

## **PART 1—ABOUT TITLE 2 OF THE CODE OF FEDERAL REGULATIONS AND SUBTITLE A**

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**AUTHORITY:** 31 U.S.C. 503; 31 U.S.C. 1111; 41 U.S.C. 405; Reorganization Plan No. 2 of 1970; E.O. 11541, 35 FR 10737, 3 CFR, 1966–1970, p. 939.

**SOURCE:** 69 FR 26280, May 11, 2004, unless otherwise noted.

### **Subpart A—Introduction to Title 2 of the CFR**

#### **§ 1.100 Content of this title.**

This title contains—

- (a) Office of Management and Budget (OMB) guidance to Federal agencies on government-wide policies and procedures for the award and administration of grants and agreements; and
- (b) Federal agency regulations implementing that OMB guidance.

#### **§ 1.105 Organization and subtitle content.**

- (a) This title is organized into two subtitles.
- (b) The OMB guidance described in § 1.100(a) is published in subtitle A. Publication of the OMB guidance in the CFR does not change its nature—it is guidance and not regulation.
- (c) Each Federal agency that publishes regulations implementing the OMB guidance has a chapter in subtitle

B in which it issues those regulations. The Federal agency regulations in subtitle B differ in nature from the OMB guidance in subtitle A because the OMB guidance is not regulatory (Federal agency regulations in subtitle B may give regulatory effect to the OMB guidance, to the extent that the agency regulations require compliance with all or portions of the guidance).

#### **§ 1.110 Issuing authorities.**

OMB issues this subtitle. Each Federal agency that has a chapter in subtitle B of this title issues that chapter.

### **Subpart B—Introduction to Subtitle A**

#### **§ 1.200 Purpose of chapters I and II.**

(a) Chapters I and II of subtitle A provide OMB guidance to Federal agencies that helps ensure consistent and uniform government-wide policies and procedures for management of the agencies' grants and agreements.

(b) There are two chapters for publication of the guidance because portions of it may be revised as a result of ongoing efforts to streamline and simplify requirements for the award and administration of grants and other financial assistance (and thereby implement the Federal Financial Assistance Management Improvement Act of 1999, Pub. L. 106–107).

(c) The OMB guidance in its initial form—before completion of revisions described in paragraph (b) of this section—is published in chapter II of this subtitle. When revisions to a part of the guidance are finalized, that part is published in chapter I and removed from chapter II.

#### **§ 1.205 Applicability to grants and other funding instruments.**

The types of instruments that are subject to the guidance in this subtitle vary from one portion of the guidance to another (note that each part identifies the types of instruments to which it applies). All portions of the guidance apply to grants and cooperative agreements, some portions also apply to other types of financial assistance or nonprocurement instruments, and some portions also apply to procurement contracts. For example, the: