

1. PREFACE

A. The Department of Commerce (DOC) was established on February 14, 1903, to promote American businesses and trade. Its broad range of responsibilities include, but are not limited to, expanding U.S. exports, developing innovative technologies, gathering and disseminating statistical data, measuring economic growth, granting patents, promoting minority entrepreneurship, providing effective management and environmental stewardship of the nation's coastal and marine resources, and predicting and monitoring the weather. Although DOC's missions are very diverse, they are unified by one overarching mandate -- to work with the business community to foster economic growth and the creation of new American jobs to ensure sustainable economic opportunities.

B. There is no general Department-wide financial assistance authority. Such authority must be provided by specific statute. The Federal Grant and Cooperative Agreement Act (31 U.S.C. 6301-6308), in and of itself, does not provide such authority. The operating unit's basic legislation must be analyzed to determine whether an assistance relationship is authorized, and if so, under what circumstances and conditions. The following operating units are authorized to provide financial assistance.

1. Economic Development Administration (EDA). The Economic Development Administration (EDA) was established under the Public Works and Economic Development Act of 1965 (42 U.S.C. 3121 *et seq.*), as amended by the Economic Development Administration Reauthorization Act of 2004 (Pub. L. No. 108-373, 118 Stat. 1756 (2004)) (PWEDA). As set forth in EDA's regulations at 13 C.F.R. Chapter III, EDA's mission is to lead the federal economic development agenda by promoting innovation and competitiveness, preparing American regions for growth and success in the worldwide economy. EDA investment assistance is available to rural and urban areas of the Nation experiencing or threatened with substantial economic distress, including high levels of unemployment, low income levels, significant declines in per-capita income, sudden major lay-offs or plant closures, or natural or other major disasters. In fulfilling its mission pursuant to PWEDA, EDA advances economic growth by assisting regions experiencing chronic high unemployment and low per-capita income to create an environment that fosters innovation, promotes entrepreneurship, and attracts increased private capital investment. Additionally, EDA helps communities experiencing adverse economic changes due to base realignment and closures, defense contractor reductions in force, U.S. Department of Energy defense-related funding reductions, and Federally-declared disasters. EDA works in partnership with eligible applicants, including State and local governments, district organizations, public or private non-profit organizations, Indian tribes, and institutions of higher education. Under the Trade Act of 1974, as amended, EDA also provides technical assistance to firms that have been adversely affected by increased import competition (see 13 C.F.R. part 315).

2. International Trade Administration (ITA). The International Trade Administration is responsible for most non-agricultural U.S. trade issues and works with the Office of the U.S. Trade Representative in coordinating U.S. trade policy. ITA operates through four principal units: Market Access and Compliance, Trade Development, Import Administration, and U.S. and Foreign Commercial Service. ITA provides grants and cooperative agreements through several programs to promote trade, investment, and commercial relations, and maintains comprehensive commercial and economic data on particular countries and regions of the world. ITA grant and cooperative agreement programs are also intended to strengthen domestic export

competitiveness, and promote U.S. industry's increased participation in international markets.

3. Minority Business Development Agency (MBDA). The Minority Business Development Agency is the only Federal agency created specifically to foster the establishment and growth of minority-owned businesses in the United States. Through grants and cooperative agreements, MBDA provides financial assistance to public and private organizations that provide a wide-range of business development services to minority entrepreneurs through a nation-wide network.

4. National Oceanic and Atmospheric Administration (NOAA). NOAA is a federal agency focused on the condition of the oceans and the atmosphere. It plays several distinct roles within the Department of Commerce:

a. **Supplier of Environmental Information Products.** One of the most important resources in our society is information. NOAA supplies information to its customers that pertains to the state of the oceans and the atmosphere. This is clearly manifest in the production of weather warnings and forecasts through the National Weather Service, but NOAA's information products extend to climate, ecosystems and commerce as well;

b. **Provider of Environmental Stewardship Services.** NOAA also is the steward of national coastal and marine environments. In coordination with federal, state, local, tribal and international authorities, NOAA manages the use of these environments, regulating fisheries and marine sanctuaries as well as protecting threatened and endangered marine species;

c. **Leader in Applied Scientific Research.** NOAA is a trusted source of accurate and objective scientific information in four particular areas of national and global importance:

(1) **Ecosystems.** Ensure the sustainable use of resources and balance competing uses of coastal and marine ecosystems, recognizing both their human and natural components.

