

other tangible personal property in the contractor or recipient when the contractor or recipient purchases such equipment, supplies, and property with contract, grant, or cooperative agreement funds and the Secretary deems such vesting of title a furtherance of the agricultural research, extension, or teaching objectives of the Department of Agriculture.

(e) Applicable requirements

Unless otherwise provided in this chapter, the Secretary may enter into contracts, grants, or cooperative agreements, as authorized by this section, without regard to any requirements for competition, the provisions of section 6101 of title 41, and the provisions of section 3324(a) and (b) of title 31.

(Pub. L. 95-113, title XIV, § 1472, as added Pub. L. 97-98, title XIV, § 1439(a), Dec. 22, 1981, 95 Stat. 1315; amended Pub. L. 99-198, title XIV, § 1424, Dec. 23, 1985, 99 Stat. 1552.)

REFERENCES IN TEXT

For definition of “this chapter”, referred to in subsec. (e), see note set out under section 3102 of this title.

CODIFICATION

In subsec. (e), “section 6101 of title 41” substituted for “section 3709 of the Revised Statutes (41 U.S.C. 5)” on authority of Pub. L. 111-350, § 6(c), Jan. 4, 2011, 124 Stat. 3854, which Act enacted Title 41, Public Contracts.

In subsec. (e), “section 3324(a) and (b) of title 31” substituted for reference to section 3648 of the Revised Statutes (31 U.S.C. 529) on authority of Pub. L. 97-258, § 4(b), Sept. 13, 1982, 96 Stat. 1067, the first section of which enacted Title 31, Money and Finance.

AMENDMENTS

1985—Subsecs. (b) to (e), Pub. L. 99-198 added subsec. (b) and redesignated former subsecs. (b) to (d) as (c) to (e), respectively.

EFFECTIVE DATE

Section effective Dec. 22, 1981, see section 1801 of Pub. L. 97-98, set out as a note under section 4301 of this title.

§ 3318a. Cooperative research projects; agreements with and receipt of funds from State and other agencies

On and after December 30, 1963, the Administrator of the Agricultural Research Service may enter into agreements with and receive funds from any State, other political subdivision, organization, or individual for the purpose of conducting cooperative research projects with such cooperators.

(Pub. L. 88-250, title I, Dec. 30, 1963, 77 Stat. 820.)

CODIFICATION

Section was formerly classified to section 450a of this title prior to editorial reclassification and renumbering as this section.

Section was enacted as part of the Department of Agriculture and Related Agencies Appropriation Act, 1964, and not as part of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 which comprises this chapter.

§ 3319. Restriction on treatment of indirect costs and tuition remission

Funds made available by the Secretary under established Federal-State partnership arrange-

ments to State cooperative institutions under the Acts referred to in section 3103(18) of this title and funds made available under subsection (c)(1)(B) of section 3157 of this title shall not be subject to reduction for indirect costs or for tuition remission. No indirect costs or tuition remission shall be charged against funds in connection with cooperative agreements between the Department of Agriculture and State cooperative institutions if the cooperative program or project involved is of mutual interest to all the parties and if all the parties contribute to the cooperative agreement involved. The prohibition on the use of such funds for the reimbursement of indirect costs shall not apply to funds for international agricultural programs conducted by a State cooperative institution and administered by the Secretary or to funds provided by a Federal agency for such cooperative program or project through a fund transfer, advance, or reimbursement. The Secretary shall limit the amount of such reimbursement to an amount necessary to carry out such program or agreement.

(Pub. L. 95-113, title XIV, § 1473, as added Pub. L. 97-98, title XIV, § 1439(a), Dec. 22, 1981, 95 Stat. 1315; amended Pub. L. 99-198, title XIV, § 1425, Dec. 23, 1985, 99 Stat. 1553; Pub. L. 102-237, title IV, § 402(13), Dec. 13, 1991, 105 Stat. 1863; Pub. L. 110-234, title VII, §§ 7101(b)(4), 7406(d)(1), May 22, 2008, 122 Stat. 1213, 1252; Pub. L. 110-246, § 4(a), title VII, §§ 7101(b)(4), 7406(d)(1), June 18, 2008, 122 Stat. 1664, 1975, 2013.)

CODIFICATION

Pub. L. 110-234 and Pub. L. 110-246 made identical amendments to this section. The amendments by Pub. L. 110-234 were repealed by section 4(a) of Pub. L. 110-246.

AMENDMENTS

2008—Pub. L. 110-246, § 7406(d)(1), struck out “and subsection (d)” before “of section 3157”.

Pub. L. 110-246, § 7101(b)(4), substituted “section 3103(18)” for “section 3103(16)”.

1991—Pub. L. 102-237 substituted “subsection (c)(1)(B)” for “subsection (c)(2)”.

1985—Pub. L. 99-198 inserted provisions making prohibition on use of funds for reimbursement of indirect costs inapplicable to funds for international agricultural programs but required the Secretary to limit the reimbursement to amounts necessary to carry out the programs.

EFFECTIVE DATE OF 2008 AMENDMENT

Amendment of this section and repeal of Pub. L. 110-234 by Pub. L. 110-246 effective May 22, 2008, the date of enactment of Pub. L. 110-234, except as otherwise provided, see section 4 of Pub. L. 110-246, set out as an Effective Date note under section 8701 of this title.

