

**DEVIATION FROM THE REQUIREMENTS OF GRANTS MANUAL CHAPTER
21, GUIDELINES AND PROCEDURES FOR COMPLETING AN INDIVIDUAL
BACKGROUND SCREENING USING FORM CD-346, APPLICANT FOR
FUNDING ASSISTANCE, FOR GRANT AWARDS MADE UNDER THE
BROADBAND TECHNOLOGY OPPORTUNITIES PROGRAM (BTOP)**

Pursuant to section Z of Chapter 16, of the Department of Commerce Grants and Cooperative Agreements Interim Manual (Grants Manual), the Office of Acquisition Management (OAM) hereby approves the deviations from Chapter 21 of the Grants Manual set forth below for grant awards made under the BTOP Program in accordance with the American Recovery and Reinvestment Act (ARRA) of 2009 (Pub. L. 111-5). These deviations are approved pending revision of Chapter 21 and are approved under extraordinary circumstances, which are in the best interest of the Federal Government. The extraordinary circumstances are: 1) the withdrawal of responsibility on a regular basis of the Office of Inspector General (OIG) from the individual background screening process; and 2) the unprecedented undertaking of the National Telecommunications and Information Administration (NTIA) to award billions of dollars in grants under BTOP in the short period of time provided by the ARRA.

Deviations

1. It shall be the Grants Officer's responsibility to manage the background screening process. References to OIG authorities and language in Chapter 21, which require the OIG to perform regular background screenings or conduct other activities associated with regular background screenings shall not apply to the BTOP award process.
2. There shall be no monetary threshold (i.e., \$100,000 or less) exempting BTOP awards from the background screening process.
3. The BTOP Program Office is responsible for providing the appropriate number of Forms CD-346, "Applicant for Funding Assistance," to the proposed recipient for completion by each key individual. The forms shall be sent to only organizations proposed to receive the award.
4. Each key individual for the proposed recipient organization must complete Form CD-346 and return it with an original signature to the BTOP Program Office. Hard copy forms should be sent to the following address via overnight mail:

Attn: BTOP Compliance
U.S. Dept. of Commerce
NTIA/OTIA, Room 4812
1401 Constitution Ave. NW
Washington, DC 20230
5. The Compliance Team of the BTOP Program Office will review and forward Form CD-346 to the Office of Acquisition Management (OAM) at the following address:

U.S. Department of Commerce
Room H-6412
1401 Constitution Avenue, NW
Washington, D.C. 20230 ATTN: James W. Rogers

OAM will establish an administrative record of the forms received and courier the CD-346 to:

Administrative and Management Systems Division
Census Hiring and Employment Check Office
Decennial Applicant Name Check (DANC) Staff
4600 Silver Hill Road, Washington, DC 20233

Concurrently the BTOP Program Office will provide a list to the relevant Grants Offices of all organizations for whom CD-346's are being forwarded to the Census Hiring and Employment Check Office for processing.

The name check process will commence at this point with entry of data into the Federal Bureau of Investigation System. Results will be returned to the BTOP Program Office and the appropriate Grants Office when received by OAM.

6. The BTOP Program shall be responsible for any costs incurred in conducting the criminal background investigations.
7. The Grants Officer shall maintain the CD-346 and related results of the criminal background investigation in the official award file. Because the CD-346 and results of the criminal background investigation may have personally identifiable information (PII), the file shall be secured in a locked file cabinet or room. Access to the file cabinet or room shall be controlled and monitored by the Grants Officer. Electronic files shall be protected by user ID names and passwords.
8. Nothing in this deviation is intended to restrict the BTOP Program and/or Grants Officer from seeking guidance or assistance from the OIG in a particular case.