



## FISCAL FAQ – COVID-19 EMERGENCY

Older Americans Act Funding and American Rescue Plan Act (ARP)

May 3, 2021

These fiscal FAQs are provided in response to questions received by the ACL on the supplemental funding provided by the American Rescue Plan Act as well as general updates and clarification on Older Americans Act funding.

Updates include:

- American Rescue Plan Act Funding
  - Purpose of funding
  - State Plan and Area Plan Administration
  - Match Requirements
  - Program Income used as Match
  - Transfer authority (see Transfers)
- General Updates/Clarification
  - Transfer Due Date Chart
  - Match Chart
  - NSIP Hold Harmless for FFY 2022 (see Fiscal Reporting Requirements)
  - SF-425 Report Extensions (see Fiscal Reporting Requirements)
  - No Cost Extensions
  - Project Period End Date Chart
  - Additional questions and responses (See Related Questions under each heading)

### Purpose of American Rescue Plan Act (ARP) Funding

On March 11, the American Rescue Plan Act of 2021 (P.L. 117-2) was signed into law by President Biden. Section 2921 of the law appropriated \$1.434 billion to remain available until expended to carry out the Older Americans Act of 1965 (OAA). Within the funding appropriated, the law indicates that of the amounts available, the funding should be provided as follows:

- (1) \$750,000,000 shall be available to carry out Part C of Title III.
- (2) \$25,000,000 shall be available to carry out Title VI of such Act, including Part C of such Title.
- (3) \$460,000,000 shall be available to carry out Part B of Title III of such Act, including for— (A) supportive services of the types made available for fiscal year 2020; (B) efforts related to COVID-19 vaccination outreach, including education, communication, transportation, and other activities to facilitate vaccination of older individuals; and (C) prevention and mitigation activities related to COVID-19 focused on addressing extended social isolation among older individuals, including activities for investments in technological equipment and solutions or other strategies aimed at alleviating negative health effects of social isolation due to long-term stay-at-home recommendations for older individuals for the duration of the COVID-19 public health emergency.
- (4) \$44,000,000 shall be available to carry out Part D of Title III.
- (5) \$145,000,000 shall be available to carry out Part E of Title III.

(6) \$10,000,000 shall be available to carry out the Long Term Care Ombudsman program under Title VII.

Funds must be expended on allowable Older Americans Act activities as defined by the Older Americans Act and State and local policy.

### Related Questions:

1. *Will ARP grants be awarded as an amended NOA, or will they be issued under new grant award numbers?*
  - A new grant award number will be issued for the ARP funds, i.e. 2101XXSS/CM/HD/PH/FC/OMC6. Funds should be accounted for, tracked, and reported separately.
2. *Which Parts of the OAA will State Units on Aging receive ARP formula funding under?*
  - SUA will receive funding under Title III Parts B, C1, C2, D, and E as well as Title VII, Chapter 2 Ombudsman.
3. *What is the project period for this funding?*
  - The project period for the awards is April 1, 2021 through September 30, 2024.
4. *Are the flexibilities under the Major Disaster Declaration (MDD) of the OAA applicable to this grant?*
  - Yes, the flexibilities available for “bucketing” funding for disaster relief are applicable to the ARP grant funds.
5. *If our State ends the Governor’s Declared Public Health Emergency, are the [Major Disaster Declaration flexibilities](#) no longer available?*
  - The [Major Disaster Declaration flexibilities](#) are available during the incident period of your State’s Presidentially approved Major Disaster Declaration under the Stafford Act. States should be in communication with their State emergency management contacts on end dates on your State’s Major Disaster Declarations.
6. *When the Major Disaster Declaration incident period ends does the “bucketing” flexibility end on that date?*
  - Once a Major Disaster Declaration incident period ends, the flexibilities available for “bucketing” also end. However, obligations made during the Major Disaster Declaration incident period where the flexibilities were obligated may continue until the obligation is liquidated or the obligation period ends. States must adhere to the project period end dates.
7. *Is there an equipment prior approval process?*
  - Yes, equipment purchases made by a direct grantee (i.e., SUA) exceeding \$5,000 must receive approval from ACL prior to purchase. Please contact your ACL [Fiscal Contact](#) or [Regional Administrator](#) for additional information on the process.
  - Note: A sub-grantee (i.e., AAA) of an SUA must receive prior approval from the SUA for equipment purchases exceeding \$5,000. ACL does not provide prior approval to subgrantees of the SUA. SUA’s should have policies and procedures on the State’s prior approval process for subgrantees.
8. *Can an SUA approve use of COVID Supplemental Funding, i.e. FFCRA, CARES Act, Supplemental 5 – HDC5, ARP funds if a provider needs to replace equipment in order to ensure that services can continue?*
  - Funds expended from COVID Supplemental funding are to respond to the Coronavirus Emergency by providing Older Americans Act services related to the response. Funds must be expended on allowable Older Americans Act activities as defined by the Older Americans Act and State and local policy, which could include equipment. The Older Americans Act is a flexible law that allows State Units on Aging to

