STANDARD TERMS AND CONDITIONS

Except as noted otherwise, these Terms and Conditions (T&Cs) apply to Federal financial assistance awards, i.e., grant and cooperative agreement programs, administered by the Administration for Children and Families (ACF). Federal awards are subject to the availability of funds, program authority, satisfactory progress, and compliance with the T&Cs of the Federal award. Please see the Award Terms and Conditions page. Previous versions are located under the Prior Year Terms and Conditions page.

This Standard T&Cs and each of the program-specific supplemental T&Cs are effective on the date shown in the footer at the bottom of the respective pages and applies to awards and award modifications that add funding which are issued on or after that date (including any supplements to awards and competing and non-competing continuation awards). For recipients of such awards, the T&Cs supersede all previous similar T&Cs and will remain in effect until updated for subsequent awards. All T&Cs will be updated and reissued as needed.

UPDATES: The following table shows the updates that were made to this document:

Date Updated	Significant Change
2026/04/10	Added "Discretionary Awards - Alignment with ACF Priorities."
2026/02/12	Changes from the previous T&C includes: • Removing the repealed 45 CFR Part 75 citations. • Adopting the remaining 2 CFR Part 200 provisions. • Adopting the relocated HHS-specific provisions from 45 CFR Part 75 to 2 CFR Part 300. • Aligning the content herein consistent with the requirements for Federal T&Cs in 2 CFR § 200.211(c)-(e), including information required by HHS-specific policies. • Added the "Reasonable Expenditure Standard for Formula Grants, including Block Grants" under this updates table.

Discretionary Awards - Alignment with ACF Priorities

The recipient must implement any funds awarded under this award to advance program goals or ACF priorities in alignment with ACF priorities at ACF Vision, Mission, Values, Priorities, & Guiding Principles, when authorized by the program statute.

Reasonable Expenditure Standard for Formula Grants, including Block Grants

1. **Purpose.** This term establishes a standard for assessing expenditures in good faith to fulfill the intent and authorized objectives of the award.

2. **Policy.** ACF will not seek disallowance or recoupment of such expenditure if the Recipient exercises sound judgment, consistent with generally accepted grant-management practices, and documents that an expenditure is necessary and reasonable to accomplish the purposes of the award, and if such expenditure is –
    a. not explicitly prohibited by any applicable federal statute, regulation, or Executive Order;
    b. allocable, allowable, and consistent with the terms and conditions of this award and the applicable cost principles under 2 CFR Part 200; and
    c. adequately documented to demonstrate the basis for the Recipient's determination.

3. **Documentation.** The Recipient shall maintain contemporaneous records supporting its determination that the expenditure was necessary, reasonable, and consistent with the intent of the award. Such documentation shall be made available to ACF upon request and retained in accordance with record retention requirements of 2 CFR § 200.334.

4. **Limitation.** Nothing in this section shall be construed to waive or modify any statutory or regulatory restriction on the use of federal funds, or to limit ACF's authority in cases of waste, fraud and abuse, or violation of law. This term does not apply to Entitlement awards.

Federal Financial Assistance Award Acceptance

State, local, tribal and other laws and regulations may apply and affect expenditures of Federal funds provided that they conform to applicable federal statutes and regulations. By acceptance of an award, the recipient agrees to comply with these T&Cs. The first draw down or request for award funds from HHS Division of Payment Management Services (PMS) constitutes acceptance of the T&Cs under the Federal award.

Any term or condition under this award, including those incorporated by reference, that the court order in *King County v. Turner*, 2:25-cv-814-BJR (W.D. Wash.), ECF No. 381 (Jan. 21, 2026), has enjoined HHS from imposing or enforcing shall not apply or be enforced as to any recipient or subrecipient to which that court order applies while it is in effect.

Recipients must comply with all T&Cs of their awards, including:

a) The T&Cs in effect at the time of the most recent award, including the requirements of applicable HHS uniform administrative regulations.

