take place immediately whether you are an applicant or have an active ONDCP award.

The ONDCP conflict of interest policies apply to sub-awards as well as contracts, and are as follows:

- i. As a non-Federal entity, you must maintain written standards of conduct covering conflicts of interest and governing the performance of your employees engaged in the selection, award, and administration of subawards and contracts.
- ii. None of your employees may participate in the selection, award, or administration of a subaward or contract supported by a Federal award if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from an organization considered for a sub-award or contract. The officers, employees, and agents of the non-Federal entity must neither solicit nor accept gratuities, favors, or anything of monetary value from subrecipients or contractors or parties to subawards or contracts.
- iii. If you have a parent, affiliate, or subsidiary organization that is not a State, local government, or Indian tribe, you must also maintain written standards of conduct covering organizational conflicts of interest. Organizational conflicts of interest means that because of relationships with a parent company, affiliate, or subsidiary organization, you are unable or appear to be unable to be impartial in conducting a sub-award or procurement action involving a related organization.

#### B. Mandatory Disclosure Requirement

As a non-Federal entity, you must disclose, in a timely manner, in writing to ONDCP all violations of Federal criminal law involving fraud, bribery or gratuity violations potentially affecting the Federal award. Non-Federal entities that have received a Federal award that includes the term and condition outlined in 200 CFR Part 200, Appendix XII "Award Term and Condition for Recipient Integrity and Performance Matters," are required to report certain civil, criminal, or administrative proceedings to SAM. Failure to make required disclosures can result in remedies such as: temporary withholding of payments pending correction of the deficiency, disallowance of all or part of the costs associated with noncompliance, suspension, termination of award, debarment, or other legally available remedies outlined in 2 CFR 200.338 "Remedies for Noncompliance".

9. FFATA / DATA Act Compliance. Each applicant is required to (i) Be registered in the System for Award Management (SAM) before submitting its application; (ii) provide a valid DUNS number in its application; (iii) continue to maintain an active SAM registration with current information at all times during which it has an active Federal award; and (iv) provide all relevant grantee information required for ONDCP to collect for reporting related to FFATA and DATA Act requirements.
10. Subawards are authorized under this grant award. Subawards must be monitored by the award recipient as outlined in 2 CFR 200.331.

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11. Recipients must comply with the Government-wide Suspension and Debarment provision set forth at 2 CFR Part 180.
12. As specified in the HIDTA Program Policy and Budget Guidance, recipient must:
  - a) Establish and maintain effective internal controls over the Federal award that provides reasonable assurance that Federal award funds are managed in compliance with Federal statutes, regulations and award terms and conditions. These internal controls should be in compliance with the guidance in "Standards for Internal Control in the Federal Government," issued by the Comptroller General of the United States and the "Internal Control Integrated Framework," issued by the Committee of Sponsoring Organizations of the Treadway Commission (COSO).
  - b) Comply with Federal statutes, regulations, and the terms and conditions of the Federal awards.
  - c) Evaluate and monitor compliance with applicable statute and regulations, and the terms and conditions of the Federal award.
  - d) Take prompt action when instances of noncompliance are identified, including noncompliance identified in audit findings.
  - e) Take reasonable measures to safeguard protected personally identified information (PII) and other information ONDCP or the recipient designates consistent with applicable Federal, state, and local laws regarding privacy and obligations of confidentiality.

## B. Recipient Integrity and Performance Matters

### Reporting of Matters Related to Recipient Integrity and Performance

#### 1. General Reporting Requirement

If the total value of your 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 this Federal award, then you as the recipient during that period of time must maintain and report current information to the System for Award Management (SAM) that is made available in the designated integrity and performance system (currently the Federal Awardee Performance and Integrity Information System (FAPIIS)) about civil, criminal, or administrative proceedings described in paragraph 2 of this award term and condition (below). This is a statutory requirement under section 872 of Public Law 110-417, as amended (41 U.S.C. 2313). As required by section 3010 of Public Law 111-212, all information posted in the designated integrity and performance system on or after April 15, 2011, except past performance reviews required for Federal procurement contracts, will be publicly available.