meet the unique needs of older adults and family caregivers. The SUA's role in administering the OAA is to develop regulations, policies, procedures, guidance, and technical assistance to address program administration. In summary, if your State Unit on Aging allows for an equipment expenditure, ACL would consider this an allowable expense.

- Note: if equipment exceeding \$5,000 is directly purchased by an SUA, then prior approval from ACL is required. Expedited processes may be available in situations of urgent need.

## State Plan and Area Plan Administration

State Plan and Area Plan administration expenditures are allowable with the ARP funding. To determine allowable amounts for State Plan and Area Plan administration, calculate the cumulative total between the regular FFY2021 Title III grants, Supplemental 5 (HDC5), the Expanding Access to COVID-19 Vaccines via the Aging Network grant, and the ARP grants.

Please note the following allowable amounts:

- State Plan: 5% or \$750,000
  - Calculated as:
    - 5% of the cumulative total of all the regular FFY2021 Title III grants (i.e. 2101XXOASS/CM/HD/PH/FC) plus Supplement 5 (HDC5) plus the Expanding Access to COVID-19 Vaccines via the Aging Network grant (i.e.2101XXVAC5) plus the ARP grants (i.e. 2101XXSSC6/CMC6/HDC6/PHC6/FCC6)
  - OR
    - \$750,000 for States or \$100,000 for Guam, American Samoa, Virgin Islands, Northern Mariana Islands cumulative between FFY2021 Title III grants (i.e. 2101XXOASS/CM/HD/PH/FC), Supplement 5 (HDC5), the Expanding Access to COVID-19 Vaccines via the Aging Network grant (i.e.2101XXVAC5), and the ARP grants (i.e. 2101XXSSC6/CMC6/HDC6/PHC6/FCC6)
  - Allowable funding may be calculated as indicated above; however, State Plan administrative funds may be expended from any part or parts of the regular FFY2021 Title III grants, Supplemental 5 (HDC5) and/or the ARP grants
- Area Plan Administration: 10%
  - Calculated as 10% of the cumulative total of all the regular FFY2021 Title III grants (i.e. 2101XXOASS/CM/HD/PH/FC) plus Supplement 5 (HDC5) plus the Expanding Access to COVID-19 Vaccines via the Aging Network grant (i.e.2101XXVAC5) plus the ARP grants (i.e. 2101XXSSC6/CMC6/HDC6/PHC6/FCC6)
  - Funding may be calculated as indicated above; however, funds for Area Plan administration may be expended from any part or parts of the regular Title III grants (**except for Part D**), Supplemental 5 (HDC5), and/or the ARP grants
- State Plan and Area Plan Administration require a 25% match, see more in the Match Requirements section below
- Title VII and Nutrition Services Incentive Program (NSIP) awards may not be used for State/Territory or Area Plan Administration or used to calculate the amount of funds available for administration

