

Texas Association Against Sexual Assault (TAASA)

&

Texas Council on Family Violence (TCFV)

Federal Grants Regulations

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Agenda

- **Conversion from OMB Circulars**
- **New 2 CFR Part 200 Uniform Grant Guidance**
- **Federal Grant Transition Crosswalk**
- **Major Emphasis/Changes**
- **Audit Related Issues**

Acronyms Used In Presentation

- **OMB – Office of Management and Budget**
- **CFR – Code of Federal Regulations**
- **UGG – Uniform Grant Guidance**
- **USC – United States Code**
- **UGMS – Uniform Grant Management Systems
(state grants for Texas)**
- **YTD – Year to Date**

Brief History

- **OMB circulars**
 - **Main federal grant guidelines**
 - **Significant change in 1984 regarding “Single Audit”**
- **2 CFR Common Rule**
 - **Federal agencies adopt government wide terms and conditions for grants**
- **2 CFR Part 200**
 - **Consolidated all OMB circulars**
- **UGMS**
 - **State of Texas grant rules**

Office of Management and Budget Circulars

OMB Circulars: State and Local Governments	OMB Circulars: Educational Institutions and Non-Profit Organizations
A-102 Grants and Cooperative Agreements with State & Local Governments	A-110 Uniform Administrative Requirements for Grants and Other Agreements with Institutions of Higher Education, Hospitals and other Non-Profit Organizations
A-87 Cost Principles	A-21 Cost Principles for Educational Institutions
	A-122 Cost Principles for Non-Profit Organizations
A-133 Audits of States, Local Governments, & Non-Profit Organizations	A-133 Audits of States, Local Governments, & Non-Profit Organizations

2 CFR Common Rule*

OMB Circulars: State and Local Governments

A-102 Grants and Cooperative Agreements with State & Local Governments

Health and Human Services 45 CFR 75

Department of Justice 28 CFR 90, 94

Department of Education 34 CFR 92

OMB Circulars: Educational Institutions and Non-Profit Organizations

A-110 Uniform Administrative Requirements for Grants and Other Agreements with Institutions of Higher Education, Hospitals and other Non-Profit Organizations

Health and Human Services 45 CFR 75

Department of Justice 28 CFR 90, 94

Department of Education 34 CFR 92

Note * - The common rule applied to federal agencies to adopt government wide terms and conditions for grants to states and local governments.

Title 2 CFR Grant and Agreements Part 200 Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards

Subparts

Subpart A – Acronyms and Definitions (200.0-200.99)

Subpart B – General Provisions (200.100-200.113)

**Subpart C – Pre-Federal Awards Requirements &
Contents of Federal Awards (200.200–200.211)**

**Subpart D – Post-Federal Awards Requirements
(200.300–200.345)**

Subpart E – Cost-Principles (200.400–200.475)

Subpart F – Audits Requirements (200.500-200.521)

Locating OMB Circulars in 2 CFR 200

Subparts	OMB Circulars
Subpart A – Acronyms and Definitions (200.0-200.99)	A-21, A-87, A-102, A-110, A-122, A-133
Subpart B – General Provisions (200.100-200.113)	A-21, A-87, A-102, A-110, A-122, A-133
Subpart C – Pre-Federal Awards Requirements & Contents of Federal Awards (200.200–200.211)	A-102, A-110
Subpart D – Post-Federal Awards Requirements (200.300–200.345)	A-102, A-110
Subpart E – Cost-Principles (200.400–200.475)	A-21, A-87, A-122
Subpart F – Audits Requirements (200.500-200.521)	A-133

Note: Internal control, previously in the audit circular, is now moved forward to post-award, in order to address internal control earlier in the process (200.303).

**New Uniform Grant Guidance Flow Chart
Code of Federal Regulations (CFR)
Title 2 CFR Grant and Agreements**

OMB Circulars: State and Local Governments*

- A-87 Cost Principles
- A-102 Grants and Cooperative Agreements with State & Local Governments
- A-133 Audits of States, Local Governments, & Non-Profit Organizations

Circulars: Educational Institutions and Non-Profit Organizations*

- A-21 Cost Principles for Educational Institutions
- A-122 Cost Principles for Non-Profit Organizations
- A-110 Uniform Administrative Requirements for Grants and Other Agreements with Institutions of Higher Education, Hospitals and other Non-Profit Organizations
- A-133 Audits of States, Local Governments, & Non-Profit Organizations

**Code of Federal Regulations (CFR)
Title 2 CFR Grant and Agreements
Part 200 Uniform Guidance**

- **Subpart A** – Acronyms and Definitions
- **Subpart B** – General Provisions
- **Subpart C** – Pre-Federal Awards Requirements & Contents of Federal Awards
- **Subpart D** – Post-Federal Awards Requirements
- **Subpart E** – Costs Principles
- **Subpart F** – Audit Regulations