#### 2. Proceedings About Which You Must Report

Submit the information required about each proceeding that:

- a. Is in connection with the award or performance of a grant, cooperative agreement, or procurement contract from the Federal Government;
- b. Reached its final disposition during the most recent 5 year period; and
- c. Is one of the following:

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- (1) A criminal proceeding that resulted in a conviction, as defined in paragraph 5 of this award term and condition (below);
- (2) A civil proceeding that resulted in a finding of fault and liability and payment of a monetary fine, penalty, reimbursement, restitution, or damages of \$5,000 or more;
- (3) An administrative proceeding, as defined in paragraph 5 of this award term and condition, that resulted in a finding of fault and liability and your payment of either a monetary fine or penalty of \$5,000 or more or reimbursement, restitution, or damages in excess of \$100,000; or
- (4) Any other criminal, civil, or administrative proceeding if:
  - (i) It could have led to an outcome described in paragraph 2.c.(1), (2), or (3) of this award term and condition;
  - (ii) It had a different disposition arrived at by consent or compromise with an acknowledgment of fault on your part; and
  - (iii) The requirement in this award term and condition to disclose information about the proceeding does not conflict with applicable laws and regulations.

### 3. Reporting Procedures

Enter in the SAM Entity Management area the information that SAM requires about each proceeding described in paragraph 2 of this award term and condition. You do not need to submit the information a second time under assistance awards that you received if you already provided the information through SAM because you were required to do so under Federal procurement contracts that you were awarded.

### 4. Reporting Frequency

During any period of time when you are subject to the requirement in paragraph 1 of this award term and condition, you must report proceedings information through SAM for the most recent 5 year period, either to report new information about any proceeding(s) that you have not reported previously or affirm that there is no new information to report. Recipients that have Federal contract, grant, and cooperative agreement awards with a cumulative total value greater than \$10,000,000 must disclose semiannually any information about the criminal, civil, and administrative proceedings.

### 5. Definitions

For purposes of this award term and condition:

- a. Administrative proceeding means a non-judicial process that is adjudicatory in nature in order to make a determination of fault or liability (e.g., Securities and Exchange Commission Administrative proceedings, Civilian Board of Contract Appeals proceedings, and Armed Services Board of Contract Appeals proceedings). This includes proceedings at the Federal and State level but only in connection with performance of a Federal contract or grant. It does not include audits, site visits, corrective plans, or inspection of deliverables.
- b. Conviction, for purposes of this award term and condition, means a judgment or conviction of a criminal offense by any court of competent jurisdiction, whether entered upon a verdict or a plea, and includes a conviction entered upon a plea of nolo contendere.
- c. Total value of currently active grants, cooperative agreements, and procurement contracts includes—

- (1) Only the Federal share of the funding under any Federal award with a recipient cost share or match; and



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(2) The value of all expected funding increments under a Federal award and options, even if not yet exercised.

### C. Program Specific Terms and Conditions

The following special conditions are incorporated into each award document.

1. This grant is awarded for above program. Variation from the description of activities approved by ONDCP and/or from the budget attached to this letter must comply with the reprogramming requirements as set forth in ONDCP's HIDTA Program Policy and Budget Guidance.
2. This award is subject to the requirements in ONDCP's HIDTA Program Policy and Budget Guidance.
3. No HIDTA funds shall be used to supplant state or local funds that would otherwise be made available for the same purposes.
4. The requirements of 28 CFR Part 23, which pertain to information collection and management of criminal intelligence systems, shall apply to any such systems supported by this award.
5. Special accounting and control procedures must govern the use and handling of HIDTA Program funds for confidential expenditures; i.e., the purchase of information, evidence, and services for undercover operations. Those procedures are described in Section 6 of the HIDTA Program Policy and Budget Guidance.
6. Property acquired with these HIDTA grant funds is to be used for activities of the Oregon - Idaho HIDTA. If your agency acquires property with these funds and then ceases to participate in the HIDTA, this equipment must be made available to the HIDTA's Executive Board for use by other HIDTA participants.
7. All law enforcement entities that receive funds from this grant must report all methamphetamine laboratory seizure data to the National Clandestine Laboratory Database/National Seizure System at the El Paso Intelligence Center.