### Related Questions:

1. *Are expenditures for administration allowed for ARP Title III funds?*

- Yes, State Plan and Area Plan Administration are allowed expenses.
2. *Will the additional ARP funds impact the State and Area Plan administration amounts? Are they added to the state's total allocation?*
- Yes, the funds can add to the State and Area Plan administration allowed maximums. The maximums are calculated as the cumulative total of all of the regular Title III grants (i.e. 2101XXOASS/CM/HD/PH/FC) plus Supplement 5 (HDC5) plus the Expanding Access to COVID-19 Vaccines via the Aging Network grant (i.e.2101XXVAC5) plus the ARP grants (i.e. 2101XXSSC6/CMC6/HDC6/PHC6/FCC6)
3. *Must 10% Area Plan Administration be met in order to charge for program development and coordinated activities to Title III-B Supportive Services?*
- Yes, Area Plan Administration of 10% from all FFY2021 Title III grants must be met. This means regular Title III grants (i.e. 2101XXOASS/CM/HD/PH/FC) plus Supplement 5 (HDC5) plus the Expanding Access to COVID-19 Vaccines via the Aging Network supplemental grant (i.e.2101XXVAC5) plus the ARP grants (i.e. 2101XXSSC6/CMC6/HDC6/PHC6/FCC6) must be met prior to program development and coordinated activities being charged to supportive services.

## Match Requirements, In-Kind Contributions, and Program Income

The American Rescue Plan Act did not waive match requirements for services and administration; therefore all Title III Older Americans Act match requirements are in effect for ARP grants. Service match is required for Supportive Services (SS), Congregate Meals (CM), Home Delivered Meals (HD), and Family Caregiver (FC). Additionally, State Plan and Area Plan administration match is required. Note, match is not required for Preventative Health (PH) services and Long-Term Care Ombudsman (OM) grants.

Please see the [Major Disaster Declaration \(MDD\) Fiscal FAQ](#) for more information on match requirements that apply to States exercising maximum flexibility under an MDD.

Older Americans Act Title III Match Requirements:

- Supportive Services (SS), Congregate Meals (CM), Home Delivered Meals (HD)
  - 15% for Services
    - 1/3 of 15% match for services must come from State sources
    - No match required for the portion of funds used to support the LTCO program
    - Match may be pooled between Parts B, C1, and C2
- Preventative Health (PH)
  - No match required
- Family Caregiver (FC)
  - 25% for Services
- State Plan Administration
  - 25% for Administration
- Area Plan Administration
  - 25% for Administration
- Title VII Ombudsman and Elder Abuse
  - No match required, however, States may request a match for Title VII funds which they award by grant or contract to another agency or organization.

Table - Match Requirements Overview by Funding Source:

	B*	C1	C2	D	E	State Plan Administration	Area Plan Administration
FFY 2019, 2020, 2021 Regular T3 (OASS/CM/HD/PH/FC)	15%**	15%**	15%**	N/A	25%	25%	25%
FFCRA (CMC2 and HDC2)		N/A	N/A			25%	25%
CARES Act (SS/HD/FCC3)	N/A		N/A		N/A	25%	25%
Supplemental 5 - HDC5			N/A			25%	25%
ARP (SS/CM/HD/PH/FCC6)	15%**	15%**	15%**	N/A	25%	25%	25%
Expanding Access to Vaccines (VAC5)	N/A					N/A	N/A

\* No match required for the portion of funds used to support the LTCO program

\*\*1/3 of 15% of match for services must come from State sources

### *In-Kind Contributions*

The non-Federal share (Match) may include cash, expenditures by the grantee, and third-party in-kind contributions. Funds and Expenditures used to Match OAA funds must not conflict with Older Americans Act requirements and Regulations. To be used as Match, in-kind contributions must be from a third-party, verifiable and the records must show how the value of the in-kind contribution was determined. That valuation must be reasonable, subject to audit, and meet the requirements at 45 CFR 75.306.

In order to be used to meet the Title III Match, funds must be expended for allowable program costs. If a State cannot use the Federal grant award for a program activity or cost, then State or local expenditures or third-party in-kind donated services for that activity or cost may not be used to meet the non-Federal share requirement.

A State may use State and local funds expended for a non-Title III funded program to meet the Match requirement for Title III expenditures when the non-Title III funded program:

- is directly administered by the State and/or AAA;
- does not conflict with Older Americans Act requirements;
- is used to match only the Title III program and not any other Federal program; and
- includes procedures to track and account its expenditures used as match for a Title III program/service.

### *Program Income*

Cost Sharing payments under the OAA and Voluntary Contributions collected are considered Program Income and are subject to the requirements in 45 CFR 75.307. Program Income must be expended/dispensed prior to requesting additional Federal funds [45 CFR 75.305(b)(5)]. There may be other forms (non-consumer contributions) of Program Income generated by programs funded under the Older Americans Act that are to be used per CFR citations. Regardless of the source, all forms of Program Income, whether consumer contributions or not, are expected to be expended timely per these same citations and reported as such. Cost sharing payments and voluntary contributions must be used to expand the service for which the payment or contribution were given and supplement (not supplant) funds received under the OAA.



