



NOAA

April 2021

2021 Financial Assistance Workshop

Compliance: CARES Act, and Revisions to 2
CFR Part 200 & Research Terms & Conditions

Acquisition and Grants Office
Grants Management Division





CARES Act



Coronavirus Aid, Relief, and Economic Security (CARES Act), to States, Tribes and Territories



The CARES Act funds will help the following people impacted by COVID-19



- American workers
- Families
- Small businesses
- State and local government








This Federal financial assistance will also help to protect and sustain the American job industries





CARES Act

- Compliance
 - 2 CFR Part 200
 - Department of Commerce (DOC) Standard Terms
 - National Oceanic and Atmospheric Administration (NOAA) Standard Terms
 - Specific Award Conditions (SAC) - Funding Restrictions
 - Monitoring
 - Designated GMD team reviews all CARES Act post award actions
 - Review spend plans - NMFS
 - Monitor disbursements weekly
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Consolidated Appropriations Act of 2021

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- Consolidated Appropriations Act of 2021
 - NOAA will receive \$300 Million
 - MBDA will receive \$25 Million
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2 CFR Part 200 Revisions



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Related Resources
The Code of Federal Regulations (CFR) annual edition is the codification of the general and permanent rules published in the FEDERAL REGISTER by the departments and agencies of the Federal Government produced by the Office of the Federal Register (OFR) and the Government Publishing Office.

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e-CFR data is current as of April 6, 2021