- **Discretionary Awards**: Any T&Cs in effect at the time of the most recent award (whether that is an original award or a non-competing continuation, competing continuation, supplement, prior approval, or renewal award related thereto) are applicable. Discretionary awards are subject to the requirements set forth in the

Notice of Funding Opportunity (NOFO); Notice of Award (NoA) including any remarks and/or specific award conditions (e.g., restricted drawdown); these Standard T&Cs; and the HHS Grants Policy Statement (GPS) (located on the HHS Grants Policies & Regulations page); and any cooperative agreement.

- **Non-Discretionary Awards**: Non-discretionary awards are subject to these Standard T&Cs, the individual program-specific supplemental T&Cs, and NoA including remarks and/or specific award conditions, and the HHS Administrative and National Policy Requirements in Appendix D of the HHS GPS (located on the HHS Grants Policies & Regulations page).

b) Statutes and regulations applicable to the program under which the award is funded, including authorizing statutes, appropriations statutes, generally applicable statutes, and any regulations related thereto.

c) An obligation under these terms and conditions to ensure that expenditures are free from fraud, waste, abuse, and duplication.

ALL FEDERAL FINANCIAL ASSISTANCE PROGRAMS

ADMINISTRATIVE AND NATIONAL POLICY REQUIREMENTS

This award is also governed by general administrative and national policy requirements - both federal government-wide and HHS- specific. These requirements include Federal, State, and local laws that are applicable to the award according to their statutory or regulatory terms, even if that statute or regulation is not directly indicated in these T&Cs. National policy requirements are statutory requirements with a broad national purpose. The general administrative and national policy requirements that are applicable to this award include, but are not limited to, the following:

1. The Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards at 2 CFR Part 200 (which apply to HHS awards to the extent provided in 2 CFR §200.101) and HHS-specific requirements at 2 CFR Part 300. Because this award has been approved to carry out a project as proposed in the application and plan for the award, recipients must comply with the pre-approval requirements in accordance with program regulations and 2 CFR Parts respectfully. Recipients may request prior written approval from the awarding agency before incurring a cost to avoid any subsequent disallowance or dispute based on whether that cost is reasonable or allocable.

    a. When Subpart D and E to 2 CFR Parts 200 and 300 applies, prior approval requirements include (but is not limited to) revisions of budget and program plans at 2 CFR §200.308. Recipients must obtain such prior approval when specifically required to do so under Part 200, including as provided in 2 CFR §§200.311(b), 200.313(a)(2), (c)(1), and (e), 200.314, 200.407.

2. The HHS Administrative and National Policy Requirements in Appendix D of the HHS GPS (located on the HHS Grants Policies & Regulations page).

3. The ACF Administrative & National Policy Requirements at: Administrative and National Policy Requirements.

4. The statutory and national policy requirements cited at 2 CFR §§200.300 and 300.300.

5. *Build America, Buy America (BABA) Applicability*: The BABA is not applicable to HHS programs; therefore, the following does not apply to ACF awards:

   - 2 CFR Part 184 – Buy America Preferences for Infrastructure Projects
   - 2 CFR §200.322 – Domestic Preference for Procurements provision

6. *Assurance of Compliance.*

   By accepting federal funds from HHS, the recipient is providing its assurance of adherence to applicable nondiscrimination laws as indicated in the GPS. Recipients are also responsible for ensuring that their subrecipients, contractors, and HHS-funded partners that are bound by any of those nondiscrimination laws are operating in compliance with them.

TERMINATION PROVISIONS

7. *Enforcement*. Failure to comply with the T&Cs of the award may result in an enforcement remedy such as a disallowance, restricted drawdown, withholding of future awards, deferral of claims for Federal Financial Participation (FFP), or termination of the award as authorized at 2 CFR §§200.339 and 200.340 or other applicable rule or statute. Some programs may have more specific termination provisions that will be referenced in the NOFO, the program-specific supplemental T&Cs, NOA, and/or in the specific award conditions (as applicable). Likewise, as provided in 2 CFR §200.332(i), recipients must consider taking enforcement actions against any noncompliant subrecipients as described in 2 CFR §200.339 and on contractors in accordance with 2 CFR §200.327.

