



TO: State Library Administrative Agency Chiefs

FROM: Crosby Kemper, Director
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SUBJECT: 2021 Grant Award Guidance

NEW OR REVISED SECTIONS FOR FY 2021

In 2020, the Office of Management and Budget (OMB) implemented updates to the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (“Uniform Guidance” (2 C.F.R. part 200)). Several of these are outlined below.

WHAT ARE MY LEGAL RESPONSIBILITIES?

Please read this document very carefully. Failure to comply with this guidance and the relevant law may result in the withholding of award funds, the suspension or termination of the award, and/or the return of award funds. It also may jeopardize any pending or future applications with the Institute of Museum and Library Services (IMLS).

In accepting this award from IMLS, the recipient assumes the legal responsibility of administering the award in accordance with the Library Services and Technology Act, as amended (LSTA) (20 U.S.C. § 9101 *et seq.*) and other statutory and regulatory requirements. The recipient must maintain documentation, which is subject to audit, of all actions/expenditures affecting the award. (See “What Records Must We Keep?” p. 4)

This guidance memo highlights some of the significant information that you need to know. Additional information and forms to administer this program can currently be found at the Grants to States manual: <https://www.ims.gov/grants/grants-states/grants-states-manual>. Please note that the manual is general guidance only and is subject to change; it does not constitute legal advice.

WHAT IS INCLUDED IN MY OFFICIAL AWARD NOTIFICATION?

The **Official Award Notification for Grants and Cooperative Agreements (Official Award Notification)** provides the amount of your award; the period of performance start and end dates; the Assistance Listing Number and title; and the unique Federal Award Identification Number (FAIN) assigned to your award. Your award amount is calculated by adding the minimum base allotment plus your State’s portion based on State population. Data used in the State allotment table are from the Bureau of Census and are the most current published population estimates available at the time of the official award notification.

WHEN CAN WE USE THE FUNDS?

Once issued, the Official Award Notification identifies the two-year period of performance and budget period within which the recipient must carry out activities and charge costs to the award. The budget period is aligned with the beginning of the Federal fiscal year. The budget period for this LSTA award began October 1, 2020, and ends September 30, 2022, subject to availability of funds, applicable law, and IMLS discretion.

All project activities must be completed and all funds obligated by September 30, 2022. All financial obligations incurred under the award must be liquidated by January 30, 2023. (Please see 2 C.F.R. § 200.344). If the State cannot meet this requirement with respect to deadlines and obligations, please contact your Program Officer as soon as possible for additional guidance.

HOW DO WE REQUEST FUNDS?

For States, payments are governed by Treasury-State Cash Management Improvement Act (CMIA) agreements and default procedures codified at 31 CFR part 205 and Treasury Financial Manual (TFM) 4A-2000, "Overall Disbursing Rules for All Federal Agencies". Payments of the LSTA allotment will be made on an advance or reimbursement basis according to the following conditions:

1. You may request payment whenever award funds are needed. To receive grant funds, you must [submit a Payment Request in eGMS Reach](#). Instructions on how to complete the Payment Request Form are available in eGMS Reach by selecting View Payment Request Instructions.

Payment requests must reflect dates that fall within the budget period. For example, in the FY 2021 allotment award, eligible dates are between October 1, 2020 and September 30, 2022. Payments will normally be made by the Federal Government within five to seven business days after the Payment Request status changes to Approved in eGMS Reach. If you do not receive your funds within that period, or if you have other questions concerning payment requests submitted, you may contact the IMLS Office of Grants Administration at grantsadmin@imls.gov. eGMS Reach user resources are available online at: <https://www.imls.gov/grants/manage-your-grant/administration/resources-egms-reach>.

Requests for advance payment shall be limited to your immediate cash needs. IMLS will request confirmation through eGMS Reach that advance payments have been expended within 30 days.

2. Award payments will be made by direct deposit to your designated bank account through the Department of Treasury payment system. This system is the only way to receive your grant money. You are allowed only one account in which the Department of Treasury will deposit LSTA Grants to States funds. **If you change your account information, you must update this information on SAM.gov (please see "What Forms are Required?" below) and notify IMLS.**
3. Regarding the **Cash Management Improvement Act of 1990 (CMIA)**: While IMLS awards generally do not fall under the CMIA requirement, State governments may enter into an agreement with the U.S. Treasury Department to adhere to CMIA regulations and require all its departments to comply.

WHAT CAN WE PURCHASE?

