

Controller Alert:

Controller Alerts are designed to highlight emerging financial management issues that may require agency attention or action. These Alerts are intended to inform the Chief Financial Officer (CFO) community of key issues where the Office of Management and Budget (OMB) believes further action may be warranted, but do not constitute official guidance or prescribe specific tasks for agencies beyond consideration of appropriate steps to address the issue.

The purpose of this Controller Alert is to notify Federal awarding agencies of the availability of boilerplate language for Federal financial assistance notices of funding opportunity and general terms and conditions included in the Federal awards' notice of award. The boilerplate language is attached to this message and provided below.

This boilerplate language is intended to ensure that Federal funding opportunities and awards align with the Administration's policies and priorities, particularly in holding Federal awarding agencies and their recipients accountable for delivering results on behalf of the American people. It also continues to build on momentum of OMB's update to the Guidance for Grants and Agreements ([2 CFR part 200](#)) and OMB Memorandum M-21-03, *Improvements in Federal Spending Transparency for Financial Assistance*.

In response to this Controller Alert, OMB expects that all Federal awarding agencies will ensure that future notices of funding opportunity and notices of award reflect the final changes in 2 CFR and other Administration priorities. To help meet these requirements, Federal awarding agencies are expected to incorporate this language to the maximum extent authorized by law into all new Federal financial assistance notices of funding opportunity and general terms and conditions included in the Federal award's notice of award. The recently identified Senior Accountable Officials for grants, are expected to ensure Federal awarding agency's conformity with this Controller Alert. Federal awarding agencies are also reminded that notices of funding opportunity and general terms and conditions must contain the content outlined in 2 CFR part 200.204 and 2 CFR part 200.211(c) respectively.

If you have questions regarding this Controller Alert, please direct them to GrantsTeam@omb.eop.gov.

Boilerplate Language for Federal Financial Assistance Notices of Funding Opportunity and General Terms and Conditions

In addition to the content required in notices of funding opportunity (2 CFR part 200.204) and general terms and conditions (2 CFR part 200.211(c)), Federal awarding agencies are expected to include the following standard language.

Notices of Funding Opportunity:

In accordance with the Office of Management and Budget's guidance located at 2 CFR part 200, all applicable Federal laws, and relevant Executive guidance, the Federal awarding agency will

review and consider applications for funding pursuant to this notice of funding opportunity in accordance with the:

- President's September 2, 2020 memorandum, entitled *Memorandum on Reviewing Funding to State and Local Government Recipients of Federal Funds that Are Permitting Anarchy, Violence, and Destruction in American Cities*;
- *Executive Order on Combating Race and Sex Stereotyping* (E.O. 13950);
- *Executive Order on Protecting American Monuments, Memorials, and Statues and Combating Recent Criminal Violence* (E.O. 13933); and
- Guidance for Grants and Agreements in Title 2 of the Code of Federal Regulations (2 CFR), as updated in the Federal Register's 85 FR 49506 on August 13, 2020, particularly on:
 - Selecting recipients most likely to be successful in delivering results based on the program objectives through an objective process of evaluating Federal award applications (2 CFR part 200.205),
 - Prohibiting the purchase of certain telecommunication and video surveillance services or equipment in alignment with section 889 of the National Defense Authorization Act of 2019 (Pub. L. No. 115—232) (2 CFR part 200.216),
 - Promoting the freedom of speech and religious liberty in alignment with *Promoting Free Speech and Religious Liberty* (E.O. 13798) and *Improving Free Inquiry, Transparency, and Accountability at Colleges and Universities* (E.O. 13864) (§§ 200.300, 200.303, 200.339, and 200.341),
 - Providing a preference, to the extent permitted by law, to maximize use of goods, products, and materials produced in the United States (2 CFR part 200.322), and
 - Terminating agreements in whole or in part to the greatest extent authorized by law, if an award no longer effectuates the program goals or agency priorities (2 CFR part 200.340).

General Terms and Conditions:

By accepting this agreement the recipient and its executives, as defined in 2 CFR § 170.315, certify that the recipient's policies are in accordance with the Office of Management and Budget's guidance located at 2 CFR part 200, all applicable Federal laws, and relevant Executive guidance, especially:

- President's September 2, 2020 memorandum, entitled *Memorandum on Reviewing Funding to State and Local Government Recipients of Federal Funds that Are Permitting Anarchy, Violence, and Destruction in American Cities*;
- *Executive Order on Combating Race and Sex Stereotyping* (E.O. 13950);

- *Executive Order on Protecting American Monuments, Memorials, and Statues and Combating Recent Criminal Violence* (E.O. 13933); and
- Guidance for Grants and Agreements in Title 2 of the Code of Federal Regulations (2 CFR), as updated in the Federal Register's 85 FR 49506 on August 13, 2020, particularly on:
 - Prohibiting the purchase of certain telecommunication and video surveillance services or equipment in alignment with section 889 of the National Defense Authorization Act of 2019 (Pub. L. No. 115—232) (2 CFR part 200.216),
 - Promoting the freedom of speech and religious liberty in alignment with *Promoting Free Speech and Religious Liberty* (E.O. 13798) and *Improving Free Inquiry, Transparency, and Accountability at Colleges and Universities* (E.O. 13864) (§§ 200.300, 200.303, 200.339, and 200.341),
 - Providing a preference, to the extent permitted by law, to maximize use of goods, products, and materials produced in the United States (2 CFR part 200.322), and
 - Terminating agreements in whole or in part to the greatest extent authorized by law, if an award no longer effectuates the program goals or agency priorities (2 CFR part 200.340).