

FAPIS FAQ:

o **Who enters data and where** – FAPIS is two separate systems, one for entering data (CPARS) and one for checking data (PIPRS). We anticipate that very few people will be entering the data and more people will be checking. From our agreements experience, we think there will be a small number of entries per year based on the criteria. Emily Brown ASC will be the focal point for this effort. She will have 2 roles, she will grant access to the data entry part of the system and provide training as needed. From the information we have so far, it appears that the Agreement Specialist will be the one to request access and enter data. All data entry is on the Government end (internal). Stakeholders can access the public system to see their information and provide comments.

o **Why would we need to enter data - Requirements for Federal Agencies:**

o Report information about any termination of a grant award due to a material failure to comply with the award terms and conditions

o Report information about any administrative agreement with a NFE to resolve a suspension or debarment proceeding

o Report any finding that a NFE is not qualified to receive an award, if the award is over the simplified acquisition threshold, if the finding is based on criteria related to the NFE's integrity or prior performance under a Federal award

o **Why do we have to do this** – This is required by section 872 of the Duncan Defense Authorization Act for Fiscal 2009 (Public Law No 110-417, codified as amended at 41 U.S.C. Section 2313). This is being implemented federal-wide.

o **How is this system different than SAM.gov** – Eventually down the road this will be combined with SAM.gov, but for now they are two separate systems.

- **Public site versus login** – If someone wants to enter the public site without a login, they will see more of a general summary of information, they won't be able to see any cooperator comments and there is a 14 day delay between when the data is entered and when you can see it. If you request/receive a login, you will be able to see all of the data. Emily does not grant access to this system. You have to request access through the site itself.

How do I enter FAPIIS information? – Contact Emily Brown and she will provide you access to the CPARS system. Access is granted on an as needed basis.

What information does the cooperator have to put in FAPIIS? – The cooperator does not enter information into FAPIIS unless a FAPIIS record has been created for them due to the reasons above. They may review the record and provide comments.

Who in our agency is responsible for entering information into FAPIIS? – Emily Brown will serve as Focal Point contact for APHIS (and will train others as backups). If the situation arises that you need to enter data into FAPIIS, the agreements contact should request access to CPARS from Emily. Access to CPARS is not required wide-spread.

When do I check FAPIIS? - Check FAPIIS whenever considering awarding a grant for over \$150,000. Most of the cooperators that APHIS works with will not have a FAPIIS record, indicating there are no FAPIIS related concerns. This search can either be run through the public site or you can request access to a PIPRS account through the system itself.

What is the FAPIIS Website? <https://www.fapiis.gov/fapiis/index.action>

What is the term I need to add to relevant agreements? - For an award over \$500,000, the terms and conditions of the award must contain, or reference Appendix XII to 2 CFR 200, which reads:

A. 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 the currency of information reported 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. 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 five year period; and
- c. Is one of the following:

(1) A criminal proceeding that resulted in a conviction, as defined in paragraph 5 of this award term and condition;

(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 five 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

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