1. Grant funds may be expended for allowable costs that are consistent with your award, 20 U.S.C. Chapter 72, Subchapter II (Library Services and Technology, see 20 U.S.C. §§ 9121-9141), the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards ("Uniform Guidance") at 2 C.F.R. part 200, IMLS implementation of the Uniform Guidance at 2 C.F.R. part 3187, and your approved LSTA Five-Year State Plan.
2. Written approval from your Program Officer is required prior to the purchase of equipment costing \$5,000 or more per unit. Requests must detail the proposed expenditure and reference the relevant goal in your LSTA Five-Year State Plan. Prior approval requests should be submitted through eGMS Reach.
3. Award funds must be expended for the goals and objectives identified in your LSTA Five-Year State Plan that was submitted and approved by IMLS. **Award funds cannot be expended for any changes in the**

program goals without prior IMLS approval.

4. For any additional questions please see the Grants to States manual mentioned above, or contact your Program Officer.

CAN WE PAY SLAA STAFF WITH GRANT FUNDS?

State Library Administrative Agency (SLAA) staff may be paid with LSTA funds in proportion to the percentage that they are involved with activities that meet the LSTA priorities included in the State's Five-Year Plan. Documentation is required for those personnel costs charged to LSTA awards as well as State and local personnel costs being used for Match. SLAA staff administering the program can either be paid through the 4% administrative funds (see 20 U.S.C. § 9132(a)) associated with each award or through State funds.

HOW DO WE ACKNOWLEDGE IMLS?

You and your subrecipients must acknowledge IMLS in all related publications and activities supported with your award money. Example: "This program was funded in part with a Federal award from the Institute of Museum and Library Services." A kit with suggestions and materials to help you and your subrecipients publicize grant activities is available at <https://www.ims.gov/grants/grant-recipients/grantee-communications-kit>. If you have any questions or need assistance, you may contact staff in the Office of Communications at (202) 653-4757.

Please send any press coverage you or any of your subrecipients may receive about this award to your Program Officer.

WHAT FORMS ARE REQUIRED?

IMLS will accept signed PDF copies of the forms listed below. Please submit a signed PDF version of each of the following forms as an attachment to an eGMS Reach message:

Forms to Submit:

[Assurances and Certifications for the 2021 Grant Award](#) (Return within ten [10] business days from date of receipt of this 2021 Grant Award Guidance.)

[State Info](#) (Review contact information within the web-based [State Program Report](#). Whenever there are changes in any key staff category, update this State Info section.)

Documents to Submit if You Have a New Authorized Certifying Official:

PLEASE NOTE: IMLS no longer requires submission of the forms listed below for acting/interim Authorized Certifying Officials (except for the State Info form within the [State Program Report](#)). However, an acting/interim Authorized Certifying Official must be acting on behalf of the State with the same capacity and title as the official who was formally named as the authorized certifying official; if this is not the case, a new State Legal Officer's Certification must be submitted.

[State Legal Officer's Certification](#) (this certification should be signed and dated before the others, because it provides signatory authority)

[Assurances and Certifications for the 2021 Grant Award](#)

[Assurances – Non-Construction Programs](#) (SF-424B)

[Internet Safety Certification Form](#) (if applicable)

State Info (Whenever there are changes in an Authorized Certifying Official or any key staff category, update the State Info section within the web-based [State Program Report](#).)

WHAT IF WE WANT TO CHANGE OUR LSTA FIVE-YEAR STATE PLAN?

If an SLAA makes a substantive revision to its State Plan, then the SLAA must, pursuant to 20 U.S.C. § 9134(a)(3), submit to IMLS an amendment to the State Plan. A change in any or all of the goals in the State Plan is considered a substantive revision. A change in your program activities does not constitute a substantive revision to your State Plan. Should the State Plan need to be revised, the SLAA shall submit to its IMLS Program Officer an amendment containing such revision no later than April 1 (e.g., April 1, 2021) of the fiscal year preceding the fiscal year (e.g., FY 2022) for which the amendment will be effective. The revision cannot be implemented until the recipient receives written approval from IMLS. Implementation of any approved change(s) cannot occur until the beginning of the fiscal year for which the amendment will be effective (e.g., October 1, 2022). Please contact your Program Officer prior to submission of the revision.

WHAT FORMS ARE REQUIRED FOR SUBRECIPIENTS?