### D. Federal Award Performance Goals

1. All entities that receive funds from this award are responsible for achieving performance goals established in the HIDTA Performance Management Process (PMP) and approved by the HIDTA's Executive Board and ONDCP.
2. All entities that receive funds from this award must report progress in achieving performance goals at least quarterly using the PMP.

See also Section A. 4 regarding Federal Financial Reports.

### E. Payment Basis

1. A request for Advance or Reimbursement shall be made using the HHS/DPM system ([www.dpm.psc.gov](http://www.dpm.psc.gov)).
2. The grantee, must utilize the object classes specified within the initial grant application each time they submit a disbursement request to ONDCP. Requests for payment in the DPM system will not be approved unless the required disbursements have been entered using the corresponding object class designations. Payments will be made via Electronic Fund Transfer to the award recipient's bank account. The bank must be Federal Deposit Insurance Corporation (FDIC) insured. The account must be interest bearing.



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3. Except for interest earned on advances of funds exempt under the Intergovernmental Cooperation Act (31 U.S.C. 6501 et seq.) and the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450), awardees and sub-awardees shall promptly, but at least annually, remit interest earned on advances to HHS/DPM using the remittance instructions provided below.

*Remittance Instructions* - Remittances must include pertinent information of the payee and nature of payment in the memo area (often referred to as "addenda records" by Financial Institutions) as that will assist in the timely posting of interest earned on Federal funds. Pertinent details include the Payee Account Number (PAN), reason for check (remittance of interest earned on advance payments), check number (if applicable), awardee name, award number, interest period covered, and contact name and number. The remittance must be submitted as follows:

Through an electronic medium using either Automated Clearing House (ACH) network or a Fedwire Funds Service payment.

(i) For ACH Returns:

Routing Number: 051036706

Account number: 303000

Bank Name and Location: Credit Gateway—ACH Receiver St. Paul, MN

(ii) For Fedwire Returns\*:

Routing Number: 021030004

Account number: 75010501

Bank Name and Location: Federal Reserve Bank Treas NYC/Funds Transfer Division New York, NY

(\* Please note organization initiating payment is likely to incur a charge from your Financial Institution for this type of payment)

For recipients that do not have electronic remittance capability, please make check\*\* payable to: "The Department of Health and Human Services."

Mail Check to Treasury approved lockbox:

HHS Program Support Center, P.O. Box 530231, Atlanta, GA 30353-0231

(\*\* Please allow 4-6 weeks for processing of a payment by check to be applied to the appropriate PMS account)

Any additional information/instructions may be found on the PMS Web site at <http://www.dpm.psc.gov/>.

4. The grantee or subgrantee may keep interest amounts up to \$500 per year for administrative purposes.

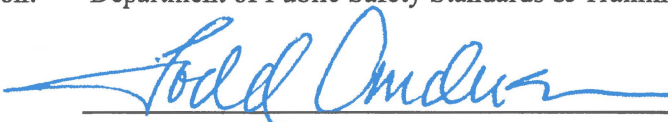
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**RECIPIENT ACCEPTANCE OF GRANT CONDITIONS**

Organization: Department of Public Safety Standards &amp; Training

Signature:



Date:

3-15-16

Name:

Todd Anderson

# Initiative Cash by HIDTA

FY 2016

Awarded Budget (as approved by ONDCP)

HIDTA	Agency Name	Initiative	Cash	Type	Grant
Oregon - Idaho	Department of Public Safety Standards & Training	Blue Mountain Enforcement Narcotics Team (BENT)	130,000.00	Investigation	G16OR003A
		Canyon Ada Domestic Highway Enforcement	30,000.00	Interdiction	G16OR003A
		Central Oregon Drug Enforcement TF (CODE)	140,000.00	Investigation	G16OR003A
		Clackamas County Interagency Task Force (C.C.I.T.F)	110,000.00	Investigation	G16OR003A
		Douglas County Interagency Narcotics Team (DINT)	75,000.00	Investigation	G16OR003A
		HIDTA Interdiction Team (HIT)	140,000.00	Interdiction	G16OR003A
		HIDTA Special Assistant United States Attorney, District of Idaho	105,000.00	Prosecution	G16OR003A
		High Desert Task Force	10,000.00	Investigation	G16OR003A
		Investigative Support Center	1,241,400.00	Intelligence	G16OR003A
		Lane County Interagency Narcotics Enforcement Team (INET)	81,000.00	Investigation	G16OR003A
		Management and Administration	536,200.00	Administration	G16OR003A
		Medford Area Drug and Gang Enforcement	125,000.00	Investigation	G16OR003A
		Multnomah County DDT	70,000.00	Investigation	G16OR003A
		Oregon HIDTA Training	100,000.00	Support	G16OR003A

