



U.S. Department of Justice

Office of the Solicitor General

Washington, D.C. 20530

April 15, 2025

Honorable Scott S. Harris
Clerk
Supreme Court of the United States
Washington, D.C. 20543

Re: Oklahoma v. Department of Health and Human Services, No. 24-437

Dear Mr. Harris:

This case arises from a previous decision by the Department of Health and Human Services (HHS) to terminate a grant under Title X of the Public Health Service Act for the Oklahoma State Department of Health (OSDH). Title X grants are designed “to assist in the establishment and operation of voluntary family planning projects which shall offer a broad range of acceptable and effective family planning methods and services.” 42 U.S.C. 300(a). In 2021, HHS promulgated a regulation requiring Title X grant recipients to “[o]ffer pregnant clients the opportunity to be provided information” and “nondirective counseling” regarding, *inter alia*, “[p]regnancy termination,” followed by “referral upon request.” 86 Fed. Reg. 56,144, 56,150, 56,178-56,179 (Oct. 7, 2021).

HHS approved a Title X continuation award of \$4.5 million for OSDH from April 2023 through March 2024. See Br. in Opp. 6-7. Soon after that approval, however, OSDH stated that it would not comply with HHS’s interpretation of the regulation’s nondirective counseling and referral requirements regarding pregnancy termination. HHS then terminated OSDH’s award.

Oklahoma sued HHS in the U.S. District Court for the Western District of Oklahoma, raising claims under the Spending Clause and the Weldon Amendment. The district court denied a preliminary injunction, the Tenth Circuit affirmed, and this Court denied Oklahoma’s application for an emergency injunction, see *Oklahoma v. HHS*, No. 24A146 (Sept. 3, 2024). Oklahoma then filed a petition for a writ of certiorari on October 15, 2024; HHS filed a brief in opposition on December 18, 2024; and Oklahoma filed a reply brief on December 27, 2024. Oklahoma’s petition remains pending.

On March 31, 2025, HHS issued the attached “Notice of Award” to OSDH. The notice states that OSDH’s Title X award “is being restored,” with the “amount awarded represent[ing] partial funding for the Budget Period 4/1/2025 through 3/31/[26].” Notice at 3.* HHS has also issued a similar notice to Tennessee, which separately challenged HHS’s decision to discontinue

* Although the notice states that the award is being restored “pursuant to a settlement agreement with the recipient,” Notice at 3, that statement is incorrect. There has been no agreement with Oklahoma to settle this litigation.

its Title X award in a case pending in the Sixth Circuit and is the only other Title X grantee to have lost funding based on noncompliance with the nondirective counseling and referral requirements. See Br. in Opp. 26-27 (describing Tennessee’s suit); *Tennessee v. Becerra*, 131 F.4th 350 (6th Cir. 2025). The lack of prospective significance of this case—both for the parties here and more broadly—further militates in favor of denying certiorari.

Sincerely,

D. John Sauer
Solicitor General

cc: See Attached Service List



DEPARTMENT OF HEALTH AND HUMAN SERVICES

Office of the Secretary

Notice of Award

Award# 6 FPHPA006507-02-05

FAIN# FPHPA006507

Federal Award Date: 03/31/2025

Recipient Information

1. Recipient Name

OKLAHOMA STATE DEPARTMENT OF
HEALTH
123 Robert S Kerr Ave
0308
Oklahoma State Department of Health
Oklahoma City, OK 73102-6406

2. Congressional District of Recipient

05

3. Payment System Identifier (ID)

1736017987C4

4. Employer Identification Number (EIN)

736017987

5. Data Universal Numbering System (DUNS)

143673015

6. Recipient's Unique Entity Identifier (UEI)

LFU8Z8MPLTG3

7. Project Director or Principal Investigator

JILL NOBLES-BOTKIN

jill@health.ok.gov

405-271-4476

8. Authorized Official

Ms. Bethany J Ledel

Grants and Reporting Director

bethany1@health.ok.gov

405-426-8677

Federal Agency Information

OASH Grants and Acquisitions Management Division

9. Awarding Agency Contact Information

Mrs. Jessica Hall-Shields

Grants Specialist

Jessica.Shields@hhs.gov

240-453-8839

10. Program Official Contact Information

Haley Johnston

Adolescent Pregnancy Prevention Specialist

haley.johnston@hhs.gov

202-205-2373

Federal Award Information

11. Award Number

6 FPHPA006507-02-05

12. Unique Federal Award Identification Number (FAIN)

FPHPA006507

13. Statutory Authority

42 U.S.C. § 300 (Section 1001 of the Public Health Service Act)

14. Federal Award Project Title

Oklahoma State Department of Health Family Planning Services Project

15. Assistance Listing Number

93.217

16. Assistance Listing Program Title

Family Planning Services

17. Award Action Type

NOA Revision with 424

18. Is the Award R&D?

No

Summary Federal Award Financial Information

19. Budget Period Start Date 04/01/2023 - End Date 03/31/2026

20. Total Amount of Federal Funds Obligated by this Action \$1,969,727.00

20a. Direct Cost Amount \$1,985,213.35

20b. Indirect Cost Amount (\$190,924.35)

21. Authorized Carryover \$0.00

22. Offset \$0.00

23. Total Amount of Federal Funds Obligated this budget period \$206,924.00

24. Total Approved Cost Sharing or Matching, where applicable \$0.00

25. Total Federal and Non-Federal Approved this Budget Period \$2,176,651.00

26. Period of Performance Start Date 04/01/2022 - End Date 03/31/2027

27. Total Amount of the Federal Award including Approved
Cost Sharing or Matching this Period of Performance \$11,254,621.00

28. Authorized Treatment of Program Income

OTHER (See REMARKS)

29. Grants Management Officer - Signature

Dr. Scott Moore

Grants Management Officer

30. Remarks

See Remarks (continuation)



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Recipient Information						
Recipient Name OKLAHOMA STATE DEPARTMENT OF HEALTH 123 Robert S Kerr Ave 0308 Oklahoma State Department of Health Oklahoma City, OK 73102-6406						
Congressional District of Recipient 05						
Payment Account Number and Type 1736017987C4						
Employer Identification Number (EIN) Data 736017987						
Universal Numbering System (DUNS) 143673015						
Recipient's Unique Entity Identifier (UEI) LFU8Z8MPLTG3						
31. Assistance Type Project Grant						
32. Type of Award Service						
33. Approved Budget (Excludes Direct Assistance)						
I. Financial Assistance from the Federal Awarding Agency Only						
II. Total project costs including grant funds and all other financial participation						
a. Salaries and Wages	\$500,000.00					
b. Fringe Benefits	\$250,000.00					
c. Total Personnel Costs	\$750,000.00					
d. Equipment	\$0.00					
e. Supplies	\$0.00					
f. Travel	\$0.00					
g. Construction	\$0.00					
h. Other	\$219,727.00					
i. Contractual	\$1,206,924.00					
j. TOTAL DIRECT COSTS	\$2,176,651.00					
k. INDIRECT COSTS	\$0.00					
l. TOTAL APPROVED BUDGET	\$2,176,651.00					
m. Federal Share	\$2,176,651.00					
n. Non-Federal Share	\$0.00					
34. Accounting Classification Codes						
FY-ACCOUNT NO.	DOCUMENT NO.	ADMINISTRATIVE CODE	OBJECT CLASS	ASSISTANCE LISTING	AMT ACTION FINANCIAL ASSISTANCE	APPROPRIATION
5-3980663	FPHPA6507A	FPH70	41.51	93.217	\$1,969,727.00	75-25-0359



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Remarks (Continuation)

This award is being restored pursuant to a settlement agreement with the recipient. The amount awarded represents partial funding for the Budget Period 4/1/2025 through 3/31/202 (this differs from Box 19 because of technical limitations in reinstating an award). Final funding level will be determined after consideration of such factors as your progress and management practices and the availability of funds. In all cases, continuation awards require a determination by HHS that continued funding is in the best interest of the government. (42 CFR 59.8(b)). An updated detailed workplan and budget justifications for the budget period outlining all planned activities is due April 15, 2025.



