

§ 6303. Using procurement contracts

An executive agency shall use a procurement contract as the legal instrument reflecting a relationship between the United States Government and a State, a local government, or other recipient when—

(1) the principal purpose of the instrument is to acquire (by purchase, lease, or barter) property or services for the direct benefit or use of the United States Government; or

(2) the agency decides in a specific instance that the use of a procurement contract is appropriate.

(Pub. L. 97-258, Sept. 13, 1982, 96 Stat. 1004.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
6303	41:503.	Feb. 3, 1978, Pub. L. 95-224, § 4, 92 Stat. 4.

The words “type of” are omitted as unnecessary. The word “decides” is substituted for “determines” for consistency.

§ 6304. Using grant agreements

An executive agency shall use a grant agreement as the legal instrument reflecting a relationship between the United States Government and a State, a local government, or other recipient when—

(1) the principal purpose of the relationship is to transfer a thing of value to the State or local government or other recipient to carry out a public purpose of support or stimulation authorized by a law of the United States instead of acquiring (by purchase, lease, or barter) property or services for the direct benefit or use of the United States Government; and

(2) substantial involvement is not expected between the executive agency and the State, local government, or other recipient when carrying out the activity contemplated in the agreement.

(Pub. L. 97-258, Sept. 13, 1982, 96 Stat. 1004.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
6304	41:504.	Feb. 3, 1978, Pub. L. 95-224, § 5, 92 Stat. 4.

The words “type of” are omitted as unnecessary. The words “money, property, services” are omitted as being included in “a thing of value”. The words “in order” are omitted as surplus. The words “law of the United States” are substituted for “Federal statute” for consistency.

§ 6305. Using cooperative agreements

An executive agency shall use a cooperative agreement as the legal instrument reflecting a relationship between the United States Government and a State, a local government, or other recipient when—

(1) the principal purpose of the relationship is to transfer a thing of value to the State, local government, or other recipient to carry out a public purpose of support or stimulation authorized by a law of the United States in-

stead of acquiring (by purchase, lease, or barter) property or services for the direct benefit or use of the United States Government; and

(2) substantial involvement is expected between the executive agency and the State, local government, or other recipient when carrying out the activity contemplated in the agreement.

(Pub. L. 97-258, Sept. 13, 1982, 96 Stat. 1004.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
6305	41:505.	Feb. 3, 1978, Pub. L. 95-224, § 6, 92 Stat. 5.

The words “type of” are omitted as unnecessary. The words “money, property, services” are omitted as being included in “a thing of value”. The words “law of the United States” are substituted for “Federal statute” for consistency.

Statutory Notes and Related Subsidiaries

IMPLEMENTATION OF NORTH AMERICAN WETLANDS CONSERVATION ACT AND NORTH AMERICAN WATERFOWL MANAGEMENT PLAN

Pub. L. 102-154, title I, Nov. 13, 1991, 105 Stat. 995, provided that: “Notwithstanding the provisions of the Federal Grant and Cooperative Agreements Act of 1977 (31 U.S.C. 6301-6308), the Fish and Wildlife Service is hereafter authorized to negotiate and enter into cooperative arrangements and grants with public and private agencies, organizations, institutions, and individuals to implement on a public-private cost sharing basis, the North American Wetlands Conservation Act [16 U.S.C. 4401 et seq.] and the North American Waterfowl Management Plan”.

PRINTING OF EDUCATIONAL MATERIALS AND CONTINUATION OF CHALLENGE COST-SHARE PROGRAM

Pub. L. 102-154, title II, Nov. 13, 1991, 105 Stat. 1018, provided that: “Notwithstanding the provisions of the Federal Grant and Cooperative Agreements Act of 1977 (31 U.S.C. 6301-6308), the Forest Service is authorized hereafter to negotiate and enter into cooperative arrangements with public and private agencies, organizations, institutions, and individuals to print educational materials and to continue the Challenge Cost-Share Program.”

BUREAU OF LAND MANAGEMENT; AUTHORIZATION TO USE COOPERATIVE ARRANGEMENTS TO IMPLEMENT CHALLENGE COST-SHARE PROGRAMS

Pub. L. 101-512, title I, Nov. 5, 1990, 104 Stat. 1918, provided in part that: “the Bureau [of Land Management] is authorized hereafter to negotiate and enter into cooperative arrangements with public and private agencies, organizations, institutions, and individuals, to implement challenge cost-share programs.”

