

The Substance Abuse and Mental Health Services Administration

Fiscal Year (FY) 2025 Standard Terms and Conditions

These are SAMHSA’s 2025 Award Standard Terms and Conditions for discretionary grants and cooperative agreements awarded by SAMHSA including all active awards that did not reach their project period end date by October 1, 2024, and supersede any previous terms and conditions.

1. Administrative Requirements

The terms and conditions set forth below are not exhaustive. Refer to the [HHS Administrative and National Policy Requirements](#) for all applicable governing documents. The governing documents in the [HHS Administrative and National Policy Requirements](#) supersede provisions in these terms and conditions. You must comply with the laws, policies, and terms and conditions included in your Notice of Award (NOA). Additionally, SAM.gov and Unique Entity Identifier (UEI) registration is required throughout the lifecycle of all SAMHSA awards.

2. Applicable Regulatory Provisions

Prior to October 1, 2025, this award is subject to 45 CFR 75 except for eight flexibilities from 2 CFR 200 adopted by HHS on October 1, 2024, in Federal Register Notice 89 FR 80055. After October 1, 2025, this award will be subject to any applicable provisions of 2 CFR 200 and 2 CFR 300.

These are the specific provisions of 2 CFR 200 that went into effect for all active awards on October 1, 2024:

Provision	Previous Regulation(s)	New Regulation(s)	45 CFR Part 75 Threshold before 10/01/2024	2 CFR 200 New Threshold on or after 10/1/2024
Modified Total Direct Cost Definition	45 CFR 75.2	2 CFR 200.1	\$25,000	\$50,000
Equipment	45 CFR 75.2 45 CFR 75.320(e)	2 CFR 200.1 , 200.313(e)	\$5,000	\$10,000
Unused Supplies	45 CFR 75.2 45 CFR 75.321(a)	2 CFR 200.1 , 200.314(a)	\$5,000	\$10,000

Provision	Previous Regulation(s)	New Regulation(s)	45 CFR Part 75 Threshold before 10/01/2024	2 CFR 200 New Threshold on or after 10/1/2024
Micro-purchase Threshold	45 CFR 75.329(a)	2 CFR 200.320	\$10,000	\$50,000
Fixed Amount Awards Subawards	45 CFR 75.353	2 CFR 200.333	\$250,000	\$500,000
Closeout¹	45 CFR 75.381	2 CFR 200.344	90 days	120 days
De Minimis Indirect Rate	45 CFR 75.414(f)	2 CFR 200.414(f)	10%	15%
Single Audit	45 CFR 75.501	2 CFR 200.501	\$750,000	\$1,000,000

3. Compliance with Court Orders

Any term or condition in this NOA, including those incorporated by reference, that SAMHSA is enjoined by court order from imposing or enforcing shall not apply or be enforced as to any recipient or subrecipient to which that court order applies and while that court order is in effect.

4. Health and Human Services Grants Policy Statement

The current HHS [Grants Policy Statement \(GPS\)](#) took effect July 24, 2025. Recipients are required to comply with the HHS GPS. HHS issued a [revised GPS](#) that will take effect on October 1, 2025. Recipients are required to comply with the revised GPS beginning on October 1, 2025.

5. Executive Orders

Recipients are required to comply with all applicable Executive Orders.

6. Acceptance of the Terms of an Award

By drawing or otherwise obtaining funds from the Department of Health and Human Services (HHS) Payment Management System (PMS), the recipient acknowledges acceptance of the terms and conditions of the award and is obligated to perform in accordance with the

¹ See [88 FR 63591](#) (Sept. 15, 2023)

requirements of the award. If the recipient cannot accept the terms, the recipient should notify the Grants Management Officer (GMO) within thirty (30) days of receipt of this award notice. Once an award is accepted by a recipient, the contents of the Notice of Award (NOA) are binding on the recipient unless and until modified by a revised NOA signed by the GMO.

Certification Statement: By drawing down funds, the recipient certifies that proper financial management controls and accounting systems, to include but not limited to personnel policies and procedures, have been established to adequately administer Federal awards and funds drawn down. Recipients of HHS grants or cooperative agreement awards must comply with all terms and condition of their awards, including: (a) terms and conditions included in the [HHS Grants Policy Statement](#) in effect at the time of a new, non-competing continuation, or renewal award, including the requirements of HHS grants administration regulations; (b) requirements of the authorizing statutes and implementing regulations for the program under which the award is funded; (c) applicable requirements or limitations in appropriations acts; and (d) any requirements specific to the particular award specified in program policy and guidance, the Notice of Funding Opportunity (NOFO), or the NOA.

SAMHSA encourages you to address the behavioral health needs of all people including disproportionately impacted communities in your service area.

7. Subrecipient and Subcontract Monitoring and Management

All Federal assistance programs must comply with the Subrecipient Monitoring and Management requirements described in [45 CFR 75.351 – 75.353](#).

