

**DEFENSE GRANT & AGREEMENT
REGULATIONS
PARTS 21 AND 22**



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OVERVIEW - PART 21

- **Defense Grant & Agreement Regulations (DODGARS)**
 - Authority, Purpose
 - Applicability
 - Compliance
 - Publication
 - Deviations
- **Authorities & Responsibilities**
- **Reporting**
- **Numbering**

AUTHORITY, PURPOSE & APPLICABILITY

- **Established by DoD Directive 3210.6**
- **Purpose: To provide uniform policies and procedures for grants and cooperative agreements awarded by DoD**
- **Applicability**
 - All grants and cooperative agreements
 - Portions of DODGARS apply to other nonprocurement instruments
 - FAR and DFARS do not apply

COMPLIANCE, PUBLICATION, & DEVIATIONS

- **Each DoD component that awards grants is responsible for complying with DODGARS**
- **Published in Title 32 of CFR - Updates Federal Register**
- **Deviations**
 - Individual grants (component head or designee)
 - Class of awards (DDR&E or designee)

AUTHORITIES & RESPONSIBILITIES

- **Head of DoD components may delegate to HCAs**
- **HCA will establish policies and procedures for assistance**
- **Grants officers shall be appointed by a formal process**
 - Written documentation (can be incorporated with C.O. warrant)
 - Possess experience, training, education, business acumen, judgment and knowledge
 - Written statements of termination are required

AUTHORITIES & RESPONSIBILITIES

- **Grants Officer responsibilities**
 - Use authority IAW laws, E.O.s, Regs and DoD policies
 - Funds are available
 - Impartial, fair, and equitable treatment

REPORTING

- **Defense Assistance Awards Data System (DAADS)**
 - For NAVY, as directed by ONR
- **Catalog of Federal Domestic Assistance**
 - Components identify to DIOR a POC

NUMBERING

- **Uniform grants and agreements numbering system**
 - N00014-98-1-0001

PART 22 - OVERVIEW

- **Selecting the appropriate instrument**
- **Competition**
- **Recipient qualification**
- **National policy matters**
- **Award**
- **Administration**
- **Claims, Disputes, Appeals**
- **Appendix**

SELECTING THE APPROPRIATE INSTRUMENT

- **There is a right time to use assistance vs. procurement**
 - Support or stimulate a public purpose
 - Not for acquiring goods or services for Government use and benefit
- **Authority - must identify a program statute**

COMPETITION

- **DoD policy to maximize competition**
- **Grants to universities, not awarded using competition must include Secretary of Defense notification of Congress 180 days before the award is made**
 - Unless the later statute specifically states that it supersedes this requirement
- **In any case...see your legal counsel**

RECIPIENT QUALIFICATION

- **Award to qualified recipients**
 - Management capability, financial and technical resources
 - Satisfactory record of performance
 - Integrity and Ethics
 - Eligible under applicable laws

NATIONAL POLICY MATTERS

- **Reps and Certs**
 - Lobbying
 - Debarment and Suspension
 - Drug-Free Workplace

- **Recruiters on campus**

AWARD

- **Report to DAADS**
- **Send copy of award to recipient, finance office and administering office**
- **Shall contain programmatic requirements (SOW), provide for compliance with applicable law, reg, etc.**

ADMINISTRATION

- **One face to recipient**
 - ONR for universities & nonprofits with A-122 Cost Principles
 - DCMC for commercials & other nonprofits
- **Responsibilities**
 - Conduct reviews, coordinate audit resolution
 - Property administration
 - Timely submission of reports
 - Closeout of Grants
 - Establish IDC rates where DoD is cognizant
 - Other administration as required

CLAIMS, DISPUTES, APPEALS

- **Award terms should state how to handle them**
- **Grants Officer response/decision due within 60 days of receiving a claim**
- **Alternative disputes resolution encouraged**
- **Recipient has 90 days to appeal a Grants Officer decision**
- **Grants Officer has 30 days to forward the appeal file to the Grant Appeal Authority**

PART 22 APPENDIX

- **Proposal provisions for required certifications**
- **Suggested award provisions for national policy requirements that often apply**
- **Administrative requirements to be addressed**