

Changes to the Code of Federal Regulations and Federal Financial Guide

Kellie Rabenhorst, Deputy Director, OVC VOCA Center

Angela Wade, Staff Accountant/Trainer, U.S. DOJ, OJP/OCFO

Code of Federal Regulations (CFR)

Title 2: Grants and Agreements

- Subtitle A
 - Chapter I: Office of Management and Budget Governmentwide Guidance for Grants and Agreements
 - Chapter II: Office of Management and Budget Guidance
 - 2 C.F.R. 200
- Subtitle B
 - Chapter XXVIII: Department of Justice

Title 28: Judicial Administration

- Chapter I: Department of Justice
 - Part 94: Crime Victim Services

Changes to Title 2 of the Code of Federal Regulations (2 CFR Part 200)

- ▶ Published August 13, 2020
 - ▶ Effective Date: November 12, 2020 (some exceptions that were effective August 13, 2020)
- ▶ Changes are frequent
 - ▶ Subscribe for Alerts
- ▶ Link to view recent changes by Title
 - ▶ [eCFR :: Recent Changes](#)


The screenshot displays the eCFR website interface. On the left is a navigation sidebar with icons and labels for 'Details', 'Print', 'Search', 'Subscribe', 'Timeline', and 'Go to Date'. The main content area is titled 'ECFR CONTENT' and shows a hierarchical structure: 'Title 2 Grants and Agreements' (Part / 1 - 2), 'Subtitle A Office of Management and Budget Guidance for Grants and Agreements', 'Part 1 About Title 2 of the Code of Federal Regulations and Subtitle A' (1.100), and 'Chapter I Office of Management and Budget Governmentwide Guidance for Grants and Agreements' (2 - 1). Below this, a green banner reads 'ENHANCED CONTENT - SUBSCRIBE', followed by the text 'Subscribe to: Title 2 of the CFR' and a link 'Via Email: [Subscribe](#)'.

View Historical Changes by Section

- ▶ 1. Click on the calendar icon in the side-bar.
- ▶ 2. Enter the date of the version you want to view (i.e. if want to see language prior to August 13, 2020 then enter a date before such as July 30, 2020).



ENHANCED CONTENT - GO TO DATE

Date 

View Historical Changes by Title

- ▶ Two Ways to view:
 - ▶ #1 Click on the "view historical versions" that displays near top of the page and it will take you to calendar icon shown above.
 - ▶ #2. If already viewing a historical version of a section, select Title 2 in the navigation bar and it will show the version being displayed.



Displaying title 2, up to date as of 8/02/2023. Title 2 was last amended 3/01/2023.

[view historical versions](#)



Displaying the eCFR in effect on 7/30/2020.

[view current version](#)

Go to CFR Reference

[Go](#)

[Title 2](#) / [Subtitle A](#) / [Chapter II](#) / [Part 200](#) / [Subpart D](#) / [Performance and Financial Monitoring and Reporting](#) / [§ 200.327](#)



[Previous](#) / [Next](#) / [Top](#)

Compare dates of sections

- ▶ 1. Click on the two arrows merging icon in the side-bar.
- ▶ 2. Enter the date that you would like to compare to the current version (or another version) and select how you would like the information displayed from the options provided.
- ▶ If that section did not have any changes made, then no edits will appear. If the entire section is striked-through more than likely it was re-numbered. If you use the steps above to view the historical version of Title 2 then you can view the Table of Contents to see what that Section was numbered previously.



ENHANCED CONTENT - COMPARE DATES

Compare  to 

Show changes as: red/green
 purple/orange

Show strike-through for removed content yes
 no

Section Re-numbered

§ 200.332 Fixed amount subawards.

With prior written approval from the Federal awarding agency, a pass-through entity may provide subawards based on fixed amounts up to the Simplified Acquisition Threshold, provided that the subawards meet the requirements for fixed amount awards in § 200.201 Use of grant agreements (including fixed amount awards), cooperative agreements, and contracts.

Requirements for pass-through entities.