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## Initiative Cash by HIDTA

HIDTA	Agency Name	Initiative	Cash	Type	Grant
Oregon - Idaho	Department of Public Safety Standards & Training	OSP Domestic Highway Enforcement	85,000.00	Interdiction	G16OR003A
		Portland Area Metro Gang TF (PAMG)	10,000.00	Investigation	G16OR003A
		Washington County Methamphetamine TF (WIN)	150,000.00	Investigation	G16OR003A
		<b>Agency Total : Department of Public Safety Standards &amp; Training</b>	<b>3,138,600.00</b>		
<b>Total</b>			<b>3,138,600.00</b>		

# Budget Detail

2016 - Oregon - Idaho

Initiative - HIDTA Interdiction Team (HIT)

Award Recipient - Department of Public Safety Standards & Training (G16OR003A )

**Resource Recipient - Portland Police Bureau**

Indirect Cost: 0.0%

<b>Awarded Budget (as approved by ONDCP)</b>		<b>\$3,138,600.00</b>
<b>Overtime</b>	<b>Quantity</b>	<b>Amount</b>
Investigative - Law Enforcement Officer	24	\$81,212.00
<b>Total Overtime</b>		<b>\$81,212.00</b>
<b>Travel</b>	<b>Quantity</b>	<b>Amount</b>
Investigative/Operational	1	\$5,000.00
<b>Total Travel</b>		<b>\$5,000.00</b>
<b>Services</b>	<b>Quantity</b>	<b>Amount</b>
Service contracts		\$13,320.00
Subscriptions - database		\$10,108.00
Vehicle lease - passenger	3	\$30,360.00
<b>Total Services</b>		<b>\$53,788.00</b>
<b>Total Budget</b>		<b>\$140,000.00</b>





# **Oregon-Idaho HIDTA**

## **High Intensity Drug Trafficking Areas Program**

### **2016 Memorandum of Agreement**

#### **HIDTA Initiative**

Portland Police Bureau HIDTA Interdiction Team

#### **HIDTA Initiative Lead Agency**

Portland Police Bureau

#### **Parties to the Agreement and Background**

The Office of National Drug Control Policy (ONDCP) awards a HIDTA Grant each year, to the Oregon Department of Public Safety Standards and Training (DPSST) on behalf of state, local and tribal law enforcement agencies who participate in Oregon-Idaho HIDTA program initiatives. These funds shall be used as designated in the initiative's Oregon-Idaho HIDTA recommended and ONDCP approved initiative budget each year.

The Oregon-Idaho HIDTA participating agency listed in this agreement is the lead agency for the initiative and is a contractor and not a sub-recipient per 2 CFR 200.330. The contractor will be responsible for implementing the strategy contained in the initiative proposal, spending funds in accordance with the approved initiative budget and ensuring that funds are used in accordance with federal statutes, regulations, ONDCP HIDTA Program Policy and Budget Guidance and the terms set forth in this memorandum of agreement.

DPSST, the HIDTA grantee, is the Fiscal Agent per this agreement and will be responsible for reimbursement to the participating agencies for their participation based on the current Oregon-Idaho HIDTA and ONDCP approved budgets in HIDTA's Financial Management System (FMS)

#### **Scope of Service**

The services carried out under this memorandum of agreement shall be consistent with those contained in the Initiative Budget Proposal and budget as approved for funding by the Oregon-Idaho HIDTA Executive Board and ONDCP. Changes shall not be made in the subject or the proposed objectives and products of initiative activities without prior written approval from the Oregon-Idaho HIDTA Director acting on behalf of the Executive Board.

