

OMB Revisions to Uniform Guidance Effective November 12, 2020

Area	High Level Comments	What change means to the RA Community
200.202 Program planning and design (new)	New section emphasizing importance of sound program design as an essential component of performance management and program administration. This enables Federal agency leadership and employees to codify program goals, objectives, and intended results before specifying the goals and objectives of in a solicitation.	The Federal awarding agency must design a program and create an Assistance Listing before announcing the Notice of Funding Opportunity. The program must be designed with clear goals and objectives that facilitate the delivery of meaningful results consistent with the Federal authorizing legislation of the program. Program performance shall be measured based on the goals and objectives developed during program planning and design.
200.205 Federal awarding agency review of merit of proposals (previously 200.204)	Additional language was included to articulate an explanation of the merit review process that Federal awarding agencies are expected to follow. Further, Federal awarding agencies are required to periodically review their Federal award merit review process.	The Federal awarding agency must design and execute a merit review process for applications, with the objective of selecting recipients most likely to be successful in delivering results based on the program objectives.
200.215 Never contract with the enemy (previously 200.214)	Never Contract with the Enemy applies only to grants and cooperative agreements that exceed \$50,000, are performed outside the United States, including U.S. territories, to a person or entity that is actively opposing United States or coalition forces involved in a contingency operation in which members of the Armed Forces are actively engaged in hostilities. Effective Date: August 13, 2020.	Never Contract with the Enemy applies only to grants and cooperative agreements that exceed \$50,000, are performed outside the United States, including U.S. territories, to a person or entity that is actively opposing United States or coalition forces involved in a contingency operation in which members of the Armed Forces are actively engaged in hostilities.
200.216 Prohibition on certain telecommunications and video surveillance services or equipment	The language aligns with the statutory requirements affecting the financial assistance community to include the prohibition of non-Federal entities from obligating or expending loan or grant funds for covered telecommunications equipment or services as a substantial or essential component of any system, or as a critical technology as part of any system. Must prevent purchases with Huawei Technologies Company or ZTE Corporation and their subsidiaries Effective Date: August 13, 2020.	Prohibited equipment and services: <ul style="list-style-type: none"> - Telecommunications equipment produced by Huawei Technologies Company or ZTE Corporation (or any subsidiary or affiliate of such entities). - For the purpose of public safety, security of government facilities, physical security surveillance of critical infrastructure, and other national security purposes, video surveillance and telecommunications equipment produced by Hytera Communications Corporation, Hangzhou Hikvision Digital Technology Company, or Dahua Technology Company (or any subsidiary or affiliate of such entities). - Telecommunications or video surveillance services provided by such entities or using such equipment. - Telecommunications or video surveillance equipment or services produced or provided by an entity that the

		Secretary of Defense, in consultation with the Director of the National Intelligence or the Director of the Federal Bureau of Investigation, reasonably believes to be an entity owned or controlled by, or otherwise connected to, the government of a covered foreign country.
200.301 Performance measurement	Performance measurement is modified to emphasize existing requirements for requiring Federal awarding agencies to provide recipients with clear performance goals, indicators, targets, and baseline data.	This provision is designed to operate in tandem with evidence-related statutes (e.g.; The Foundations for Evidence-Based Policymaking Act of 2018, which emphasizes collaboration and coordination to advance data and evidence-building functions in the Federal government). The Federal awarding agency should also specify any requirements of award recipients' participation in a federally funded evaluation, and any evaluation activities required to be conducted by the Federal award.
200.320 Methods of procurement to be followed	<ol style="list-style-type: none"> 1. The procurement types were grouped into three categories: (1) informal (micropurchase, small purchase); (2) formal (sealed bids, proposals) and (3) Non-Competitive (sole source) 2. The micro-purchase threshold was raised from \$3,500 to \$10,000 3. All non-Federal entities are now authorized to request a micro-purchase threshold higher than \$10,000 based on certain conditions that include a requirement to maintain records for threshold up to \$50,000 and a formal approval process by the Federal government for threshold above \$50,000; and 4. The simplified acquisition threshold was raised from \$150,000 to \$250,000 <p>Micro-threshhold can be increased up to \$50k assuming no conflict with state regulations and per annual certifications by the entity.</p>	<p>Micro-purchase threshold raised from \$3,500 to \$10,000. A higher micro-purchase of up to \$50,000 may be requested.</p> <p>Simplified acquisition threshold raised from \$150,000 to \$250,000.</p> <p>Micro-purchases "should" be distributed equitably among qualified suppliers.</p>
200.322 Domestic preferences for procurements	Federal award recipients are encouraged to the extent permitted by law, to maximize use of goods, products, and materials produced in the United States when procuring goods and services under Federal awards. This Part will apply to procurements under a grant or cooperative agreement.	Maximize use of goods, products, and materials produced in the United States when procuring goods and services under Federal awards.

