

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.

§ 1128.1

- 1128.315 Clarification concerning availability of publication costs.
- 1128.320 Period of availability of funds.
- 1128.325 Fee or profit.

Subpart D—Revision of Budget and Program Plans (FMS Article IV)

- 1128.400 Purpose of FMS Article IV.
- 1128.405 Content of FMS Article IV.
- 1128.410 Approved budget.
- 1128.415 Prior approvals for non-construction activities.
- 1128.420 Prior approvals for construction activities.
- 1128.425 Additional prior approval for awards that support both non-construction and construction activities.
- 1128.430 Procedures for prior approvals.

Subpart E—Non-Federal audits (FMS Article V)

- 1128.500 Purpose of FMS Article V.
- 1128.505 Content of FMS Article V.

Subpart F—Cost Sharing or Matching (FMS Article VI)

- 1128.600 Purpose of FMS Article VI.
- 1128.605 Content of FMS Article VI.
- 1128.610 General requirement for cost sharing or matching.
- 1128.615 General criteria for determining allowability as cost sharing or matching.
- 1128.620 Allowability of unrecovered indirect costs as cost sharing or matching.
- 1128.625 Allowability of program income as cost sharing or matching.
- 1128.630 Valuation of services or property contributed or donated by recipients or subrecipients.
- 1128.635 Valuation of third-party in-kind contributions.

Subpart G—Program Income (FMS Article VII)

- 1128.700 Purpose of FMS Article VII.
- 1128.705 Content of FMS Article VII.
- 1128.710 What program income includes.
- 1128.715 Recipient obligations for license fees and royalties.
- 1128.720 Program income use.
- 1128.725 Program income after the period of performance.

APPENDIX A TO PART 1128—TERMS AND CONDITIONS FOR FMS ARTICLE I, “FINANCIAL MANAGEMENT SYSTEM STANDARDS”

APPENDIX B TO PART 1128—TERMS AND CONDITIONS FOR FMS ARTICLE II, “PAYMENTS”

APPENDIX C TO PART 1128—TERMS AND CONDITIONS FOR FMS ARTICLE III, “ALLOWABLE COSTS, PERIOD OF AVAILABILITY OF FUNDS, AND FEE OR PROFIT”

2 CFR Ch. XI (1–1–24 Edition)

APPENDIX D TO PART 1128—TERMS AND CONDITIONS FOR FMS ARTICLE IV, “REVISION OF BUDGET AND PROGRAM PLANS”

APPENDIX E TO PART 1128—TERMS AND CONDITIONS FOR FMS ARTICLE V, “NON-FEDERAL AUDITS”

APPENDIX F TO PART 1128—TERMS AND CONDITIONS FOR FMS ARTICLE VI, “COST SHARING OR MATCHING”

APPENDIX G TO PART 1128—TERMS AND CONDITIONS FOR FMS ARTICLE VII, “PROGRAM INCOME”

AUTHORITY: 5 U.S.C. 301 and 10 U.S.C. 113.

SOURCE: 85 FR 51171, Aug. 19, 2020, unless otherwise noted.

§ 1128.1 Purpose of this part.

(a) This part specifies standard wording of general terms and conditions concerning financial and program management, including recipients’ financial management systems, payments, cost sharing or matching, program income, budget and program revisions, audits, allowable costs, and periods of availability of funds.

(b) It thereby implements OMB guidance in the following portions of 2 CFR part 200, as they apply to general terms and conditions of grants and cooperative agreements:

(1) Sections 200.80, 200.209, and 200.302 through 200.309;

(2) Sections 200.301 and 200.328, as they relate to associations between financial data and performance accomplishments and reporting; and

(3) Subparts E and F.

§ 1128.2 Applicability of this part.

The types of awards and entities to which this part and other parts in this subchapter apply are described in the subchapter overview at 2 CFR 1126.2.

§ 1128.3 Exceptions from requirements of this part.

Exceptions are permitted from the administrative requirements in this part only as described at 2 CFR 1126.3.

§ 1128.4 Organization of this part.

(a) The content of this part is organized into subparts and associated appendices.

(1) Each subpart provides direction to DoD Components on how to construct one article of general terms and conditions for grants and cooperative agreements.