Title 2 → Subtitle A → Chapter II → Part 200

TITLE 2—Grants and Agreements

Subtitle A—OFFICE OF MANAGEMENT AND BUDGET GUIDANCE FOR GRANTS AND AGREEMENTS

CHAPTER II—OFFICE OF MANAGEMENT AND BUDGET GUIDANCE

PART 200—UNIFORM ADMINISTRATIVE REQUIREMENTS, COST PRINCIPLES, AND AUDIT REQUIREMENTS FOR FEDERAL AWARDS

Subpart A—ACRONYMS AND DEFINITIONS

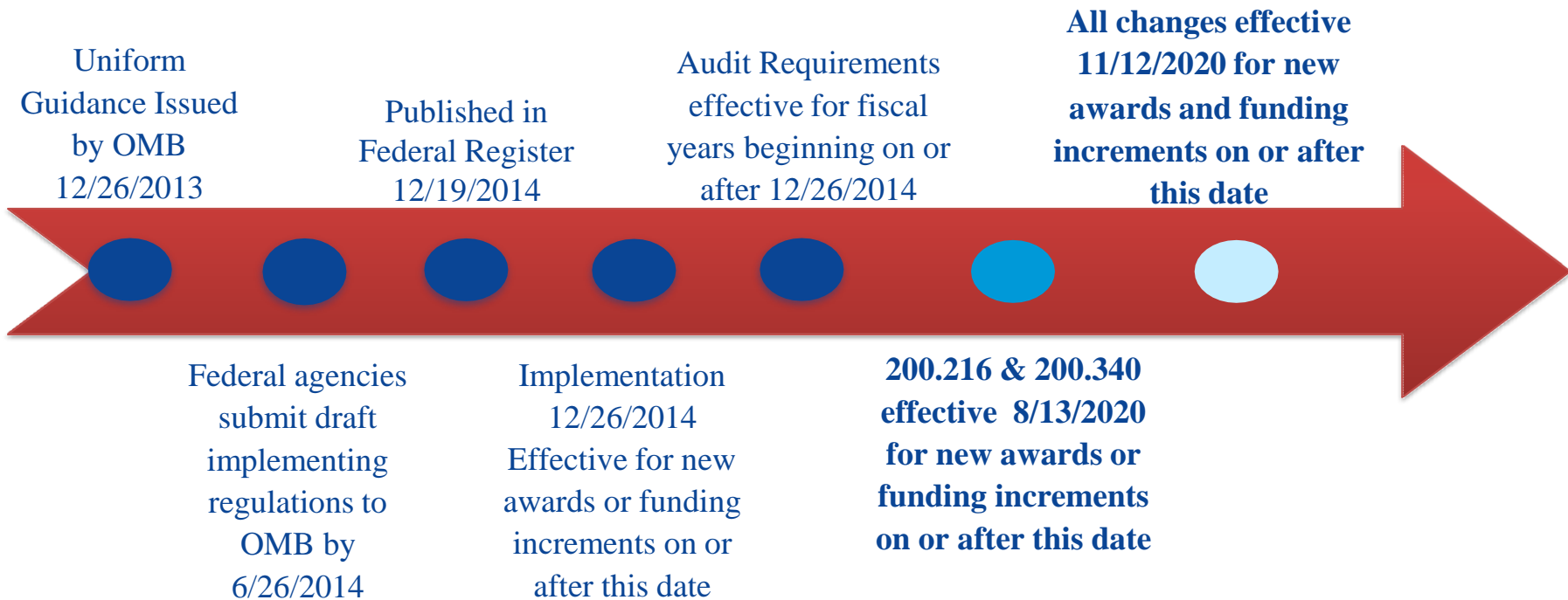
ACRONYMS

§200.0	Acronyms.
§200.1	Definitions.

Subpart B—GENERAL PROVISIONS

§200.100	Purpose.
§200.101	Applicability.
§200.102	Exceptions.
§200.103	Authorities.

2 CFR Part 200 Timeline








2 CFR Part 200 Revisions - Implementation

- Implemented on all new awards or funding increments
- Effective on all new awards or funding increments *8/13/2020+*:
 - 2 CFR 200.216 - Prohibition on certain telecommunications and video surveillance services or equipment
 - 2 CFR 200.340 - Termination
- Effective *11/12/2020*:
 - All other revisions, if applicable
 - Research Terms and Conditions, if applicable





2 CFR Part 200 - Highlighted Revisions

- Subpart A - Definitions
 - Expanded on the definition of “Budget” and included “Budget Period” definition
 - Removed Catalog of Federal Domestic Assistance (CFDA) in acronyms and replaced with “Assistance Listing”
 - Updated definitions of “Recipient” and “Subrecipient”
 - Completely revised definition for “Period of Performance”
 - Technical Revision - all definitions fall under 200.1
 - Subpart B - General Provisions
 - 200.102 - Exceptions
 - 200.105 - Effect on other issuances
 - 200.110 - Effective/applicability date
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2 CFR Part 200 - Highlighted Revisions (cont.)

- Subpart C - Pre-Federal Award Requirements and Contents of Federal Awards
 - 200.202 - Program Planning and Design - *new*
 - 200.205 - Federal awarding agency review of merit of proposals
 - 200.211 - Information contained in a Federal award
 - Federal Award Performance Goals - *new*
 - Future Budget Periods - *new*
 - Termination Provisions - *new*
 - Federal Award Performance Goals - *eliminated*
 - 200.215 - Never Contract with the Enemy - *new*
 - 200.216 - Prohibition on certain telecommunications and video surveillance services or equipment - *new*








2 CFR Part 200 - Highlighted Revisions (cont.)

- Subpart D - Post Federal Award Requirements
 - 200.301 - Performance Measurement
 - 200.305 - Federal Payment
 - 200.309 - Modifications to Period of Performance
 - 200.320 - Methods of Procurement to be Followed
 - 200.322 - Domestic Preferences for Procurements - *new*
 - 200.329 - Monitoring and Reporting Program Performance
 - 200.332 - Requirements for pass-through entities
 - 200.340 - Termination - *new*
 - 200.344 - Closeout





2 CFR Part 200 - Highlighted Revisions (cont.)

- Subpart E - Cost Principles
 - 200.403 - Factors affecting allowability of costs (*clearer*)
 - 200.413 - Direct Costs
 - 200.414 - Indirect (F&A) Costs
 - 200.462 - Publication and printing costs
 - 200.471 - Telecommunications and Video Surveillance Costs - *new*
 - Subpart F - Audit Requirements - *no significant changes*
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2 CFR Part 200 Revisions - Technical Corrections

- February 22, 2021
- Roll up definitions under §200.1
- Fixes citations and references and clarifies specific language
- For more information, visit <https://www.govinfo.gov/content/pkg/FR-2021-02-22/pdf/2021-02969.pdf>



Research Terms and Conditions



The screenshot displays the NSF Awards website. The top navigation bar includes links for Research Areas, Funding, Awards, Document Library, News, and About NSF. The left sidebar contains a menu with options such as About Awards, Award Statistics, Award Conditions, Managing Awards, Policies and Procedures, Presidential and Honorary Awards, Search Awards, and Related Links. The main content area is titled "Research Terms and Conditions" and contains the following text:

The Office of Management and Budget (OMB) mandated awarding agencies adopt recent revisions to 2 CFR 200: *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance). [Agency implementation statements](#) provide specific details on how participating agencies are implementing the revised Research Terms and Conditions (RTCs). In accordance with this requirement, the updated RTCs, which implement the changes to 2 CFR 200, will be fully effective beginning November 12, 2020. This includes all supplemental appendices (Appendix A: *Prior Approval Matrix*, Appendix B: *Subaward Requirements*, and Appendix C: *National Policy Requirements*).

