



**NOAA**

March 2020

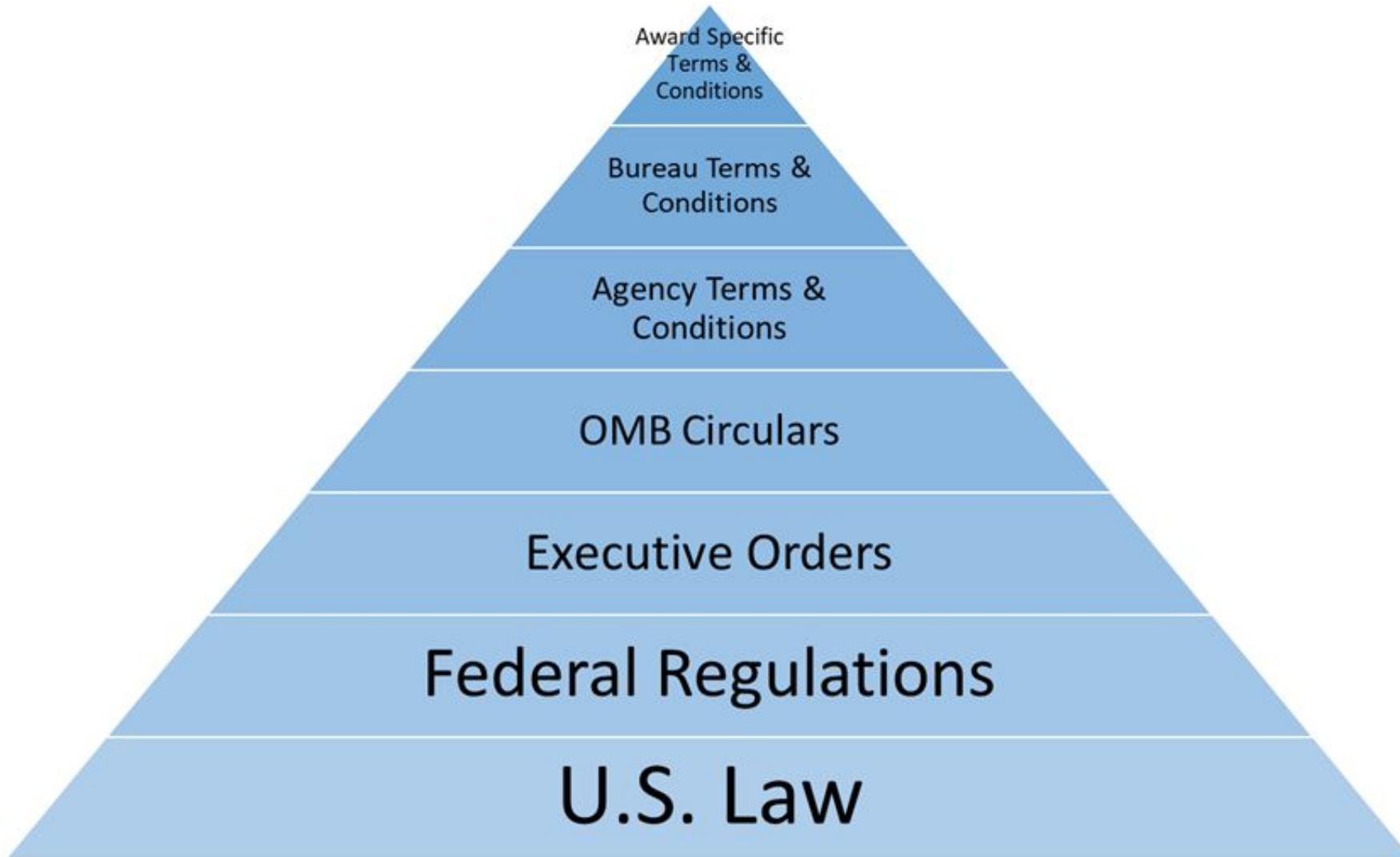
# 2020 Financial Assistance Workshop

## Compliance: Terms & Conditions

Acquisition and Grants Office  
Grants Management Division



# Order of Precedence



# U.S. Law Applying to Grants

## 1. Administrative

- Federal Grants & Cooperative Agreement Act, 31 USC 6301-6308
- Great Act of 2019
- Federal Funding Accountability and Transparency Act of 2006 (FFATA)

