

UNITED STATES INTERNATIONAL DEVELOPMENT COOPERATION AGENCY
AGENCY FOR INTERNATIONAL DEVELOPMENT
WASHINGTON DC 20523

PD-ABG-921 MAY 1984

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APR 16 1984

Ms. Laurie S. Wiseberg
Executive Director
Human Rights Internet
1338 G Street, S.E.
Washington, D.C. 20003

SUBJECT: Grant OTR-0086-G-SS-4172-00

Dear Ms. Wiseberg:

Pursuant to the authority contained in the Foreign Assistance Act of 1961, as amended, the Agency for International Development (hereinafter referred to as "A.I.D." or "Grantor") hereby grants to the Human Rights Internet (hereinafter referred to as "HRI" or "Grantee") the sum of \$120,000 to provide support for a human rights computerized data base.

This Grant is effective as of the date of this letter and shall apply to commitments made by the Grantee in furtherance of program objectives during the period beginning with the effective date and ending April 16, 1986.

This Grant is made to the Grantee, on condition that the funds will be administered in accordance with the terms and conditions as set forth in Attachment 1, Schedule: Attachment 2, "Program Description"; and Attachment 3, "Standard Provisions: which have been agreed to by your organization.

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Please sign the original and seven copies of this letter to acknowledge your receipt of this Grant and return the original and six copies to the Office of Contract Management.

Sincerely yours,

Edward H. Thomas

Edward H. Thomas
Grant Officer
Central Operations Division
Office of Contract Management

Enclosures:
Schedule
Program Description
Standard Provision

ACCEPTED

HUMAN RIGHTS INTERNET

BY:

TYPED/PRINTED NAME:

TITLE:

DATE:

Laurie S. Wiseberg
LAURIE S WISEBERG
Exec Director
5/4/84

Fiscal Data

Appropriation No. : 72-1141021.6
Budget Plan No. : FDAA-84-13010-DG-11
Allotment No. : 446-30-099-00-20-41
FDD/T No. : 930-0086-3043336
Total Oblig. Amt. : \$ 120,000

CLASS# 99 0925 216

FUNDS AVAILABLE

APR 17 1984 *o/c 4190
R. Hemphill*

Program Acctg. Division
OFFICE OF FINANCIAL MANAGEMENT

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SCHEDULE

A. PURPOSE OF GRANT

The purpose of this Grant is to provide support to the Grantee to design and implement a human rights computerized data base.

B. PERIOD OF GRANT

The effective date of this Grant is April 16, 1984. The expiration date of this Grant is April 16, 1986.

C. AMOUNT OF GRANT AND PAYMENT

1. A.I.D. hereby obligates the amount of \$120,000 for purposes of this grant.

2. Payment shall be made to the Grantee in accordance with procedures set forth in Attachment 3 - Standard Provision 7B.

Payment - Periodic Advances.

D. FINANCIAL PLAN

The following is the Financial Plan for this Grant. Revisions to this Plan shall be made in accordance with Standard Provision 6, Revision of Financial Plan.

<u>Cost Element</u>	<u>FR: 4-16-84</u> <u>TO: 4-16-86</u>
Salaries	\$ 20,000
Consultants	10,000
Equipment and Maintenance	25,000
Software	10,000
Typists/Word Processing	39,000
Other Direct Costs	<u>16,000</u>
T O T A L	\$ 120,000

The Grantee must have the prior approval by the Contracting Officer of all consultants and their salaries.

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The Grantee may not exceed the total obligated amount of the Budget. Adjustments of more than 20% in line items will require written approval of the A.I.D. Project Manager.

E. SPECIAL PROVISIONS

The Standard Provisions applicable to this Grant are contained in Attachment 2 with the following exceptions:

- a. Standard Provision 72 "Payment - Federal Reserve Letter of Credit (FRLC) Advance"
- b. Standard Provision 7C "Payment - Reimbursement"
- c. Standard Provision 13B "Title to and Care of Property (U.S. Government Title)"
- d. Standard Provision 13C "Title to and Care of Property (Cooperating Country Title)"
- e. Standard Provision 15 "Termination" delete and substitute the attached Standard Provision 15 "TERMINATION AND SUSPENSION".

F. REPORT

The Grantee will submit progress reports at six month intervals from the effective date of the Grant to the Bureau for Program and Policy Coordination, Office of Policy Development and Program Review. The reports will cover progress to date, an overall description of the materials that have been computerized, problems encountered and planned activities for the coming six months.

PROGRAM DESCRIPTION

IMPLEMENTATION

The Grantee will design and implement a computerized data base for international human rights materials.

