

## Department of Defense

## § 1108.310

similar transaction, during a given period that requires payment during the same or a future period.

### § 1108.270 Office of Management and Budget.

*Office of Management and Budget* means the Executive Office of the President, United States Office of Management and Budget.

### § 1108.275 Outlays.

*Outlays* means “expenditures,” as defined in this subpart.

### § 1108.280 Participant support costs.

*Participant support costs* means direct costs for items such as stipends or subsistence allowances, travel allowances, and registration fees paid to or on behalf of participants or trainees (but not employees) in connection with conferences or training projects.

### § 1108.285 Period of performance.

*Period of performance* means the time during which a recipient or subrecipient may incur new obligations to carry out the work authorized under an award or subaward, respectively.

### § 1108.290 Personal property.

*Personal property* means property other than real property. It may be tangible, having physical existence, or intangible, such as copyrights, patents, and securities.

### § 1108.295 Principal investigator.

*Principal investigator* means either:

(a) The single individual whom an organization that is carrying out a research project with DoD support designates as having an appropriate level of authority and responsibility for leading and directing the research intellectually and logistically, which includes the proper conduct of the research, the appropriate use of funds, and compliance with administrative requirements such as the submission of performance reports to DoD; or

(b) If the organization designates more than one individual as sharing that authority and responsibility, the individual within that group identified by the organization as the one with whom the DoD Component’s program manager generally should commu-

nicate as the primary contact for scientific, technical, and related budgetary matters concerning the project (others within the group are “co-principal investigators,” as defined in this subpart).

### § 1108.298 Prior approval.

*Prior approval* means written or electronic approval by a DoD grants or agreements officer evidencing prior consent. When prior approval is required for an activity or expenditure that would result in a direct cost to a DoD award, the grants or agreements officer’s signature on an award that includes the planned activity or expenditure in the scope of work or approved budget satisfies the requirement for prior approval. Otherwise, a recipient is required to obtain such approval after award.

### § 1108.300 Procurement contract.

*Procurement contract* means a legal instrument which, consistent with 31 U.S.C. 6303, reflects a relationship between the Federal Government and a State, a local government, or other recipient when the principal purpose of the instrument is to acquire property or services for the direct benefit or use of the Federal Government. A procurement contract is a prime-tier transaction and therefore distinct from a recipient’s or subrecipient’s “procurement transaction” or “contract” as defined in this subpart.

### § 1108.305 Procurement transaction.

*Procurement transaction* means a legal instrument by which a recipient or subrecipient purchases property or services it needs to carry out the project or program under its award or subaward, respectively. A procurement transaction is distinct both from “subaward” and “procurement contract,” as those terms are defined in this subpart.

### § 1108.310 Program income.

*Program income* means gross income earned by a recipient or subrecipient that is directly generated by a supported activity or earned as a result of an award or subaward (during the period of performance unless the award

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or subaward specifies continuing requirements concerning disposition of program income after the end of that period).

(a) Program income includes, but is not limited to, income from:

(1) Fees for services performed;

(2) The use or rental of real or personal property for which the recipient or subrecipient is accountable under the award or subaward (whether acquired under the award or subaward, or other Federal awards from which accountability for the property was transferred);

(3) The sale of commodities or items fabricated under the award or subaward;

(4) License fees and royalties on patents and copyrights; and

(5) Payments of principal and interest on loans made with award or subaward funds.

(b) Program income does not include:

(1) Interest earned on advances of Federal funds;

(2) Proceeds from the sale of real property or equipment under the award; or

(3) Unless otherwise specified in Federal statute or regulation, or the terms and conditions of the award or subaward:

(i) Rebates, credits, discounts, and interest earned on any of them; or

(ii) Governmental revenues, taxes, special assessments, levies, fines, and similar revenues raised by the recipient or subrecipient.

## § 1108.315 Project costs.

*Project costs* means the total of:

(a) Allowable costs incurred under an award by the recipient, including costs of any subawards and contracts under the award; and

(b) Cost-sharing or matching contributions that are required under the award, which includes voluntary committed (but not voluntary uncommitted) contributions and the value of any third-party in-kind contributions.

## § 1108.320 Property.

*Property* means real property and personal property (equipment, supplies, intangible property, and debt instruments), unless stated otherwise.

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## § 1108.325 Real property.

*Real property* means land, including land improvements, structures and appurtenances thereto, but excluding moveable machinery and equipment.

## § 1108.330 Recipient.

*Recipient* means an entity that receives an award directly from a DoD Component. The term does not include subrecipients.

## § 1108.335 Research.

*Research* means basic, applied, and advanced research.

## § 1108.340 Simplified acquisition threshold.

*Simplified acquisition threshold* means the dollar amount set by the Federal Acquisition Regulation at 48 CFR subpart 2.1, which is adjusted periodically for inflation in accordance with 41 U.S.C. 1908.

## § 1108.345 Small award.

*Small award* means a DoD grant or cooperative agreement or a subaward with a total value over the life of the award that does not exceed the simplified acquisition threshold.

## § 1108.350 State.

*State*, for purposes of applying the administrative requirements in these regulations, means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the U.S. Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and any agency or instrumentality thereof exclusive of local governments.

## § 1108.355 Subaward.

*Subaward* means a legal instrument by which a recipient or subrecipient at any tier transfers—for performance by an entity at the next lower tier—a portion of the substantive program for which the DoD Component made an award.

## § 1108.360 Subrecipient.

*Subrecipient* means an entity that receives a subaward.