

PART 22—[AMENDED]

■ 2. The authority citation for part 22 continues to read as follows:

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

§ 22.105 [Amended]

■ 3. Section 22.105 is amended by removing “32 CFR 21.130” in the first sentence and adding “32 CFR part 21, subpart F” in its place.

§ 22.210 [Amended]

■ 4. Section 22.210 is amended by removing “32 CFR 21.205(b)” in paragraph (a)(1) and adding “32 CFR 21.410 through 21.420” in its place.

§ 22.220 [Amended]

■ 5. Section 22.220 is amended by removing “32 CFR 21.115(b)(1)” in paragraph (a)(1) and adding “32 CFR 21.320(a)” in its place.

§ 22.605 [Amended]

■ 6. Section 22.605 is amended by removing “32 CFR part 21, subpart C” in paragraph (b) and adding “32 CFR part 21, subpart E” in its place.

PART 32—[AMENDED]

■ 7. The authority citation for part 32 continues to read as follows:

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

§ 32.4 [Amended]

■ 8. Section 32.4 is amended by:
■ a. Removing “32 CFR 21.125(a) and (c)” in paragraph (a) and adding “32 CFR 21.335(a) and 21.340” in its place; and
■ b. Removing “32 CFR 21.125(b) and (c)” in paragraph (c)(2) and adding “32 CFR 21.335(b) and 21.340” in its place.

§ 32.11 [Amended]

■ 9. Section 32.11 is amended by removing “32 CFR 21.205(a) and” in paragraph (a)(2).

PART 34—[AMENDED]

■ 10. The authority citation for part 34 continues to read as follows:

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

■ 11. The definition of “award” in § 34.2 is revised to read as follows:

§ 34.2 Definitions.

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Award. A grant or a cooperative agreement other than a technology investment agreement (TIA). TIAs are covered by part 37 of the DoDGARs (32 CFR part 37). Portions of this part may apply to a TIA, but only to the extent that 32 CFR part 37 makes them apply.

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§ 34.3 [Amended]

■ 12. Section 34.3 is amended by:
■ a. Removing “32 CFR 21.125(a)” in paragraph (a) and adding “32 CFR 21.335(a) and 21.340” in its place; and
■ b. Removing “32 CFR 21.125(b) and (c)” in paragraph (c) and adding “32 CFR 21.335(b) and 21.340” in its place.
■ 13. Part 37 is added to subchapter C to read as follows:

PART 37—TECHNOLOGY INVESTMENT AGREEMENTS**Subpart A—General**

Sec.

37.100 What does this part do?

37.105 Does this part cover all types of instruments that 10 U.S.C. 2371 authorizes?

37.110 What type of instruments are technology investment agreements (TIAs)?

37.115 For what purposes are TIAs used?

37.120 Can my organization award or administer TIAs?

37.125 May I award or administer TIAs if I am authorized to award or administer other assistance instruments?

37.130 Which other parts of the DoD Grant and Agreement Regulations apply to TIAs?

Subpart B—Appropriate Use of Technology Investment Agreements

37.200 What are my responsibilities as an agreements officer for ensuring the appropriate use of TIAs?

37.205 What judgments must I make about the nature of the project?

37.210 To what types of recipients may I award a TIA?

37.215 What must I conclude about the recipient's commitment and cost sharing?

37.220 How involved should the Government program official be in the project?

37.225 What judgment must I make about the benefits of using a TIA?

37.230 May I use a TIA if a participant is to receive fee or profit?

Subpart C—Expenditure-Based and Fixed-Support Technology Investment Agreements

37.300 What is the difference between an expenditure-based and fixed-support TIA?

37.305 When may I use a fixed-support TIA?

37.310 When would I use an expenditure-based TIA?

37.315 What are the advantages of using a fixed-support TIA?

Subpart D—Competition Phase

37.400 Must I use competitive procedures to award TIAs?

37.405 What must my announcement or solicitation include?

37.410 Should my announcement or solicitation state that TIAs may be awarded?

37.415 Should I address cost sharing in the announcement or solicitation?

37.420 Should I tell proposers that we will not disclose information that they submit?

Subpart E—Pre-Award Business Evaluation

37.500 What must my pre-award business evaluation address?

37.505 What resources are available to assist me during the pre-award business evaluation?

Recipient Qualification

37.510 What are my responsibilities for determining that a recipient is qualified?

37.515 Must I do anything additional to determine the qualification of a consortium?

Total Funding

37.520 What is my responsibility for determining that the total project funding is reasonable?

Cost Sharing

37.525 What is my responsibility for determining the value and reasonableness of the recipient's cost sharing contribution?

37.530 What criteria do I use in deciding whether to accept a recipient's cost sharing?

37.535 How do I value cost sharing related to real property or equipment?

37.540 May I accept fully depreciated real property or equipment as cost sharing?

37.545 May I accept costs of prior research as cost sharing?

37.550 May I accept intellectual property as cost sharing?

37.555 How do I value a recipient's other contributions?

Fixed-Support or Expenditure-Based Approach

37.560 Must I be able to estimate project expenditures precisely in order to justify use of a fixed-support TIA?

37.565 May I use a hybrid instrument that provides fixed support for only a portion of a project?

Accounting, Payments, and Recovery of Funds

37.570 What must I do if a CAS-covered participant accounts differently for its own and the Federal Government shares of project costs?

37.575 What are my responsibilities for determining milestone payment amounts?

37.580 What is recovery of funds and when should I consider including it in my TIA?

Subpart F—Award Terms Affecting Participants' Financial, Property, and Purchasing Systems

37.600 Which administrative matters are covered in this subpart?

37.605 What is the general policy on participants' financial, property, and purchasing systems?