The data base will facilitate rapid retrieval of human rights information previously collected by the Grantee and processed manually. The first phase of work will be putting the system together, determining appropriate additional equipment and software, developing a system for subject indexing and inputting the material. Once the system is designed the next eighteen (18) months will be devoted to put the human rights materials in the computerized documentation and information system.

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ALTERATIONS IN GRANT

The following alterations have been made in the provisions of this grant:

1. Change the title of Standard Provision 15*, dated "2-82, to read:

"TERMINATION AND SUSPENSION".

2. Insert a new paragraph "(d)" in Standard Provision 15* as follows:

(d) Suspension: Termination for Changed Circumstances. If at any time AID determines (1) that disbursement by AID would be in violation of applicable law, or (2) that continuation of funding for a program should be suspended or terminated because such assistance is not in the national interest of the United States, then AID may, following notice to the Grantee, suspend this Grant and prohibit the Grantee from incurring additional obligations chargeable to this Grant other than necessary and proper costs in accordance with the terms of this Grant during the period of suspension. If the situation causing the suspension continues to pertain for 60 days or more, then AID may terminate this Grant on written notice to the Grantee and cancel that portion of this Grant which has not been disbursed or irrevocably committed to third parties. Financial settlement of this Grant shall be governed by the termination procedures specified in paragraph (c) above.

3. Delete the applicability statement in Standard Provision 16, Voluntary Participation, and substitute the following therefor:

"(This provision is applicable to all grants involving any aspect of family planning or population assistance activities.)"

4. Delete the applicability statement in Standard Provision 17, Prohibition on Abortion-Related Activities, and substitute the following therefor:

*This is Standard Provision 5 for AID Forms 1420-53, and -54

"(This provision is applicable to all grants involving any aspect of family planning or population activities.)".

5. Add the following to the last line of paragraph (a) of Standard Provision 17: "; (5) lobbying for abortion."

6. Delete paragraph (b) of Standard Provision 17 and substitute the following therefor:

" (b) No funds made available under this Grant will be used to pay for any biomedical research which relates, in whole or in part, to methods of, or the performance of, abortions or involuntary sterilizations as a means of family planning. Epidemiologic or descriptive research to assess the incidence, extent or consequences of abortion is not precluded.

(c) The Grantee shall insert paragraphs (a), (b), and (c) of this provision in all subgrants, subcontracts, purchase orders, and any other subordinate agreements hereunder."

7. *Delete Paragraph (c) of Standard Provision 10A entitled "Procurement of Goods and Services Under \$250,000" and substitute the following therefore:

"(c) Geographic Source and Order of Preference

All goods (e.g., equipment, materials, and supplies) and services, the costs of which are to be reimbursed under this grant, and which will be financed with United States dollars, shall be purchased in and shipped from only "Special Free World" countries (i.e., AID Geographic Code 935) in accordance with the following order of preference:

- (1) the United States (AID Geographic Code 000),
- (2) the cooperating country,
- (3) "Selected Free World" countries (AID Geographic Code 941),
- (4) "Special Free World" countries (AID Geographic Code 935)."

8. **Delete Paragraph (d) of Standard Provision 10B entitled "Procurement of Goods and Services Over \$250,000," and substitute the following therefore:

*This is Standard Provision 12A for AID Forms 1420-53 and -54.
**This is Standard Provision 12B for AID Forms 1420-53 and -54

"(d) Nationality. Except as specified in paragraph (c) of this provision, in order to be eligible for AID financing under this grant, suppliers, contractors, or subcontractors must fit one of the following categories:

(1) Suppliers of commodities. A supplier providing goods under this grant must fit one of the following categories for the costs of such goods to be eligible for AID financing:

(i) An individual who is a citizen or, except as provided in paragraph (d)(7) of this clause, a legal resident of a country or area included in the authorized geographic code;

(ii) A corporation or partnership organized under the laws of a country or area included in the authorized geographic code;

(iii) A controlled foreign corporation, i.e., any foreign corporation of which more than 50 percent of the total combined voting power of all classes of stock is owned by United States shareholders within the meaning of Section 957 et seq. of the Internal Revenue Code, 26 U.S.C. 957; or

(iv) A joint venture or unincorporated association consisting entirely of individuals, corporations, or partnerships which are eligible under any of the foregoing categories.

(2) Privately owned commercial suppliers of services. An individual or a privately owned commercial firm is eligible for financing by AID under this grant as a contractor providing services only if the criteria in paragraphs (d)(2)(i), (ii), or (iii) of this provision are met and, in the case of the categories described in paragraphs (d)(2)(ii) and (iii), the certification requirements in paragraph (d)(2)(iv) are met.