8. *Termination.* New awards and funded modifications (including supplements to awards, and competing and non-competing continuation awards), that are issued on or after July 25, 2025, may be terminated for any of the reasons identified below unless the award was issued in either of two exempt program categories. Under the categories of awards that are exempt, the below termination bases do not apply to any program that is subject to a Federal statute that provides otherwise (such as a non-discretionary award authorizing statute), or listed at 2 CFR §200.101(e)(1)-(4):

   This award is subject to the termination provisions at 2 CFR §200.340. By accepting the award, the recipient agrees to this term and condition. Pursuant to 2 CFR §200.340(a)(4), an award may be terminated pursuant to this term and condition in addition to the reasons identified in 2 CFR §200.340(a)(1)-(3). Beginning on that date, under this term and

condition of your award, the Department may terminate this award in part or in its entirety based upon:

(1) the availability of appropriated funds,
(2) the recipient's satisfactory progress in achieving the goals or objectives of the project;
(3) the recipient's compliance with the terms and conditions of a previous award; or
(4) for whatever reason continued funding would not be in the best interests of the Federal government (including when an award no longer effectuates the program goals or agency priorities).

Under this term and condition, an award may be terminated at any point during the performance period, including during a budget period.

COST SHARING OR MATCHING (NON-FEDERAL SHARE) OF PROGRAM FUNDING

9. *Insular Areas.* Unless otherwise directed by any other provisions of law, ACF waives all requirements for local cost-sharing or matching funds under $200,000 for awards to Insular Areas defined as American Samoa, Guam, the Commonwealth of Northern Mariana Islands, and the U.S. Virgin Islands.

PROGRAM INCOME

10. *Property*. As provided in 2 CFR §200.307(e)(2) proceeds from the sale of real property, equipment, or supplies are not considered program income unless specified in Federal statutes, regulations, or the terms and conditions of the Federal award. The proceeds must be handled in accordance with the requirements of the Property Standards of 2 CFR §§200.311, 200.313, 200.314, or as explicitly identified in Federal statutes, regulations, or the terms and conditions of the Federal award. For more information about real property and tangible personal property, please see the subheading contained in this Standard T&C.

MONITORING AND REPORTING

Except in unusual circumstances, ACF recipients are required to use OMB-approved data collection forms and file these forms in intervals identified in their Federal award (including the NoA, any specific award conditions therein, and any program-specific supplemental T&Cs that accompany the NoA). (2 CFR §§200.328 – 200.330). Additional information may also be included in the NOFO.

11. *Electronic Submissions.* ACF recipients must submit reports electronically through designated online reporting systems, as identified in the NOFO, program-specific supplemental T&Cs, NoA, and/or the specific award conditions.

FINANCIAL REPORTING

12. *Obligation Period*.

    a. **Discretionary Awards**: Recipients may only charge the award for allowable costs incurred during award's budget period or allowable closeout costs. (2 CFR §§200.1, 200.309, 200.400 - 200.476,) See the NoA for the approved start and end dates of the budget period and period of performance. Recipients may not charge costs incurred in a previous budget period to the next or any subsequent budget period absent expanded authority or prior agency approval to carry over funds for that arrangement.

    b. **Non-Discretionary Awards**: The program-specific supplemental T&Cs will set forth the deadline for obligation.

PROGRAM REPORTING

13. *Discretionary Awards*: For programmatic reporting requirements that are specific to your award see the NOFO and NoA, and for a list of the generally applicable reporting requirements, please see Reporting Requirements.

14. *Non-Discretionary Awards*: Please see the program-specific supplemental T&Cs for the program reporting requirements.