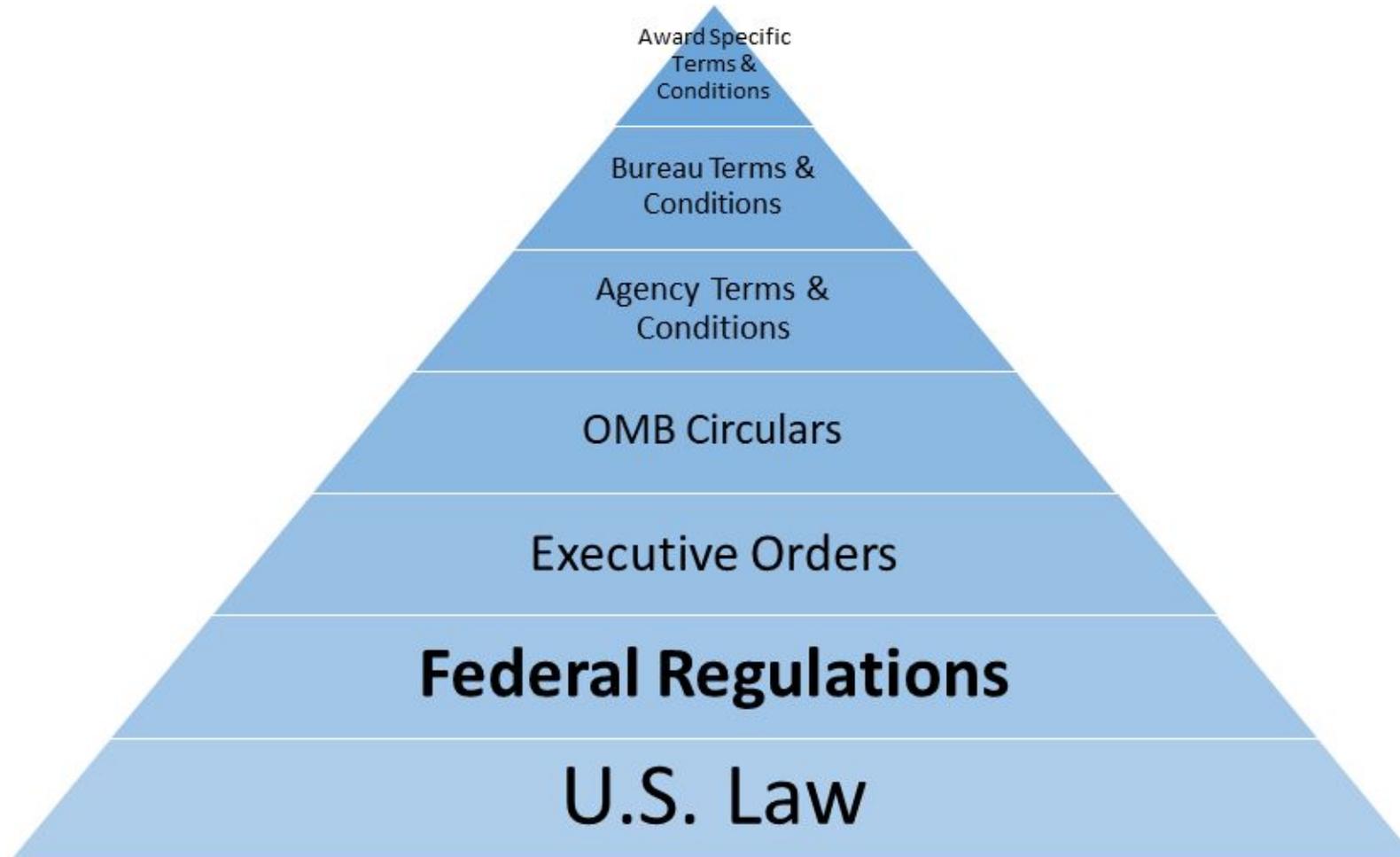
## 2. Programmatic

- Laws authorizing federal agencies to spend federal funds for a specific purpose

## 3. Funding

- Appropriation riders

# Federal Regulations





# Federal Regulations: 2 CFR 200



## “The Uniform Guidance”

- 
- Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards
  - Implemented on December 26, 2014
  - Superseded and streamlined requirements contained in OMB Circulars A-21, A-87, A-110, A-122 also A-89, A-102, A-133 and A-50
  - **New!** 2 CFR 200 update now out for public comment at [regulations.gov](https://www.regulations.gov)
- 

