

RAIN-2018-G03-R

Revisions to EPA's Conflict of Interest and Subaward Policy

Notification Date: August 22, 2018

Revised Notification Date: November 12, 2020

Purpose of Revision: This Recipient/Applicant information Notice informs recipients and applicants of EPA's policy revisions to align the COI Policy and Subaward Policy with revisions to the Office of Management and Budget's (OMB) Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance) contained in 2 CFR Part 200.

Summary: EPA has revised the COI Policy and Subaward Policy to update citations to 2 CFR Part 200. Additionally, EPA has revised the Subaward Policy to conform to OMB's revisions to the definition of *Subrecipient* in 2 CFR 200.1 and the regulatory coverage in 2 CFR 200.101, *Applicability*, which now provides that Federal agencies may receive subawards from pass-through entities when authorized by Federal statutes. EPA anticipates revising the Subaward Frequent Questions and other documents supplementing the Subaward Policy in the near future.

Background: OMB's revisions to 2 CFR Part 200 were effective on November 12, 2020. Among other changes, OMB revised several regulatory citations in 2 CFR Part 200 that were included in EPA's COI and Subaward Policies. For example, the definitions of terms in 2 CFR Part 200 no longer have unique numerical citations and are arrayed alphabetically in [2 CFR 200.1](#). EPA's authorization to provide supplemental guidance on subawards is now codified at 2 CFR 200.331 rather than 2 CFR 200.330 as was the case in the prior version of the Subaward Policy. EPA has updated the policies to reflect these revisions.

EPA's Subaward Policy previously provided, based on the previous definition of "Subrecipient" at 2 CFR 200.93, that transactions between Federal agencies and EPA financial assistance recipients were not subawards for the purposes of 2 CFR Part 200. OMB's revised definition of *Subrecipient* at 2 CFR 200.1 and the revised coverage in 2 CFR 200.101 now provide that Federal agencies may receive subawards from pass-through entities when the Federal agency has the requisite statutory authority. EPA has revised the Subaward Policy.

Related Resources:

[EPA Financial Assistance Conflict of Interest Policy](#)

[EPA Subaward Policy](#)