PROPERTY MANAGEMENT AND REPORTING

15. Unless otherwise stated in the applicable program regulations, program-specific supplemental T&Cs, or other program guidance, recipients are required to follow the property standards (pertaining to real property, equipment, supplies, and intellectual property), including insurance coverage and prior approval requirements, identified at 2 CFR §§200.310 – 200.316 and 200.439. As provided in 2 CFR §200.316, real property, equipment, and intangible property acquired or improved with the Federal award must be held in trust by the recipient or subrecipient as trustee for the beneficiaries of the project or program under which the property was acquired or improved. ACF requires the recipient or subrecipient to record liens or other appropriate notices of record to indicate that personal or real property has been acquired or improved with a Federal award and that use and disposition conditions apply to the property. ACF does not provide federally owned property, nor does it have authority to exempt property; therefore, 2 CFR §200.312 does not apply. States must follow any of their own property standards that do not conflict with Federal standards.

    The following are the real property, tangible personal property and intangible property guidance and reporting requirements. For additional information, please see the ACF Property Guidance pages. For information concerning remitting payment related to Federal Interest properties, please see the Remit Payment guidance.

REAL PROPERTY MANAGEMENT AND REPORTING

16. *Real Property Reports (SF-429s), OMB Control No. 4040-0016*.

Recipients must adhere to the regulatory requirements addressing real property (2 CFR §200.311**),** ACF's Real Property Guidance, Additional Property Guidance and any terms in the NOFO, NoA, and any program-specific supplemental T&Cs. Consistent with ACF's Real Property Guidance, any costs incurred for acquisition, construction or major renovation of real property are unallowable unless the recipient recieves prior written approval from the the awarding agency, and it has specific statutory authority to allow the awarded funds to be used for such expenditures. Only a few ACF programs have authority, please see the Applicable ACF Programs with Real Property Authority list. **Absent statutory authority and ACF approval in one of those grant programs, any such costs are considered unallowable under the Federal award.**

When Federal funds are allowed and used for these purposes, recipients of ACF awards with real property authority must follow ACF's Real Property Guidance to ensure that a Federal interest is established by recording a Notice of Federal Interest (NFI) in the jurisdiction where the real property is located. The Federal interest does not expire unless and until any date identified in the program statute. Until any such date, the Federal interest in the property remains in effect, and the recipient must comply with requirements, and reporting applies. As provided in 2 CFR §200.330, ACF or the pass-through entity will require the recipient to submit reports on the status of real property in which the Federal Government retains an interest. Such reports must be submitted at least annually, unless the Federal Government's interest in the real property extends for 15 years at which point reporting may be at multi-year frequencies up to five years apart. **Only forms submitted in GrantSolutions OLDC are considered official real property submissions**. The SF-429, Real Property Status Report is a multi-purpose form that is required for general reporting about real property acquired or constructed under an award, as well as for recipient requests related to acquisition or improvement of real property or to request disposition instructions.

Please note that for the SF-429 Attachment B and C, the appraised value is the current fair market value based on the appraisal (**no more than three years old**) conducted by an independent certified appraiser. (2 CFR §200.311(c))

TANGIBLE PERSONAL PROPERTY REPORTING

17. *Tangible Property Report (SF-428s), OMB Control No. 4040-0018.* Tangible property refers to equipment, supplies, and any other property (including information technology systems) that is acquired or improved with Federal funds, except intellectual property such as copyrights and patents. Recipients must adhere to the regulatory requirements addressing tangible property (2 CFR §§200.313 – 200.314), ACF Tangible Personal Property Guidance, and any further guidance in the NOFO, NoA, and program-specific supplemental T&Cs. Consistent with the ACF Tangible Personal Property Guidance, recipients must use the SF-428 standard form to report information related to tangible personal property purchased under a Federal award. This form is required unless otherwise indicated in the program-

specific supplemental T&Cs. Recipients are also required to submit the form on behalf of any subrecipients.