**Subpart A –
Acronyms and
Definitions**

- A-21
- A-87
- A-102
- A-110
- A-122
- A-133

**Subpart B –
General
Provisions**

- A-21
- A-87
- A-102
- A-110
- A-122
- A-133

**Subpart C –
Pre-Federal
Awards
Requirements
& Contents of
Federal
Awards**

- A-102
- A-110

**Subpart D –
Post-Federal
Awards
Requirements**

- A-102
- A-110

**Subpart E –
Costs
Principles**

- A-21
- A-87
- A-122

**Subpart F –
Audit
Regulations**

- A-133

*Note * Old OMB Circulars are revised into new Uniform Grant Guidance in Title 2 CFR Grant and Agreements, Part 200 Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Award.*

Note: Internal control, previously in the audit circular, is now moved forward to post-award to address internal control earlier in the process (200.303).

New Citations in 2 CFR Part 200

Subpart	# of Citations	# of New Citations	Percent of New Citations by Subpart
Subpart A – Acronyms and Definitions	99	25	9.47%
Subpart B – General Provisions	13	3	1.14%
Subpart C – Pre-Federal Awards Requirements & Contents of Federal Awards	11	3	1.14%
Subpart D – Post-Federal Awards Requirements	45	0	0.00%
Subpart E – Cost-Principles	75	5	1.89%
Subpart F – Audits Requirements	21	0	0.00%
Total	264	36	13.64%

Major Emphasis for 2 CFR Part 200

- **Emphasis on strengthening accountability by improving policies that protect against:**
 - **Fraud**
 - **Waste**
 - **Abuse**
 - **New mandatory disclosures that nonfederal entity must disclose, in writing, any fraud, bribery or gratuity violations (gift policy)**
200.113

Greater Emphasis on Internal Control

- **Internal control is now moved to Post-Federal Award Requirements (200.303), in order to strengthen internal control for identification and mitigation:**
 - **Fraud**
 - **Waste**
 - **Abuse**
- **Policies and procedures are considered one of the most effective ways to demonstrate internal control**
- **Identify in the policies/procedures the position providing proper oversight of the policies/procedures**

Significant Changes for 2 CFR Part 200

- Focus on outcomes and performance metrics
- Financial management policies
- False claims certifications (200.415)
- Procurement standards (200.317-.323)
- Family friendly policies – dependent care costs (200.474(c)(1)) Travel costs
- Audit thresholds - \$750,000 (200.501)
- Corrective action (200.26 and 200.508)
- Remedies of noncompliance (200.338)
- Specific conditions (200.207) *formally special conditions*

Outcomes and Performance Metrics

- **Compare actual grant activities to objectives (quantify to extent possible).**
- **Reasons goals were not met, if appropriate.**
- **Significant developments:**
 - **Problems, delays, adverse conditions that would impair ability to meet objectives of the award.**
 - **Favorable developments, finished sooner or at less cost.**

Standards for Financial Management

- **Financial Reporting**
 - **Emphasis on accurate, current, and complete disclosure.**
- **Accounting Records**
 - **Emphasis on maintenance of records which adequately identify the source and application of funds.**
- **Internal control**
 - **Emphasis on effective control over all grant and subgrant cash, real and personal property, and other assets.**

