

## 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 arrangements 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 L. 110–234 were repealed by section 4(a) of Pub.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.