35. Terms And Conditions

SPECIAL TERMS AND REQUIREMENTS

1. **Replacement of Prior Terms, Conditions, and Requirements.** Terms, conditions, and requirements have been updated to align with the HHS transition from 45 CFR part 75 to 2 CFR part 200 as described in the [Interim Final Rule](#) published October 2, 2024, in the Federal Register. Selected provisions of 2 CFR part 200 as described in Standard Term 4 below replaced their 45 CFR part 75 counterparts effective October 1, 2024. HHS will replace 45 CFR part 75 in full with 2 CFR part 200 and 2 CFR part 300 effective October 1, 2025.

Effective with the start of the budget period on this Notice of Award, all prior terms, conditions, and requirements are removed and replaced with the revised terms, conditions, and requirements in this Notice of Award to align with the phased transition to 2 CFR part 200 and 2 CFR part 300 as described in the Interim Final Rule.

2. **Title X Family Planning Services Program-Specific Requirements.**

A. Applicability of Program Statute and Regulations.

In accepting this award, you stipulate that the award and any activities thereunder are in compliance with the requirements regarding the provision of family planning services in the statute (Title X of the Public Health Service (PHS) Act, 42 USC § 300 et seq.) and the implementing regulations ([42 CFR Part 59, Subpart A](#)). Pursuant to the Title X statute and regulations, your family planning project is prohibited from providing abortion as a method of family planning ([42 USC 300a-6](#) (Section 1008, PHS Act); [42 CFR 59.5\(a\)\(5\)](#)). In addition, sterilization of clients as part of the Title X program must be consistent with [42 CFR Part 50, Subpart B](#).

Title X Priorities include all the legal requirements covered within the Title X statute, regulations, and legislative mandates. This award is subject to all provisions of those statutes, regulations, and legislative mandates currently in effect now or implemented during the period of performance as of their effectiveness date.

B. Use of Program Income.

Program income funds ([45 CFR 75.307](#) to be replaced by [2 CFR 200.307](#) October 1, 2025) must be used for the purposes of this award during the period of performance. Line 28 "Authorized Treatment of Program Income" on this Notice of Award (NoA) indicates that program income must be used according to "E. Other (See Remarks)."

For Title X Family Planning Service grants, "Other" means you may apply program income toward your cost sharing requirement on Line 24. Thus, your cost sharing obligation toward the non-federal share of the scope of project may be met through a combination of program income (fees, premiums, third-party reimbursements which the project may reasonably expect to receive), as well as State, local and other operational funding, as defined in your approved application and approved budget.

Program income may be applied toward the cost share requirement until the commitment on Line 24 is met. Program income not applied toward cost share commitment must be used to further the project objectives using the additive method ([45 CFR § 75.307 \(e\)](#) to be replaced by [2 CFR 200.307\(b\)](#) on October 1, 2025). The program income amount applied to cost sharing must be reported under the heading "Recipient Share" on the Federal Financial Report (FFR, see Reporting) as part of your non-federal share of the project. Program income not applied to meeting the cost share commitment must be reported under "Program Income" on the FFR.

Regardless of whether you apply program income to meeting your cost sharing commitment, the amount of the



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Federal funds awarded stays the same.

C. Service Site Database.

In order to maintain an accurate record of current Title X service sites, you are required to tell the Office of Population Affairs (OPA) of any deletions, additions, or changes to the name, location, street address, email address, services provided on-site, and contact information for service sites supported as part of this award. OPA's database will also be used to verify eligibility for 340B program registration and recertification. You must enter your changes to the Title X database within 30 days from the official approval of the change at <https://www.opa-fpclinicdb.com/>. This does not replace the prior approval requirement under HHS grants policy for changes in project scope, including clinic closures.

If the addition or deletion of a service site results in a change in the service area covered by the project, this would be a change in scope requiring prior approval by the grants management officer.

D. 340B Program Participation.

If you or your sub-recipient(s) enrolls in the 340B Program, you must comply with all 340B Program requirements. You may be subject to audit at any time regarding 340B Program compliance. 340B Program requirements are available at <https://www.hrsa.gov/opa/program-requirements>.

E. Family Planning Annual Report (FPAR).

You must collect and report data on an annual basis using FPAR. You must collect all FPAR data and report to OPA on an annual basis (OMB# No. 0990-0479, expires 02/28/2025, renewal pending).

F. Program Evaluation Participation.

If selected, you must participate in OPA research and evaluation activities and must agree to follow all evaluation protocols established by OPA or its designee.

G. National Grantee Meetings.

The Title X National Grantee Meeting is typically held in late Summer or early Fall of odd number years in the Washington, DC metro area. You are encouraged to send up to three individuals to the meeting. This meeting is for individuals from the grantee organization only. Travel expenses are allowable consistent with [45 CFR part 75, subpart E](#) (to be replaced by [2 CFR part 200, subpart E](#) October 1, 2025).

3. **Grants Policy Statement October 2024 Update.** HHS published the updated Grants Policy Statement (GPS) with an effective date of October 1, 2024. The updated GPS applies to all OASH awards as of its effective date. The GPS update does not apply retroactively to actions or activities prior to its effective date.
4. **Budget Period and Continuation Awards.** This award is for the budget period noted on line 19. Continuation awards may be awarded for up to 12 months at a time, ending at the project period end date on line 26. Costs for activities during a budget period should be liquidated within 90 days of the end of that budget period.

As the recipient, you must submit a continuation application for review each budget period for a continuation award. This will typically consist of an updated detailed workplan for the next budget period and a detailed budget with



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justification. Your performance progress reports (PPR) will be considered along with the continuation application. The program officer will provide through Grant Solutions the continuation application instructions at least three months before the end of the current budget period. OASH must approve that application for you to receive continued support for that year.

Pursuant to [42 CFR 59.8](#), decisions regarding continuation awards and the funding level of such awards will be made after consideration of such factors as project progress and management practices, and the availability of funds. In all cases, continuation awards require a determination by HHS that continued funding is in the best interest of the government.

5. **Proposed Vehicle Purchases Require Further Justification Before Approval.** No mobile health unit(s) or other vehicle(s), even if proposed in the application for this award, may be purchased with award funds without prior written approval from the grant management officer. Requests for approval of such purchases must include a justification with a cost-benefit analysis comparing, at a minimum, purchase and lease options. Such requests must be submitted as a Budget Revision Amendment in Grant Solutions.

Any vehicle purchases approved will be subject to the applicable equipment disposition requirements in either [45 CFR 75.439](#) (before October 1, 2025) or [2 CFR 200.313](#) (on or after October 1, 2025) using the definition of equipment in [2 CFR 200.1](#).

STANDARD TERMS

1. **Accepting the Award.** You accept the terms and conditions of this award in their entirety by drawing or otherwise obtaining funds for the award from the grant payment system (currently the HHS [Payment Management System](#) (PMS)).