# Federal Regulations: 2 CFR 200

Uniform Guidance 2 CFR 200 Subparts plus Appendices 1 - 12

- Subpart A – Acronyms and Definitions
- Subpart B – General Provisions
- Subpart C – Pre-Award Requirements
- Subpart D – Post Award Requirements
- Subpart E – Cost Principles
- Subpart F – Audit Requirements\*

# Grants Online CD-450 Demonstration

## Financial Assistance Award

<b>Recipient Name:</b>	Katie's Kite University	<b>DBA Name</b>	Katie's Kite University	<b>Federal Share of Cost:</b>	\$2.00
<b>Street Address:</b>	990 Buffalo Blvd			<b>Recipient Share of Cost:</b>	
<b>City, State, Zip:</b>	Kiteville, Oklahoma 00000	<b>Project Title:</b>	The 2019 Epic Wind Surfing Contest	<b>Total Estimated Cost:</b>	\$2.00
<b>CFDA Number:</b>	00.000	<b>Award Number:</b>	NA19OAR00010000	<b>Award Period:</b>	9/1/2019-10/30/2019

## Internal Use Only

<b>ASAP Authorize Amount:</b>	\$2.00	<b>Prior Year Fund:</b>	false	<b>DoNotPay List Checked</b>	<input checked="" type="checkbox"/>
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## 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\(s\)](#)

This award is being made under competitive Federal Funding Opportunity Number NOAA-OAR-KO-2019-0000000 posted at Grants.gov on 1/1/2019.





## Electronic Code of Federal Regulations

e-CFR data is current as of **June 21, 2019**

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

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# Research Terms and Conditions

This includes:

- Research Terms and Conditions Overlay to 2 CFR Part 200
- Appendix A - Prior Approval Matrix
- Appendix B - Subaward Requirements
- Agency-Specific Requirements

Go to <https://www.nsf.gov/awards/managing/rtc.jsp>

\*Note: Research Performance Progress Report is required

Human Subjects Regulations (if applicable)

# Grants Online CD-450 Demonstration

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- NSB
- Research Areas
- Funding
- Awards
- Document Library
- News
- About NSF

### Awards

- About Awards
- Award Statistics (Budget Internet Info System)
- Award Conditions
- Managing Awards
- Policies and Procedures
- Presidential and Honorary Awards
- Search Awards

### Related Links

- Research.gov
- FastLane
- NSF Public Access Repository (NSF-

Home > Awards

Email Print Share

## Research Terms and Conditions

### RESEARCH TERMS AND CONDITIONS

Federal Register Notice - Final Notice of Standard Terms and Conditions for Research Grants

Comments received in response to the request for public comment on the updated Research Terms and Conditions to address and implement the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance) issued by the U.S. Office of Management and Budget (OMB) in the Federal Register [80 FR 61849, October 14 2015]

Federal Register Notice - Research Terms and Conditions to address and implement the Uniform Guidance, 2 CFR 200 - October 14, 2015

Research Terms and Conditions Agency Implementation Statements - December 10, 2018

### RESEARCH TERMS AND CONDITIONS

- March 14, 2017 (side by side with Uniform Guidance)

