

OJP Quick Guide: The Part 200 Uniform Requirements

Essential Definitions

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Essential Definitions

The Part 200 Uniform Requirements includes over 98 definitions which can be found in section 200.1. OJP highlights a few essential definitions here.

Entities

Indian Tribes

Updates the definitions of “Indian tribe (or ‘federally recognized Indian tribe’),” “State,” and “local government,” for use in connection with 2 C.F.R. Part 200 (200.414). (This updated approach for Part 200 does NOT alter existing OJP grant program statutes.)

Non-Federal Entity

The defined term refers to the following:

- States and local governments (200.90 and 200.64)
- Federally-recognized Indian tribes (200.54)
- Public or nonprofit institutions of higher education (200.55)
- Nonprofit organizations other than institutions of higher education (200.70)

Subrecipient

A non-federal entity that receives a subaward for the purpose of carrying out part of a federal award. The subaward creates a federal assistance relationship with the subrecipient (200.93)

Contractor

A non-federal entity that receives a contract for the purpose of providing goods and services for the awarding non-federal entity’s own use. The contract creates a procurement relationship with the contractor. The Uniform Guidance replaced the term “Vendor” with “Contractor” (200.22)

Grants Management

Cost Effective Practices

Recipients are required to provide information to the awarding entity demonstrating cost effective practices, such as unit cost data (200.301).

Grantees must demonstrate in their budget narratives how they will maximize cost effectiveness of grant expenditures. Budget narratives should generally describe cost effectiveness in relation to potential alternatives and the goals of the project (200.301).

Federal Advance Payments

Interest earned on Federal advance payments is deposited in interest-bearing accounts (200.305). Please reference DOJ Grants Financial Guide Section 3.1 for additional information.

Acquisition Threshold

The simplified acquisition threshold has been increased to \$150,000. Future increases are tied to the Federal Acquisition Regulation (200.318). Please reference DOJ Grants Financial Guide Section 3.8 for additional information.

OMB Required Forms

Agencies are required to use only OMB-approved financial and performance reporting forms in order to standardize government-wide data elements (200.327–328).

Grants Award Process

Publication Mandate

Awarding agencies are required to publish the selection criteria for awards in the notice of funding opportunity and to award all competitive grants and cooperative agreements on the established merit-based criteria. OJP includes the criteria under the “Review Process” and “Selection Criteria” of the solicitations (200.203–204).

Pre-Award Risk Assessment

Agencies are required to conduct a pre-award risk assessment of all applicants before making an award. OJP has implemented a pre-award risk assessment for all applicants, except individuals. OJP's process uses a variety of factors including financial capabilities and past performance, if applicable (200.205).

Standardized Information

Standardized information included in the award notice, including the use of the Federal Award Identification Number (FAIN), the relevant statutory, and national policy, are required topics in the terms and conditions of the award. OJP includes the standardized information in its award packages (200.210 and 200.300).

Performance Management

Specific performance goals, indicators, milestones, and/or expected outcomes will be included in the terms and conditions for awards. Beginning in FY 2015 OJP included a specific condition on each of its awards (see special conditions language for respective awards) (200.210).

As appropriate and in accordance with information collections, the federal awarding agency must require the recipient to relate financial data to performance accomplishment of the federal award. Recipients must also provide cost information to demonstrate cost effective practices (e.g., through unit cost data) (200.301)

Cost Principles

Audit Requirements

Rules on recipient (and subrecipient) audits have been updated. The single audit threshold is raised from \$500,000 to \$750,000 (200.501).

Indirect Cost Rates

A new “de minimis” indirect cost rate available to most recipients (and subrecipients) that have never received a federal negotiated indirect cost rate (200.414).

May or May Not Earn Profit

No recipient (or subrecipient) may earn or keep any profit resulting from the federal award, unless the federal award conditions explicitly authorize otherwise. This restriction is not limited to recipients (and subrecipients) that are for-profit organizations (200.400).

Record Retention Period

Federal awarding agencies such as OJP are to make cost-disallowance determinations and associated notifications before the end of the record retention period (200.333).

“Family Friendly Policies”

Cost principles have been updated to permit, under specific conditions, certain costs of “family-friendly” policies (200.431).

Subawards

Risk Analysis

Recipients (and subrecipients) are required to evaluate certain risks associated with each subaward they make, and to use that evaluation in monitoring and in setting subaward conditions (200.331).

Data Elements

Pass-through entities are required to use the same data elements, including the FAIN, in the federal award notice in all subrecipient award documents, and to evaluate each subrecipient's risk of noncompliance with Federal statutes, regulations, and the terms and conditions of the subaward for purposes of determining the appropriate subrecipient monitoring (200.331).

Reporting

Reporting of Certain Events

Recipients (and subrecipients) are required to report certain significant developments as soon as they occur, without waiting for the next scheduled report under the award (200.328).

Disclosure of Criminal Violations

Applicants and recipients (and also subrecipients) are required to disclose certain violations of Federal criminal law involving fraud, bribery, or gratuity violations (200.113).

Conflict of Interest Policies

Recipients (and subrecipients) must address in written standards of conduct covering conflicts of interest (including organization conflicts of interest), and covering actions of employee (or other agents) engaged in the selection, award and administration of contacts (200.318).

Safeguarding of Protected PII

Recipients (and subrecipients) are required to take reasonable measures to safeguard protected personally-identifiable information (PII) and certain other sensitive information (200.303).

Additional Resources

Reference Documents

- Subrecipient/Contract Toolkit - forthcoming
- Where to Find the Part 200 Uniform Requirements in the Code of Federal Regulations
- OJP Quick Guide: Procurement Standards and the Part 200 Uniform Requirements
- OJP Quick Guide: Audit Requirements for OJP Awards under the Part 200 Uniform Requirements
- OJP Quick Guide: Indirect Cost Rates under the Part 200 Uniform Requirements
- Frequently Asked Questions for the Part 200 Uniform Requirements

Questions? Email AskGMD@usdoj.gov