Determinations: Recipients are required to make case-by-case subrecipient and contractor determinations on whether the substance of an agreement creates a Federal assistance relationship (subaward) or a procurement relationship (contract) in accordance with [45 CFR 75.351](#). The presence of one or more characteristics may not be present in all cases; as such, the recipient must use judgment as the substance of the relationship is more important than the form of the agreement. SAMHSA may also supply and require recipients to comply with additional guidance to support these determinations.

Contract: Recipients are responsible for ensuring that contracts contain the applicable provisions described in [Appendix II of 45 CFR Part 75](#). The recipient is responsible for oversight to ensure that contractors perform in accordance with the terms, conditions, and specifications of the contract or purchase order. Records must be maintained by the recipient and be sufficiently detailed for compliance.

Subrecipient: Recipients are required to advise subrecipients of requirements imposed on them by Federal laws, regulations, and the provisions of award as well as any supplemental requirements imposed by the recipient. These include administrative and audit requirements

(where applicable) under [45 CFR Part 75](#). The recipient must conduct a risk assessment of subrecipient(s) in accordance with [45 CFR 75.352\(b\)](#). Additionally, all subrecipient(s) must obtain a Unique Entity Identifier number assigned by the System for Award Management ([SAM.gov](#)), if they do not already have one. Recipients are required to check [SAM.gov](#) to verify that the subrecipient(s) is/are not debarred, suspended, or ineligible. Recipients are responsible for monitoring the activities of the subrecipient to ensure that the subaward is used for authorized purposes, in compliance with Federal statutes, regulations, and the Terms and Conditions of the subaward, and that subaward performance goals are achieved. “Monitoring by the non-Federal entity must cover each program, function and activity.” See [45 CFR 75.342](#) and [75.352](#). Records must be maintained by the recipient and be sufficiently detailed for compliance.

8. Flow down of requirements to subrecipients

The recipient, as the awardee organization, is legally and financially responsible for all aspects of this award including funds provided to subrecipients, in accordance with [45 CFR 75.351 – 75.352](#), Subrecipient monitoring and management.

9. Submitting Responses to Special Terms and Conditions and Post Award Amendment Requests

Unless otherwise identified in the special terms and conditions of award and post award requests, all responses to special terms and conditions of award and post award requests must be submitted through the eRA Commons system.

10. Ad Hoc Submissions

Throughout the project period, SAMHSA may determine that a grant requires submission of additional information beyond the standard deliverables (see [45 CFR 75.301](#)). This information may include, but is not limited to, the following:

- Payroll
- Purchase orders
- Contract documentation
- Proof of project implementation

11. Obligation Period

Recipients may allocate to the award only allowable costs incurred during the period of performance. See the NOA for the approved start and end dates of the period of performance

and, if applicable, the budget period for the award. Costs incurred within a specific budget period may only be allocated to the award within the dates specified for that budget period.

12. Cost Sharing or Matching (Non-Federal Share) of Program Funding:

Some Federal financial assistance programs require the recipient to provide a portion of program funding, as specified by Federal law. Refer to the NOFO or program-specific Terms and Conditions for the requirements.

Insular Areas: As a matter of policy, SAMHSA may wave federal matching requirements for insular areas when statutory authority is available.

13. Program Income

Recipients will use the *addition method* and add program income to funds committed to the project to further eligible project objectives. Subrecipients that are for-profit commercial organizations under the same award must use the *deductive alternative* and reduce their subaward by the amount of program income earned.

Program income must be used for the original purpose of the Federal award. Program income earned during the period of performance may only be used for costs incurred during the period of performance (see [45 CFR 75.307](#)). Program income must be expended prior to requesting additional Federal funds. Program income exceeding amounts specified in the Federal award may be added to the total allowable costs in accordance with the terms and conditions of the Federal award.

14. Award Payments

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 GMS contact listed on the NOA.

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. Refer to the Returning Funds/Interest instructions under the Recipients drop-down on the [PMS website](#).

15. Compliance Requirements

The eligibility and program requirements originally outlined in the NOFO must continue to be adhered to as the funded project is implemented. Recipients must comply with the performance goals, milestones, outcomes, and performance data collection as reflected in the NOFO and related policy and guidance. Additional terms and/or conditions may be applied to this award if outstanding financial or programmatic compliance issues are identified by SAMHSA (see [45 CFR 75.371](#), Remedies for Non-compliance)

16. Points of Contact for Additional Information or Questions

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 under Staff Contacts. The Program Official contact handles the programmatic specific needs such as program intent, goals and objectives; whereas, the Grants Specialist contact typically handles any business, financial, and administrative activities such as budget revisions, and prior approval requests.

17. HHS Office of Inspector General (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. 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, visit the self-disclosure webpage at:

<https://oig.hhs.gov/compliance/self-disclosure-info/index.asp>.