ACL recognizes the unexpected amount of match the ARP grant requires; therefore for ARP Title III grant awards only ACL is providing prior approval in the Terms and Conditions on the Notice of Award to use program income as match. If States elect to use program income as match, States should develop clear policies and procedures to account for and document program income used as match for the ARP grants by grant award number. ACL will require States to report on Federal Financial Reports (FFR) SF-425 the amount of program income used as match by grant award number. Program income must be used to expand the program for which the income was collected. OAA allows service match to be pooled within Parts B, C1, and C2. Program income may not be used to meet the required 1/3 of the 15% service match from Parts B, C1 and C2 which must come from State sources.

Please see [Fiscal FAQ: Major Disaster Declaration for additional flexibilities during a MDD](#).

### Related Questions:

1. *Is there a required match on ARP grants?*
  - Yes, there is not a provision to waive match requirements in the American Rescue Plan Act. Therefore, there are match requirements for these funds.
2. *Is there a way to request a waiver for the match requirements?*
  - No, the OAA does not provide a process to request a waiver of match requirements.
3. *What are some third-party in-kind match examples that can be used to meet match requirements? The below examples may not be used to meet any other federal match, be paid for with federal funds, and must be an allowable activity under the OAA.*
  - volunteer services (a reasonable hourly rate applied to a volunteer's time multiplied by the number of hours he/she works). For example, advisory/grievance council members, kitchen help, servers, receptionist, HDM drivers;
  - donated time of employees from other organizations (salaries or positions must not be supported by Federal funds);
  - unpaid interns or fellows;
  - donated supplies and loaned equipment;
  - donated food from food banks, etc.;
  - donated utilities;
  - donated or discounted space;
  - transportation services to and from nutrition sites, medical appointments, shopping trips, etc. provided from non-Federal sources.
4. *Can program income be used as match for ARP?*
  - Yes, for ARP Title III grant awards only, ACL is providing prior approval in the Terms and Conditions on the Notice of Award to use program income as match.
5. *Can other Title III program income be used to meet the ARP match requirements?*
  - No, program income may only be used to meet the match requirement of the federal award for which the income was generated. States should develop clear policies and procedures to account for and document program income used as match for the ARP grants.
6. *Can the program income cover the required 1/3 of 15% service match requirement for Parts B, C1 and C2?*
  - No, the OAA requires 1/3 of 15% service match to come from State sources for Parts B, C1 and C2.

7. *Does the ARP waive the OAA requirement to offer participants the opportunity to provide a voluntary contribution towards the cost of the meal?*
  - o No. The ARP does not waive the voluntary contribution OAA provision, which requires that participants are offered the opportunity to contribute towards the cost of services. It is up to the SUA, Area Agencies on Aging, and service providers to decide how best to implement this requirement in accordance with the OAA during the pandemic and beyond.
  
8. *With respect to the match for [Expediting Expenditures at the State level in Responding to the COVID-19 Emergency](#), what are the match requirements for direct service expenditures?*
  - o SUA is using State Plan administrative funding, up to allowable levels, for service expenditures:
    - i. Regular Title III Grant: Service match is required at the normal match rate
    - ii. FFCRA and CARES Act Funding: Service match is waived and therefore not required
    - iii. ARP: service match is required at the normal match rate
  - o SUA is using up to 5% of funding for the SUA’s use in making direct expenditures and/or acting to procure items on a statewide level:
    - i. Regular Title III Grant: Service match is required at the normal match rate
    - ii. FFCRA and CARES Act Funding: Service match is waived and therefore not required
    - iii. ARP: Service match is required at the normal match rate

## Transfers

See the [Major Disaster Declaration \(MDD\) Fiscal FAQ](#) for more information on the flexibility allowed during an MDD incident period; please note a transfer may not be required.

