

Administrative relief for U.S. Fish and Wildlife Service recipients affected by COVID-19

Effective Date: June 18, 2020

This guidance implements specific administrative relief authorized by the Office of Management and Budget ([OMB Memorandum M-20-26](#), “*Extension of Administrative Relief for Recipients and Applicants of Federal Financial Assistance Directly Impacted by the Novel Coronavirus (COVID-19) due to Loss of Operations*”, dated June 18, 2020). This guidance supplements the OMB guidance. With [M-20-26](#), OMB extends two areas of flexibility and rescinds expired [M-20-17](#) and [M-20-20](#). Please note that while most of the COVID-19 flexibilities have expired, we continue to have the authorities provided to Federal awarding agencies in [2 CFR 200](#), including those for approving period of performance extensions, report due date extensions (see also Service policy [516 FW 1](#)), and other exceptions. Service recipients experiencing problems, delays, or adverse conditions related to COVID-19 should contact the Service Project Officer(s) assigned to their award(s) to discuss the situation. We will maintain this guidance on the [Service’s Financial Assistance website](#).

The following flexibilities are available for Service recipients experiencing loss of operational capacity and increased costs due to the COVID 19 public health emergency. Recipients and subrecipients must continue to maintain all appropriate records and cost documentation as required by 2 CFR §200.302, “*Financial management*” and 2 CFR §200.333, “*Retention requirement of records*”.

1. Allowability of salaries and other project activities. (2 CFR §200.403, 2 CFR §200.404, 2 CFR §200.405)

The awarding program may allow the recipient to continue to charge salaries and fringe benefits to the award **through September 30, 2020**, if the program determines that continued financial support is necessary to ensure the recipient’s capacity to restart the project or achieve future award objectives. Service programs may allow the recipient to charge other costs to the award necessary to resume activities supported by the award, consistent with applicable Federal cost principles and the benefit to the project. Service programs may evaluate the recipient’s ability to resume the project activity in the future and the appropriateness of future funding, as done under normal circumstances based on subsequent progress reports and other communications with the recipient.

Under this flexibility, recipients must not charge to their Federal awards any payroll costs paid with the Paycheck Protection Program (PPP) loans or any other Federal CARES Act programs, as doing so would result in the Federal government paying for the same expenditures twice. Recipients must maintain appropriate records and cost documentation to substantiate the charging of any salaries and other project activities costs related to interruption of operations or services. Due to the limited funding resources under each federal award to achieve its specific public program goals, recipients must exhaust other available funding sources to sustain its workforce and implement necessary steps to save overall operational costs (such as rent renegotiations) during this pandemic period in order to preserve Federal funds for future project ramp-up effort. Recipients should retain documentation of their efforts to exhaust other funding sources and reduce overall operational costs. Recipients already approved to use this flexibility under [OMB M-20-17](#) are subject to these new restrictions and requirements as of June 18, 2020.

Recipients and subrecipients may charge salaries and fringe benefits for employees working, or budgeted to work, on currently active awards when:

- a. Employees continue to work towards the stated award objectives as planned and approved;
- b. Employees are placed on, or are authorized to take, administrative, emergency, extraordinary, or other similarly designated leave. Such leave is allowable when:
 - i. It is authorized under the entity's established (written) leave policy;
 - ii. Charges are made consistent with the entity's policy for compensating staff in the designated leave status regardless of funding source (i.e., also compensates employees whose salaries or benefits are funded from other sources, Federal and non-Federal). Per OMB, due to the unprecedented nature of this event, entities that do not have a written policy for compensating staff while on leave under emergency or extraordinary circumstances may establish one and apply it retroactively back to March 19, 2020; and
 - iii. Charges are allocated consistent with requirements in 2 CFR §200.405; they must be distributed in proportion to the benefits accruing to the Service award. Entities must document the allocation methodology used. The entity must treat all costs consistently. Reassignment of costs from an indirect cost pool under a negotiated indirect cost agreement requires the approval of the entity's cognizant agency for indirect costs.
- c. Employees are working, but working minimally or not at all towards the planned and approved award objectives.

2. [Extension of Single Audit submission. \(2 CFR § 200.512\)](#)

In its capacity as the cognizant or oversight agency for audit, the Department is allowing recipients and subrecipients that have not yet filed their single audits as of March 19, 2020 for fiscal year-ends through June 30, 2020 to have an additional six months to file those reporting packages. Recipients and subrecipients with normal audit due dates from July 31, 2020 through September 30, 2020 are allowed an extension up to three months beyond the normal due date. No further action is required to implement or take advantage this flexibility. Entities taking advantage of this flexibility must maintain documentation of the reason for the delayed filing, and should include reference to this flexibility as provided under OMB memorandum M-20-17 or M-20-26 in related audit reporting packages. Recipients and subrecipients taking advantage of this extension would still qualify as a "low-risk auditee" under the criteria of 2 CFR § 200.520(a), "*Criteria for a low-risk auditee*". Additionally, in order to provide adequate oversight of the COVID-19 Emergency Acts funding and programs, recipients and subrecipients receiving funds under those programs must separately identify the COVID-19 Emergency Acts expenditures on the Schedules of Expenditures of Federal Awards and audit report findings.