



ADMINISTRATION FOR
CHILDREN & FAMILIES

SUPPLEMENTAL TERMS and CONDITIONS

The **General Terms and Conditions** apply to all mandatory grant programs, which for the purposes of this document includes formula and block grants, and can be found at <https://www.acf.hhs.gov/grants/mandatory-formula-block-and-entitlement-grants>. These Supplemental Terms and Conditions are additional requirements applicable to the program named below.

By acceptance of awards for this program, the Lead Agency agrees to comply with the requirements included in both the General and Supplemental Terms and Conditions for this program. Failure to comply with these terms and conditions may result in the loss of Federal funds and may be considered grounds for the suspension or termination of this grant.

Administration for Children and Families
Office of Child Care (OCC)

CHILD CARE STABILIZATION FUNDS
AMERICAN RESCUE PLAN (ARP) ACT
Child Care and Development Fund Grants
Assistance Listing No. [93.575]

APPLICABLE LEGISLATION, STATUTE, REGULATIONS

1. The administration of this program is subject to:
 - Statutory requirements of the American Rescue Plan (ARP) Act of 2021 [P.L. 117-2] (<https://www.congress.gov/117/bills/hr1319/BILLS-117hr1319enr.pdf>).
 - Child Care and Development Block Grant (CCDBG) Act and related regulations
 - a. The CCDBG Act is codified at [42 U.S.C. §9857 et seq.](#)
 - b. Implementing program regulations are located at 45 CFR Part 98 and 99 (<https://ecfr.federalregister.gov/current/title-45/subtitle-A/subchapter-A/part-98> and <https://ecfr.federalregister.gov/current/title-45/subtitle-A/subchapter-A/part-99>).
 - Provisions of the current approved CCDF State, Territory, or Tribal plan, as applicable, including all approved amendments or revisions.
2. As noted in the Information Memorandum on Child Care Stabilization funds available under the ARP Act (available on the OCC website at www.acf.hhs.gov/occ) these funds are subject to all CCDF Discretionary requirements, except as noted. Lead Agencies may use Child Care Stabilization to award subgrants to qualified child care providers based on the amount of the provider's stated current operating expenses. A qualified child care provider may use the funds for at least one of the following activities:
 - Personnel costs, including payroll and salaries or similar compensation for an employee (including any sole proprietor or independent contractor), employee benefits, premium pay, or costs for employee recruitment and retention.
 - Rent (including rent under a lease agreement) or payment on any mortgage obligation, utilities, facility maintenance or improvements or insurance.
 - Personal protective equipment, cleaning and sanitization supplies and services, or training and professional development related to health and safety practices.
 - Purchases of or updates to equipment and supplies to respond to the COVID-19 public health emergency.
 - Goods and services necessary to maintain or resume child care services.

- Mental health supports for children and employees.
3. The Uniform Administrative Requirements, Cost Principles, and Audit Requirements for HHS Awards is located under 45 CFR Part 75. In accordance with 45 CFR §75.101(d), only limited portions of Federal regulations at 45 CFR Part 75 are applicable to the CCDF programs.
 - **Subpart A**, “Acronyms and Definitions,” *remains applicable*.
 - **Subpart B**, “General Provisions,” *remains applicable*.
 - **Subpart C**, “Pre-Award Requirements,” *Not Applicable* except §75.202 remains applicable to the Federal awarding agency.
 - **Subpart D**, “Post-Award Requirements” *Not Applicable* except §§75.351-.353 remain applicable.
 - **Subpart E**, “Cost Principles.” *Not Applicable* in its entirety, except as noted under 45 CFR §98.84.
 - **Subpart F**, “Audit Requirements,” *remains applicable* (replaces the provisions of OMB Circular A-133).
 4. In accordance with 45 CFR 87.2(b), the provisions of Federal regulations at **45 CFR Part 87** are not applicable to the CCDF programs in their entirety.
 5. Additional applicable regulations and requirements can be found in the General Terms and Conditions for Mandatory: Formula, Block and Entitlement Grants.