<p>200.329 Monitoring and reporting program performance</p>	<p>Large impact assumed - expectations that we are monitoring that performance expectations are being achieved. The monitoring must cover each program, function or activity.</p>	<p>Recipients must provide cost information to demonstrate cost effective practices (e.g., through unit cost data). In some instances (e.g., discretionary research awards), this will be limited to the requirement to submit technical performance reports (to be evaluated in accordance with Federal awarding agency policy). Reporting requirements must be clearly articulated such that, where appropriate, performance during the execution of the Federal award has a standard against which non-Federal entity performance can be measured.</p>
<p>200.336 Methods for collection, transmission and storage of information</p>	<p>Review document and data storage practices at both central and department levels. Machine readable is data that can be processed by a computer. It can be marked up human readable data (such as HTML) or data file format (such as CSV, XML, JSON, XSLT). Traditional word processing documents and portable document format (PDF) files are easily read by humans but typically are difficult for machines to interpret.</p>	<p>Move toward modernization of data storage.</p>
<p>200.340 Termination</p>	<p>Federal awarding agency has a strengthened ability to terminate Federal awards when the Federal award no longer effectuates the program goals or Federal awarding agency priorities. Federal awarding agencies must clearly and unambiguously articulate the conditions under which a Federal award may be terminated in their applicable regulations and in the terms and conditions of Federal awards. The intent of this change is to ensure that Federal awarding agencies prioritize ongoing support to Federal awards that meet program goals. For instance, following the issuance of a Federal award, if additional evidence reveals that a specific award objective is ineffective at achieving program goals, it may be in the government's interest to terminate the Federal award. Further, additional evidence may cause the Federal awarding agency to significantly question the feasibility of the intended objective of the award, such that it may be in the interest of the government to terminate the Federal award. OMB is also eliminating the termination for cause provision because this term is not substantially different than the provision</p>	<p>Federal agencies may not arbitrarily terminate grants, but they do have more latitude in this area.</p>

	allowing Federal awarding agencies to terminate Federal awards when the recipient fails to comply with the terms and conditions.	
200.344 Closeout	More time for institutions and subawardees to finalize closeout documents. Ensure closeouts are timely to help the Feds	Final performance reports are due 120 calendar days after the performance end date. (90 days for subrecipients)
200.403 Factors affecting allowability of costs	To maintain consistency within the guidance regarding the definition of Budget Period, 2 CFR 200.403(h) has been added to clarify that costs must be incurred during the approved budget period and the Federal awarding agency may waive prior written approval to carry forward unobligated balances to subsequent budget periods.	Cost must be incurred during the approved budget period. The Federal awarding agency is authorized, at its discretion, to waive prior written approvals to carry forward unobligated balances to subsequent budget periods.
200.458 Pre-award costs	Pre-award costs must be charged during initial budget period - could be partially handled by usage of the budget date in Workday. The accounting date will probably also be sufficient.	If charged to the award, these costs must be charged to the initial budget period of the award, unless otherwise specified by the Federal awarding agency.
200.461 Publication and printing costs	Can incur/charge these costs after obligated period. Budget date/accounting date should be able to show these were related to the final budget period.	If charged to the award, these costs must be charged to the final budget period of the award, unless otherwise specified by the Federal awarding agency.