Research Terms and Conditions (RTC) Agency Implementation Statements - November 12, 2020

RTC Overlay to 2 CFR 200 - November 12, 2020

- [Technical Corrections Statement](#)

RTC Appendix A Prior Approval Matrix - November 12, 2020

RTC Appendix B Subaward Requirements - November 12, 2020

RTC Appendix C National Policy Requirements - November 12, 2020






AGENCY SPECIFIC REQUIREMENTS

- DHS - N/A
- DOC - 11/20





Research Terms & Conditions (RTC) Overview

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- Purpose and Usage
 - Revisions effective 11/12/2020, apply to all new awards & funding increments (*technical corrections effective 02/22/2021*)
 - Agency Implementation Statements - DOC 11/12/2020
 - RTC Major Components:
 - RTC Overlay - *clarify/Supplement select provisions*
 - RTC Appendix A - Prior Approval Matrix
 - RTC Appendix B - Subaward Requirements
 - RTC Appendix C - National Policy Requirements
 - DOC Agency Specific Requirements










RTC Overlay

- Purpose and Usage
- Highlighted Revisions:
 - 200.216 Prohibition on certain telecommunications and video surveillance service or equipment - *incorporated 8/13/2020*
 - 200.329 Monitoring and Reporting Program Performance
 - 200.340 Termination - *incorporated 8/13/2020*
 - 200.343 Closeout - *effective 11/12/2020*










RTC Appendix A - Prior Approval Matrix

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- DOC waived some prior approvals
 - Deviations must be reported in the Research Performance Progress Report (RPPR)
 - Highlighted Revision
 - Equipment: Note 19-Department of Commerce (DOC) permits non-Federal entities to own equipment upon acquisition without conditions or without obligation to the sponsor at termination of project, *unless otherwise specified in a specific award condition*. DOC permits trade in equipment to buy replacement equipment.



RTC Appendix B - Subaward Requirements

- Appendix B-Subaward Requirements
 - 2 CFR 200
 - Research Terms and Conditions
 - Agency Specific Requirements
 - Highlighted Revisions
 - Agency Specific Requirements
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RTC Appendix C - National Policy Requirements



- National Policy Requirements








- Highlighted Revisions

- Page 9 - 200.216 Prohibition on certain telecommunications and video surveillance services or equipment
- Page 17 - Risk review of application & Federal Awardee Performance and Integrity Information System (FAPIIS)





DOC Agency Specific Requirements

- Effective 11/12/2020
 - Highlighted revisions
 - (a) Supersede orders
 - (h) All revised budgets must be reported in the RPPR “changes/problems”
 - (j) Specify submission of final reports within 120 days
 - (i) Updated website links
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Compliance: Other



DOC Financial Assistance Standard Terms & Conditions

*Updated November 12,
2020*

DEPARTMENT OF COMMERCE
FINANCIAL ASSISTANCE
STANDARD TERMS AND CONDITIONS



Administrative Standard Award Conditions for NOAA Financial Assistance Awards

*Updated February 18,
2021*

Administrative Standard Award Conditions for National Oceanic and Atmospheric Administration (NOAA) Financial Assistance Awards U.S. Department of Commerce

This Federal assistance award will be implemented using “Grants Online,” a Federal information technology system for grants management and processing. Grants Online allows the recipient to accept awards electronically, manage user roles for individuals within their organization, and submit post-award action requests, financial reports, performance progress reports, and tangible personal property and real property reports. You can contact the Grants Online Help Desk for assistance in obtaining your login credentials.

Contact the Grants Online Help Desk at GrantsOnline.HelpDesk@noaa.gov, (240) 533-9533, between the hours of 8:00 a.m. and 6:00 p.m. Eastern Time Monday through Friday excluding Federal holidays. Please refer to the NOAA website at <https://www.noaa.gov/organization/information-technology/grant-recipient-user-resources> for additional information.