(2) **Climate.** Understand changes in climate, including the El Niño phenomenon, to ensure that we can plan and respond properly.

(3) **Weather & Water.** Provide data and forecasts for weather and water cycle events, including storms, droughts and floods.

(4) **Commerce & Transportation.** Provide weather, climate, and ecosystem information to make sure individual and commercial transportation is safe, efficient and environmentally sound.

d. **NOAA's Vision.** "An informed society that uses a comprehensive understanding of the role of the oceans, coasts and atmosphere in the global ecosystem to make the best social and economic decisions"

e. **NOAA's Mission.** "To understand and predict changes in the Earth's environment and conserve and manage coastal and marine resources to meet our nation's economic, social and environmental needs"

5. National Telecommunications and Information Administration (NTIA). The National Telecommunications and Information Administration is the principal executive

branch advisor to the President on domestic and international communications and information policies. It ensures effective and efficient Federal use of the electromagnetic spectrum, develops (with other Federal agencies) policies for international communications and standards-setting organizations, serves as the Federal telecommunications research and engineering center, and administers grants and cooperative agreements to public and non-profit organizations for projects that incorporate information and telecommunications technology.

6. Technology Administration. The Technology Administration works to maximize technology's contribution to America's economic growth by serving the needs of technology-based industry, advocating Federal actions and policies to speed the transfer of technology from the laboratory to the marketplace, and removing barriers to commercializing new technologies by industry. The agency within the Technology Administration that is most active in providing Federal financial assistance is the National Institute of Standards and Technology (NIST). NIST provides grants and cooperative agreements to aid U.S. industry through research and services, contributes to public health and safety, supports U.S. scientific and engineering research communities, and works with state and local organizations to either establish or expand existing services for small to medium sized manufacturers. These services address critical needs in areas such as production techniques, technology applications, and business practices.

C. The DOC administers a diverse array of programs and projects concerned with the entire spectrum of business and economic development concerns as outlined above. Departmental operating units and Grants Offices are responsible for the award, administration, and monitoring of these programs under a variety of legislative authorities, governing regulations, policies, and procedures utilizing mandatory and discretionary grants and cooperative agreements. Awards are made to a wide variety of recipients, including state and local governments, for-profit or commercial organizations, non-profit organizations, and educational institutions. The administration of DOC grant and cooperative agreement programs requires adherence not only to the program objectives for which funds are awarded, but also to sound business practices, as well as laws, regulations, policies, and procedures governing grants and cooperative agreements.

D. The DOC views its relationship with grant and cooperative agreement recipients as a partnership, with the recipient providing the effort and expertise necessary to carry out approved activities and the Department providing financial assistance and involvement as appropriate. In implementing these respective roles, DOC has established Grants Management Offices and Program Offices. Grants Management Offices serve as the focal point for the business management aspects of grants administration, including maintenance of official files and receipt of most required reports from award recipients. The Grants Officer is the DOC official authorized to award grants and cooperative agreements and make decisions on requests for any changes to or revisions of any aspect of awards, including but not limited to, terms and conditions, budgets, and program plans (i.e., scopes of work). The Program Officers serve as the focal point for the programmatic, scientific/technical aspects of the programs and projects. Questions concerning interpretation of grant and cooperative agreement policy or the applicability of certain policies to particular programs should be directed to the designated DOC Grants Officer.

E. Department-wide responsibility for developing and implementing financial assistance administrative and operational policies rests with the Office of Acquisition Management (OAM) under the Department's Chief Financial Officer and Assistant Secretary for Administration (CFO/ASA).

F. This Grants Manual is intended to provide a common understanding of the framework for the administration of grants and cooperative agreements within which DOC staff and responsible recipient officials must operate.

G. Questions concerning this manual should be directed to the cognizant Grants Officer or the Director, Office of Acquisition Management, U.S. Department of Commerce, Room 6422, Washington, D.C. 20230, telephone number: 202-482-4248.