All pass-through entities must:

- (a) Ensure that every subaward is clearly identified to the subrecipient as a subaward and includes the following information at the time of the subaward and if any of these data elements change, include the changes in subsequent subaward modification. When some of this information is not available, the pass-through entity must provide the best information available to describe the Federal award and subaward. Required information includes:
 - (1) Federal award identification.
 - (i) Subrecipient name (which must match the name associated with its unique entity identifier);

Language Changes

🔗 Comparing the **current version** to what was previously in effect on **7/24/2019**.
Changes are highlighted in the text below.

[view current version](#)

⦿ § 200.320 Methods of procurement to be followed.

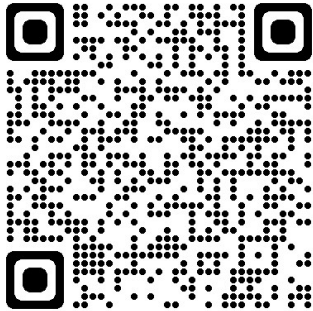
The non-Federal entity must ~~use one of~~ have and use documented procurement procedures, consistent with the standards of this section and §§ 200.317, 200.318, and 200.319 for any of the following methods of procurement used for the acquisition of property or services required under a Federal award or sub-award.

- (a) ~~Procurement by micro-purchases. Procurement by micro-purchase is the~~ **Informal procurement methods**. When the value of the procurement for property or services under a Federal award does not exceed the **simplified acquisition threshold (SAT)**, as defined in § 200.1, or a lower threshold established by a non-Federal entity, formal procurement methods are not required. The

VOCA Center Resources

- ▶ Learning Management System
 - ▶ Resource Documents
 - ▶ CFR Changes 12.1.2021 (also available in Spanish)
 - ▶ OIG Audit Preparations & Common Findings self-paced module
 - ▶ Video on Commingling
 - ▶ Special Condition Comparisons

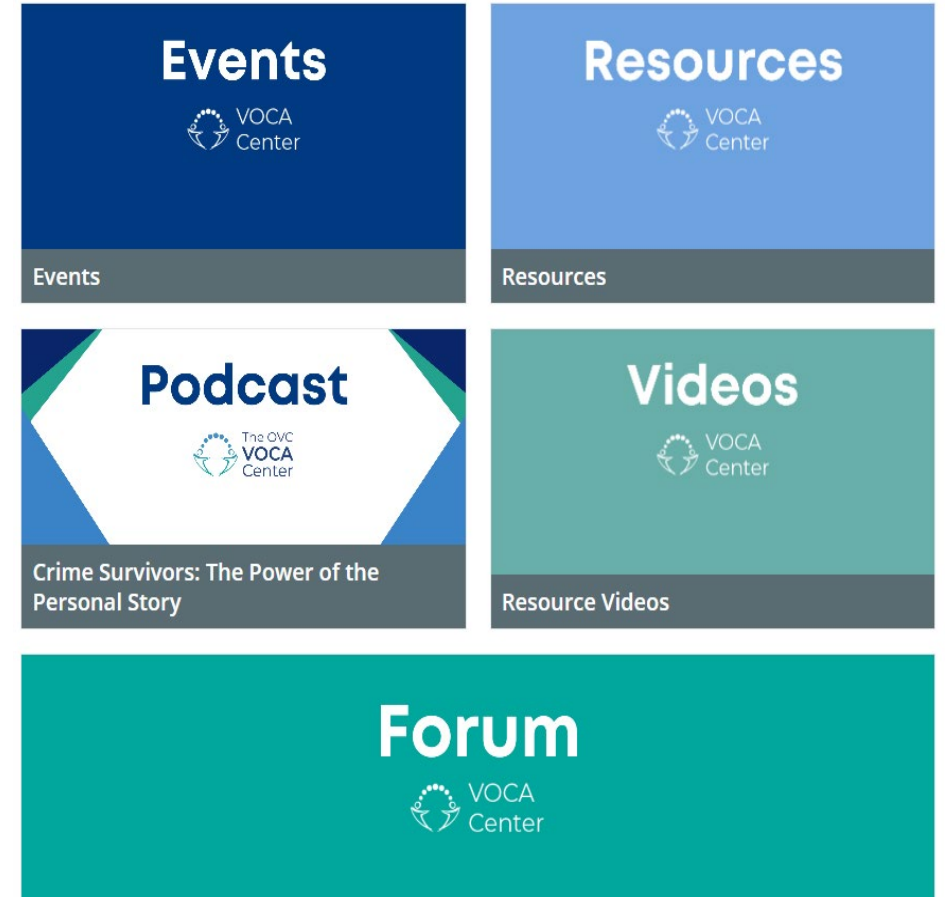
Create Account:



Contact the OVC VOCA Center:
VOCACenter@ncja.org

Kellie Rabenhorst:
krabenhorst@ncja.org

Administrator Resources



The Administrator Resources section features a grid of five navigation tiles. The top row contains 'Events' (dark blue) and 'Resources' (light blue). The middle row contains 'Podcast' (white with blue and green accents) and 'Videos' (teal). The bottom row contains a large teal 'Forum' tile. Each tile includes the VOCA Center logo and a specific resource title.

- Events**: VOCA Center
- Resources**: VOCA Center
- Podcast**: The OVC VOCA Center
Crime Survivors: The Power of the Personal Story
- Videos**: VOCA Center
Resource Videos
- Forum**: VOCA Center



Financial Management

T R A I N I N G

*2023 VOCA National Joint
Training Conference*

Office of the
Chief Financial Officer



Applicable Laws and Regulations Affecting Federal Grant Funds





Order of Precedence

- 1) Authorizing Legislation**
 - Congress
- 2) Federal Agency Regulation**
 - Code of Federal Regulation (CFR)
- 3) Terms and Conditions of the Award**
 - Grant Award Document
- 4) Federal Agency Policies**
 - DOJ Grants Financial Guide



2 CFR Part 200 (Title 2)
***Uniform Administrative Requirements, Cost
Principles and Audit Requirements for
Federal Awards Updates***





Title 2 Part 25

Universal Identifier and System for Award Management

- Establishes the Unique Entity Identifier(UEI) as a universal identifier for Federal financial assistance applicants, as well as recipients and their direct subrecipients.
- The System for Award Management (SAM) is the repository for standard information about applicants and recipients.



Title 2 Part 25

Universal Identifier and System for Award Management

- Data Universal Numbering System (DUNS)
 - Ceased on April 4, 2022
- System for Award Management (SAM)
<http://www.sam.gov>



Title 2 Part 25

Universal Identifier and System for Award Management

- A recipient may not make a subaward to a subrecipient unless that subrecipient has obtained and provided to the recipient a unique entity identifier. Subrecipients are not required to complete full SAM registration to obtain a unique entity identifier.



Title 2 Part 25

Universal Identifier and System for Award Management

- A recipient must notify any potential subrecipients that the recipient cannot make a subaward unless the subrecipient has obtained a unique entity identifier as described in paragraph of this section.



2 CFR 200.214

Suspension and Debarment

- Non-Federal entities are subject to the non-procurement debarment and suspension regulations implementing Executive Orders 12549 and 12689, 2 CFR part 180. The regulations in 2 CFR part 180 restrict awards, subawards, and contracts with certain parties that are debarred, suspended, or otherwise excluded from or ineligible for participation in Federal assistance programs or activities.



2 CFR 200.319 & 200.320

Competition & Methods of Procurement to be Followed

- All procurement transactions for the acquisition of property or services required under a Federal award must be conducted in a manner providing full and open competition consistent with the standards of this section and § 200.320.
- The Non-Federal entity must have and use documented procurement procedures, consistent with the standards of this section and §§ 200.317, 200.318, and 200.319 for any of the following methods of procurement used for the acquisition of property or services required under a Federal award or sub-award.