I. Award Payments – ASAP Enrollment

Consistent with 2 C.F.R. §200.305 and Department of Commerce Financial Assistance Standard Terms and Conditions (Commerce Terms), recipient award payments will be made through electronic funds transfers using the U.S. Department of the Treasury’s Automated Standard Application for Payments (ASAP) system. Recipients must enroll in ASAP system by first submitting an Organization Profile Change Request via Grants Online, which will include the following requirements:

- EIN#
- DUNS#
- Name of Organization
- Type of Organization (i.e. Non-profit, For Profit, State etc.)
- Address
- Point of Contact
- Title
- Point of Contact’s Email Address
- Phone Number

If your organization is not currently enrolled in ASAP, please submit an Organization Profile Change Request in Grants Online as soon as possible to begin the enrollment process. New ASAP enrollments can take up to a month to be completed.



Administrative Standard Award Conditions for NOAA Financial Assistance Awards - Summary

- Must use Grants Online
- Award Payments – Department of the Treasury’s Automated Standard Application for Payments (ASAP) Enrollment
- Reporting (Financial, Performance, and Property)
 - Research Performance Progress Report (RPPR) - *new*
- Property Disposition
- Scientific Integrity
- Data Sharing Directive
- Sexual Assault and Sexual Harrassment (SASH) - *new*
- Post Award Actions Requests

Administrative Standard Award Conditions for NOAA Financial Assistance Awards - Scientific Integrity

- Maintain scientific integrity of research
- Prevent, detect, and remediate allegations – *recipients primary responsibility*
- Recipients must insert this provision in all subawards
- Peer review results ensures consistency with NOAA standards

Administrative Standard Award Conditions for NOAA Financial Assistance Awards - Data Sharing

- To ensure that environmental data funded extramurally by NOAA are made publicly accessible in a timely fashion (typically within two years of collection)
- Final manuscripts of peer-reviewed research papers are deposited with the NOAA Central Library
- Non-Federal entities must make data produced under financial assistance publicly accessible in a timely fashion, unless an exemption is granted
- [US Dept of Commerce/NOAA Environmental Data Management Committee \(EDMC\) - NOAA PD Data Sharing Policy](#)



NOAA Specific Conditions

- DOC Financial Assistance Award Forms (CD450 & CD451)
 - Cites all applicable terms
- Specific Award Conditions
 - Reporting requirements (*frequency*)
 - Substantial involvement (*cooperative agreement, if applicable*)
 - Prior approval requirements (*e.g. IRB approval, NEPA review*)
 - New award/multi-year award
 - Use of federal equipment (*if applicable*)
 - Match requirement (*if applicable*)



NOAA Specific Conditions



CD-450 Items	
<input checked="" type="checkbox"/>	Department of Commerce
<input checked="" type="checkbox"/>	R & D Award
<input checked="" type="checkbox"/>	Federal-Wide Research
<input checked="" type="checkbox"/>	Bureau Specific Admin
<input checked="" type="checkbox"/>	Specific Award Conditions
<input checked="" type="checkbox"/>	Line Item Budget (File
<input checked="" type="checkbox"/>	2 CFR Part 200, Uniform
<input type="checkbox"/>	48 CFR Part 31, Contract
<input checked="" type="checkbox"/>	Department of Commerce (REF:79 FR 78390)
<input checked="" type="checkbox"/>	Multi-Year Award. Please

SpecialAwardCond....pdf ^

Specific Award Conditions

Name

Description

Post Award NEPA
Review Process

Any projects selected under the future projects selection process must be reviewed for NEPA compliance by NOAA prior to funding or executing them.