18. Mandatory Disclosures

The non-Federal entity or applicant for a Federal award must disclose, in a timely manner, in writing to the HHS awarding agency or pass-through entity all violations of Federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the Federal award. Non-Federal entities that have received a Federal award including the term and condition outlined in

Appendix XII are required to report certain civil, criminal, or administrative proceedings to SAM. Failure to make required disclosures can result in any of the remedies described in [45 CFR 75.371](#), including suspension or debarment (See also [2 CFR Parts 180](#) and [376](#), and [31 U.S.C. 3321](#)).

19. Future Spending

As indicated in the NOA, recommended future support reflects total costs (direct plus indirect). Funding is subject to the availability of Federal funds, satisfactory progress and continued funding is in the best interest of the Federal government.

20. Non-Supplant

Federal award funds must supplement, not replace (supplant) non-federal funds. All recipients who receive awards under programs that prohibit supplanting by law must ensure that federal funds do not supplant funds that have been budgeted for the same purpose through non-federal sources. Applicants or award recipients may be required to demonstrate and document that a reduction in non-federal resources occurred for reasons other than the receipt of expected receipt of federal funds.

21. Unallowable Costs

All costs incurred prior to the award issue date and costs not consistent with the NOFO, [45 CFR 75](#), and the [HHS Grants Policy Statement](#), are not allowable under this award.

22. Administrative and National Policy Requirements

Public policy requirements are requirements with a broader national purpose than that of the Federal sponsoring program or award that an applicant/recipient must adhere to as a prerequisite to and/or condition of an award (see [HHS Administrative and National Policy Requirements](#)). Public policy requirements are established by statute, regulation, or Executive order. In some cases, they relate to general activities, such as preservation of the environment, while, in other cases they are integral to the purposes of the award-supported activities. An application funded with the release of federal funds through a grant award does not constitute or imply compliance with federal statute and regulations. Funded organizations are responsible for ensuring that their activities comply with all applicable federal regulations, refer to Part II of the [HHS Grants Policy Statement](#).

23. Civil Rights Compliance Requirement

The Applicant hereby agrees that it will comply with Title VI of the Civil Rights Act of 1964, as amended (codified at 42 U.S.C. 2000d *et seq.*), and all requirements imposed by or pursuant to the Regulation of the Department of Health and Human Services (45 C.F.R. Part 80); Section 504

of the Rehabilitation Act of 1973, as amended (codified at 29 U.S.C. 794), and all requirements imposed by or pursuant to the Regulation of the Department of Health and Human Services (45 C.F.R. Part 84); Title IX of the Education Amendments of 1972, as amended (codified at 20 U.S.C. § 1681 et seq.), and all requirements imposed by or pursuant to the Regulation of the Department of Health and Human Services (45 C.F.R. Part 86); The Age Discrimination Act of 1975, as amended (codified at 42 U.S.C. § 6101 et seq.), and all requirements imposed by or pursuant to the Regulation of the Department of Health and Human Services (45 C.F.R. Part 91); and Section 1557 of the Patient Protection and Affordable Care Act, as amended (codified at 42 U.S.C. § 18116), and all requirements imposed by or pursuant to the Regulation of the Department of Health and Human Services (45 CFR Part 92).

Domestic recipients, subrecipients, and contractors must file [Form HHS 690](#), Assurance of Compliance, once with the HHS Office for Civil Rights (OCR). It is not needed for each application. The recipient must ensure that subrecipients and contractors have filed the form.

24. Title IX Compliance Requirement

By accepting this award, including the obligation, expenditure, or drawdown of award funds, recipient certifies as follows:

- Recipient is compliant with Title IX of the Education Amendments of 1972, as amended, [20 U.S.C. §§ 1681 et seq.](#), including the requirements set forth in [Presidential Executive Order 14168 titled Defending Women From Gender Ideology Extremism and Restoring Biological Truth](#) to the Federal Government, and [Title VI of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000d et seq.](#), and Recipient will remain compliant for the duration of the Agreement.
- The above requirements are conditions of payment that go the essence of the Agreement and are therefore material terms of the Agreement.
- Payments under the Agreement are predicated on compliance with the above requirements, and therefore Recipient is not eligible for funding under the Agreement or to retain any funding under the Agreement absent compliance with the above requirements.
- Recipient acknowledges that this certification reflects a change in the government's position regarding the materiality of the foregoing requirements and therefore any prior payment of similar claims does not reflect the materiality of the foregoing requirements to this Agreement.
- Recipient acknowledges that a knowing false statement relating to Recipient's compliance with the above requirements and/or eligibility for the Agreement may subject Recipient to liability under [the False Claims Act, 31 U.S.C. § 3729](#), and/or criminal liability, including under [18 U.S.C. §§ 287 and 1001](#)