2 CFR 200.332

Requirements for Pass-Thru Entities

- If an approved federally recognized indirect cost rate negotiated between the subrecipient and the Federal Government exists then that rate applies. If no approved rate exists, the pass-through entity must determine the appropriate rate in collaboration with the subrecipient which is either:
 - The negotiated indirect cost rate between the pass-through entity and the subrecipient
 - The de minimis indirect cost rate.
- *The pass-through entity must not require use of a de minimis indirect cost rate if the subrecipient has a Federally approved rate.***



2 CFR 200.332

Requirements for Pass-Thru Entities

- Monitor the activities of the subrecipient as necessary to ensure that the subaward is used for authorized purposes, in compliance with Federal statutes, regulations, and the terms and conditions of the subaward; and that subaward performance goals are achieved. Pass-through entity monitoring of the subrecipient must include:
 - Reviewing financial and performance reports required by the pass-through entity.
 - Following-up and ensuring that the subrecipient takes timely and appropriate action on all deficiencies pertaining to the Federal award provided to the subrecipient from the pass-through entity detected through audits, on-site reviews, and written confirmation from the subrecipient, highlighting the status of actions planned or taken to address Single Audit findings related to the particular subaward.



2 CFR 200.332

Requirements for Pass-Thru Entities

- Issuing a management decision for applicable audit findings pertaining only to the Federal award provided to the subrecipient from the pass-through entity as required by § 200.521.
- The pass-through entity is responsible for resolving audit findings specifically related to the subaward.



2 CFR 200.344

Closeout

- The recipient must submit, no later than 120 calendar days after the end date of the period of performance, all financial, performance, and other reports as required by the terms and conditions of the Federal award. A subrecipient must submit to the pass-through entity, no later than 90 calendar days (or an earlier date as agreed upon by the pass-through entity and subrecipient) after the end date of the period of performance, all financial, performance, and other reports as required by the terms and conditions of the Federal award. The Federal awarding agency or pass-through entity may approve extensions when requested and justified by the non-Federal entity, as applicable.



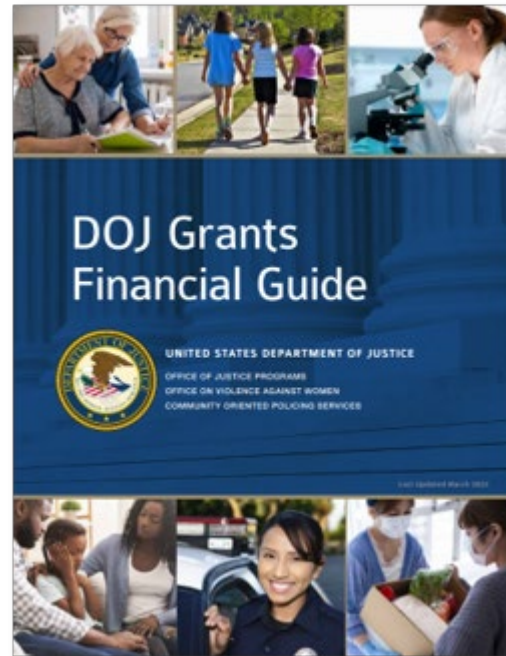
2 CFR 200.414

De Minimus Rate

- Any non-federal entity that does not currently have a negotiated indirect cost rate may elect to charge a de minimis rate of 10% of modified total direct cost (MTDC).
- Rate may be used indefinitely or until the entity elects to negotiate for a rate.
- Costs must be consistently charged as either indirect or direct – (not both).
- Subrecipients use the same guidelines as recipients.



DOJ Financial Guide



Electronic Access for the DOJ Financial Guide via Internet

<http://www.ojp.usdoj.gov/financialguide>



DOJ Financial Guide



General Information



Pre-award Requirements



Post Award Requirements



Organization Structure



Appendices



RESOURCES

OMB Homepage

www.whitehouse.gov/omb/

Code of Federal Regulations

<https://www.ecfr.gov/current/title-2/subtitle-A/chapter-II/part-200?>

DOJ Grants Financial Management Online Training

<https://onlinegfmt.training.ojp.gov>



OCFO Financial Questions via Telephone/Internet

**OCFO Customer Service Center
Monday through Friday
8:30 a.m. - 6:00 p.m. est.
1-(800) 458-0786 or (202) 305-9988
FAX (202) 353-9279**

**OCFO e-mail Address:
ask.ocfo@usdoj.gov**



Contact Information

Angela D. Wade
Staff Accountant/Trainer
US Department of Justice
OJP/OCFO
Angela.Wade@USDOJ.GOV