

Dated: July 16, 2003.

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■ Accordingly, Title 32 of the Code of Federal Regulations, chapter I, subchapter C is amended as follows.

■ 1. Part 21 is revised to read as follows:

PART 21—DoD GRANTS AND AGREEMENTS—GENERAL MATTERS

Subpart A—Introduction

Sec.

21.100 What are the purposes of this part?

Subpart B—Defense Grant and Agreement Regulatory System

21.200 What is the Defense Grant and Agreement Regulatory System (DGARS)?

21.205 What types of instruments are covered by the DGARS?

21.210 What are the purposes of the DGARS?

21.215 Who is responsible for the DGARS?

21.220 What publications are in the DGARS?

Subpart C—The DoD Grant and Agreement Regulations

21.300 What instruments are subject to the DoD Grant and Agreement Regulations (DoDGARs)?

21.305 What is the purpose of the DoDGARs?

21.310 Who ensures DoD Component compliance with the DoDGARs?

21.315 May DoD Components issue supplemental policies and procedures to implement the DoDGARs?

21.320 Are there areas in which DoD Components must establish policies and procedures to implement the DoDGARs?

21.325 Do acquisition regulations also apply to DoD grants and agreements?

21.330 How are the DoDGARs published and maintained?

21.335 Who can authorize deviations from the DoDGARs?

21.340 What are the procedures for requesting and documenting deviations?

Subpart D—Authorities and Responsibilities for Making and Administering Assistance Awards

21.400 To what instruments does this subpart apply?

21.405 What is the purpose of this subpart?

21.410 Must a DoD Component have statutory authority to make an assistance award?

21.415 Must the statutory authority specifically mention the use of grants or other assistance instruments?

21.420 Under what types of statutory authorities do DoD Components award assistance instruments?

21.425 How does a DoD Component's authority flow to awarding and administering activities?

21.430 What are the responsibilities of the head of the awarding or administering activity?

21.435 Must DoD Components formally select and appoint grants officers and agreements officers?

21.440 What are the standards for selecting and appointing grants officers and agreements officers?

21.445 What are the requirements for a grants officer's or agreements officer's statement of appointment?

21.450 What are the requirements for a termination of a grants officer's or agreements officer's appointment?

21.455 Who can sign, administer, or terminate assistance instruments?

21.460 What is the extent of grants officers' and agreements officers' authority?

21.465 What are grants officers' and agreements officers' responsibilities?

Subpart E—Information Reporting on Awards Subject to 31 U.S.C. Chapter 61

21.500 What is the purpose of this subpart?

21.505 What is the Catalog of Federal Domestic Assistance (CFDA)?

21.510 Why does the DoD report information to the CFDA?

21.515 Who reports the information for the CFDA?

21.520 What are the purposes of the Defense Assistance Awards Data System (DAADS)?

21.525 Who issues policy guidance for the DAADS?

21.530 Who operates the DAADS?

21.535 Do DoD Components have central points for collecting DAADS data?

21.540 What are the duties of the DoD Components' central points for the DAADS?

21.545 Must DoD Components report every obligation to the DAADS?

21.550 Must DoD Components relate reported actions to listings in the CFDA?

21.555 When and how must DoD Components report to the DAADS?

21.560 Must DoD Components assign numbers uniformly to awards?

Subpart F—Definitions

21.605 Acquisition.

21.610 Agreements officer.

21.615 Assistance.

21.620 Award.

21.625 Contract.

21.630 Contracting activity.

21.635 Contracting officer.

21.640 Cooperative agreement.

21.645 Deviation.

21.650 DoD Components.

21.655 Grant.

21.660 Grants officer.

21.665 Nonprocurement instrument.

21.670 Procurement contract.

21.675 Recipient.

21.680 Technology investment agreements.

Appendix A to Part 21—Instruments to Which DoDGARs Portions Apply

Authority: 5 U.S.C. 301 and 10 U.S.C. 113.

Subpart A—Introduction

§ 21.100 What are the purposes of this part?

This part of the DoD Grant and Agreement Regulations:

(a) Provides general information about the Defense Grant and Agreement Regulatory System (DGARS).

(b) Sets forth general policies and procedures related to DoD Components' overall management of functions related to assistance and certain other nonprocurement instruments subject to the DGARS (see § 21.205(b)).

Subpart B—Defense Grant and Agreement Regulatory System

§ 21.200 What is the Defense Grant and Agreement Regulatory System (DGARS)?

The Defense Grant and Agreement Regulatory System (DGARS) is the system of regulatory policies and procedures for the award and administration of DoD Components' assistance and other nonprocurement awards. DoD Directive 3210.6¹ established the DGARS.

§ 21.205 What types of instruments are covered by the DGARS?

The Defense Grant and Agreement Regulatory System (DGARS) applies to the following types of funding instruments awarded by DoD Components:

(a) All grants, cooperative agreements, and technology investment agreements.

(b) Other nonprocurement instruments, as needed to implement statutes, Executive orders, or other Federal Governmentwide rules that apply to those other nonprocurement instruments, as well as to grants and cooperative agreements.

§ 21.210 What are the purposes of the DGARS?

The purposes of the DGARS are to provide uniform policies and procedures for DoD Components' awards, in order to meet DoD needs for:

(a) Efficient program execution, effective program oversight, and proper stewardship of Federal funds.

(b) Compliance with relevant statutes; Executive orders; and applicable guidance, such as Office of Management and Budget (OMB) circulars.

(c) Collection from DoD Components, retention, and dissemination of management and fiscal data related to awards.

§ 21.215 Who is responsible for the DGARS?

The Director of Defense Research and Engineering, or his or her designee, develops and implements DGARS

¹ Electronic copies may be obtained at the Washington Headquarters Services Internet site <http://www.dtic.mil/whs/directives>. Paper copies may be obtained, at cost, from the National Technical Information Service, 5285 Port Royal Road, Springfield, VA 22161.