

adopted in the Code of Federal Regulations after opportunity for public comment.

(2) *Individual exceptions.* The Head of the DoD Component or his or her designee may approve an individual exception affecting only one award in accordance with procedures stated in 32 CFR 21.340.

(3) *Small awards.* A DoD Component's terms and conditions for small awards may apply less restrictive requirements than those specified in this subchapter (a small award is an award for which the total value of obligated funding through the life of the award is not expected to exceed the simplified acquisition threshold).

(4) *Other class exceptions.* The Assistant Secretary of Defense for Research and Engineering or his or her designee may approve any class exception affecting multiple awards other than small awards, with OMB concurrence if the class exception is for a requirement that is inconsistent with OMB guidance in 2 CFR part 200. Procedures for

DoD Components' requests for class exceptions are stated in 32 CFR 21.340.

§ 1126.4 Relationship to other portions of the DoD grant and agreement regulations.

The administrative requirements specified in this subchapter complement:

(a) Provisions of 32 CFR part 34 that address administrative requirements for DoD Components' grants and cooperative agreements to for-profit entities; and

(b) Requirements in 32 CFR part 37 for technology investment agreements.

§ 1126.5 Organization of this subchapter.

This subchapter is organized into six parts in addition to this overview part. Each part provides standard wording and prescriptions for articles of general terms and conditions that address administrative requirements in a particular subject area. Table 1 shows the subject area and articles corresponding to each part:

TABLE 1 TO § 1126.5

In . . .	Of this subchapter, you will find terms and conditions with associated prescriptions for the following articles related to . . .
Part 1128	Recipient financial and program management (designated as "FMS" when referring to articles prescribed by this part): <ul style="list-style-type: none"> —FMS Article I—Financial management system standards. —FMS Article II—Payments. —FMS Article III—Allowable costs, period of availability of funds, and fee or profit. —FMS Article IV—Revision of budget and program plans. —FMS Article V—Non-Federal audits. —FMS Article VI—Cost sharing or matching. —FMS Article VII—Program income.
Part 1130	Property administration (designated as "PROP" when referring to articles prescribed by this part): <ul style="list-style-type: none"> —PROP Article I—Title to property. —PROP Article II—Property management system. —PROP Article III—Use and disposition of real property. —PROP Article IV—Use and disposition of equipment and supplies. —PROP Article V—Use and disposition of federally owned property. —PROP Article VI—Intangible property.
Part 1132	Recipient procurement procedures (designated as "PROC" when referring to articles prescribed by this part): <ul style="list-style-type: none"> —PROC Article I—Procurement standards for States. —PROC Article II—Procurement standards for institutions of higher education, nonprofit organizations, local governments, and Indian tribes. —PROC Article III—Contract provisions for recipient procurements.
Part 1134	Financial, programmatic, and property reporting (designated as "REP" when referring to articles prescribed by this part): <ul style="list-style-type: none"> —REP Article I—Performance management, monitoring, and reporting. —REP Article II—Financial reporting. —REP Article III—Reporting on property. —REP Article IV—Reporting on subawards and executive compensation. —REP Article V—Other reporting.
Part 1136	Other administrative requirements (designated as "OAR" when referring to articles prescribed by this part): <ul style="list-style-type: none"> —OAR Article I—Submitting and maintaining recipient information. —OAR Article II—Records retention and access. —OAR Article III—Remedies and termination. —OAR Article IV—Claims, disputes, and appeals.

TABLE 1 TO § 1126.5—Continued

In . . .	Of this subchapter, you will find terms and conditions with associated prescriptions for the following articles related to . . .
Part 1138	<p>—OAR Article V—Collection of amounts due.</p> <p>—OAR Article VI—Closeout.</p> <p>—OAR Article VII—Post-closeout adjustments and continuing responsibilities.</p> <p>Requirements related to subawards (designated as “SUB” when referring to articles prescribed by this part):</p> <p>—SUB Article I—Distinguishing subawards and procurements.</p> <p>—SUB Article II—Pre-award and time of award responsibilities.</p> <p>—SUB Article III—Informational content of subawards.</p> <p>—SUB Article IV—Financial and program management requirements for subawards.</p> <p>—SUB Article V—Property requirements for subawards.</p> <p>—SUB Article VI—Procurement procedures to include in subawards.</p> <p>—SUB Article VII—Financial, programmatic, and property reporting requirements for subawards.</p> <p>—SUB Article VIII—Other administrative requirements for subawards.</p> <p>—SUB Article IX—National Policy Requirements for Subawards.</p> <p>—SUB Article X—Subrecipient monitoring and other post-award administration.</p> <p>—SUB Article XI—Requirements concerning subrecipients’ lower-tier subawards.</p> <p>—SUB Article XII—Fixed-amount subawards.</p>

§ 1126.6 Organization of the other parts of this subchapter.

(a) Each of parts 1128 through 1138 of this subchapter is organized into subparts and appendices.

(1) Each appendix provides the standard wording of general terms and conditions for one of the articles of general terms and conditions that the part addresses.

(2) For each appendix addressing a particular article, the part has an associated subpart that provides the prescription for DoD Components’ use of the standard wording for that article.

(b) For example, Table 1 to § 1126.5 indicates that 2 CFR part 1128 provides the standard wording of general terms and conditions for FMS Articles I through VII and the prescriptions for DoD Components’ use of that standard wording.

(1) FMS Article I on financial management system standards is the first of the articles that 2 CFR part 1128 covers. Appendix A to 2 CFR part 1128 provides the standard wording of general terms and conditions for FMS Article I. The associated subpart of 2 CFR part 1128, subpart A, provides the prescription for DoD Components’ use of the standard wording of that article.

(2) Appendices B through G of 2 CFR part 1128 provide the standard wording of general terms and conditions for FMS Articles II through VII, respectively. The associated subparts, Subparts B through G, provide the cor-

responding prescriptions for DoD Components.

PART 1128—RECIPIENT FINANCIAL AND PROGRAM MANAGEMENT: GENERAL AWARD TERMS AND CONDITIONS

Sec.

1128.1 Purpose of this part.

1128.2 Applicability of this part.

1128.3 Exceptions from requirements of this part.

1128.4 Organization of this part.

Subpart A—Financial Management System Standards (FMS Article I)

1128.100 Purpose of FMS Article I.

1128.105 Content of FMS Article I.

Subpart B—Payments (FMS Article II)

1128.200 Purpose of FMS Article II.

1128.205 Content of FMS Article II.

1128.210 Payment requirements for States.

1128.215 Payment requirements for institutions of higher education, nonprofit organizations, local governments, and Indian tribes.

1128.220 Electronic funds transfer and other payment procedural instructions or information.

Subpart C—Allowable Costs, Period of Availability of Funds, and Fee or Profit (FMS Article III)

1128.300 Purpose of FMS Article III.

1128.305 Content of FMS Article III.

1128.310 Cost principles.