

2. INTRODUCTION

A. Purpose. This Manual sets forth DOC guidance on grants administration and provides the Department with a uniform set of minimum procedures for soliciting, reviewing, awarding, managing and closing out of grants. The Manual references policies and procedures for use by DOC offices and operating units for ensuring the consistent implementation of legislation, regulations, Office of Management and Budget (OMB) circulars, executive orders (EOs), and Departmental policies and procedures related to financial assistance. The Manual is for internal use by DOC personnel and does not create any rights or liabilities with respect to the public or any third party.

B. Authority. This Manual is issued pursuant to the authority of 5 U.S.C. 301, Department Organization Order (DOO) 10-5, “Chief Financial Officer and Assistant Secretary for Administration,” and Department Administrative Order (DAO) 203-26, “Department of Commerce Grants Administration.”

C. Coverage. This Manual applies to all DOC operating units in their award, management, and administration of grants and cooperative agreements. The manual shall have the same force and effect as a DAO. Amendments (substantive changes) or revisions (corrections or updates) to the Manual may be developed and issued by the Director, OAM. Proposed amendments to this Manual will be distributed for review and comment.

D. Effect on Other Issuances. This Manual provides updated guidance to DAO 203-26, “Department of Commerce Grants Administration,” dated May 15, 1985, for the administration of grants, and supersedes all Financial Assistance Notices. DOC operating units may issue supplemental operating unit-specific policies and procedures to cover items not covered by the Manual to address programmatic requirements that do not conflict with the provisions of this Manual or to implement unique statutory requirements and regulations. If an operating unit has specific statutory or regulatory requirements which necessitate policies, procedures, or restrictions that are not covered by the Manual, proposed supplemental policies and procedures addressing the specific areas should be developed by the operating unit. The proposed supplement should be consistent with this Manual. The heads of operating units or other appropriate officials of the operating units are required to submit proposed supplements, and any revisions thereto, along with an assurance that they are consistent with the requirements in this Manual to the Office of Inspector General (OIG), the Office of General Counsel (OGC), and OAM for timely review and comment prior to internal issuance and use.

E. Government-Wide Documents Used in the Administration of DOC Awards. A list of government-wide requirements (e.g., regulations, circulars, executive orders) which are used as appropriate in the administration of grants funded by DOC includes, but is not limited to, the following:

I. Administrative Requirements.

a. 15 CFR Part 14, “Uniform Administrative Requirements for Grants and Agreements With Institutions of Higher Education, Hospitals, Other Non-Profit, and Commercial Organizations” (DOC codification of OMB Circular A-110, 2 CFR Part 215)

b. 15 CFR Part 24, “Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments” (DOC codification of OMB Circular A-102)

2. Cost Principles.

- a. 2 CFR Part 220 (OMB Circular A-21), “Cost Principles for Educational Institutions”
- b. 2 CFR Part 225 (OMB Circular A-87), “Cost Principles for State, Local, and Indian Tribal Governments”
- c. 2 CFR Part 230 (OMB Circular A-122), “Cost Principles for Non-Profit Organizations”
- d. 48 CFR Part 31, “Contract Cost Principles and Procedures”
- e. Appendix E of 45 CFR Part 74, “Principles for Determining Costs Applicable to Research and Development under Grants and Contracts with Hospitals”

3. Other Requirements.

- a. OMB Circular A-50, “Audit Follow-Up”
- b. OMB Circular A-89, “Federal Domestic Assistance Program Information”
- c. OMB Circular A-129, “Policies for Federal Credit Programs and Non-Tax Receivables”
- d. OMB Circular A-133, “Audits of States, Local Governments and Non-Profit Organizations” and Supplement
- e. 2 CFR Part 1326, “Government-wide Debarment and Suspension (Non-procurement)”
- f. 5 CFR Part 1320, “Controlling Paperwork Burdens on the Public”
- g. 15 CFR Part 8, “Nondiscrimination in Federally Assistance Programs of the Department of Commerce” - effectuation of Title VI of the Civil Rights Act of 1964
- h. 15 CFR Part 8a, “Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance”
- i. 15 CFR Part 8b, “Prohibition of Discrimination Against the Handicapped in Federally Assistance Programs Operated by the Department of Commerce”
- j. 15 CFR Part 11, “Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally Assisted Programs”
- k. 15 CFR Part 13, “Intergovernmental Review of Department of Commerce Programs and Activities”
- l. 15 CFR Part 20, “Nondiscrimination on the Basis of Age in Programs or Activities Receiving Federal Financial Assistance”

- m. 15 CFR Part 21, “Administrative Offset”
- n. 15 CFR Part 25, “Program” (Fraud Civil Remedies)
- o. 15 CFR Part 27, “Protection of Human Subjects”
- p. 15 CFR Part 28, “New Restrictions on Lobbying”
- q. 15 CFR Part 29, “Governmentwide Requirements for Drug-Free Workplace (Financial Assistance)”
- r. 15 CFR Part 1170, “Metric Conversion Policy for Federal Agencies”
- s. 31 CFR Part 223, “Surety Companies Doing Business with the United States”
- t. 31 CFR Part 900-904, “Federal Claims Collection Standards”
- u. 37 CFR Part 401, “Rights to Inventions Made by Nonprofit Organizations and Small Business Firms under Government Grants, Contracts, and Cooperative Agreements”
- v. EO’s 12549 and 12689, “Debarment and Suspension”
- w. OMB Standard Form 424B, “Assurances – Non-Construction Programs” and OMB Standard Form 424D, “Assurances – Construction Programs,” which reference laws and regulations that may apply to particular awards

Statutory authorities for grant requirements are contained in Chapter 15 of this Manual.