Memorandum concerning OMB OmniCircular

USDA Forest Service
1400 Independence Ave. SW
Washington, DC 20250

Dear Recipient,

You are receiving this letter because you have an open grant or cooperative agreement (award) with the Forest Service. This letter is to notify you of the following:

- Change to Federal grant regulations affecting awards
- Regulation standard for new or modified awards effective December 26, 2014
- Regulation option for your existing awards
- Procedure for notifying the Forest Service of regulation option for existing awards
- Resources

Change to Federal Grant Regulation


Note: All US Department of Agriculture agencies, including the Forest Service, will implement the new regulations at 2 CFR 400. While there are some specific USDA regulations that will be included, all sections of the proposed OmniCircular will translate directly into 2 CFR 400 and retain the same section numbers. For example, the Access to Records section located in 2 CFR 200.336 will be found in 2 CFR 400.336.

New or Modified Award

Any new award or modifications to add funding to existing awards made after December 26, 2014 will be subject to the new regulations, without exception.

Existing Awards

Any existing award executed prior to December 26, 2014 may:

1. Remain under the old circulars cited in the existing provisions of the award, or
2. Move to the new Omni Circular regulations
NOTE: As a recipient, it is your choice to implement the new regulations or continue operating under the regulations cited in your award for any existing awards.

The Forest Service will assume you will continue work under the regulations cited in your award UNLESS YOU PROVIDE NOTIFICATION IN WRITING that you are implementing the new regulations. The process for notifying the Forest Service follows:

Procedure for Notifying the Forest Service of Change to OmniCircular Regulation
1. Please send a letter listing the Domestic Grants (DG) and/or Cooperative Agreements (CA) to the awarding office notifying them of your decision to implement the new regulations.
2. A copy of your letter will be placed in each grant file. There is no need to send a separate letter for each award.
3. If you have awards from several Forest Service offices, you should send a letter to each office. For example, if you have a grant from the Pacific Northwest Research Station, and another from the Intermountain Region State & Private Forestry, each office will need a letter with a list of the grants that will be subject to the new regulation.

Note: While the day to day operations of activities funded by a Federal award may not be directly affected by the choice of regulation, it is vital an auditor know which regulations govern the award should it be selected for review or audit. In the absence of a letter in either your records or the Forest Service records, the assumption will be that the regulations in place at the time of the award apply.

Resources
There are a number of resources available on the web, as well as training offered by several vendors, should you desire more information.
- The OmniCircular is available on the web at: www.ecfr.gov under Title 2 Part 200
- Commonly asked questions and answers may be reviewed at: https://cfo.gov/wp-content/uploads/2013/01/2-C.F.R.-200-FAQs-2-12-2014.pdf

Should you have any questions about implementation of the OmniCircular, please do not hesitate to contact the Grants & Agreements Specialist listed in your award.

Sincerely,

George A. Sears
Director, Acquisition Management
USDA Forest Service, Washington Office