25. Prohibited Uses of Grant Funds in Harm Reduction Activities

SAMHSA recipients are strictly prohibited from using Federal funds, directly or indirectly, including through cost-sharing, matching funds, or subsequent reimbursement, to support so called "harm reduction" or "safe consumption" efforts that facilitate illegal drug use. Specifically, grant funds must not be used to purchase, distribute, or otherwise support the provision of drug paraphernalia as defined by applicable law. This includes, but is not limited to, syringes, needles, pipes, or other supplies used for the injection, inhalation, or ingestion of illicit drugs. Funds are also prohibited from being used for sterile water, saline, or ascorbic acid when intended to facilitate drug use. While these prohibitions are in effect, this does not preclude the use of grant funds for legally permissible supplies and activities that align with evidence-based practices, such as the provision of naloxone or nalmefene, fentanyl or other drug test strips, or the facilitation of referrals to treatment. Failure to comply with any of these terms and conditions, as well as the HHS Federal grant regulations, may result in one or more enforcement actions. These actions can include the suspension or termination of the award, the withholding of future payments, and the recouping of any misused funds.

For more information on this new policy, please review the recent notice from Principal Deputy Assistant Secretary, Art Kleinschmidt, Ph.D., found on our website at [Dear Colleague Letter: Executive Order on Ending Crime and Disorder on America's Streets](#).

26. Antidiscrimination Compliance Requirement

By applying for or accepting federal funds from HHS, recipients certify compliance with all federal antidiscrimination laws and these requirements and that complying with those laws is a material condition of receiving federal funding streams. Recipients are responsible for ensuring subrecipients, contractors, and partners also comply.

27. Universal Identifier and System of Award Management (SAM) Requirements

This award is subject to requirements as set forth in [2 CFR 25](#) – Universal Identifier and System for Award Management (SAM) Requirements.

A. Requirement for System of Award Management

Unless you are exempted from this requirement under [2 CFR 25.110](#), you, as the recipient must maintain the currency of your information in SAM.gov, until you submit the final financial report required under this award or receive the final payment, whichever is later. This requires that you review and update the information at least annually after the initial registration, and more frequently if required by changes in your information or another award term.

B. Requirement for unique entity identifier if you are authorized (refer to the project description) to make subawards under this award, you:

1. Must notify potential subrecipients that no entity (see definition in paragraph C of this award term) may receive a subaward from you, unless the entity has provided its unique entity identifier to you; and
2. May not make a subaward to an entity unless the entity has provided its unique entity identifier to you.

C. Definitions

For purposes of this award term:

1. SAM means the Federal repository into which an entity must provide information required for the conduct of business as a recipient. Additional information on registration procedures may be found at [SAM.gov](https://sam.gov).
2. Unique entity identifier means the identifier required for SAM registration to uniquely identify business entities.
3. Entity, as it is used in this award term, means all of the following, as defined at [2 CFR 25, subpart D](#):
 - A governmental organization, which is a state, local government, or Indian Tribe;
 - A foreign public entity;
 - A domestic or foreign nonprofit organization;
 - A domestic or foreign for-profit organization; and
 - A Federal agency, but only as a subrecipient under an award or subaward to a non-Federal entity.
4. Subaward:
 - This term means a legal instrument to provide support for the performance of any portion of the substantive project or program for which you received this award and that you as the recipient award to an eligible subrecipient;
 - The term does not include your procurement of property and services needed to carry out the project or program (for further explanation, see [2 CFR 200.1](#) and [2 CFR 200.331](#)).
 - A subaward may be provided through any legal agreement, including an agreement that you consider a contract.

5. Subrecipient means an entity that:

- receives a subaward from you under this award; and
- is accountable to you for the use of the Federal funds provided by the subaward.

28. Federal Funding Accountability and Transparency Act (FFATA)

The [Federal Funding Accountability and Transparency Act](#) (FFATA) was signed on September 26, 2006. The [SAM.gov FFATA Subaward Reporting System \(FSRS\)](#) is the reporting tool federal prime awardees (i.e., prime contractors and prime grants recipients) must use to capture and report subaward and executive compensation data regarding their first-tier subawards to meet the FFATA reporting requirements. Prime contract awardees must report against subcontracts awarded. Prime grant awardees will report against issued subawards. The subaward information entered in SAM.gov will be displayed in the [USASpending.gov](#) record associated with the prime award.

29. SAM.gov Responsibility Qualification (R/Q) – Recipient Integrity and Performance (Reporting of Matters Related to Recipient Integrity and Performance)

If the total value of your currently active grants, cooperative agreements, and procurement contracts from all Federal awarding agencies exceeds \$10,000,000 for any period of time during the period of performance of this Federal award, then you as the recipient during that period of time must maintain the currency of information reported to SAM.gov that is made available in the designated integrity and performance system called Responsibility/Qualification (R/Q) on SAM.gov about civil, criminal, or administrative proceedings described in paragraph 2 of this award term and condition. 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 the designated integrity and performance system on or after April 15, 2011, except past performance reviews required for Federal procurement contracts, will be publicly available.

30. Rights in Data and Publication

As applicable, recipients agree to the requirements for intellectual property, rights in data, access to research data, publications, and sharing research tools, and intangible property and copyrights as described in [45 CFR 75.322](#) and the [HHS Grants Policy Statement](#).