Transfer requests can be submitted at any time to ACL. We ask that the number of transfer requests per SUA be minimized and consolidated as much as possible since a new Notice of Award (NOA) is issued for every transfer request received. Please see the [transfer request program instruction](#) and [technical assistance spreadsheet tool](#) for requesting a transfer. Please note a cover letter on official letterhead is required to be submitted for the request in addition to any spreadsheets. Please ensure the request includes a description of the amount to be transferred, the purposes of the transfer, the need for the transfer, and the impact of the transfer on the provision of services from which the funding will be transferred. Transfer requests by States should be submitted for processing to [AoA.Grants@acl.hhs.gov](mailto: AoA.Grants@acl.hhs.gov) with a cc to your [Regional Administrator](#).

Table - Transfer Due Dates:

Grant Name	B/C (30% max*)	C1/C2 (100%**)
FFY2021 Title III (2101XXOASS/CM/HD)	8/16/2021	8/16/2021
FFCRA (CMC2/HDC2)		8/16/2021
CARES Act (SSC3/HDC3)	8/16/2021	
Supplemental #5 (HDC5)		
ARP (SSC6/CMC6/HDC6)	8/15/2022	8/15/2022
Expanding Access to COVID-19 Vaccines via the Aging Network (VAC5)		

\*30% maximum transfer, a waiver is required to exceed 30% transfer limit

\*\*For FFCRA and ARP, 100% transfer C1/C2 available until the end of the COVID-19 public health emergency or transfer due date, whichever is sooner; then returns to 40% maximum transfer, a waiver is required to exceed 40% transfer limit

up to 50%. For FFY2021 Title III, 100% available until transfer due date, end of COVID-19 public health emergency does not impact due date.

A State may consider using the Major Disaster Declaration Flexibilities under the Stafford Act, if the State is still within the Major Disaster Declaration incident period, see [Fiscal FAQ: Major Disaster Declaration](#).

### *ARP Transfers*

Transfers for up to 100% are available for ARP Congregate Meal Program (C-1) and Home Delivered Meal Program (C-2) grants until the end of the public health emergency for COVID-19 as declared by the U.S. Secretary of Health and Human Services or 8/15/2022, whichever is sooner. If the public health emergency for COVID-19 as declared by the U.S. Secretary of Health and Human Services ends prior to 8/15/2022, regular transfer limits will apply of 40% between the Congregate Meal Program and the Home Delivered Meal Program. If required, a waiver can be requested by the SUA to the Assistant Secretary for Aging to exceed the 40% transfer authority limit up to 50%. Transfers must occur within the same grant grouping, i.e. ARP transfers must occur within the ARP grants.

Transfers within Title III-B and Title III-C funding are authorized up to 30% within B, Supportive Services and/or the Nutrition Programs C-1, Congregate Meal Program and C-2, Home Delivered Meal Program. A waiver can be requested by the SUA to the Assistant Secretary for Aging to exceed the 30% transfer authority. Transfers must occur within the same grant grouping, i.e. ARP transfers must occur within the ARP grants.

### *FFY2021 Title III Transfers*

Requests for transfers for up to 100% are available for FFY 2021 Title III grants C-1, Congregate Meal Program and C-2, Home Delivered Meal Program. Transfers must be reported and are due to ACL by 8/16/2021.

Transfers within Title III-B and Title III-C funding are authorized up to 30% within B, Supportive Services and/or the Nutrition Programs C-1, Congregate Meal Program and C-2, Home Delivered Meal Program. A waiver can be requested by the SUA to the Assistant Secretary for Aging to exceed the 30% transfer authority. Transfers must occur within the same grant grouping, i.e. FFY2021 Title III transfers must occur within the FFY2021 Title III grants.

### *Related Questions:*

1. *Can the State request an additional transfer of funds for FFY 2020 Title III funds?*
  - No, the due date to request a transfer for FFY2020 Title III funds was 8/17/2020.
2. *Do AAAs need prior approval from the SUA to transfer funds from C-1/C-2 under ARP awards?*
  - While prior approval is not required during the public health emergency for COVID-19 as declared by the U.S. Secretary of Health and Human Services, funds are issued under separate grant award numbers, therefore a AAA still needs to report transfers to the SUA to move funding on the grant award. SUAs should communicate their processes for reporting and reimbursement purposes.
3. *When does the C1/C2 100% transfer flexibility end for the ARP grant?*
  - For the ARP grant, the 100% transfer flexibility ends when the public health emergency for COVID-19 as declared by the U.S. Secretary for Health and Human Services ends or 8/15/2022, whichever is sooner.