COST SHARING OR MATCHING (NON-FEDERAL SHARE) OF PROGRAM FUNDING

6. Funds shall be used to supplement and not supplant other Federal, State, and local public funds expended to provide child care services for eligible individuals.
7. These grant funds may not be used to meet the matching requirements of other Federal grant programs.

States and Territories

8. For States and Territories, Child Care Stabilization funds for this program are awarded with a **100 percent** Federal Financial Participation (FFP) rate for program costs, which means a non-Federal share of program funding is not required for this program (i.e., there is no State or Territory Match required).

Tribes

9. For Tribes, Child Care Stabilization funds for this program are awarded with a **100 percent** Federal Financial Participation (FFP) rate for program costs, which means a non-Federal share of program funding is not required for this program (i.e., there is no Tribal Match required).

FINANCIAL REPORTING AND REQUIREMENTS

10. Federal funds awarded under this grant must be expended for the purposes for which they were awarded.
11. Each grantee’s fiscal and accounting procedures must be sufficient to permit the preparation of required reports and the tracing of expenditures to a level necessary to establish that Federal funds have not been used in violation of the terms and conditions.
12. Administrative cost cap.
 - The regular CCDF administrative cost cap (5 percent for States and Territories, 15 percent for Tribes) does not apply to the Child Care Stabilization funds under the ARP.
 - **States and Territories** shall reserve not more than 10 percent of the Child Care Stabilization funds to administer subgrants, provide technical assistance and support for applying for and accessing the subgrant opportunity, publicize the availability of the subgrants, carry out activities to increase the supply of child care, and provide technical assistance to help child care providers.

- **Tribes** shall reserve not more than 20 percent of the Child Care Stabilization funds to administer subgrants, provide technical assistance and support for applying for and accessing the subgrant opportunity, publicize the availability of the subgrants, carry out activities to increase the supply of child care, and provide technical assistance to help child care providers. The CCDF base amount awarded as stabilization funds is not included in the calculation of the amount subject to this administrative cost cap.
13. Quality spending requirements (at 658G of the CCDBG Act; 45 CFR 98.53) and direct services spending requirements (at 658E(c)(3)(D) and (E) of the CCDBG Act; 45 CFR 98.50(f) and (g)) do not apply to Child Care Stabilization funds.
 14. **Reporting.** These funds are subject to government-wide and CCDF-specific reporting requirements. OCC will provide additional guidance on reporting requirements on its website at www.acf.hhs.gov/occ and at the centralized ACF COVID-19 resource website at <https://www.acf.hhs.gov/coronavirus>.
 15. **Obligation/Liquidation Deadline.**
 - Child Care Stabilization funds must be obligated by September 30, 2022 and liquidated by September 30, 2023. Any Federal funds from this award not obligated or liquidated by the deadlines cited above will be recouped by ACF. ARP Act funds are subject to the reallocation process at 45 CFR 98.64(b) for States and Puerto Rico and 45 CFR 98.64(d) for Tribes. In addition, the State, Territory, or Tribe must notify ACF if it is unable to obligate at least 50 percent of Child Care Stabilization funds by December 11, 2021.

PROGRAM REPORTING

16. **Reporting.** These funds are subject to government-wide and CCDF-specific reporting requirements. OCC will provide additional guidance on reporting requirements on its website at www.acf.hhs.gov/occ.

REAL PROPERTY REPORTING

17. OCC will provide additional guidance on real property reporting requirements on its website at www.acf.hhs.gov/occ. ACF Property Guidance is also found at <https://www.acf.hhs.gov/grants/real-property-and-tangible-personal-property>.

EFFECTIVE PERIOD

18. These program-specific Terms and Conditions are effective on the date shown in the margin at the bottom of the page and will remain in effect until updated. They will be updated and reissued only as needed whenever a new program-specific statute, regulation or other requirement is enacted or whenever any of the applicable existing Federal statutes, regulations, policies, procedures, or restrictions is amended, revised, altered, or repealed.

POINTS OF CONTACT

19. Points of contact for additional information or questions concerning either the operation of the program or related financial or grant matters should be directed to your assigned Grants Specialist or OCC Regional office and may be found on the Notice of Award.