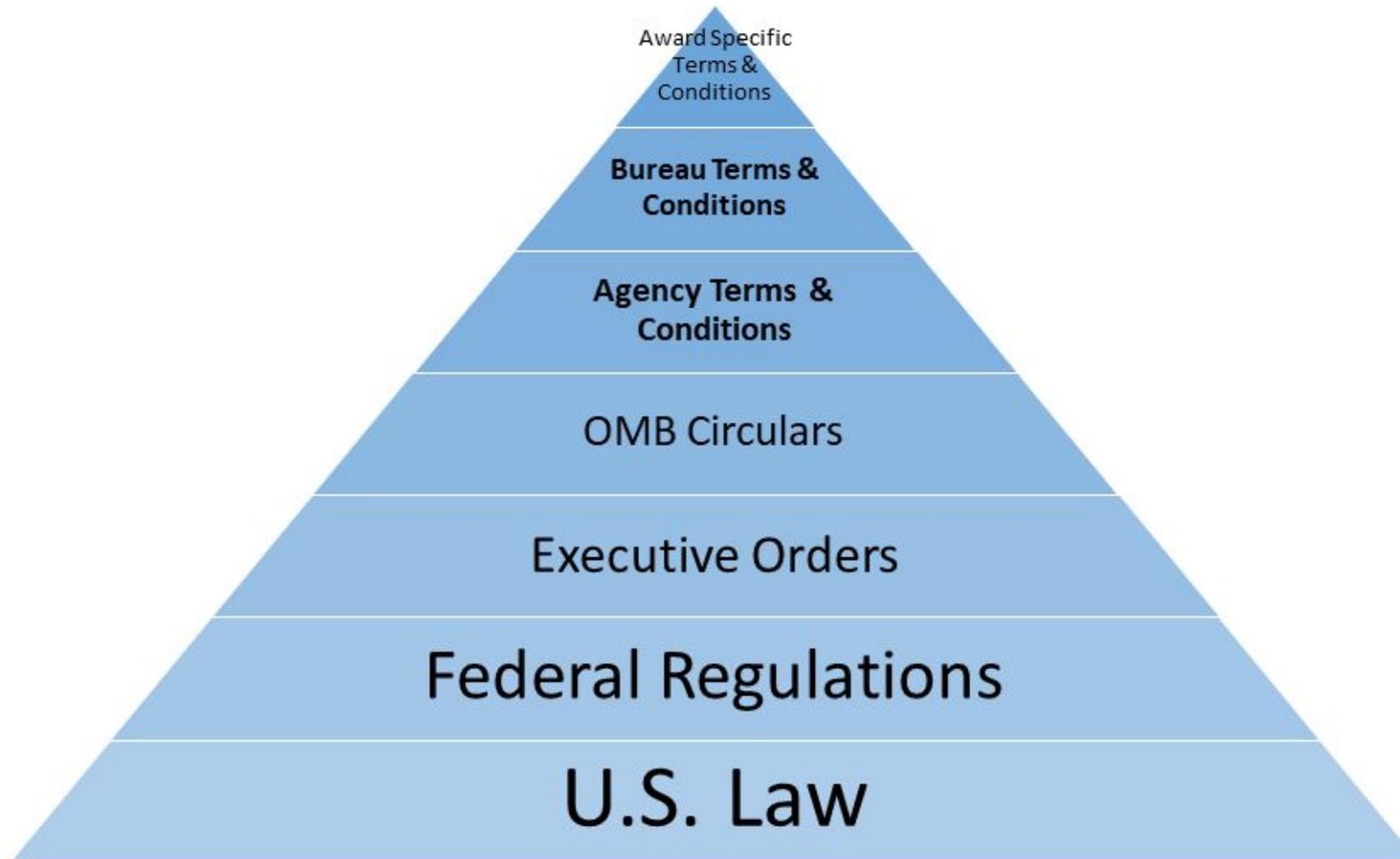
Research Terms and Conditions Appendix A Prior Approval Matrix - December 10, 2018

Research Terms and Conditions Appendix B Subaward Requirements - December 10, 2018

Research Terms and Conditions Appendix C National Policy Requirements - October 1, 2017



# Agency & Bureau Terms and Conditions



# Department of Commerce Financial Assistance Standard Terms and Conditions

- Programmatic requirements
- Financial requirements
- Internal controls
- Property standards
- Procurement standards
- Audits
- Debts
- Governmentwide debarment and suspension
- Reporting: RPPR, Performance & Financial
- Lobbying restrictions
- Codes of conduct and subaward, contract, and subcontract provisions

# Department of Commerce Financial Assistance Standard Terms and Conditions

## National policy requirements:

- Civil Rights Act of 1964
- Americans with Disabilities Act of 1990
- Equal Employment Opportunity
- National Environmental Policy Act
- Clean Air Act
- Drug-Free Workplace Act
- Fly America Act
- Federal employee expenses
- Trafficking Victims Protection Act of 2000
- Federal Funding Accountability Transparency Act (FFATA) of 2006

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DEPARTMENT OF COMMERCE  
FINANCIAL ASSISTANCE  
STANDARD TERMS AND CONDITIONS



# NOAA Financial Assistance Administrative Terms

- Must use Grants Online
- Award Payments – Department of the Treasury’s Automated Standard Application for Payments (ASAP) Enrollment
- Reporting (Financial, Performance, and Property)
- Property Disposition
- Scientific Integrity
- Data Sharing Directive
- Post Award Actions Requests