We expect that you will make your first drawdown of funds within the first 30-days of the budget period. If you have not drawn any funds within that period, we may contact you to obtain your written confirmation of your acceptance of the award as issued or your declination of the award.

By accepting this award, you agree to the prudent management of all expenditures and actions affecting the award, including the monitoring of all subrecipients. You also agree to comply with all applicable federal requirements for grants and cooperative agreements and all terms, conditions, and requirements outlined in this Notice of Award.

2. **Recipient Responsibilities.** As the recipient of this award, you have the full responsibility for the conduct of the project or activity supported under this award and for adherence to all award terms and conditions, statutory, regulatory, or policy requirements applicable to grants and cooperative agreements as of their effective date. The approved project or activity is described in the application for this award subject to any OASH grant management officer (GMO) approved amendments. Approval of the project does not waive or negate any statutory, regulatory, or policy requirements applicable to federal grants and cooperative agreements.

We encourage you to seek the advice and opinion of the Federal Project Officer (FPO)(Box 10) and Grants Management Specialist (GMS)(Box 9) on special problems that may arise. However, such advice does not diminish your responsibility as the recipient for making sound programmatic and administrative judgments and does not imply that the responsibility for operating decisions has shifted to HHS, OASH, or the program office.

Failure to meet these responsibilities and maintain compliance with requirements may result in an administrative action such as disallowance of funds, drawdown restriction, suspension, or termination. Should OASH decide to terminate the award prior to the end of the period of performance based on a material failure to comply with this condition of the award, OASH must report the termination to the government-wide integrity and performance system



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(now in [SAM.gov](https://sam.gov) under responsibility/qualification information).

3. Compliance with Requirements. Specifically, you must comply with:

- All terms and conditions contained in this Notice of Award.
- Award policy terms and conditions contained in the applicable Department of Health and Human Services (HHS) Grant Policy Statement (GPS) and its subsequent updates as of their effective date.
- All requirements imposed by applicable program statutes and regulations, and HHS grant administration regulations, including any updates or revisions to these requirements as of their effective date. This includes compliance with all applicable statutes and regulations listed in the Certifications and Representations of your SAM registration, which must be active during the award.
- Requirements or limitations in any applicable appropriations acts as of their effective date, (e.g., Salary Limitation).

4. Transition from 45 CFR part 75 to 2 CFR part 200. In October 2024, HHS published in the Federal Register the [Interim Final Rule](#) (IFR) for its phased implementation of 2 CFR part 200 and eventual rescinding of 45 CFR part 75. HHS will retain certain HHS modifications in 2 CFR part 300.

HHS intends to adopt 2 CFR part 200 in full effective October 1, 2025. At that time 2 CFR part 200 will apply to this award in full. Several provisions of 2 CFR part 200 became effective on October 1, 2024. **The following replacement provisions are effective October 1, 2024.**

2 CFR part 200 citation	Replaces 45 CFR part 75 citation
2 CFR § 200.1. Definitions, <i>"Modified Total Direct Cost"</i>	45 CFR § 75.2. Definitions, <i>"Modified Total Direct Cost"</i>
2 CFR § 200.1. Definitions, <i>"Equipment"</i>	45 CFR § 75.2. Definitions, <i>"Equipment"</i>
2 CFR § 200.1. Definitions, <i>"Supplies"</i>	45 CFR § 75.2. Definitions, <i>"Supplies"</i>
2 CFR § 200.313(e). Equipment, <i>Disposition</i>	45 CFR § 75.320(e). Equipment, <i>Disposition</i>
2 CFR § 200.314(a). Supplies	45 CFR § 75.321(a). Supplies
2 CFR § 200.320. Procurement methods	45 CFR § 75.329. Procurement procedures
2 CFR § 200.333. Fixed amount subawards	45 CFR § 75.353. Fixed amount subawards
2 CFR § 200.344. Closeout	45 CFR § 75.381. Closeout



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2 CFR § 200.414(f). Indirect costs, <i>De Minimis Rate</i>	45 CFR § 75.414(f). Indirect (F&A) costs, (f)
2 CFR § 200.501. Audit requirements	45 CFR § 75.501. Audit requirements

5. **Use of Grant Solutions.** Grant Solutions is our official web-based grants management system. OASH will use it to manage your grant throughout its life cycle except for financial activities. Use of the HHS Payment Management System (PMS) is required for financial functions such as drawing award funds and submitting FFRs. All award related requests and submissions must be submitted through Grant Solutions unless otherwise directed. See Special Terms and Conditions for any exceptions such as a programmatic data collection system approved by OMB that are outside of the Grant Solutions platform.

Contact Grant Solutions [User Support](#) to establish an account if you do not have one. Your Grants Management Specialist (Box 9) may create a Grant Solutions account for your Authorized Official and Program Director/Principal Investigator roles only. Financial Officer accounts may only be established by GrantSolutions staff. All account requests must be signed by the prospective user and their supervisor or other authorized organization official.

Grant Solutions is a role-based system in which a user's role determines the permissions and functions available. As an organization, you may assign additional personnel to the roles you chose. You bear all risk and responsibility for the roles you assign to those individuals. Multiple individuals may have the same role. For example, more than one person may be assigned a PD/PI role in Grant Solutions to perform functions such as uploading reports and other documents requiring that level of access. However, assigning someone a role does not constitute a change in PD/PI that otherwise requires Grants Management Officer prior approval.

OASH recognizes only the named AO and PD/PI on the Notice of Award for official purposes such as requesting amendments or changes to the award.

6. **Prior Approval Requirements.** Certain changes to the project, its assigned personnel, and all terms and conditions of this award require the prior written approval from the Grants Management Officer (GMO). Requests for such approvals or any other modification of the terms of this Notice of Award (NOA) must be submitted as an Amendment Request in Grant Solutions.

Your Authorizing Official (AO)(Box 8) and/or Project Director/Principal Investigator (PD/PI)(Box 7) must sign all amendment requests for actions requiring prior approval. A request to change the PD/PI requires the signature of the AO.

No expanded authorities are granted under this award. Prior approval is required for [45 CFR 75.308\(c\)-\(d\)](#) (to be replaced on October 1, 2025 by [2 CFR 200.308\(f\)-\(g\)](#)):

- Change in the scope or an objective of the project (even if there is no associated budget revision).
- Change in PD/PI or PD/PI's disengagement from the project for more than three months, or a 25 percent reduction in time and effort devoted to the project.
- Change in key personnel (including employees and contractors).
- Inclusion of costs that require prior approval in subpart E, Cost Principles.
- Transfer of funds budgeted for participant support costs to other budget categories.
- Subaward activities not proposed in the application and approved. A change of subrecipient requires prior approval if there is a transfer of substantive project effort. This requirement does not apply to procurement transactions for goods and services.
- Changes in the total approved cost-sharing amount.



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- Additional Federal funds to complete the project.
- No-cost extension (meaning, an extension of time that does not require the obligation of additional Federal funds) of the period of performance.
- Carry-over of unobligated balance (UOB) from a prior budget period.
- Transfer of funds among direct cost categories (e.g., personnel, travel, and supplies) or programs, functions, and activities when the Federal share of the award exceeds the simplified acquisition threshold (currently \$250,000) and the cumulative amount of a transfer exceeds or is expected to exceed 10 percent of the total budget, including cost share, as last approved by the Federal agency.

Prior approval is effective when the GMO issues a new NOA. No other signature will constitute a valid approval of the request. If you act in reliance on a response from any other federal officials or individuals, you do so at your own risk. Such responses will not be considered binding by or upon any OASH office or HHS component. Acting without prior approval may lead to cost disallowance or other corrective action. The GMO is not obligated to provide retroactive approvals. You should expect prior approval request decision within 30 days of submission of a complete request.