#### **Awarded Funds**

\$140,000.00

#### **Award Period**

January 1, 2016 through December 31, 2017

#### **Program Guidance**

The Office of National Drug Control Policy (ONDCP) has established program guidance. These guidelines will be followed by all HIDTA participating agencies. The most current year guidelines published will always prevail for direction.

## **Initiative Management and Oversight**

The contractor manages operations for this initiative on a day-to-day basis and is the primary point of contact for the initiative participating agencies regarding operational and tactical issues.

Agency heads that have members participating in the initiative agree to form a policy board/oversight committee for the purpose of monitoring and guiding the operations of the initiative. The policy board/oversight committee will meet no less than twice per calendar year to approve the initiative's HIDTA budget submission, to review the initiative's performance and to discuss and decide upon operational and policy issues concerning the initiative.

## **Procurement**

Contractors shall utilize the same established agency procurement standards when spending HIDTA funds as when spending agency funds.

## **Invoicing**

The contractor shall invoice at least once per quarter for expenditures incurred. Invoices shall report each initiative separately and contain the expenditures by category with the agency providing the required documentation. Equipment (any item costing \$5,000 or more, including software) should be identified by item description, serial number and cost. An Oregon-Idaho HIDTA inventory tag will be issued for each item. Each agency shall maintain the item in their inventory and place the Oregon-Idaho HIDTA tag on each item.

## **Financial Reporting Requirements**

A final report of initiative expenditures shall be submitted to the Oregon-Idaho HIDTA within thirty (30) days after the close of the approved period of the HIDTA Grant. Interim financial reports shall be submitted to the Oregon-Idaho HIDTA no later than by the 30th day following the ending of each quarter. These reports are required by ONDCP.

The financial report shall contain expenditures / costs by cost categories of the approved initiative budget and the comparison of actual expenditures / costs against budget estimates. Failure to submit reports on a timely basis may result in the interruption or termination of the initiative funding for that agency. **Timely submittal of invoices for reimbursement, with documentation of expenditures, meets this reporting responsibility.**

## **Reprogramming of Funds**

Consistent with ONDCP Policy and Budget Guidance, reprogramming of HIDTA funds is allowable and subject to the following approval process:

- Approval from ONDCP is required for any proposed reprogramming that involves moving funding from a Federal agency or state, local, or tribal grantee to another Federal agency or state, local, or tribal grantee. Such reprogramming may require an amendment to the total amount of funds awarded to a grantee or the amount of funds transferred to a Federal agency. Because both of these actions require changes to account balances established by ONDCP with the Department of the Treasury, any such reprogramming, regardless of the amount involved, must be approved by ONDCP.

### ***Level A Reprogramming***

- Approval from ONDCP is required for any reprogramming of an amount equal to or greater than 20 percent of the initiative's currently approved budget if the budget is \$100,000 or more.
- Approval from ONDCP is required for any reprogramming of an amount equal to or greater than 35 percent of the initiative's currently approved budget if the budget is less than \$100,000.

### ***Level B Reprogramming***

- The HIDTA Directors, subject to procedures established by the Executive Board, may approve reprogramming not subject to the requirements for a Level A reprogramming.

## **Prohibited Use of Funds**

HIDTA program funds may not be used for:

- Clothing or clothing allowances;
- Food and beverage items, including coffee makers;
- Personal hygiene or medication items, except for: (1) items such as toilet paper, hand towels, soap, and other items that are standard supplies for an office; and (2) special hygiene products for the mitigation of risks from contact with communicable pathogens or hazardous substances that arise from tasks performed by HIDTA participants, e.g. - disinfectant wipes and liquids used after handling persons, evidence, seized materials, or exercising a search warrant;
- Professional association or bar dues;
- Promotional or representational items (e.g., hats, pins, T-shirts, or other memorabilia);
- Gifts, except for plaques and other commemorative items not exceeding \$150 awarded to recognize service to a HIDTA initiative(s) or the HIDTA program;
- Real property;
- Travel that does not clearly benefit the HIDTA program;
- Weapons and holsters;
- Ammunition; and,
- Standard issue departmental-type raid/tactical gear.

