

General Terms and Conditions Overlay to the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, 2 CFR Part 200 and to USDA Department Provisions: 2 CFR Part 400 – Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, 2 CFR Part 415 – General Program Administrative Regulations, and 2 CFR Part 416 – General Program Administrative Regulations for Grants and Cooperative Agreements to State and Local Governments, for inclusion in a USDA award

This table highlights requirements in 2 CFR Part 200, 2 CFR 400, 2 CFR 415 and 2 CFR 416. Unless noted below, provisions written in 2 CFR 200, 2 CFR 400, 2 CFR 415 and 2 CFR 416 also apply, as applicable, to the award. Agency specific terms and conditions, award performance goals and any other information required are the responsibility of the USDA awarding agency in accordance with applicable laws and statutes of the United States. Provisions can be included as part of the award or incorporated in the award by reference.

2 CFR Part 200	Summary of Provision
Subpart B – General Provisions	
§200.111 English Language	Requires all award documents and applications to be written in English and requires all currency amounts be in United States (U.S.) dollars. Narrative text must be in English and financial data must be expressed in terms of U.S. dollars.
§200.112 Conflict of Interest	Agency must establish a conflict of interest policy for awards, and recipients must disclose in writing any potential conflict of interests. See FAQ 200.112-1 of OMB’s FAQs regarding Conflict of Interest.
§200.113 Mandatory Disclosures	Non-Federal entity (NFE) or applicant must indicate in writing all violations of law involving fraud, bribery, or gratuity violations affecting the award.
Subpart C – Pre-Federal Award Requirements and Contents of Federal Awards	
§200.207 Specific conditions	Agency or pass-through entity may impose additional award terms and conditions necessary to communicate requirements that are in addition to the requirements outlined in the USDA awarding agency’s general terms and conditions.
§200.208 Certifications and Representations	Unless prohibited by Federal statutes or regulations, the USDA awarding agency or pass-through entity is authorized to require the non-Federal entity to submit certifications and representations required by Federal statutes, or regulations on an annual basis. Submission may be required more frequently if the non-Federal entity fails to meet a requirement of a Federal award. If agencies have certifications that are specific to them, they must be handled in relevant application packages and award terms and conditions.
§200.210 (b)(iii) Recipient integrity and performance matters	Agency must include the terms and condition in Appendix XII – Award Term and Condition for Recipient Integrity and Performance Matters , if the total

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	Federal share of the Federal award may include more than \$500,000 over the period of performance.
§200.213 Suspension and Debarment	NFE verifies that all subrecipients are neither excluded nor disqualified under the Suspension and Debarment rules found at 2 CFR parts 180 and 417.
Subpart D – Post Federal Award Requirements	<i>Standards for Financial and Program Management</i>
§200.301 Performance Measurement	Agency must require NFE to use OMB-approved standard information collections when providing financial and performance information to USDA, except where OMB has approved the use of agency-specific or program-specific information collections under the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35, implemented at 5 CFR Part 1320). Performance goals, indicators, and milestones should be clearly identified in the award.
§200.302 Financial Measurement	NFE responsibility to develop and maintain an adequate financial management system.
§200.303 Internal Controls	NFE responsibility to maintain effective internal controls. The NFE must take reasonable measures to safeguard protected personally identifiable information and other information that USDA or the pass-through entity designates as sensitive, or that the NFE itself considers sensitive.
§200.305 Payment	Agency must provide the NFE with payment requirements described in this section.
§200.307 Program Income	Agency must provide the NFE with the requirements for use of program income as described in this section.
§200.308 Revision of budget and program plans	Agency must specify in the award terms and conditions what changes to budget and program plans require prior approval of the Federal awarding agency and the procedures for submitting those requests described in this section.
§200.309 Period of Performance	NFE may only incur costs chargeable to the award as described in this section.
Subpart D – Post Federal Award Requirements	<i>Property Standards</i>
§200.310 Insurance coverage	Agency must include requirements in the award when applicable as described in this section.
§200.312 Federally owned and exempt	Agency must include requirements in the award when applicable as described in this section.

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§200.313 Equipment	Agency must include requirements in the award when applicable as described in this section. If an agency includes equipment requirement, the NFE is required to use the Federal Award Identification Number (FAIN) on property records.
Subpart D – Post Federal Award Requirements	<i>Procurement Standards</i>
§§200.317 through 200.326	NFE will adhere to all procurement standards, if applicable. When procuring property and services under a USDA award, a State must follow the same policies and procedures it uses for procurements from its non-Federal funds. All procurement transactions must be conducted in a manner providing full and open competition consistent with §200.319. State recipients will comply with §200.322.
Subpart D – Post Federal Award Requirements	<i>Performance and Financial Monitoring and Reporting</i>
§§200.327 through 200.329	Agency must provide reporting periods for submission of performance and financial reports in the award. Annual reports must be due 90 calendar days after the reporting period; quarterly or semiannual reports must be due 30 calendar days after the reporting period. Final reports are due within 90 days after the performance end date. Unless otherwise approved by OMB, the NFE must submit reports using OMB-approved governmentwide standard information collections.
Subpart D – Post Federal Award Requirements	<i>Subrecipient Monitoring and Management</i>
§§200.330 through 200.332	Agency must include these provisions in the award when there are subrecipients under the award.
Subpart D – Post Federal Award Requirements	<i>Record Retention and Access</i>
§§200.333 through 200.337	Agency must include these provisions in the award. The NFE is responsible for retaining records related to the work performed under the award and allow the agency access to the records.
Subpart D – Post Federal Award Requirements	<i>Remedies for Noncompliance</i>
§200.338 Remedies for noncompliance	Agency must include this provision in the award. The NFE will know what step(s) the agency may take if they fail to comply with Federal statutes, regulations or the terms and conditions of the award.

2 CFR Part 200	Summary of Provision
§§200.339 through 200.342	Agency must include these provisions in the award. The NFE will know the process and effects when an award may be suspended or terminated, in whole or part pursuant to these provisions.
Subpart D – Post Federal Award Requirements	<i>Closeout</i>
§200.343 Closeout	Agency must include this provision in award so NFE is aware of closeout responsibilities and closeout procedures pursuant to this provision.
Subpart D – Post Federal Award Requirements	<i>Post-Closeout Adjustments and Continuing Responsibilities</i>
§200.344 Post-closeout adjustments and continuing responsibilities	Agency must include this provision in award. The NFE will be aware of the parts of the award that are not affected by closeout even after the period of performance for this award has ended.
Subpart D – Post Federal Award Requirements	<i>Collections of Amounts Due</i>
§200.345 Collection of amounts due	Agency must include this provision in award. The NFE will be aware that the agency may pursue to collect outstanding debts from a NFE.
Subpart E – Cost Principles	NFE must comply with provisions in Subpart E for efficient and effective administration of the award.
Subpart F – Audit Requirements	NFE must comply with provisions in Subpart F and the Single Audit Act as amended (31 U.S.C. 7501-7507).
Appendix XII to Part 200	Award Term and Condition for Recipient Integrity and Performance Matters
2 CFR Part 415	
§415.2 Acknowledgement of USDA Support on Publications and Audiovisuals	Agency must include provision if NFE anticipates acknowledging USDA support on publications and Audiovisuals.
2 CFR Part 416	
§416.1 Special Procurement Provisions	Agency must include provision when a State makes procurements under certain USDA entitlement programs.