Notice Requirements. Any notices or other correspondence not relating to a prior approval item should be uploaded to Grant Messages within Grant Solutions. Items that require notice only and not prior approval include a change in your AO, address, phone, or email address.

If your AO has changed, an official with the authority to designate a representative must provide notice of the change in AO on letterhead with a signature.

All correspondence submitted outside of Grant Solutions must include the Federal Award Identification Number (FAIN) and signature of the AO and/or the PD/PI to avoid delays.

7. Standards of Conduct and Conflicts of Interest. Per the HHS Grant Policy Statement ([GPS](#)), you must maintain written standards of conduct covering conflicts of interest. Individuals affiliated with a recipient organization cannot participate in the selection, award, or administration of a contract supported by a federal award if they have a real or apparent conflict of interest with:

- Employees
- Officers
- Agents
- Immediate family members, spouses, or partners
- Potential employer

These individuals are prohibited from soliciting gratuities, favors, or anything of monetary value from subrecipients. However, you may set standards for situations where financial interest is not substantial or the gift is an unsolicited item of insignificant value. These standards of conduct must be applied for violations of the standards by officers, employees, or agents of the organization.

If your organization is part of a parent, affiliate, or subsidiary organization that is not a state, local government, or Indian tribe, you are required to have an organizational conflict of interest policy.

8. Intangible Property and Data Rights. Intellectual property and data you produce or collect with award funds are subject to the following:

1. Data ([45 CFR 75.322\(d\)](#) to be replaced by [2 CFR 200.315\(d\)](#) on October 1, 2025). The federal government has the right to: 1) Obtain, reproduce, publish, or otherwise use the data produced under this award; and 2) Authorize others to receive, reproduce, publish, or otherwise use such data for federal purposes.
2. Copyright ([45 CFR 75.322\(b\)](#) to be replaced by [2 CFR 200.315\(b\)](#) on October 1, 2025). You may copyright any



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work that is subject to copyright and was developed, or for which ownership was acquired, under a federal award. The HHS awarding agency reserves a royalty-free, nonexclusive and irrevocable right to reproduce, publish, or otherwise use the work for Federal purposes, and to authorize others to do so.

3. Patents and Inventions ([45 CFR 75.322\(c\)](#) to be replaced by [2 CFR 200.315\(c\)](#) on October 1, 2025). You are subject to applicable regulations governing patents and inventions, including government- wide regulations issued by the Department of Commerce at [37 CFR part 401](#).

9. **Acknowledgement of Federal Grant Support.** When issuing statements, press releases, publications, requests for proposal, bid solicitations and other documents --such as tool-kits, resource guides, websites, and presentations (hereafter "statements")— describing the projects or programs funded in whole or in part with U.S. Department of Health and Human Services (HHS) federal funds, **you must clearly state:**

1. the percentage and dollar amount of the total costs of the program or project funded with federal money; and,
2. the percentage and dollar amount of the total costs of the project or program funded by non-governmental sources.

The federal award total must reflect total costs (direct and indirect) for all authorized funds for the total award up to the time of the public statement.

When issuing statements resulting from activities supported by this award, you must include an acknowledgement. Whenever possible, your acknowledgement should include the Federal Award Identification Number (FAIN) that appears on line 12 of this NOA.

The [Grants Policy Statement \(GPS\)](#) has sample acknowledgement statements for two different cases: 1) when the project is 100% funded through this award; or 2) when the project is funded partially by this award and with other funding sources, including any cost share.

For documents with space limitations (e.g., postcards) you may instead provide link or QR code that will lead to a compliant acknowledgement statement.

If you plan to issue a press release concerning the outcome of activities supported by this financial assistance, you should notify the federal project officer and the grants management officer in advance with sufficient time to allow for coordination.

10. **Project Participants or Beneficiaries Eligibility.** You must not restrict participation in the project on the basis of race, color, national origin, religion, sex, disability, age or another protected characteristic.

11. **Travel costs.** The allowability of travel costs is subject to [45 CFR § 75.474](#) (to be replaced by [2 CFR 200.475](#) on October 1, 2025) This Notice of Award approves travel costs for award related purposes that are described in the application or approved amendment requests. Generally, you should follow your organization's written travel policy subject to any exclusions or prohibitions on costs in [45 CFR part 75, subpart E](#) (to be replaced by [2 CFR part 200, subpart E](#) on October 1, 2025).

This Notice of Award does not provide approval for international travel (i.e., travel outside the 50 United States and its territories and possessions described in the application). OASH requires review and prior approval of international travel. You should allow sufficient time for program and grants management review of the request, typically 30 days prior to the obligation of funds for the travel. Travel must be reasonable and necessary to the conduct of the project.

The Fly America Act applies to this award. ([49 USC 40118](#) as implemented by [41 CFR 301-10.131 – 301-10.143](#)).

12. **Promoting Efficient Spending.** Any activities approved by this award are subject to the [HHS Policy on Promoting Efficient Spending](#) and its associated attachments.



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- Attachment 1: [Use of Appropriated Funds for Conferences and Meetings.](#)
- Attachment 2: [Use of Appropriated Funds for Food.](#)
- Attachment 3: [Use of Appropriated Funds for Promotional Items](#)
- Attachment 4: [Use of Appropriated Funds for Printing and Publications](#)

13. **Indirect Costs.** Indirect costs are allowable subject to [45 CFR 75.414](#) (to be replaced by [2 CFR 200.414](#) on October 1, 2025). Indirect costs claimed may not exceed the lower of either an amount equal to the approved negotiated indirect cost rate agreement as applied to the modified total direct costs (MTDC) or the amount indicated on this Notice of Award reflecting the lower amount you explicitly offer in the application and accepted by OASH.

Indirect costs for training awards are limited to a fixed rate of eight percent ([45 CFR 75.414\(c\)\(1\)\(i\)](#) to be replaced by [2 CFR 300.414](#) on October 1, 2025) of MTDC exclusive of tuition and related fees, direct expenditures for equipment, and subawards in excess of \$50,000.

MTDC means all direct salaries and wages, applicable fringe benefits, materials and supplies, services, travel, and up to the first \$50,000 of each subaward (regardless of the period of performance of the subawards under the award). MTDC excludes equipment, capital expenditures, charges for patient care, rental costs, tuition remission, scholarships and fellowships, participant support costs and the portion of each subaward in excess of \$50,000 ([2 CFR 200.1](#)).

14. **Lobbying Restriction.** The restrictions in [45 CFR § 75.450](#) (to be replaced by [2 CFR 200.450](#) October 1, 2025) regarding costs associated with lobbying activities apply to this award.
15. **Human Subjects and the Institutional Review Board (IRB).** It is your responsibility as the recipient to ensure that any activities meeting the definition of human subjects research are appropriately reviewed according to the HHS human subjects protection regulations ([45 CFR part 46](#)). The Office of Human Research Protections [website](#) includes a series of decision charts to help assess whether an activity is human subjects research covered by the regulation and when an exemption may apply.

Exempt Activities. You must have clear procedures in place to determine whether the research is exempt under the HHS human subjects protection regulations consistent with the guidance provided by the Office of Human Research Protections (OHRP). The determination that an exemption applies must be documented and provided in Grant Messages. This must include the name and qualifications of the individual making that determination and identify the specific exemption(s) that applies. You may use the HHS Protection of Human Subjects form on Grants.gov at https://apply07.grants.gov/apply/forms/sample/ProtectionofHumanSubjects_2_0-V2.0.pdf.