# NOAA Financial Assistance Administrative Terms

## Scientific Integrity

- Maintain scientific integrity of research
- Prevent, detect, and remediate allegations – recipients primary responsibility
- Recipients insert the provision in all subawards!
- Peer review results ensures consistency with NOAA standards
- See NOAA Financial Assistance Administrative Terms and <http://nrc.noaa.gov/ScientificIntegrityCommons.aspx> for more information

# NOAA Financial Assistance Administrative Terms

## Data Sharing Directive

- Purpose is 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
- See NOAA Financial Assistance Administrative Terms and <https://nosc.noaa.gov/EDMC/PD.DSP.php> for more information

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NOAA Financial Assistance Administrative Terms – December 13, 2017

## NOAA Financial Assistance Administrative Terms

This Federal assistance award will be implemented using “Grants Online,” a Federal solution for full life-cycle grants management processing. Grants Online allows the non-Federal entity, or 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. Grants Online operates in a web environment, and can be accessed anywhere at any time, provided that you have Internet access. You will be required to use an Internet browser to log in and to use Grants Online. Internet Explorer is the preferred browser for PC users; FireFox is the preferred browser for Mac users. No software is required for installation. Logins and passwords are required. If you do not have a password, you can contact the Grants Online Help Desk for assistance in obtaining your login credentials.

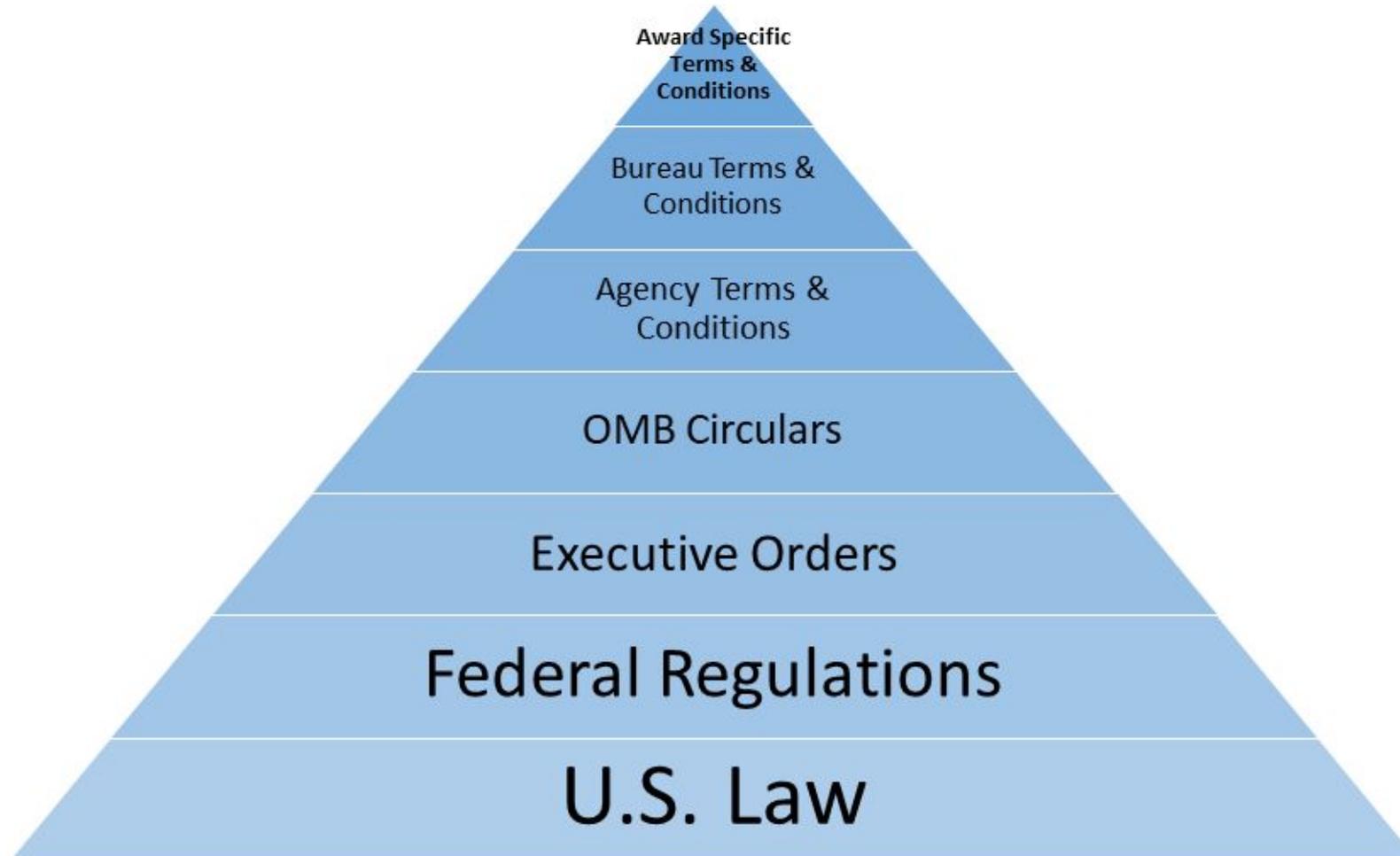
For more information, contact the Grants Online Help Desk at [GrantsOnline.HelpDesk@noaa.gov](mailto:GrantsOnline.HelpDesk@noaa.gov), (301) 444-2112, or toll free at 1-877-662-2478 between the hours of 8:00 a.m. and 6:00 p.m. Eastern Time Monday through Friday excluding Federal holidays.

