

## § 170.308

### § 170.308 Foreign public entity.

*Foreign public entity* has the meaning given in 2 CFR 200.1.

[85 FR 49526, Aug. 13, 2020]

### § 170.310 Non-Federal entity.

*Non-Federal entity* has the meaning given in 2 CFR 200.1 and also includes all of the following, for the purposes of this part:

- (a) A foreign organization;
- (b) A foreign public entity; and
- (c) A domestic or foreign for-profit organization.

[85 FR 49526, Aug. 13, 2020]

### § 170.315 Executive.

*Executive* means officers, managing partners, or any other employees in management positions.

### § 170.320 Federal financial assistance subject to the Transparency Act.

*Federal financial assistance subject to the Transparency Act* means assistance that non-Federal entities described in § 170.105 receive or administer in the form of—

- (a) Grants;
- (b) Cooperative agreements (which does not include cooperative research and development agreements pursuant to the Federal Technology Transfer Act of 1986, as amended (15 U.S.C. 3710a));
- (c) Loans;
- (d) Loan guarantees;
- (e) Subsidies;
- (f) Insurance;
- (g) Food commodities;
- (h) Direct appropriations;
- (i) Assessed and voluntary contributions; and
- (j) Other financial assistance transactions that authorize the non-Federal entities' expenditure of Federal funds.
- (k) Federal financial assistance subject to the Transparency Act, does not include—
  - (1) Technical assistance, which provides services in lieu of money;
  - (2) A transfer of title to federally-owned property provided in lieu of money, even if the award is called a grant;
  - (3) Any classified award; or
  - (4) Any award funded in whole or in part with Recovery funds, as defined in

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section 1512 of the American Recovery and Reinvestment Act of 2009 (Pub. L. 111–5).

[75 FR 55669, Sept. 14, 2010, as amended at 85 FR 49526, Aug. 13, 2020]

### § 170.322 Recipient.

*Recipient*, for the purposes of this part, means a non-Federal entity or Federal agency that received a Federal award.

[85 FR 49526, Aug. 13, 2020]

### § 170.325 Subaward.

*Subaward* has the meaning given in 2 CFR 200.1.

[85 FR 49526, Aug. 13, 2020]

### § 170.330 Total compensation.

*Total Compensation* has the meaning given in paragraph e.5 of the award term in Appendix A to this part.

## APPENDIX A TO PART 170—AWARD TERM

### I. REPORTING SUBAWARDS AND EXECUTIVE COMPENSATION

#### a. Reporting of first-tier subawards.

*Applicability.* Unless you are exempt as provided in paragraph d. of this award term, you must report each action that equals or exceeds \$30,000 in Federal funds for a subaward to a non-Federal entity or Federal agency (see definitions in paragraph e. of this award term).

#### 2. Where and when to report.

i. The non-Federal entity or Federal agency must report each obligating action described in paragraph a.1. of this award term to <http://www.fsrs.gov>.

ii. For subaward information, report no later than the end of the month following the month in which the obligation was made. (For example, if the obligation was made on November 7, 2010, the obligation must be reported by no later than December 31, 2010.)

3. *What to report.* You must report the information about each obligating action that the submission instructions posted at <http://www.fsrs.gov> specify.

#### b. Reporting total compensation of recipient executives for non-Federal entities.

1. *Applicability and what to report.* You must report total compensation for each of your five most highly compensated executives for the preceding completed fiscal year, if—

i. The total Federal funding authorized to date under this Federal award equals or exceeds \$30,000 as defined in 2 CFR 170.320;

ii. in the preceding fiscal year, you received—