Recipients may copyright any work that is subject to copyright and was developed, or for which ownership was acquired, under a Federal award. SAMHSA 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.

31. Conflicts of Interest

Consistent with [45 CFR 75.112](#), recipients must establish written policies and procedures to prevent employees, consultants, and others (including family, business, or other ties) involved in grant-supported activities, from involvement in actual or perceived conflicts of interest. The policies and procedures must:

- address conditions under which outside activities, relationships, or financial interest are proper or improper;
- provide for advance disclosure of outside activities, relationships, or financial interest to a responsible organizational official;
- include a process for notification and review by the responsible official of potential or actual violations of the standards; and
- specify the nature of penalties that may be imposed for violations.

32. Lobbying Restrictions

Per [45 CFR 75.215](#), Recipients are subject to the restrictions on lobbying as set forth in [45 CFR 93](#).

[18 U.S.C. 1913 - Lobbying with appropriated moneys](#), No part of the money appropriated by any enactment of Congress shall, in the absence of express authorization by Congress, be used directly or indirectly to pay for any personal service, advertisement, telegram, telephone, letter, printed or written matter, or other device, intended or designed to influence in any manner a Member of Congress, a jurisdiction, or an official of any government, to favor, adopt, or oppose, by vote or otherwise, any legislation, law, ratification, policy, or appropriation, whether before or after the introduction of any bill, measure, or resolution proposing such legislation, law, ratification, policy, or appropriation; but this shall not prevent officers or employees of the United States or of its departments or agencies from communicating to any such Member or official, at his request, or to Congress or such official, through the proper official channels, requests for any legislation, law, ratification, policy, or appropriations which they deem necessary for the efficient conduct of the public business, or from making any communication whose prohibition by this section might, in the opinion of the Attorney General, violate the Constitution or interfere with the conduct of foreign policy, counter-intelligence, intelligence, or national security activities. Violations of this section shall constitute as a violation of [section 1352 \(a\) of Title 31](#).

33. Drug-Free Workplace

The Drug-Free Workplace Act of 1988 ([41 U.S.C. 701](#) et seq.) requires that all organizations receiving grants from any Federal agency agree to maintain a drug-free workplace. You as the recipient must comply with drug-free workplace requirements in Subpart B (or Subpart C, if the recipient is an individual) of part 382, which adopts the Governmentwide implementation ([2](#)

[CFR 182](#)) of sec. 5152-5158 of the Drug-Free Workplace Act of 1988 (Pub. L. 100-690, Title V, Subtitle D; 41 U.S.C. 701-707). By signing the application, the recipient's Authorized Organization Representative (AOR) agrees that the recipient will provide a drug-free workplace and will comply with the requirement to notify SAMHSA if an employee is convicted of violating a criminal drug statute. Failure to comply with these requirements may be cause for debarment. Government wide requirements for Drug-Free Workplace for Financial Assistance are found in [2 CFR 182](#). HHS implementing regulations are set forth in [2 CFR 382.400](#).

34. Trafficking Victims Protection act of 2000

The Trafficking Victims Protection Act of 2000 authorizes termination of financial assistance provided to a private entity, without penalty to the Federal government, if the recipient or subrecipient engages in certain activities related to trafficking in persons. SAMHSA may unilaterally terminate this award, without penalty, if a private entity recipient, or a private entity subrecipient, or their employees:

- Engage in severe forms of trafficking in persons during the period of time that the award is in effect;
- Procure a commercial sex act during the period of time that the award is in effect; or,
- Use forced labor in the performance of the award or subawards under the award.

The text of the full award term is available at [2 CFR 175.105\(b\)](#).

35. Confidentiality of Alcohol and Drug Abuse Patient Records

The regulations ([42 CFR 2](#)) are applicable to any information about alcohol and other drug abuse patients obtained by a "program" ([42 CFR 2.11](#)), if the program is federally assisted in any manner ([42 CFR 2.12b](#)). Accordingly, all project patient records are confidential and may be disclosed and used only in accordance with [42 CFR 2](#). The recipient is responsible for assuring compliance with these regulations and principles, including responsibility for assuring the security and confidentiality of all electronically transmitted patient material.