§ 6306. Authority to vest title in tangible personal property for research

The head of an executive agency may vest title in tangible personal property in a nonprofit institution of higher education or in a nonprofit organization whose primary purpose is conducting scientific research—

(1) when the property is bought with amounts provided under a procurement contract, grant agreement, or cooperative agreement with the institution or organization to conduct basic or applied scientific research;

(2) when the head of the agency decides the vesting furthers the objectives of the agency;

(3) without further obligation to the United States Government; and

(4) under conditions the head of the agency considers appropriate.

(Pub. L. 97–258, Sept. 13, 1982, 96 Stat. 1004.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
6306	41:506.	Feb. 3, 1978, Pub. L. 95–224, § 7, 92 Stat. 5.

The text of 41:506(a) is omitted as unnecessary because it duplicates the requirements of sections 6303–6305 of the revised title. The word “equipment” is omitted as being included in “tangible personal property”. The words “amounts provided under a contract, grant agreement, or cooperative agreement” are substituted for “such funds” for clarity. The words “decides the vesting” are substituted for “it is deemed” for clarity. The word “conditions” is substituted for “terms and conditions” because it is inclusive.

§ 6307. Interpretative guidelines and exemptions

The Director of the Office of Management and Budget may—

(1) issue supplementary interpretative guidelines to promote consistent and efficient use of procurement contracts, grant agreements, and cooperative agreements; and

(2) exempt a transaction or program of an executive agency from this chapter.

(Pub. L. 97–258, Sept. 13, 1982, 96 Stat. 1005.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
6307(1)	41:508.	Feb. 3, 1978, Pub. L. 95–224, § 9, 92 Stat. 6.
6307(2)	41:501(note).	Feb. 3, 1978, Pub. L. 95–224, § 10(d), 92 Stat. 6; Apr. 1, 1982, Pub. L. 97–162, 96 Stat. 23.

In clause (2), the word “exempt” is substituted for “except” for consistency.

§ 6308. Use of multiple relationships for different parts of jointly financed projects

This chapter does not require an executive agency to establish only one relationship between the United States Government and a State, a local government, or other recipient on a jointly financed project involving amounts from more than one program or appropriation when different relationships would otherwise be appropriate for different parts of the project.

(Pub. L. 97–258, Sept. 13, 1982, 96 Stat. 1005.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
6308	41:509.	Feb. 3, 1978, Pub. L. 95–224, § 10(c), 92 Stat. 6.

The word “financed” is substituted for “funded”, and the word “amounts” is substituted for “funds”, for consistency in the revised title.

§ 6309. Non-propagation of core-based statistical area delineations

(a) IN GENERAL.—Beginning on the date of enactment of the MAPS Act of 2021, and notwith-

standing any other provision of law, any change to the standards of core-based statistical area delineations pursuant to section 3504(e) of title 44—

(1) shall not propagate automatically for any non-statistical use by any domestic assistance program, including any such use as required through—

(A) statutory reference to any core-based statistical area delineation; or

(B) administrative or regulatory reference to any core-based statistical area delineation; and

(2) shall propagate for any non-statistical use by any domestic assistance program only—

(A) if a relevant agency determines that such a propagation—

(i) supports the purposes of the program; and

(ii) is in the public interest; and

(B) through affirmative adoption through notice-and-comment rulemaking pursuant to section 553 of title 5.

(b) DEFINITIONS.—The definitions in section 4 of the MAPS Act of 2021 shall apply to this section.

(Added Pub. L. 117–219, § 5(a), Dec. 5, 2022, 136 Stat. 2272.)

Editorial Notes

REFERENCES IN TEXT

The date of enactment of the MAPS Act of 2021, referred to in subsec. (a), is the date of enactment of Pub. L. 117–219, which was approved Dec. 5, 2022.

Section 4 of the MAPS Act of 2021, referred to in subsec. (b), is section 4 of Pub. L. 117–219, which is set out as a note under section 6102 of this title.

CHAPTER 64—DATA STANDARDS FOR GRANT REPORTING

Sec.	Definitions.
6401.	Data standards for grant reporting.
6402.	Guidance applying data standards for grant reporting.
6403.	Agency requirements.

§ 6401. Definitions

In this chapter:

(1) AGENCY.—The term “agency” has the meaning given the term in section 552(f) of title 5.

(2) CORE DATA ELEMENTS.—The term “core data elements” means data elements relating to financial management, administration, or management that—

(A) are not program-specific in nature or program-specific outcome measures, as defined in section 1115(h) of this title; and

(B) are required by agencies for all or the vast majority of recipients of Federal awards for purposes of reporting.

(3) DIRECTOR.—The term “Director” means the Director of the Office of Management and Budget.

(4) EXECUTIVE DEPARTMENT.—The term “Executive department” has the meaning given the term in section 101 of title 5.