Non-Exempt Activities. For non-exempt research activities, Assurances and Institutional Review Board (IRB) approvals must be submitted via Grant Messages within 5 business days of your receipt of approval from the IRB. Do not include protocols; only provide documentation of the approval. No activities that require IRB approval may take place prior to the recipient's receipt of the IRB approval.

16. **Records Access.** Per [45 CFR 75.364](#) (to be replaced by [2 CFR 200.337](#) on October 1, 2025), the HHS awarding agency, Inspectors General, the Comptroller General of the United States, and the pass-through entity, or any of their authorized representatives, must have the right of access to any documents, papers, or other records of the recipient which are pertinent to the federal award, in order to make audits, examinations, excerpts, and transcripts. The right also includes timely and reasonable access to the entity's personnel for the purpose of interview and discussion related to such documents. Only under extraordinary and rare circumstances as described in [45 CFR 75.364\(b\)](#) (to be replaced by [2 CFR 200.337\(b\)](#) October 1, 2025) would such access include review of the true name of victims of a crime.

The rights of access in this section are not limited to the required retention period but last as long as the records are retained.



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17. **Records Retention.** Per [45 CFR 75.361](#) (to be replaced by [2 CFR 200.334](#) on October 1, 2025), financial records, supporting documents, statistical records, and all other records pertinent to the award must be retained for a period of three years from the date of submission of the final expenditure report. There are no other record retention requirements, except that:

1. records must be retained until all litigation, claims, or audit findings involving the records have been resolved and final action taken if any litigation, claim, or audit is started before the expiration of the three-year period
2. when you or your subrecipient is notified in writing by the Federal agency or pass-through entity, cognizant agency for audit, oversight agency for audit, or cognizant agency for indirect costs to extend the retention period
3. records for real property and equipment acquired with Federal funds must be retained for 3 years after final disposition.
4. when records are transferred to or maintained by the HHS awarding agency or pass-through entity, the 3-year retention requirement is not applicable to you.
5. Records of program income earned after the period of performance must be retained for three years from the end of your or your subrecipient's fiscal year in which the program income is earned. This only applies if this NOA requires you to report on program income after the period of performance has ended.
6. The records for indirect cost rate computations or proposals, cost allocation plans, and any similar accounting computations of the rate at which a particular group of costs is chargeable (such as computer usage chargeback rates or composite fringe benefit rates) must be retained according to the applicable option below:

If submitted for negotiation. When a proposal, plan, or other computation must be submitted to the Federal Government to form the basis for negotiation of an indirect cost rate (or other standard rates), then the three-year retention period for its supporting records starts from the date of submission.

If not submitted for negotiation. When a proposal, plan, or other computation is not required to be submitted to the Federal Government to form the basis for negotiation of an indirect cost rate (or other standard rates), then the three-year retention period for its supporting records starts from the end of the fiscal year (or other accounting period) covered by the proposal, plan, or other computation.

18. **Whistleblower Protections.** The whistleblower protections in [2 CFR 200.217](#) apply to this award. You and your subrecipients must inform your employees in writing of employee whistleblower rights and protections under [41 USC 4712](#).

19. **Salary Limitation.** Salary costs under this award are subject to the limitation established by federal statute. The salary limitation is based upon the Executive Level II of the Federal Executive Pay Scale. Effective January 2025, the Executive Level II salary is \$225,700. This amount is updated annually and posted at www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/.

For the purposes of the salary limitation, the direct salary is exclusive of fringe benefits and indirect costs. An individual's direct salary is not constrained by the legislative provision for a limitation of salary. The rate limitation simply limits the amount that may be charged to the grant or cooperative agreement. You may pay an individual's salary amount exceeding the salary cap with non-federal funds.

20. **Subrecipient Monitoring.** The HHS Grants Policy Statement ([GPS](#)) applies to all recipients and the requirements flow down to subrecipients. You must verify that a subrecipient or contractor is not excluded or disqualified consistent with [2 CFR 180.300](#) before entering into an agreement. Your subrecipients must have a unique entity identifier from SAM.gov prior to your making an award to them ([2 CFR 25.300](#)).

You must have a formal written agreement with each subaward recipient. You must include applicable GPS



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requirements in your subaward agreements. Agreements must meet programmatic, administrative, financial, and reporting requirements. At a minimum, the subaward agreement must include the items described in [45 CFR 75.352](#) (to be replaced by [2 CFR 200.332](#) on October 1, 2025). Furthermore the subaward agreement must include ([HHS Grants Policy Statement, October 1, 2024](#), page 52):

- the PD or PI and subrecipient staff responsible for the program activity, including roles and responsibilities
- program administration and monitoring procedures
- policies and process for subrecipient funding, such as allowable costs, expenditure approval, funding caps, payment method and schedule, required documentation
- travel, salaries, and fringe benefit policies and procedures
- applicable public policy requirements and applicable assurances and certifications and provisions indicating the intent of the subrecipient to comply, including submission of applicable assurances and certifications
- conflict of interest requirement
- provisions regarding property, program income, publications, reporting, record retention, and audit.

You must monitor the subrecipients' activities to ensure compliance with Federal statutes, regulations, and the terms and conditions of the subaward [45 CFR 75.352](#) (to be replaced by [2 CFR 200.332](#) on October 1, 2025). This includes reviewing subrecipients' financial and performance reports and ensuring subrecipients take any corrective actions on all significant developments. You should ensure that subrecipient and contractor costs are liquidated in a timely manner (i.e., within 90 days of the end of the budget period for the activity performed).

21. **Reporting of Matters Related to Recipient Integrity and Performance.** ([2 CFR part 200, Appendix XII](#))

A. General Reporting Requirement

If the total value of your active grants, cooperative agreements, and procurement contracts from all Federal agencies exceeds \$10,000,000 for any period of time during the period of performance of this Federal award, then you as the recipient must ensure the information available in the responsibility/qualification records through the System for Award Management (SAM.gov), about civil, criminal, or administrative proceedings described in paragraph (b) of this award term is current and complete. This is a statutory requirement under section 872 of [Public Law 110-417](#), as amended ([41 U.S.C. 2313](#)). As required by section 3010 of [Public Law 111-212](#), all information posted in responsibility/qualification records in SAM.gov on or after April 15, 2011 (except past performance reviews required for Federal procurement contracts) will be publicly available.

B. Proceedings About Which You Must Report

You must submit the required information about each proceeding that—

1. **Is in connection with the award or performance of a grant, cooperative agreement, or procurement contract from the Federal Government;**
2. **Reached its final disposition during the most recent five-year period; and**
3. **Is one of the following—**
 - a) **A criminal proceeding that resulted in a conviction;**
 - b) **A civil proceeding that resulted in a finding of fault and liability and payment of a monetary fine, penalty, reimbursement, restitution, or damages of \$5,000 or more;**



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- c) **An administrative proceeding that resulted in a finding of fault and liability and your payment of either a monetary fine or penalty of \$5,000 or more or reimbursement, restitution, or damages in excess of \$100,000; or**
- d) **Any other criminal, civil, or administrative proceeding if—**
 - i. **It could have led to an outcome described in paragraph (B)(3)(a) through (c);**
 - ii. **It had a different disposition arrived at by consent or compromise with an acknowledgment of fault on your part; and**
 - iii. **The requirement in this award term to disclose information about the proceeding does not conflict with applicable laws and regulations.**

C. Reporting Procedures

Enter the required information in *SAM.gov* for each proceeding described in paragraph (B) of this award term. You do not need to submit the information a second time under grants and cooperative agreements that you received if you already provided the information in *SAM.gov* because you were required to do so under Federal procurement contracts that you were awarded.