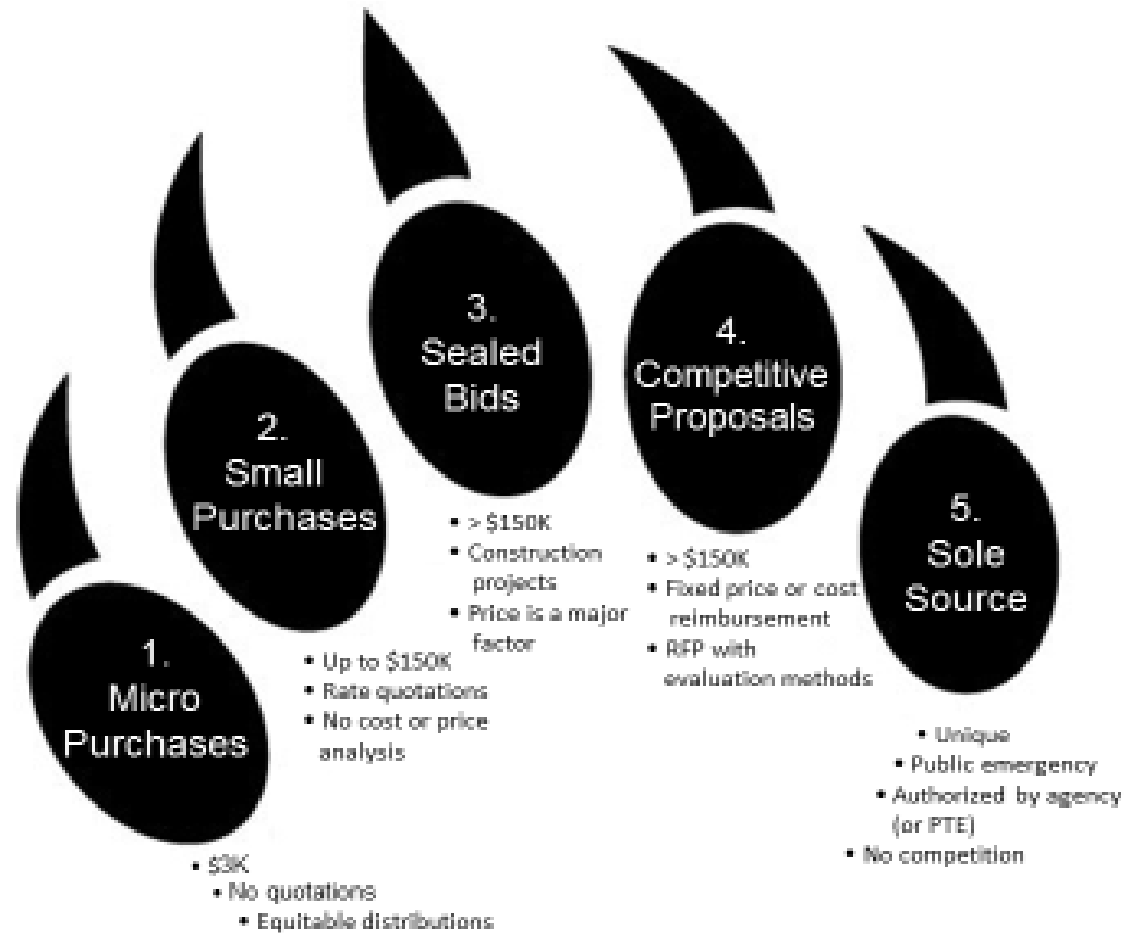
False claims certifications 200.415

- **“To assure that expenditures are proper and in accordance with the terms and conditions of the Federal award and approved project budgets,**
 - **the annual and final fiscal reports or vouchers requesting payment under the agreements must include a certification, signed by an official who is authorized to legally bind the non-Federal entity, which reads as follows:**

200.415 (cont'd)

- **By signing this report, I certify to the best of my knowledge and belief that the report is**
 - **true, complete, and accurate, and the expenditures, disbursements and cash receipts are for the purposes and objectives set forth in the terms and conditions of the Federal award.**
 - **I am aware that any false, fictitious, or fraudulent information, or the omission of any material fact, may subject me to criminal, civil or administrative penalties for fraud, false statements, false claims or otherwise.**
 - **(U.S. Code Title 18, Section 1001 and Title 31, Sections 3729-3730 and 3801-3812).”**

Procurement “Claw” (Section 200.320)



“Claw” taken for Federal website
Simplified acquisitions are less than \$150,000



All five (5) procurement types must comply with the Procurement Standards in section 200.318:

- **The purchase complies with the organization's documented procedures in place**
- **Purchases are necessary**
- **Open competition (to the extent required by each method)**
- **A conflict of interest policy and**
- **Proper documentation for the purchases**

Family friendly policies – Conferences dependent care costs

- **Added to conference costs (200.432)**
- **As needed, the costs related to identifying, but not providing, locally available dependent care resources are allowable.**

Family friendly policies – dependent care costs (200.474(c)(1)) Travel costs

- **Temporary dependent care (defined in 26 U.S.C. 152) costs and beyond regular dependent care that directly results from travel to conferences is allowable, provided that:**
 - **Costs are direct results of the individual's travel for the federal award**
 - **Costs are consistent with the entity's documented travel policy for all conference travel**
 - **Costs are only temporary during travel period**
- **Travel costs for dependents are unallowable.**

Audit Issues

- **Audit Thresholds - \$750,000 (200.501)**
 - ***Emphasis on accurate, current, and complete disclosure.***
- **Corrective action (200.26 and 200.508)**
 - ***Emphasis on maintenance of records which adequately identify the source and application of funds.***
- **Remedies of noncompliance (200.338)**
 - ***Emphasis on effective control over all grant and subgrant cash, real and personal property, and other assets.***
- **Specific conditions (200.207) formally special conditions**
 - ***Emphasis on maintenance of records which adequately identify the source and application of funds.***

THANK YOU!

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