Please refer to the NOAA website at:

[http://www.corporateservices.noaa.gov/grantsonline/Process%20Maps/Award\\_and\\_Post\\_Award\\_OverviewOnly.pdf](http://www.corporateservices.noaa.gov/grantsonline/Process%20Maps/Award_and_Post_Award_OverviewOnly.pdf) for additional information.



# Specific Award Conditions



# Specific Award Conditions

## Award Specific Terms

- The CD-450 of the award lists, cites, and references all of the terms the recipient is responsible for

## Award Specific Conditions

- Reporting requirements
- Substantial involvement
- New award/multi-year award
- Sexual Assault and Sexual Harassment Prevention and Response Policy
- Environmental Data Sharing
- Use of federal equipment
- Match Requirement (if applicable)

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### CD-450 Items

- Department of Commerce
- R & D Award
- Federal-Wide Research
- Bureau Specific Admin
- Specific Award Conditions
- Line Item Budget (File
- 2 CFR Part
- 48 CFR Part
- Department (REF:79 FR
- Multi-Year A

 SpecialAwardCond....pdf ^

## Special Award Conditions

**Award Number:**

**Amendment Number:**

0

### 1) Research Performance Progress Report (RPPR)

The Department of Commerce implemented a Research Performance Progress Report (RPPR) for research awards in accordance with the requirement for non-Federal entity submission of performance reports using the OMB-approved government-wide standard information collections per 2 CFR 200.328. The recipient must complete the RPPR directly in Grants Online. The RPPR format and instructions are available at:

[http://www.osec.doc.gov/oam/grants\\_management/policy/default.htm](http://www.osec.doc.gov/oam/grants_management/policy/default.htm)

# Specific Award Conditions

## Specific Award Conditions (SACs) §200.207

- Additional conditions can be imposed on the award
- Also referred to as “Special Award Conditions”
- Risk-based examples
  - Reimbursement (versus advance) payment
  - Require additional reporting
- Other examples
  - Submission of negotiated indirect cost rate agreement
  - Revised budget narrative

# Important Sources

## Your Financial Assistance Award Document (CD450) and attachments:

- 2 CFR Part 200 – Uniform Guidance for Federal Awards
- Department of Commerce Financial Assistance Std Terms and Conditions
- NOAA Financial Assistance Administrative Terms
- Research Terms and Conditions, if applicable
- Specific Conditions, if applicable

DOC Grants Policy

[http://www.osec.doc.gov/oam/grants\\_management/policy/default.htm](http://www.osec.doc.gov/oam/grants_management/policy/default.htm)

NOAA Grants Management Division

<https://www.noaa.gov/organization/acquisition-grants/financial-assistance>

# True or False?

1. I can locate the Federal, Agency (DOC), and Bureau-specific (NOAA) requirements for our award on the CD-450.
2. The Uniform Guidance (2 CFR 200) is the best resource to learn more about the Data Sharing Directive.
3. The NOAA Financial Assistance Administrative Terms addresses Data Sharing and Scientific Integrity.
4. Both the Department of Commerce Financial Assistance Standard Terms and Conditions and NOAA Financial Assistance Administrative Terms address reporting.



# Questions?

You may also submit questions to [GMD.Services@noaa.gov](mailto:GMD.Services@noaa.gov)

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