If the SLAA awards subawards, the subrecipients must comply with all applicable statutes and regulations included in the following certifications and as may be otherwise required by law:

1. Civil Rights - Nondiscrimination
2. Debarment and Suspension
3. Lobbying
4. Internet Safety Certification (if applicable to the grant)
5. Trafficking in Persons

Subrecipients must also acknowledge IMLS. (See “How Do We Acknowledge IMLS?” p. 3)

WHAT FINANCIAL MANAGEMENT STANDARDS MUST WE FOLLOW?

As a recipient, you must expend and account for award funds in accordance with your State laws and procedures for expending and accounting for the State’s own funds. In addition, your financial management systems must be sufficient to permit preparation of required reports and the tracing of funds to show that such funds have been used according to Federal statutes, regulations, and the terms and conditions of the Federal award. (see Uniform Guidance, including but not limited to 2 C.F.R. § 200.302).

WHAT RECORDS MUST WE KEEP?

Recipients and subrecipients must maintain records which adequately support that the IMLS grant funds have been properly used (see Uniform Guidance, including but not limited to 2 C.F.R. § 200.302). These requirements apply to all expenditures associated with the LSTA Grants to States Program, including projects (96%), administrative costs (4% cap), Match, and Maintenance of Effort. Generally, records must be kept for three years from the date the final expenditure report is submitted, or longer in certain circumstances. See Uniform Guidance, including but not limited to 2 C.F.R. §§ 200.334 - 338 and records retention schedules for LSTA & LSCA materials: [Records Retention Schedule for Grants to States Documents](#).

WHAT OTHER REPORTING IS REQUIRED?

SAM Registration

As a recipient, you must maintain the currency of your information (which includes financial and banking information) in the System for Award Management (<http://sam.gov>). This requires that you review and update the information at least annually after the initial registration and more frequently if your information changes. There is no fee to register with SAM. [Click here to find information about registering with SAM.](#)

PLEASE NOTE: Your SAM registration must be active at the time IMLS issues your award and remain active throughout the award period until the submission of your final reports. Please also note that 2 C.F.R. part 25 (Universal Identifier and System for Award Management) includes new provisions regarding exemptions as well as requirements for recipients to ensure that subrecipients have a unique entity identifier.

FFATA

The Federal Funding Accountability and Transparency Act (FFATA) requires that information on federal awards (grants and contracts) be available to the public by a single searchable website, www.USASpending.gov. FFATA also requires grant award recipients (prime awardees) to report any subaward greater than or equal to \$30,000.00 by the end of the month following the month in which the subaward is made. Within the Grants to States Program, SLAAs are the prime awardees. Subaward information input into the FFATA Subaward Reporting System (FSRS) is automatically linked to www.USASpending.gov. For additional information, please consult the [Grants to States FFATA Guidance](#) as well as the FSRS website: www.fsr.gov.

In addition, you must report total compensation for each of your five most highly compensated executives for the preceding completed fiscal year, **if the following criteria are true for your organization** –

- More than 80 percent of annual gross revenues are from the Federal Government, and those revenues are greater than \$25M annually; and
- Compensation information is not already available through reporting to the Securities and Exchange Commission (SEC).

Quarterly Grant Accrual Reports

Grantees must report grant accruals on a quarterly basis to IMLS. Each quarter's accrual must represent the total expenses for active grant awards that a grantee has incurred during the grant period but has not yet submitted to IMLS for reimbursement. Because two Federal fiscal year State Grants typically overlap in the grant periods, quarterly accrual information will cover two separate active grants. Submit this information no later than four business days after the last day of the quarter. See the [Grant Cycle Calendar for State Grants](#) for due dates. At the end of each quarter, please send an email with the grant number(s) and total grant accrual amount(s) for the current award year(s) in the body of the email to LSTA-QRTAccrual@imls.gov. For additional information, please see the document, [Quarterly Grant Accrual Report Guidance](#).

Interim and Final Reports and Requirements

States must submit a 2021 Interim Financial Report on the ongoing grant no later than December 30, 2021. It is available as part of the State Program Report (SPR).

At the end of the second year of the annual award, States must submit the following to close out the grant:

1. State Program Report (online)
2. Final Financial Status Report (online, part of the SPR)
3. Final request for payment (through eGMS Reach)

The State Program Report (SPR) and Financial Status Report (FSR) are due no later than January 30, 2023. This [web-based online report](#) addresses the requirements of the LSTA and the Government Performance and Results Act (GPRA).

***If you have questions about administering your award,
contact your assigned Program Officer.***

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