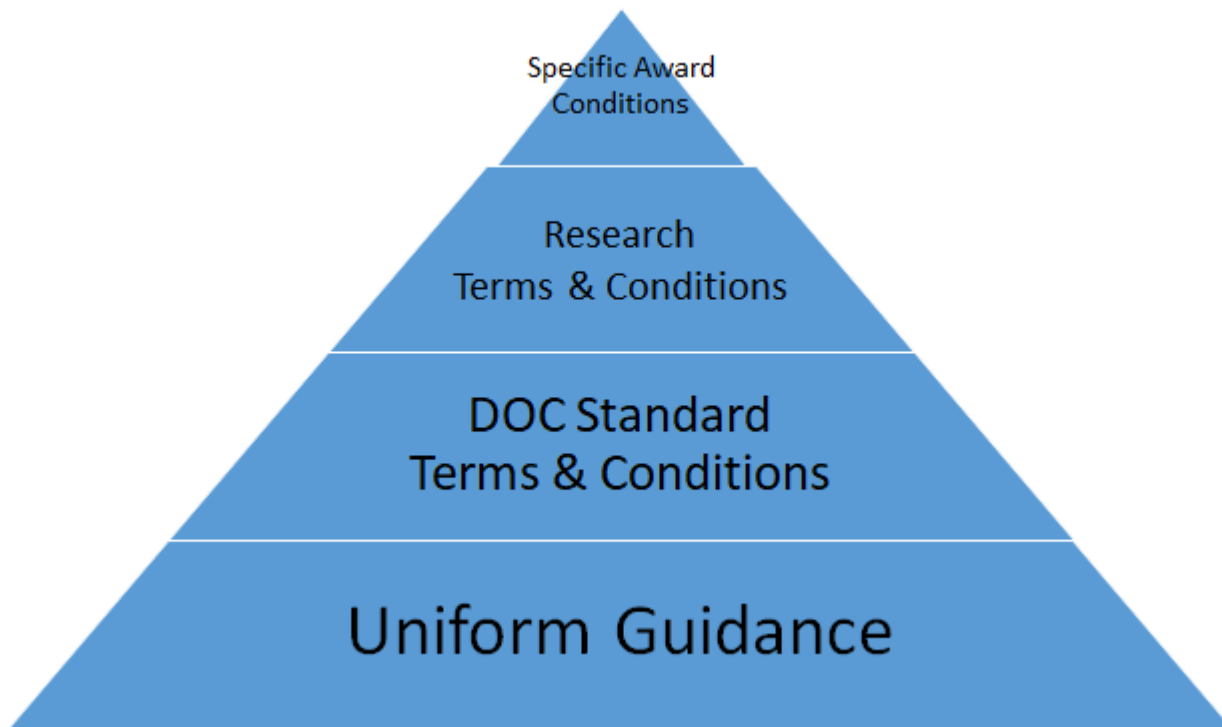
Grants Online CD-450 Sample

CD-450 Items

- [Department of Commerce Financial Assistance Standard Terms and Conditions](#)
- R & D Award
- Federal-Wide Research Terms and Conditions, as adopted by The Dept. Of Commerce
- [Bureau Specific Administrative Standard Award Conditions](#)
- [Specific Award Conditions](#)
- Line Item Budget (File Attached)
- [2 CFR Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements as Adopted Pursuant to 2 CFR § 1327.101](#)
- 48 CFR Part 31, Contract Cost Principles and Procedures
- [Department of Commerce Pre-Award Notification Requirements for Grants and Cooperative Agreements \(REF:79 FR 78390\)](#)
- Multi-Year Award. Please see the Multi-Year Specific Award Condition.
- Other(s)



Order of Precedence





OMB Flexibilities








- **Expired:** M-20-17 & M-20-26 - NOAA Guidance Regarding Administrative Relief for Recipients and Applicants of Federal Financial Assistance Directly Impacted by the Novel Coronavirus (COVID-19) Due to Loss of Operations
- **Coming Soon:** NOAA Guidance in Response to M-21-20 Promoting Public Trust in the Federal Government through Effective Implementation of the American Rescue Plan Act and Stewardship of the Taxpayer Resources, Appendix 3 - Disaster Relief Flexibilities to Reduce Burden for Financial Assistance









M-21-20 Flexibilities*

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- No-cost extensions on expiring awards
 - Extension of financial and other reporting
 - Extension of closeout
 - Extension of Single Audit submission
 - Flexibility with application deadlines
 - Pre-award costs
 - Abbreviated non-competitive continuation requests
 - Waivers from prior approval requirements
 - Waiver for Notice of Funding Opportunities (NOFOs) Publication
 - Flexibility for the Management requirement related to Physical Inventories
 - Flexibility with SAM registration/recertification
 - Exemption of certain procurement requirements

**To the extent permitted by law*



Additional Resources

- 
- [2 CFR Part 200](#)
 - [2020 Compliance Supplement](#)
 - [Federal-wide Research Terms and Conditions](#)
 - [DOC Financial Assistance Standard Terms and Conditions](#)
 - [Administrative Standard Award Conditions for NOAA Financial Assistance Awards](#)
 - [Award Action Requests \(AARs\) Guidance for Grant Recipients](#)
 - [M-21-20: Promoting Public Trust in the Federal Government through Effective Implementation of the American Rescue Plan Act and Stewardship of Taxpayer Resources](#)
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Questions?



Please submit questions to GMD.Services@noaa.gov



Please remember to complete your surveys, and contact your respective Grants Management Specialist with any additional questions.