## Fiscal Reporting Requirements

ARP funds are issued under a separate grant award number; therefore, funds must be accounted for separately from the issuance of other Title III Older Americans Act funding. A separate supplemental form will be required for financial report submissions. States are required to continue maintaining appropriate records and documentation to support the charges against the Federal awards. Please see [Title III State Program Report: COVID-19 Response Reporting Guidance](#) for more information on programmatic reporting requirements. ACL anticipates updating this guidance to include that ARP services and expenditures should be reported similar to FFCRA and CARES Act services and expenditures. It is very important to document the expenses for additional services provided with supplemental funding in annual program reporting, which may require coordination between fiscal and reporting staff.

All State Unit on Aging grantees were provided an extension until July 31, 2021 for the SF425 reports which are regularly due April 30, 2021 for the reporting period ending March 31, 2021. The SF425 extension applies for all open FFY 2018, 2019, 2020, 2021 Title III, Title VII, and NSIP grants as well as the FFCRA Title III, CARES Act Title III and Title VII and Supplemental 5 – HDC5 grants. Please note the reports still must be submitted for the reporting period ending March 31, 2021 no later than July 31, 2021. For the FFY 2018 and 2019 reports, which are not available in the Payment Management System, they should be submitted to [AoA.Grants@acl.hhs.gov](mailto:AoA.Grants@acl.hhs.gov) with a cc to your [Regional Administrator](#). The FFY 2020 and 2021 (OASS/CM/HD/PH/FC/OM/EA/NS), FFCRA (CM/HDC2), CARES Act (SS/HD/FC/OMC3), Supplemental 5 Nutrition (HDC5), and Expanding Vaccine Access (VAC5) grants SF-425 reports should be submitted through the [Payment Management System](#) (PMS), the Title III Supplemental SF425 form should be attached in the PMS.

Additionally, the COVID-19 crisis is expected to completely skew traditional meal service and meal counts. As a result, ACL is holding harmless meal counts from 2019 and will apply them to 2020, 2021, and 2022 NSIP grant award allocations. This will alleviate the need to count COVID-19 meals for purposes of NSIP in FFY 2020 and 2021. States are required to collect and report on NSIP meals served for FFY2022, which starts 10/1/2021. The FFY2023 NSIP grant award allocations will be based on the FFY2022 reported NSIP meal counts.

### Related Questions:

1. Are there any special tracking requirements or restrictions on using the ARP funds?
  - For financial reporting and accounting purposes, States should track ARP funds separately from the other Title III Older Americans Act grants. Additionally, please see purpose of ARP funding above.
2. *Will the ARP grants have their own FFR and supplemental form separate from the current FFY2021 Title III grants?*
  - Yes, these grants will have their own separate FFR and supplemental form requirements.
3. *Are there special FFR and supplemental forms for use that are specific to ARP?*
  - The same supplemental form will be used as with the other Title III Older Americans Act grants.

## Distribution of Funding

After State Agencies have distributed any funds to expedite COVID-19 emergency response as outlined in the [Expediting Expenditures at the State Level in Responding to the COVID-19 Emergency](#), they must distribute ARP funding based on the Intrastate Funding Formula (IFF) approved by the Assistant Secretary for Aging. Funds required to be distributed via the IFF may not be held at the State level.