36. Prohibition on Certain Telecommunications

As described in [2 CFR 200.216](#), recipients and subrecipients are prohibited to obligate or spend grant funds (to include direct and indirect expenditures as well as cost share and program) to:

- Procure or obtain;
- Extend or renew a contract to procure or obtain; or

- Enter into contract (or extend or renew contract) to procure or obtain equipment, services, or systems that use covered telecommunications equipment or services as a substantial or essential component of any system, or as critical technology as part of any system. As described in [Pub. L. 115- 232, section 889](#), covered telecommunications equipment is telecommunications equipment produced by Huawei Technologies Company or ZTE Corporation (or any subsidiary or affiliate of such entities).
 - For the purpose of public safety, security of government facilities, physical security surveillance of critical infrastructure, and other national security purposes, video surveillance and telecommunications equipment produced by Hytera Communications Corporation, Hangzhou Hikvision Digital Technology Company, or Dahua Technology Company (or any subsidiary or affiliate of such entities).
 - Telecommunications or video surveillance services provided by such entities or using such equipment.
 - Telecommunications or video surveillance equipment or services produced or provided by an entity that the Secretary of Defense, in consultation with the Director of the National Intelligence or the Director of the Federal Bureau of Investigation, reasonably believes to be an entity owned or controlled by, or otherwise, connected to the government of a covered foreign country.

37. Carryover - Expanded Authority for Unobligated Balances from One Budget Period to Any Subsequent Budget Period

Federal administrative requirements allow agencies to provide recipients with expanded authorities, which waive certain cost-related and administrative prior approvals under certain conditions.

SAMHSA has extended expanded authority to recipients requesting carryover of unobligated balances (UOB) up to 25% or less for the current budget period (year when the funds are needed) provided that recipients are not on drawdown restriction.

Recipients requesting a carryover greater than 25% of the current budget period award cannot exercise this expanded authority.

Recipients who exercise expanded authority may include an Intent to Carryover statement in the Remarks section (box 12) of the annual Federal Financial Report (FFR).

Expanded authority may be overridden by other special terms or conditions of the award. For example, a recipient on drawdown restriction cannot use Expanded Authority and must submit

a Formal Carryover request to carryover any amount of unobligated balance. Recipients must carefully review the NOA to determine if a particular authority is withheld for a specific award.

Recipients must exercise proper stewardship over Federal funds and ensure that costs charged to awards are allowable, allocable, reasonable, necessary, and consistently applied regardless of the source of funds.

For additional guidance on carryovers, see the [SAMHSA](#) website.

38. Prior Approval

SAMHSA anticipates that the recipient may need to modify the recipient's award budget or other aspects of its approved application during performance to accomplish the award's programmatic objectives. In general, recipients are allowed a certain degree of latitude to re-budget within and between budget categories to meet unanticipated needs and to make other types of post-award changes, provided that the changes still meet the statutory program requirements and the regulatory requirements under [45 CFR 75](#), as applicable.

Items that require prior approval (i.e., formal written approval) from the GMO, as indicated in either [45 CFR 75](#) or the [HHS Grants Policy Statement](#), must be submitted in writing to the GMO. Based on the nature, extent, and timing of the request, the SAMHSA GMO may approve, deny, or request additional material to further document and evaluate your request.

Only an amended NOA signed by the GMO is considered valid. Verbal authorization is not approval and is not binding on SAMHSA. Recipients who proceed do so at their own risk.

Prior approval is required for but is not limited to: Changes in Key Personnel and Level of Effort, Budget Revisions, Changes in Scope, Carryover Requests (that fall outside the term for the Expanded Authority for Carryover), and No Cost Extensions. A list of activities that require prior approval are found in [45 CFR 75.308\(c\)\(1\)](#). The [HHS Grants Policy Statement](#) discusses prior approvals in the Prior Approval section under Changes to Awards beginning on page 21.

Instructions regarding requests for prior approval are available on the [SAMHSA](#) website.

39. Executive Pay

For Executive Pay Salary Cap, refer to the Executive Pay section under [Laws and Regulations](#) on SAMHSA's website.

40. Advertising and Public Relations

Certain advertising costs are unallowable. Promotional items and memorabilia are unallowable for SAMHSA programs (see [45 CFR 75.421](#)).

41. Acknowledgement of Federal Funding in communications and contracting

For each publication that results from HHS grant-supported activities, recipients must include an acknowledgment of grant support using one of the following statements:

“This publication was made possible by Grant Number _____ from _____.”

“The project described was supported by Grant Number _____ from _____.”

Recipients also must include a disclaimer stating the following:

“Its contents are solely the responsibility of the authors and do not necessarily represent the official views of the [SAMHSA].”

If the recipient plans to issue a press release concerning the outcome of HHS grant-supported activities, it should notify SAMHSA in advance to allow for coordination. One copy of each publication resulting from work performed under an HHS grant-supported project must accompany the annual or final progress report submitted to SAMHSA.

42. Acknowledgement of Federal Funding at Conferences and Meetings

A conference is defined as a meeting, retreat, seminar, symposium, workshop or event whose primary purpose is the dissemination of technical information beyond the non-Federal entity and is necessary and reasonable for successful performance under the Federal award. Allowable conference costs paid by the non-Federal entity as a sponsor or host of the conference may include rental of facilities, speakers’ fees, costs of meals and refreshments, local transportation, and other items incidental to such conferences unless further restricted by the terms and conditions of the Federal award. As needed, the costs of identifying, but not providing, locally available dependent-care resources are allowable. Conference hosts/sponsors must exercise discretion and judgment in ensuring that conference costs are appropriate, necessary and managed in a manner that minimizes costs to the Federal award. The HHS awarding agency may authorize exceptions where appropriate for programs including Indian tribes, children, and the elderly. See also [45 CFR 75.438](#), [75.456](#), [75.474](#), and [75.475](#).