Amendment by section 7406(d)(1) of Pub. L. 110-246 inapplicable to any solicitation for grant applications issued by the Cooperative State Research, Education, and Extension Service before June 18, 2008, see section 7406(c) of Pub. L. 110-246, set out as a note under section 3157 of this title.

EFFECTIVE DATE

Section effective Dec. 22, 1981, see section 1801 of Pub. L. 97-98, set out as a note under section 4301 of this title.

§ 3319a. Cost-reimbursable agreements

Notwithstanding any other provision of law, the Secretary of Agriculture may enter into

cost-reimbursable agreements with State cooperative institutions or other colleges and universities without regard to any requirement for competition, for the acquisition of goods or services, including personal services, to carry out agricultural research, extension, or teaching activities of mutual interest. Reimbursable costs under such agreements shall include the actual direct costs of performance, as mutually agreed on by the parties, and the indirect costs of performance, not exceeding 10 percent of the direct cost.

(Pub. L. 95-113, title XIV, §1473A, as added Pub. L. 99-198, title XIV, §1426, Dec. 23, 1985, 99 Stat. 1553; amended Pub. L. 105-185, title II, §231, June 23, 1998, 112 Stat. 547.)

AMENDMENTS

1998—Pub. L. 105-185 inserted “or other colleges and universities” after “institutions” in first sentence.

§ 3319b. Joint requests for proposals

(a) In general

In carrying out any competitive agricultural research, education, or extension grant program authorized under this or any other Act, the Secretary may cooperate with 1 or more other Federal agencies (including the National Science Foundation) in issuing joint requests for proposals, awarding grants, and administering grants, for similar or related research, education, or extension projects or activities.

(b) Administration

(1) Secretary

The Secretary may delegate authority to issue requests for proposals, make grant awards, or administer grants, in whole or in part, to a cooperating Federal agency.

(2) Cooperating Federal agency

The cooperating Federal agency may delegate to the Secretary authority to issue requests for proposals, make grant awards, or administer grants, in whole or in part.

(c) Regulations

The Secretary and a cooperating Federal agency may agree to make applicable to recipients of grants—

- (1) the post-award grant administration regulations applicable to recipients of grants from the Secretary; or
- (2) the post-award grant administration regulations applicable to recipients of grants from the cooperating Federal agency.

(d) Joint peer review panels

Subject to section 3129a of this title, the Secretary and a cooperating Federal agency may establish joint peer review panels for the purpose of evaluating grant proposals.

(Pub. L. 95-113, title XIV, §1473B, as added Pub. L. 107-171, title VII, §7403(b), May 13, 2002, 116 Stat. 456.)

PRIOR PROVISIONS

A prior section 3319b, Pub. L. 95-113, title XIV, §1473B, as added Pub. L. 99-198, title XIV, §1427, Dec. 23, 1985, 99 Stat. 1553, provided for technology development for small- and medium-sized farming operations, prior to

repeal by Pub. L. 101-624, title XVI, §1601(f)(1)(E), Nov. 28, 1990, 104 Stat. 3704.

PURPOSES

Pub. L. 107-171, title VII, §7403(a), May 13, 2002, 116 Stat. 456, provided that:

“The purposes of this section [enacting this section] are—

- “(1) to reduce the duplication of administrative functions relating to grant awards and administration among Federal agencies conducting similar types of research, education, and extension programs;
- “(2) to maximize the use of peer review resources in research, education, and extension programs; and
- “(3) to reduce the burden on potential recipients that may offer similar proposals to receive competitive grants under different Federal programs in overlapping subject areas.”

§ 3319c. Repealed. Pub. L. 101-624, title XVI, § 1601(f)(1)(F), Nov. 28, 1990, 104 Stat. 3704

Section, Pub. L. 95-113, title XIV, §1473C, as added Pub. L. 99-198, title XIV, §1427, Dec. 23, 1985, 99 Stat. 1554, provided for a special technology development research program.

§ 3319d. Supplemental and alternative crops

(a) Research and pilot project program

Notwithstanding any other provision of law, during the period beginning October 1, 1986, and ending September 30, 2018, the Secretary shall develop and implement a research project program for the development of supplemental and alternative crops, using such funds as are appropriated to the Secretary each fiscal year under this chapter.

(b) Importance to producers

The development of supplemental and alternative crops is of critical importance to producers of agricultural commodities whose livelihood is threatened by the decline in demand experienced with respect to certain of their crops due to changes in consumption patterns or other related causes.

(c) Research funding, special or competitive grants, etc.; program requirements; agreements, grants and other arrangements

(1) The Secretary shall make competitive grants to further the purposes of this section in the implementation of a comprehensive and integrated program.

(2) The program developed and implemented by the Secretary shall include—

- (A) an examination of the adaptation of supplemental and alternative crops;
- (B) the establishment and extension of various methods of planting, cultivating, harvesting, and processing supplemental and alternative crops;
- (C) the transfer of such applied research to on-farm practice as soon as practicable;
- (D) the establishment through grants, cooperative agreements, or other means of such processing, storage, and transportation facilities for supplemental and alternative crops as the Secretary determines will facilitate the achievement of a successful program; and
- (E) the application of such other resources and expertise as the Secretary considers appropriate to support the program.

(3) The program may include, but shall not be limited to, agreements, grants, and other arrangements—