

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
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 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 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

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
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.

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

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
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

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
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.)

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Table with 3 columns: Revised Section, Source (U.S. Code), Source (Statutes at Large). Row 6308 shows source codes 41:509 and 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.

CHAPTER 64—DATA STANDARDS FOR GRANT REPORTING

- Sec. 6401. Definitions.
6402. Data standards for grant reporting.
6403. Guidance applying data standards for grant reporting.
6404. 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.

(5) FEDERAL AWARD.—The term "Federal award"—

(A) means the transfer of anything of value for a public purpose of support or stimulation authorized by a law of the United States, including financial assistance and Government facilities, services, and property;

(B) includes a grant, a subgrant, a cooperative agreement, or any other transaction; and

(C) does not include a transaction or agreement—

- (i) that provides for conventional public information services or procurement of property or services for the direct benefit or use of the Government; or
(ii) that provides only—

- (I) direct Government cash assistance to an individual;
(II) a subsidy;
(III) a loan;
(IV) a loan guarantee; or
(V) insurance.

(6) SECRETARY.—The term "Secretary" means the head of the standard-setting agency.

(7) STANDARD-SETTING AGENCY.—The term "standard-setting agency" means the Executive department designated under section 6402(a)(1).

(8) STATE.—The term "State" means each State of the United States, the District of Columbia, each commonwealth, territory, or possession of the United States, and each federally recognized Indian Tribe.

(Added Pub. L. 116-103, §4(a), Dec. 30, 2019, 133 Stat. 3267.)

SHORT TITLE

Pub. L. 116-103, §1(a), Dec. 30, 2019, 133 Stat. 3266, provided that: "This Act [enacting this chapter, amending sections 7502 and 7505 of this title, and enacting provisions set out as notes under this section and sections 6402 and 7505 of this title] may be cited as the 'Grant Reporting Efficiency and Agreements Transparency Act of 2019' or the 'GREAT Act'."

RULE OF CONSTRUCTION

Pub. L. 116-103, §8, Dec. 30, 2019, 133 Stat. 3271, provided that: "Nothing in this Act [see Short Title note set out above], or the amendments made by this Act, shall be construed to require the collection of data that is not otherwise required under any Federal law, rule, or regulation."

PURPOSES

Pub. L. 116-103, §2, Dec. 30, 2019, 133 Stat. 3266, provided that: "The purposes of this Act [see Short Title note set out above] are to—

"(1) modernize reporting by recipients of Federal grants and cooperative agreements by creating and imposing data standards for the information that those recipients are required by law to report to the Federal Government;

"(2) implement the recommendation by the Director of the Office of Management and Budget contained in the report submitted under section 5(b)(6) of the Federal Funding Accountability and Transparency Act of 2006 (31 U.S.C. 6101 note) relating to the development of a 'comprehensive taxonomy of standard definitions for core data elements required for managing Federal financial assistance awards';

"(3) reduce burden and compliance costs of recipients of Federal grants and cooperative agreements by enabling technology solutions, existing or yet to be developed, for use in both the public and private sectors to better manage the data that recipients already provide to the Federal Government; and

"(4) strengthen oversight and management of Federal grants and cooperative agreements by agencies by consolidating the collection and display of and access to open data that has been standardized and, where appropriate, increasing transparency to the public."

DEFINITIONS

Pub. L. 116-103, §3, Dec. 30, 2019, 133 Stat. 3267, provided that: "In this Act [see Short Title note set out above], the terms 'agency', 'Director', 'Federal award', and 'Secretary' have the meanings given those terms in section 6401 of title 31, United States Code, as added by section 4(a) of this Act."