### **Supplanting**

HIDTA funds shall not be used to supplant (displace or back-fill) agency budgets or budget deficits.

### **Performance Reporting**

The contractor shall ensure that the initiative reports required performance measurement statistics on at least a calendar year, quarterly basis and no later than by the 15<sup>th</sup> day following the ending of each quarter. Performance statistics shall be recorded in the HIDTA Performance Management Program database.

### **Certifications**

ONDCP, as a condition of appropriation, requires agencies to certify that those positions funded by HIDTA for salary and benefits, would not be filled if it were not for these HIDTA funds. Contractors, by agreeing to this MOA, are agreeing to submit that certification bi-annually on agency letterhead using the language provided by ONDCP. A position description is also required to be on file at the participating agency.

ONDCP, as a condition of appropriation, requires agencies to document and certify that vehicles purchased or leased with HIDTA funds are used in support of HIDTA initiative related activities, provide the names of the people who use the vehicles and to provide that certification to the HIDTA Director on an annual basis. Contractors, by agreeing to this MOA, are agreeing to submit that certification annually to the HIDTA Director.

### **Intelligence Gathering and Dissemination and Case and Geo-Event Deconfliction**

Intelligence gathering, storage and dissemination by HIDTA initiatives must comply with applicable Oregon and/or Idaho Administrative Rules, Oregon Revised Statutes and /or Idaho Criminal Code, Federal regulations articulated in 28 CFR Part 23 and the Federal Privacy Act of 1974.

All HIDTA initiatives must timely and systematically support the HIDTA information sharing and deconfliction priority by fully participating in the HIDTA's intelligence and geo-event deconfliction systems which are currently RISSIntel and RISSafe.

### **Acceptance**

Acceptance of this MOA by the contractor represents acceptance of all standards and conditions of the HIDTA grant, HIDTA Program Policy and Budget Guidance and all requirements of 2 CFR 200-Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards.

In order to meet HIDTA Program Policy and Budget Guidance, the Oregon-Idaho Management and Administration initiative will conduct an annual audit of HIDTA expenditures of all participating agencies, primarily by reviewing the documentation submitted with each invoice, having meetings with fiscal representatives of participating agencies regarding fiscal accountability and, if needed, doing onsite audit reviews of participating agencies. There will also be a review of initiatives and all agency budgets by the Oregon-Idaho HIDTA Director, the Oregon-Idaho HIDTA Financial Subcommittee and the Oregon-Idaho HIDTA Executive Board annually. 187714

This MOA shall be a single-year agreement and the initiative lead agency will be a contractor of the fiscal agent per 2 CFR 200 Section 200.330 in the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards.

The agreement will be effective upon signature of fiscal agents and contractor and shall remain in effect until all 2016 awarded funds have been expended and as long as each party continues to participate in the Oregon-Idaho HIDTA initiative and HIDTA funds remain available from ONDCP.

### Termination of Agreement

Any party may withdraw from this agreement at any time by providing 90 days prior written notice to the other parties of its intent to withdraw from the agreement. Upon withdrawal or termination of this agreement, the initiative will deliver acquired HIDTA equipment to the HIDTA Director for disposition amongst the active HIDTA participating agencies. If acquired property cannot be physically returned due to permanency of installation, the property will still be managed and accounted for per the most current HIDTA Program Guidelines.

### SIGNATURES

#### Contractor:

Portland Police Bureau

\_\_\_\_\_  
*Larry O'Dea, Chief of Police*

\_\_\_\_\_  
*Date*

\_\_\_\_\_  
*Charlie Hales, Mayor*

\_\_\_\_\_  
*Date*

#### Fiscal Agent:

Oregon DPSST

\_\_\_\_\_  
*Eriks Gabliks, Director*

\_\_\_\_\_  
*Date*

### CONCURRENCES

#### Oregon-Idaho HIDTA:

\_\_\_\_\_  
*Chris Gibson, HIDTA Director*

\_\_\_\_\_  
*Date*

\_\_\_\_\_  
*Cam Strahm, Executive Board Chair*

\_\_\_\_\_  
*Date*