D. Reporting Frequency

During any period of time when you are subject to the requirement in paragraph (a) of this award term, you must report proceedings information in *SAM.gov* for the most recent five-year period, either to report new information about a proceeding that you have not reported previously or affirm that there is no new information to report. If you have Federal contract, grant, and cooperative agreement awards with a cumulative total value greater than \$10,000,000, you must disclose semiannually any information about the criminal, civil, and administrative proceedings.

E. Definitions

For purposes of this award term:

Administrative proceeding means a non-judicial process that is adjudicatory in nature to make a determination of fault or liability (for example, Securities and Exchange Commission Administrative proceedings, Civilian Board of Contract Appeals proceedings, and Armed Services Board of Contract Appeals proceedings). This includes proceedings at the Federal and State level but only in connection with the performance of a Federal contract or grant. It does not include audits, site visits, corrective plans, or inspection of deliverables.

Conviction means a judgment or conviction of a criminal offense by any court of competent jurisdiction, whether entered upon a verdict or a plea, and includes a conviction entered upon a plea of nolo contendere.

Total value of currently active grants, cooperative agreements, and procurement contracts includes the value of the Federal share already received plus any anticipated Federal share under those awards (such as continuation funding).

F. Disclosure Requirements.

Consistent with [45 C.F.R. § 75.113](#), applicants and recipients must disclose, in a timely manner, in writing to the HHS



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Awarding Agency, with a copy to the HHS Office of the Inspector General, all information related to violations of Federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the Federal award. Subrecipients must disclose, in a timely manner, in writing to the prime recipient (pass through entity) and the HHS Office of the Inspector General all information related to violations of Federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the Federal award. Disclosures must be sent in writing to the awarding agency and to the HHS OIG at the following addresses:

*HHS OASH Grants and Acquisitions Management
1101 Wootton Parkway, Plaza Level
Rockville, MD 20852*

AND

*US Department of Health and Human Services
Office of Inspector General
ATTN: OIG HOTLINE OPERATIONS—MANDATORY GRANT DISCLOSURES
PO Box 23489
Washington, DC 20026*

URL: <http://oig.hhs.gov/fraud/report-fraud/index.asp> (Include "Mandatory Grant Disclosures" in subject line)

Fax: 1-800-223-8164 (Include "Mandatory Grant Disclosures" in subject line)

Failure to make required disclosures can result in any of the remedies described in [45 C.F.R. § 75.371](#) ("Remedies for noncompliance"), including suspension or debarment (See also 2 C.F.R. Parts [180](#) & [376](#) and [31 U.S.C. § 3321](#)).

The recipient must include this mandatory disclosure requirement in all subawards and contracts under this award.

22. Reporting Subawards and Executive Compensation ([2 CFR part 170](#))

A. Reporting of first-tier subawards —

1. Applicability.

Unless the recipient is exempt as provided in paragraph (d) of this award term, the recipient must report each subaward that equals or exceeds \$30,000 in Federal funds for a subaward to an entity or Federal agency. The recipient must also report a subaward if a modification increases the Federal funding to an amount that equals or exceeds \$30,000. All reported subawards should reflect the total amount of the subaward.

2. Reporting Requirements.

- a) The recipient must report each subaward described in paragraph (a)(1) of this award term to the Federal Funding Accountability and Transparency Act Subaward Reporting System (FSRS) at <http://www.fsrs.gov>.
- b) For subaward information, report no later than the end of the month following the month in which the subaward was issued. (For example, if the subaward was made on November 7, 2025, the subaward must be reported by no later than December 31, 2025).

B. Reporting total compensation of recipient executives for entities —



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1. Applicability.

The recipient must report the total compensation for each of the recipient's five most highly compensated executives for the preceding completed fiscal year if:

- a) The total Federal funding authorized to date under this Federal award equals or exceeds \$30,000;
- b) in the preceding fiscal year, the recipient received:
 - i. 80 percent or more of the recipient's annual gross revenues from Federal procurement contracts (and subcontracts) and Federal awards (and subawards) subject to the Transparency Act; and
 - ii. \$25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts) and Federal awards (and subawards) subject to the Transparency Act; and,
- c) The public does not have access to information about the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986 after receiving this subaward. (To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at <http://www.sec.gov/answers/execomp.htm>.)

2. Reporting Requirements.

The recipient must report executive total compensation described in paragraph (b)(1) of this appendix:

- a) As part of the recipient's registration profile at <https://www.sam.gov>.
- b) No later than the month following the month in which this Federal award is made, and annually after that. (For example, if this Federal award was made on November 7, 2025, the executive total compensation must be reported by no later than December 31, 2025.)

C. Reporting of total compensation of subrecipient executives —

1. Applicability.

Unless a first-tier subrecipient is exempt as provided in paragraph (d) of this appendix, the recipient must report the executive total compensation of each of the subrecipient's five most highly compensated executives for the subrecipient's preceding completed fiscal year, if:

- a) The total Federal funding authorized to date under the subaward equals or exceeds \$30,000;
- b) In the subrecipient's preceding fiscal year, the subrecipient received:
 - i. 80 percent or more of its annual gross revenues from Federal procurement contracts (and subcontracts) and Federal awards (and subawards) subject to the Transparency Act; and,



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ii. \$25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts), and Federal awards (and subawards) subject to the Transparency Act; and

c) The public does not have access to information about the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986 after receiving this subaward. (To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at <http://www.sec.gov/answers/execomp.htm>.)

2. Reporting Requirements.

Subrecipients must report to the recipient their executive total compensation described in paragraph (c)(1) of this appendix. The recipient is required to submit this information to the Federal Funding Accountability and Transparency Act Subaward Reporting System (FSRS) at <http://www.fsrs.gov> no later than the end of the month following the month in which the subaward was made. (For example, if the subaward was made on November 7, 2025, the subaward must be reported by no later than December 31, 2025).

D. Exemptions.

1. A recipient with gross income under \$300,000 in the previous tax year is exempt from the requirements to report:

- a) Subawards, and
- b) The total compensation of the five most highly compensated executives of any subrecipient.

E. Definitions.

For purposes of this award term:

Entity includes:

1. Whether for profit or nonprofit

A corporation;
An association;
A partnership;
A limited liability company;
A limited liability partnership;
A sole proprietorship;
Any other legal business entity;
Another grantee or contractor that is not excluded by subparagraph (2); and
Any State or locality;

2. Does not include:



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**An individual recipient of Federal financial assistance; or
A Federal employee.**

Executive means an officer, managing partner, or any other employee holding a management position.

Subaward has the meaning given in [2 CFR 200.1](#).

Subrecipient has the meaning given in [2 CFR 200.1](#).

Total Compensation means the cash and noncash dollar value an executive earns during an entity's preceding fiscal year. This includes all items of compensation as prescribed in [17 CFR 229.402\(c\)\(2\)](#).

23. System for Award Management (SAM.gov) and Universal Identifier Requirements.

A. Requirement for System for Award Management.

1. Unless exempt from this requirement under [2 CFR 25.110](#), you must maintain a current and active registration in *SAM.gov*. Your registration must always be current and active until you submit all final reports required under this award or receive the final payment, whichever is later. You must review and update your information in *SAM.gov* at least annually from the date of your initial registration or any subsequent updates to ensure it is current, accurate, and complete. If applicable, this includes identifying your immediate and highest-level owner and subsidiaries and providing information about your predecessors that have received a Federal award or contract within the last three years.