(i) The supplier is an individual who is a citizen of and whose principal place of business is in a country or area included in the authorized geographic code or a non-U.S. citizen lawfully admitted for permanent residence in the United States whose principal place of business is in the United States;

(ii) The supplier is a privately owned commercial (i.e., for profit) corporation or partnership that is incorporated or legally organized under the laws of a country or area included in the authorized geographic code, has its principal place of business in a country or area included in the authorized geographic code, and meets the criteria set forth in either subparagraph (A) or (B) below:

(A) The corporation or partnership is more than 50% beneficially owned by individuals who are citizens of a country or area included in the authorized geographic code. In the case of corporations, "more than 50% beneficially owned" means that more than 50% of each class of stock is owned by such individuals; in the case of partnerships, "more than 50% beneficially owned" means that more than 50% of each category of partnership interest (e.g., general, limited) is owned by such individuals. (With respect to stock or interest held by companies, funds or institutions, the ultimate beneficial ownership by individuals is controlling.)

(B) The corporation or partnership:

(1) has been incorporated or legally organized in the United States for more than 3 years prior to the issuance date of the invitation for bids or request for proposals, and

(2) has performed within the United States similar administrative and technical, professional, or construction services under a contract or contracts for services and derived revenue therefrom in each of the 3 years prior to the issuance date of the invitation for bids or request for proposals, and

(3) employs United States citizens in more than half its permanent full-time positions in the United States, and

(4) has the existing capability in the United States to perform the contract.

(iii) The supplier is a joint venture or unincorporated association consisting entirely of individuals, corporations, partnerships, or nonprofit organizations which are eligible under paragraphs (d)(2)(i), (d)(2)(ii), or (d)(3) of this provision.

(iv) A duly authorized officer of a firm or nonprofit organization shall certify that the participating firm or nonprofit organization meets either the requirements of paragraphs (d)(2)(ii)(A), (d)(2)(ii)(B), or (d)(3) of this clause. In the case of corporations, the certifying officer shall be the corporate secretary. With respect to the requirements of paragraph (d)(2)(ii)(A), the certifying officer may presume citizenship on the basis of the stockholder's record address, provided the certifying officer certifies, regarding any stockholder (including any corporate fund or institutional stockholder) whose holdings are material to the corporation's eligibility, that the certifying officer knows of no fact which might rebut that presumption.

(3) Nonprofit organizations. Nonprofit organizations, such as educational institutions, foundations, and associations, are eligible for financing by AID under this grant as contractors for services if they meet all of the criteria listed in paragraphs (d)(3)(i), (ii), and (iii) below, and the certification requirement in paragraph (d)(2)(iv) of this clause is met. (International agricultural research centers and such other international research centers as may be, from time to time, formally listed as such by the Senior Assistant Administrator, Bureau for Science and Technology, are considered to be of U.S. nationality for purposes of this provision.) Any such organizations must:

(i) Be organized under the laws of a country or area included in the authorized geographic code; and

(ii) Be controlled and managed by a governing body, a majority of whose members are citizens of countries or areas included in the authorized geographic code; and

(iii) Have its principal facilities and offices in a country or area included in the authorized geographic code.

(4) Government-owned organizations. Except as may be specifically approved in advance by the Grant Officer firms operated as commercial companies or other organizations (including nonprofit organizations other than public educational institutions) which are wholly or partially owned by governments or agencies thereof are not eligible for financing by AID under this grant as contractors.

(5) Joint ventures. A joint venture or unincorporated association is eligible only if each of its members is eligible in accordance with paragraphs (d)(2), (3), or (4) of this clause.

(6) Construction services from local firms. When the host country is an authorized source for services, and the estimated cost of the construction services is \$5 million or less, a corporation or partnership may be determined by AID to be an integral part of the local economy in accordance with AID Handbook 1B, Chapter 5, Paragraph 5D5, is eligible.

(7) Ineligible suppliers. Citizens of any country or area, and firms and organizations located in or organized under the laws of any country or area, which is not included in Geographic Code 935 are ineligible for financing by AID as suppliers of services or of commodities, or as agents acting in connection with the supply of services or of commodities, except that non-U.S. citizens lawfully admitted for permanent residence in the United States are eligible regardless of such citizenship.

(8) Special restrictions on procurement of construction or engineering services. Section 604(g) of the Foreign Assistance Act provides that AID funds may not be used for "procurement of construction or engineering services from advanced developing countries, eligible under the Geographic Code 941, which have attained a competitive capability in international markets for construction services or engineering services." In order to insure eligibility of a Code 941 contractor for construction or engineering services, obtain the AID Grant Officer's approval for any such contract."