## Related Questions:

1. *Is the [Expediting Expenditures at the State Level in Responding to the COVID-19 Emergency](#) available for ARP grants?*
  - Yes.
2. *How must ARP funds be distributed to providers?*
  - After any funds have been distributed to expedite COVID-19 emergency response as described in the [Expediting Expenditures at the State Level in Responding to the COVID-19 Emergency](#), funds must then be distributed based on the State’s approved Intrastate Funding Formula.
  - Title VII funding is not required to be distributed through the IFF, unless the State’s IFF provides for it.
3. *Can the state Ombudsman determine the use of the ARP Ombudsman funds?*
  - Effective use of ARP funds requires that the state Ombudsman coordinate closely with the State Unit on Aging and local Ombudsman entities, where applicable, to determine distribution and use of funds.
  - The Long-Term Care Ombudsman Program regulation (45 CFR 1324.13(f) states, “[t]he Ombudsman shall determine the use of the fiscal resources appropriated or otherwise available for the operation of the Office. Where local Ombudsman entities are designated, the Ombudsman shall approve the allocations of Federal and State funds provided to such entities, subject to applicable Federal and State laws and policies. The Ombudsman shall determine that program budgets and expenditures of the Office and local Ombudsman entities are consistent with laws, policies and procedures governing the Ombudsman program.”
4. *Do the “supplement and not supplant existing funding” requirements in the OAA apply to the Ombudsman and Title III programs funded under ARP?*
  - Yes, existing funds for an existing project or activities may not be displaced by federal funds and reallocated for other programmatic or organizational expenses. The funding available through ARP must add to the programs’ current funding levels, not be used to replace funding, even to cover funding reductions. The phrase “supplement and not supplant existing funding” means the funding made available through these grants may not be used to replace existing state, territory, or local funding already appropriated for the programs and services.
5. *Is that correct that the administration allocation would follow distribution after the base since the base was exhausted in the initial FFY2021 Title III allocation?*
  - States should follow their approved Intrastate Funding Formula.
  - ARP funding is in addition to other Title III Older Americans Act funding where the base for distributions may have already been allocated.
6. *Does section 307(a)(2)(C) of the OAA, that requires States to specify a minimum proportion of funds to be spent by each area agency and that each area agency has provided assurances, according to section 306(a)(2), that an adequate proportion will be expended on access, in-home, and legal services, apply?*
  - Yes, the minimum proportion of funds expended in Section 307(a)(2)(C) of the OAA applies to the ARP grant.

## No-Cost Extensions and Project Period End Dates

All SUAs will be provided a no-cost extension (NCE) for the FFY 2020 Title III, Title VII, and NSIP grants as well as the FCCRA and CARES Act Title III and Title VII grants (see [No-Cost Extension Guidelines for ACL FY2020 Mandatory/Formula](#)

[Grants](#)). ACL will provide one-time, 12-month NCEs automatically, eliminating the need for an individual grantee to request an NCE for these grant programs. Starting in June 2021, ACL will review the Payment Management System (PMS) for each program, and any formula grant with an undrawn balance of \$10 or more will be automatically granted a 12-month extension to the project period. A new notice of award will be issued reflecting the increased period of performance. For those grants identified with an undrawn balance of \$10 or more, the project period end dates will be extended to September 30, 2022 with final reporting due January 31, 2023. ACL anticipates these extensions to be awarded in the June 2021 timeframe. SUAs who receive no-cost extensions will be required to submit semi-annual reports until a final report is submitted.

Please see the below project period end dates by grant award to assist in making the States decision on which funding to use in what order.

Table: Project Period End Date by Grant Award

Grant Name	Project Period End Date <b>without</b> No-Cost Extension	Project Period End Date <b>with</b> No-Cost Extension
FFY2019 Title III, Title VII & NSIP	9/30/2020	9/30/2021
FFCRA (CM/HDC2)	9/30/2021	9/30/2022
CARES Act (SS/HD/FC/OMC3)	9/30/2021	9/30/2022
FFY2020 Title III, Title VII & NSIP	9/30/2021	9/30/2022
FFY2021 Title III, Title VII & NSIP	9/30/2022	Not yet available to request
Supplemental 5 Nutrition (HDC5)	9/30/2022	Not yet available to request
Expanding Access to COVID-19 Vaccines via the Aging Network (VAC5)	9/30/2022	Not yet available to request
ARP (SS/CM/HD/PH/FC/OMC6)	9/30/2024	Not yet available to request

Additionally, States should consider match requirements, Maintenance of Effort, and LTCO minimum expenditure levels when determining use and order of funding.

**Related Questions:**

1. *What is the process to request a no-cost extension for the FFY 2020 Title III, Title VII, and NSIP grants?*
  - Automatic 12-month extension is given to all SUAs for FFY 2020 Title III, Title VII, and NSIP grants until 9/30/2022, final reports will be due 1/31/2023.
2. *What is the process to request a no-cost extension for the FFY 2019 Title III, Title VII, and NSIP grants?*
  - No additional no cost extensions are available for this grant, an extension was previously provided for an additional 12 months to 9/30/2021, final reports and liquidations are due 12/30/2021.
3. *Does ACL have guidance on spending the various COVID-19 emergency funds?*
  - States should use the above Table: Project Period End Date by Grant Award to determine the best order of use of funding.