B. Requirement for Unique Entity Identifier (UEI).

1. If the you are authorized to make subawards under this Federal award, you:
 - a) Must notify potential subrecipients that no entity may receive a subaward until the entity has provided its UEI to you.
 - b) Must not make a subaward to an entity unless the entity has provided its UEI to the recipient. Subrecipients are not required to complete full registration in *SAM.gov* to obtain a UEI.

C. Definitions. For the purposes of this award term:

System for Award Management (SAM.gov) means the Federal repository into which you must provide the information required for the conduct of business as a recipient. Additional information about registration procedures may be found in *SAM.gov* (currently at <https://www.sam.gov>).

Unique entity identifier means the universal identifier assigned by *SAM.gov* to uniquely identify an entity.

Entity is defined at [2 CFR 25.400](#) and includes all of the following types as defined in [2 CFR 200.1](#):



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- (1) Non-Federal entity;
- (2) Foreign organization;
- (3) Foreign public entity;
- (4) Domestic for-profit organization; and
- (5) Federal agency.

Subaward has the meaning given in [2 CFR 200.1](#).

Subrecipient has the meaning given in [2 CFR 200.1](#).

24. Trafficking in Persons ([2 CFR part 175](#))

A. Provisions applicable to a recipient that is a private entity.

1. Under this award, the recipient, its employees, subrecipients under this award, and subrecipient's employees must not engage in:

- a) Severe forms of trafficking in persons;
- b) The procurement of a commercial sex act during the period of time that this award or any subaward is in effect;
- c) The use of forced labor in the performance of this award or any subaward; or
- d) Acts that directly support or advance trafficking in persons, including the following acts:
 - i. Destroying, concealing, removing, confiscating, or otherwise denying an employee access to that employee's identity or immigration documents;
 - ii. Failing to provide return transportation or pay for return transportation costs to an employee from a country outside the United States to the country from which the employee was recruited upon the end of employment if requested by the employee, unless:
 - (a) Exempted from the requirement to provide or pay for such return transportation by the Federal department or agency providing or entering into the grant or cooperative agreement; or
 - (b) The employee is a victim of human trafficking seeking victim services or legal redress in the country of employment or a witness in a human trafficking enforcement action;
 - iii. Soliciting a person for the purpose of employment, or offering employment, by means of materially false or fraudulent pretenses, representations, or promises regarding that



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employment;

iv. Charging recruited employees a placement or recruitment fee; or

v. Providing or arranging housing that fails to meet the host country's housing and safety standards.

2. The Federal agency may unilaterally terminate this award or take any remedial actions authorized by [22 U.S.C. 7104b\(c\)](#), without penalty, if any private entity under this award:

a) Is determined to have violated a prohibition in paragraph A.1 of this award term; or

b) Has an employee that is determined to have violated a prohibition in paragraph A.1 of this award term through conduct that is either:

i. Associated with the performance under this award; or

ii. Imputed to the recipient or the subrecipient using the standards and due process for imputing the conduct of an individual to an organization that are provided in [2 CFR part 180](#), "OMB Guidelines to Agencies on Government-wide Debarment and Suspension (Nonprocurement)," as implemented by our agency at [2 CFR Part 376](#).

B. Provision applicable to a recipient other than a private entity.

1. The Federal agency may unilaterally terminate this award or take any remedial actions authorized by [22 U.S.C. 7104b\(c\)](#), without penalty, if a subrecipient that is a private entity under this award:

a) Is determined to have violated a prohibition in paragraph A.1 of this award; or

b) Has an employee that is determined to have violated a prohibition in paragraph A.1 of this award term through conduct that is either:

i. Associated with the performance under this award; or

ii. Imputed to the subrecipient using the standards and due process for imputing the conduct of an individual to an organization that are provided in [2 CFR part 180](#), "OMB Guidelines to Agencies on Government-wide Debarment and Suspension (Nonprocurement)," as implemented by our agency at [2 CFR Part 376](#).

C. Provisions applicable to any recipient.

1. The recipient must inform the Federal agency and the Inspector General of the Federal agency immediately of any information you receive from any source alleging a violation of a prohibition in paragraph A.1 of this appendix.

2. The Federal agency's right to unilaterally terminate this award as described in paragraphs A.2 or B.1 of this appendix:



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a) Implements the requirements of [22 USC 78](#), and

b) Is in addition to all other remedies for noncompliance that are available to the Federal agency under this award.

3. The recipient must include the requirements of paragraph A.1 of this award term in any subaward it makes to a private entity.

4. If applicable, the recipient must also comply with the compliance plan and certification requirements in [2 CFR 175.105\(b\)](#).

D. Definitions. For purposes of this award term:

Employee means either:

a) An individual employed by the recipient or a subrecipient who is engaged in the performance of the project or program under this award; or

b) Another person engaged in the performance of the project or program under this award and not compensated by the recipient including, but not limited to, a volunteer or individual whose services are contributed by a third party as an in-kind contribution toward cost sharing requirements.

Private Entity means any entity, including for-profit organizations, nonprofit organizations, institutions of higher education, and hospitals. The term does not include foreign public entities, Indian Tribes, local governments, or states as defined in [2 CFR 200.1](#).

The terms "severe forms of trafficking in persons," "commercial sex act," "sex trafficking," "Abuse or threatened abuse of law or legal process," "coercion," "debt bondage," and "involuntary servitude" have the meanings given at section 103 of the TVPA, as amended ([22 USC 7102](#)).

REPORTING REQUIREMENTS

1. **Financial Reporting Requirement.** As a recipient, you must submit your quarterly Federal Financial Report (FFR) (SF-425) to OASH using the Department of Health and Human Services (HHS) Payment Management System ([PMS](#)). Failure to submit the FFR in the correct system by the due date may delay processing of any pending requests or applications.

Submission of your SF-425 will enhance the reconciliation of expenditures and disbursements and allow for timely closeout of grants.

To assist in your preparation for submission, a PDF version of the SF-425 and instructions is available on Grants.gov at https://apply07.grants.gov/apply/forms/sample/SF425_3_0-V3.0.pdf.

You must complete all sections of the FFR.

Due Date and Reporting Period. Your quarterly FFR will report cumulatively over the life of the project. Your FFR is due 30 days after the end of each Quarter in the federal fiscal year. That is for the:



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- Quarter ending September 30, your FFR is due October 30
- Quarter ending December 31, your FFR is due January 30
- Quarter ending March 30, your FFR is due April 30
- Quarter ending June 30, your FFR is due July 30.

Final FFR Due Date. Your final FFR covering the entire project is due 120 days after the end date for your project period.

Past due FFRs. If you have not submitted by the due date, you will receive a message indicating the report is Past Due. Please ensure your PMS account and contact information are up to date so you receive notifications. Past due FFRs may delay action on pending applications for new, continuing, or supplement awards.

Electronic Submission Requirement. Electronic Submissions are required and accepted only via the PMS. No other submission methods will be accepted without prior written approval from the GMO. Your FFR preparer/certifier must be authorized by you to access PMS.

If you encounter any difficulties, contact the PMS Help Desk or your assigned Grants Management Specialist (Box 9).

2. **Annual Performance Progress Reports.** You must submit annual progress reports unless otherwise required under Special Terms and Requirements or Special Conditions as required by statute, regulation, or specific circumstances warranting additional monitoring for this award.