Disclaimer for Conference/Meeting/Seminar Materials: If a conference/meeting/seminar is funded by a grant, cooperative agreement, subaward and/or contract, the recipient must include the following statement on conference materials, including promotional materials, agenda, and internet sites:

“Funding for this conference was made possible (in part) by SAMHSA. The views expressed in written conference materials or publications and by speakers and moderators do not necessarily reflect the official policies of the Department of Health and Human Services, nor

does the mention of trade names, commercial practices, or organizations imply endorsement by the U.S. Government.”

43. Rights in Data and Publications

As applicable, recipients agree to the requirements for intellectual property, rights in data, access to research data, publications, and sharing research tools, and intangible property and copyrights as described in [45 CFR 75.322](#) and the [HHS Grants Policy Statement](#).

Recipients may copyright any work that is subject to copyright and was developed, or for which ownership was acquired, under a Federal award. SAMHSA 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.

44. Healthy People 2030

Healthy People 2030 is a national initiative led by HHS that set priorities for all SAMHSA programs. Healthy People 2030 is the fifth iteration of the initiative. The initiative has two major goals: (1) increase the quality and years of a healthy life; and (2) eliminate our country’s health disparities. The program consists of 358 core or measurable objectives. SAMHSA has actively participated in the work groups of all the focus areas and is committed to the achievement of the Healthy People 2030 goals. The framework for Healthy People 2030 can be found on the [Healthy People 2030](#) website.

45. Accessibility Provisions

Recipients of Federal financial assistance (FFA) from HHS must administer their programs in compliance with Federal civil rights law. This means that recipients of HHS funds must ensure equal access to their programs without regard to a person’s race, color, national origin, disability, age, and in some circumstances, sex, and religion. This includes ensuring your programs are accessible to persons with limited English proficiency.

The HHS Office for Civil Rights also provides guidance on complying with civil rights laws enforced by HHS.

Recipients of FFA also have specific legal obligations for serving qualified individuals with disabilities. See [Discrimination on the Basis of Disability](#). Contact the [HHS Office for Civil Rights](#) for more information about obligations and prohibitions under Federal civil rights laws or call 1-800-368-1019 or TDD 1-800-537-7697.

46. Data Collection and Performance Measurement

All SAMHSA recipients are required to collect and report evaluation data to ensure the effectiveness and efficiency of its programs under the Government Performance and Results (GPRA) Modernization Act of 2010 ([P.L. 102-62](#)). Recipients must comply with the performance goals, milestones, and expected outcomes as reflected in the NOFO and are required to submit data via SAMHSA's data-entry and reporting system.

GPRA tools are being updated to comply with the Presidential Executive Orders.

Contact your Government Project Officer (GPO) for additional submission information.

47. Legislative Mandates

Certain statutory provisions under [P.L. 115-245](#), Department of Defense and Labor, Health and Human Services, and Education Appropriations Act, 2019, Division B, Title V, Title II, General Provisions limit the use of funds on SAMHSA grants, cooperative agreements, and contract awards. Such provisions are subject to change annually based on specific appropriation language that restricts the use of grant funds. Refer to the full text of [P.L. 115-245](#).

48. Health Information Technology Interoperability

When your activities involve implementing, acquiring, or upgrading health IT, you and your subrecipients will:

- Meet the standards and specifications in [45 CFR 170, subpart B](#), if those standards support the activity.
- If the activities relate to activities of eligible clinicians in ambulatory settings or hospitals under Sections 4101, 4102, and 4201 of the HITECH Act, you will use only health IT certified by the [Office of the National Coordinator for Health Information Technology \(ONC\) Health IT Certification Program](#).
- If standards and implementation specifications in [45 CFR 170, subpart B](#) cannot support the activity, we encourage you to use health IT that meets non-proprietary standards and specifications of consensus-based standards development organizations. This may include standards identified in the ONC Interoperability Standards Advisory. For more information, review [HHS Health IT Alignment Policy | HHS Intranet](#) and [HHS Health IT Alignment Policy | HealthIT.gov](#).

49. Audits

Non-Federal recipients that expend \$1,000,000 or more in federal awards during the recipient's fiscal year must have a single or program-specific audit conducted for that year in accordance with the provisions of [2 CFR 200.501](#). Guidance on determining Federal awards expended is provided in [2 CFR 200.502](#).

Recipients are responsible for submitting their Single Audit Reports and workbooks (SF-SAC) electronically to the to the Federal Audit Clearinghouse (FAC) within the earlier of 30 days after receipt or nine months after the FY's end of the audit period. The FAC operates on behalf of the OMB.