18. *Equipment*. States must use, manage and dispose of equipment acquired under a Federal award by the state in accordance with state laws and procedures, consistent with 2 CFR §200.313(b). Indian Tribes must use, manage, and dispose of equipment acquired under a Federal award in accordance with tribal laws and procedures. If such laws and procedures do not exist, Indian Tribes must follow the guidance under 2 CFR §200.313. Other recipients and subrecipients, including subrecipients of a State or Indian Tribe, must follow the guidance outlined under 2 CFR §200.313(c)-(e).

INTANGIBLE PROPERTY REPORTING

19. Recipients must adhere to the regulatory requirements addressing intangible property (2 CFR §200.315), the ACF Intangible and Intellectual Property Guidance, and any further guidance in the NOFO, NoA, and program-specific supplemental T&Cs. Per 2 CFR §200.315(a), when intangible property is no longer needed for the originally authorized purpose, disposition of the intangible property must occur in accordance with the provisions under 2 CFR §200.313(e).

AWARD PAYMENTS

20. *Payment*. All Federal financial assistance program payments will be made available through the HHS PMS. Questions pertaining to payments should be directed to: HHS Division of Payment Management, P.O. Box 6021, Rockville, MD, 20852, or PMS Help Desk at 877-614-5533, or PMSSupport@psc.gov. Other questions should be directed to the ACF contact listed on the NOA or program-specific supplemental T&Cs.

21. *Returning Funds/Interest*. Unless otherwise directed in the financial or program specific expenditure report, the HHS Program Support Center (PSC) serves as a centralized point for returning award interest and funds according to established federal law, policies, procedures, and regulations. PMS prefers that repayment be completed as an electronic transfer or by check. Please refer to the *Returning Funds/Interest* instructions under the *Recipients* drop-down on the PMS website.

22. Unless program-specific T&Cs say otherwise and to the extent permitted by law, per Executive Order 14332, the following terms and conditions applies to discretionary awards:

    a. Recipients are prohibited from directly drawing down awarded funds for specific projects without the affirmative authorization of the awarding agency; and

    b. Recipients must provide written explanation or support, with specificity, for requests for each drawdown.

23. *Non-competing Continuation*. If the award has multiple budget periods, recipients will be expected to submit non-competing continuation applications for each budget period.

POINTS OF CONTACT

Points of contact for additional information or questions concerning either the operation of the program or related financial or Federal assistance award matters may be found on the NoA. The Program Office contact handles the programmatic specific needs such as program intent, goals and objectives; whereas, the OGM contact typically handles any business, financial, and administrative activities such as budget revisions, prior approval requests, and closeouts.

IMPORTANT ADDRESSES

Administration for Children and Families
Office of Grants Management
330 C Street, SW. Mailstop 3127
Washington, DC 20201

OIG HOTLINE

The OIG of HHS maintains the OIG Hotline, a system for reporting allegations of fraud, waste, abuse and mismanagement in Department of Health and Human Services' programs. Your information will be reviewed by a professional staff member and will remain confidential; you need not provide your name. Information provided through the website is secure and all information is safeguarded against unauthorized disclosure. Report the possible misuse of federal funds by phone or online. Please provide as much detailed information as possible in your report.

Online:	https://oig.hhs.gov/report-fraud
Phone:	800-HHS-TIPS (800-447-8477)
TTY:	800-377-4950
Fax:	800-223-8164

If you are a provider, HHS contractor, HHS recipient or subrecipient and want to self-disclose potential fraud in HHS programs, please visit the *self-disclosure* webpage at: https://oig.hhs.gov/compliance/self-disclosure-info/index.asp.

IMPORTANT WEBSITES

- Welcome To ACF website.
- ACF Award Terms and Conditions.
- HHS Grants website.
- *Congress.gov Congressional Research Service:* Appropriations.
- *General and Permanent Laws*: United States Code (U.S.C.).
- *Federal Regulations*: Electronic Code of Federal Regulations (e-CFR).
- *Congress.gov*: U.S. Federal Legislative Information.