

§ 385.1

- 385.33 Unsolicited applications and proposals for financial assistance awards.
- 385.34 Responsibility for issuing solicitations for proposals or applications.
- 385.35 Program opportunity notices.
- 385.36 Public notice of availability of assistance awards.
- 385.37 Requirement for unrestricted solicitations for discretionary assistance awards.
- 385.38 Joint funding.
- 385.39 Socio-economic and environmental policies.
- 385.40 Disputes.

CRITERIA FOR AWARD

- 385.50 Scope.
- 385.51 Criteria: Projects.
- 385.52 Criteria: Applicant.

FORMS OF AGREEMENT

- 385.60 Scope.
- 385.61 Grant and cooperative agreements: Special provisions.
- 385.62 Grant and cooperative agreements: Standard general provisions.

AUTHORITY: Sec. 204(b), Merchant Marine Act, 1936, as amended (46 U.S.C. 1114(b)); Reorganization Plans No. 21 of 1950 (64 Stat. 1273), and No. 7 of 1961 (75 Stat. 840), as amended by Pub. L. 91-469 (84 Stat. 1036); Department of Commerce Organization Order 10-8 (36 FR 19707, July 23, 1973); and Secretary's Circular 30 (Nov. 5, 1979).

SOURCE: 45 FR 66168, Oct. 6, 1980, unless otherwise noted.

GENERAL

§ 385.1 Scope.

This part sets forth information about the Maritime Administration (MarAd) assistance regulations: Their purpose, authority, applicability, issuance, arrangement, implementation, and exception procedure; definitions of terms; and general MarAd assistance policies.

REGULATION SYSTEM

§ 385.2 Scope.

Sections 385.2 through 385.9 set forth introductory information pertaining to the MarAd assistance regulations: Their purpose, authority, applicability, exclusions, issuance, arrangement, publication, and exceptions.

§ 385.3 Purpose.

Sections 385.2 through 385.9 establish the MarAd assistance regulations

46 CFR Ch. II (10-1-01 Edition)

which codify, implement, and publish uniform assistance policies and selected procedures applicable to MarAd and recipients of MarAd assistance awards. The MarAd assistance regulations do not, in and of themselves, provide authority for the use of assistance instruments nor the making of assistance awards where statutory authority has not been otherwise provided. Generic authority to award grants and cooperative agreements is provided in Pub. L. 95-224, the Federal Grant and Cooperative Agreement Act of 1977. The assistance regulations are distinct from the Federal and MarAd and Department of Transportation procurement regulations.

§ 385.4 Authority.

The MarAd assistance regulations are issued pursuant to section 204(b) of the Merchant Marine Act, 1936, as amended (46 U.S.C. 1114(b)), and pursuant to delegation of authority by the Secretary of Transportation to the Maritime Administrator, Department of Transportation.

§ 385.5 Applicability.

The MarAd assistance regulations apply to all MarAd research and development programs which will result in assistance awards, and to all recipients eligible for MarAd assistance awards such as state and local governments, institutions of higher education, hospitals, other nonprofit organizations, individuals, profitmaking organizations, and foreign organizations. The provisions of this part govern the award and administration of all such financial assistance matters, including resolutions and guidelines issued by MarAd except:

- (a) As otherwise required by statute; and,
- (b) As otherwise provided by specific program regulations.

§ 385.6 Exclusions.

Excluded from this part are requirements pertaining to procurement contracts subject to the Federal Property and Administrative Services Act of 1949 and the Federal and MarAd procurement regulations, interagency agreements, memorandums of understanding