

(d) *Private entity.* (1) This term means any entity other than a State, local government, Indian tribe, or foreign public entity.

(2) This term includes:

(i) A nonprofit organization, including any nonprofit institution of higher education, hospital, or tribal organization other than one included in the definition of Indian tribe in paragraph (b) of this section.

(ii) A for-profit organization.

(e) *State*, consistent with the definition in section 103 of the TVPA, as amended (22 U.S.C. 7102), means:

(1) Any State of the United States;

(2) The District of Columbia;

(3) Any agency or instrumentality of a State other than a local government or State-controlled institution of higher education;

(4) The Commonwealths of Puerto Rico and the Northern Mariana Islands; and

(5) The United States Virgin Islands, Guam, American Samoa, and a territory or possession of the United States.

## **PART 176—AWARD TERMS FOR ASSISTANCE AGREEMENTS THAT INCLUDE FUNDS UNDER THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009, PUBLIC LAW 111–5**

Sec.

176.10 Purpose of this part.

176.20 Agency responsibilities (general).

176.30 Definitions.

### **Subpart A—Reporting and Registration Requirements under Section 1512 of the American Recovery and Reinvestment Act of 2009**

176.40 Procedure.

176.50 Award term—Reporting and registration requirements under section 1512 of the Recovery Act.

### **Subpart B—Buy American Requirement under Section 1605 of the American Recovery and Reinvestment Act of 2009**

176.60 Statutory requirement.

176.70 Policy.

176.80 Exceptions.

176.90 Acquisitions covered under international agreements.

176.100 Timely determination concerning the inapplicability of section 1605 of the Recovery Act.

176.110 Evaluating proposals of foreign iron, steel, and/or manufactured goods.

176.120 Determinations on late requests.

176.130 Noncompliance.

176.140 Award term—Required Use of American Iron, Steel, and Manufactured Goods—Section 1605 of the American Recovery and Reinvestment Act of 2009.

176.150 Notice of Required Use of American Iron, Steel, and Manufactured Goods—Section 1605 of the American Recovery and Reinvestment Act of 2009.

176.160 Award term—Required Use of American Iron, Steel, and Manufactured Goods (covered under International Agreements)—Section 1605 of the American Recovery and Reinvestment Act of 2009.

176.170 Notice of Required Use of American Iron, Steel, and Manufactured Goods (covered under International Agreements)—Section 1605 of the American Recovery and Reinvestment Act of 2009.

APPENDIX TO SUBPART B OF PART 176—U.S. STATES, OTHER SUB-FEDERAL ENTITIES, AND OTHER ENTITIES SUBJECT TO U.S. OBLIGATIONS UNDER INTERNATIONAL AGREEMENTS (AS OF FEBRUARY 16, 2010)

### **Subpart C—Wage Rate Requirements under Section 1606 of the American Recovery and Reinvestment Act of 2009**

176.180 Procedure.

176.190 Award term—Wage rate requirements under Section 1606 of the Recovery Act.

### **Subpart D—Single Audit Information for Recipients of Recovery Act Funds**

176.200 Procedure.

176.210 Award term—Recovery Act transactions listed in Schedule of Expenditures of Federal Awards and Recipient Responsibilities for Informing Subrecipients.

AUTHORITY: American Recovery and Reinvestment Act of 2009, Public Law 111–5; Federal Funding Accountability and Transparency Act of 2006, (Pub. L. 109–282), as amended.

SOURCE: 74 FR 18450, Apr. 23, 2009, unless otherwise noted.

#### **§ 176.10 Purpose of this part.**

This part establishes Federal Governmentwide award terms for financial assistance awards, namely, grants, cooperative agreements, and loans, to implement the cross-cutting requirements of the American Recovery and