PPR Due Dates. Your PPR reporting period is aligned to end with the end of a federal fiscal year quarter and with your quarterly FFRs. Annual PPRs are due 90 days after the end of the reporting period.

- For reporting periods ending September 30, your PPR is due December 30
- For reporting period ending December 31, your PPR is due March 30
- For reporting period ending March 30, your PPR is due June 30
- For reporting period ending June 30, your PPR is due September 30.

Final PPR Due Date. Your final FFR is due 120 days after the end date for your period of performance.

PPR Content. Your progress reports must include at a minimum:

- Your accomplishments for the period compared to the approved objectives and workplan for the period.
- Your explanation for why any established goals were not met.
- Additional pertinent information including, when appropriate, analysis and explanation of cost overruns or other financial effects of delays.

Additional guidance may be provided by the Program Office.

Past Due PPRs. If you have not submitted by the due date, you will receive a message indicating the report is Past Due. Past due PPRs may delay action on pending applications for new, continuing, or supplement awards.

Electronic Submission. You must submit your PPR electronically via the PPR Module in Grant Solutions.

If you encounter any difficulties, contact the Grant Solutions Help Desk or your assigned Grants Management Specialist (Box 9).

3. **Audit Requirements.** The Single Audit Act Amendments of 1996 ([31 USC §§ 7501-7507](#)) combined the audit requirements for all entities under one Act. An audit is required for all non-Federal entities expending Federal funds and must be consistent with the standards set out at [45 CFR part 75, subpart F](#), "Audit Requirements" (except that-2



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[CFR 200.501](#) replaced 45 CFR 75.501 on October 1, 2024, and will be replaced in its entirety by [2 CFR part 200, subpart F](#) on October 1, 2025). The audits are due within 30 days of receipt from the auditor or within 9 months of the end of the fiscal year, whichever occurs first. The audit report when completed should be submitted online to the [Federal Audit Clearinghouse](#).

4. **Closeout Requirements.** Once the project period has ended, as the recipient, you are required to submit a Final PPR and the SF-428 Tangible Personal Property report and/or Disposition report in Grant Solutions and a Final FFR (SF-425) using HHS Payment Management System (PMS).

All closeout documentation is due within 120 calendar days after the project and final budget period end date. Failure to submit these required reports when due may result in the imposition of a special award condition or the withholding of support for other active or future projects or activities involving your organization.

Failure to submit acceptable closeout documentation may result in a unilateral closeout of your award. In a unilateral closeout, OASH is required to report you to the government-wide integrity and performance system (now in SAM.gov under responsibility/qualification information) for material failure to comply with the terms of your award. Such a failure must be considered in future decisions about assistance funding for which you have applied ([45 CFR 75.205](#) to be replaced by [2 CFR 200.206](#) on October 1, 2025).

Additional instructions for completing all reports will be provided in the Pre-closeout letter from the Grants & Acquisitions Management Division.

- **Final Performance Progress Report (PPR).** Submit your report via the Performance Progress Report (PPR) Module in Grant Solutions. Your report must address content required by [45 CFR § 75.342\(b\)\(2\)](#) (to be replaced by [2 CFR 200.329\(c\)\(2\)](#) on October 1, 2025). Additional guidance on content of the progress report may be provided by the Program Office.
- **Final Federal Financial Report (SF-425).** Submit your Final FFR using the HHS Payment Management System (PMS). No other submission methods will be accepted without prior written approval from the GMO. If you encounter any difficulties, contact the HHS Payment Management System Help Desk or your assigned Grants Management Specialist.
- **Tangible Personal Property report and/or Disposition reports (SF-428 and SF-428-B).** Submit reports via attachment to a Grant Message in Grant Solutions. You may find the forms on Grants.gov under [Post-Award Reporting Forms](#).

CONTACTS

1. **Fraud, Waste, and Abuse.** The HHS Inspector General accepts tips and complaints from all sources about potential fraud, waste, abuse, and mismanagement in Department of Health and Human Services' programs. Your information will be reviewed promptly by a professional staff member. Due to the high volume of information that they receive, they are unable to reply to submissions. You may reach the OIG through various channels.

Internet: <https://forms.oig.hhs.gov/hotlineoperations/index.aspx>

Phone: 1-800-HHS-TIPS (1-800-447-8477)

*Mail: US Department of Health and Human Services
Office of Inspector General
ATTN: OIG HOTLINE OPERATIONS
PO Box 23489
Washington, DC 20026*



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For additional information visit <https://oig.hhs.gov/fraud/report-fraud/index.asp>.

2. **Payment Procedures.** Payments for grants awarded by OASH Program Offices are made through the Payment Management System (PMS, previously known as the Division of Payment Management)
<https://pms.psc.gov/home.html>.

PMS is administered by the Program Support Center (PSC), HHS. Contact PMS to establish an account if you do not have one.

Inquiries regarding payments should be directed to <https://pms.psc.gov/home.html>; or

*Payment Management Services
P.O. Box 6021
Rockville, MD 20852*

or 1-877-614-5533

3. **Grant Solutions.** For assistance on Grant Solutions issues please contact: Grant Solutions User Support at 202-401-5282 or 866-577-0771, email help@grantsolutions.gov, Monday – Friday, 8 a.m. – 6 p.m. ET. Frequently Asked Questions and answers are available at <https://grantsolutions.secure.force.com/>.

4. **Grants Administration Assistance.** For assistance on grants administration issues please contact the Grants Management Specialist (Box 9) or mail:

*OASH Grants and Acquisitions Management Division
Department of Health and Human Services
Office of the Assistant Secretary for Health
1101 Wootton Parkway,
Rockville, MD 20852*

OASH_Grants@hhs.gov

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OKLAHOMA
DEPARTMENT OF HEALTH AND HUMAN
SERVICES, ET AL.

STEVEN H. ADEN
AMERICANS UNITED FOR LIFE
1150 CONNECTICUT AVE.
SUITE 500
WASHINGTON, DC 20036
202-741-4917
STEVEN.ADEN@AUL.ORG

ANTHONY J. FERATE
SPENCER FANE LLP
9400 N. BROADWAY EXT.
SUITE 600
OKLAHOMA CITY, OK 73114
405-753-5939
AJFERATE@SPENCERFANE.COM

JACK MILES MCFADDEN
TITUS HILLIS REYNOLDS LOVE
15 E. FIFTH STREET
SUITE 3700
TULSA, OK 74103
918-587-6800
JMCFADDEN@TITUSHILLIS.COM

LANORA C. PETTIT
OFFICE OF THE ATTORNEY GERNERAL
P.O. BOX 12548 (MC 059)
AUSTIN, TX 78711-2548
512-936-1700
LANORA.PETTIT@OAG.TEXAS.GOV

CHRISTOPHER P. SCHANDEVEL
ALLIANCE DEFENDING FREEDOM
44180 RIVERSIDE PKWY
LANSDOWNE, VA 20176
571-707-4655
CSCHANDEVEL@ADFLEGAL.ORG

ZACH WEST
DIRECTOR OF SPECIAL LITIGATION
OFFICE OF THE OKLAHOMA ATTORNEY
GENERAL
313 N.E. TWENTY-FIRST STREET
OKLAHOMA CITY, OK 73105
405-521-3921
ZACH.WEST@OAG.OK.GOV

JOHN MARC WHEAT
ADVANCING AMERICAN FREEDOM, INC.
801 PENNSYLVANIA AVE., NW
SUITE 930
WASHINGTON, DC 20004-2729
202-780-4848
MWHEAT@ADVANCINGAMERICANFREEDOM.COM