For specific questions and information concerning the submission process:

- Visit the [FAC.gov](#)
- Contact the [FAC Helpdesk](#)

50. Risk Assessment

SAMHSA may perform an administrative review of your organization's financial management system. If the review discloses material weaknesses or other financial management concerns, grant funding may be restricted in accordance with [45 CFR 75/2 CFR 200](#), as applicable. The restriction will affect your organization's ability to withdraw funds from the PMS account, until the concerns are addressed.

51. Closeout Requirements

In accordance with [2 CFR 200.344](#), award recipients must submit all final reports and liquidate all obligations no later than 120 days after the conclusion of the period of performance.

Required Final reports:

- Final Federal Financial Report (Final FFR, SF-425)
- Final Progress Report (FPR)
- Final Tangible Personal Property Report (Final TPPR, SF-428B and the SF-428S, as applicable)

Liquidation Period:

After one hundred twenty (120) days, the PMS account is automatically locked. SAMHSA does not approve payment requests after the one hundred twenty (120) day liquidation of obligations period; therefore, late drawdown requests occurring after the 120 days will be denied.

Failure to submit acceptable final reports in accordance with [2 CFR 200.344](#), SAMHSA correspondence and the terms and conditions of the Federal award may result in a unilateral closeout. SAMHSA may proceed to unilaterally close out the award with the information available unless otherwise directed by authorizing statute. When an award is unilaterally closed, SAMHSA will report the recipient's material failure to comply with the terms and conditions of the Federal award in SAM.gov (Responsibility/Qualification Records). SAMHSA may also pursue other enforcement actions as appropriate (refer to [45 CFR 75.371](#), [2 CFR 200.339](#)).

Additional closeout information and instruction on submitting reports is available at <https://www.samhsa.gov/grants/grants-management/grant-closeout>.

52. Cancel Year

[31 U.S.C. 1552\(a\)](#) Procedure for Appropriation Accounts Available for Definite Periods states the following: On September 30th of the 5th fiscal year after the period of availability for obligation of a fixed appropriation account ends, the account shall be closed and any remaining balances (whether obligated or unobligated) in the account shall be canceled and thereafter shall not be available for obligation or expenditure for any purpose.

53. Termination

Prior to October 1, 2025, this award is subject to the termination provisions at 45 CFR 75.372. Starting on October 1, 2025, this award is subject to the termination provisions at 2 CFR 200.340. Pursuant to 2 CFR 200.340, the recipient agrees by accepting this award that continued funding for the award is contingent upon the availability of appropriated funds, recipient satisfactory performance, compliance with the Terms and Conditions of the award, and may also otherwise be terminated, to the extent authorized by law, if the agency determines that that the award continues to effectuate program goals or agency priorities.

Prior to October 1, 2025, [45 CFR 75.372 Termination](#) applies to this award and states, in part, the following:

This award may be terminated in whole or in part:

- By the HHS awarding agency (SAMHSA) or pass-through entity, if a non-Federal entity fails to comply with the terms and conditions of a Federal award;
- By the HHS awarding agency (SAMHSA) or pass-through entity for cause;
- By the HHS awarding agency (SAMHSA) or pass-through entity with the consent of the non-Federal entity, in which case the two parties must agree upon the termination

conditions, including the effective date and, in the case of partial termination, the portion to be terminated;

- By the non-Federal entity upon sending to the HHS awarding agency or pass-through entity written notification setting forth the reasons for such termination, the effective date, and, in the case of partial termination, the portion to be terminated. However, if the Federal awarding agency or pass-through entity determines in the case of partial termination that the reduced or modified portion of the Federal award or subaward will not accomplish the purposes for which the Federal award was made, the HHS awarding agency or pass-through entity may terminate the Federal award in its entirety.

Starting on October 1, 2025, [2 CFR 200.340 Termination](#) applies to this award and states, in part, the following:

The Federal award may be terminated in part or its entirety as follows:

- By the Federal agency or pass-through entity if the recipient or subrecipient fails to comply with the terms and conditions of the Federal award;
- By the Federal agency or pass-through entity with the consent of the recipient or subrecipient, in which case the two parties must agree upon the termination conditions. These conditions include the effective date and, in the case of partial termination, the portion to be terminated;
- By the recipient or subrecipient upon sending the Federal agency or pass-through entity a written notification of the reasons for such termination, the effective date, and, in the case of partial termination, the portion to be terminated. However, if the Federal agency or pass-through entity determines that the remaining portion of the Federal award will not accomplish the purposes for which the Federal award was made, the Federal agency or pass-through entity may terminate the Federal award in its entirety; or
- By the Federal agency or pass-through entity pursuant to the terms and conditions of the Federal award, including, to the extent authorized by law, if an award no longer effectuates the program goals or agency priorities.

SAMHSA is required to report any terminations the designated integrity and performance system called Responsibility/Qualification (R/Q) on SAM.gov ([45 CFR 75.372\(b\)](#)).