

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 L. 110–234 were repealed by section 4(a) of Pub.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

**(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.”

**DEFINITIONS**

Pub. L. 107-171, title VII, §7401, May 13, 2002, 116 Stat. 455, provided that: “In this subtitle [subtitle D (§7401-7412) of title VII of Pub. L. 107-171, enacting this section and sections [former] 3310a, [former] 3319f, 5925c, 5925d, and 7630 of this title and provisions set out as notes under this section and sections 3101, [former] 3319f, [former] 5925a, and 5925b of this title]:

- “(1) DEPARTMENT.—The term ‘Department’ means the Department of Agriculture.
- “(2) SECRETARY.—The term ‘Secretary’ means the Secretary of Agriculture.”

**§ 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, 2023, the Secretary shall develop and implement a research project program for the development of supplemental and alternative crops (including canola), 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 for agronomic rotational purposes and as a habitat for honey bees and other pollinators is of critical importance to producers of agricultural commodities.

**(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—

(A) to conduct comprehensive resource and infrastructure assessments;

(B) to develop and introduce supplemental and alternative income-producing crops;

(C) to develop and expand domestic and export markets for such crops;

(D) to provide technical assistance to farm owners and operators, marketing cooperatives, and others;

(E) to conduct fundamental and applied research related to the development of new commercial products derived from natural plant material (including hemp (as defined in section 1639o of this title)) for industrial, medical, and agricultural applications; and

(F) to participate with colleges and universities, other Federal agencies, and private sector entities in conducting research described in subparagraph (E).

**(d) Use of expertise and resources of other Federal agencies and land-grant colleges and universities**

The Secretary shall use the expertise and resources of the Agricultural Research Service, the National Institute of Food and Agriculture, and the land-grant colleges and universities for the purpose of carrying out this section.

**(e) Authorization of appropriations**

There are authorized to be appropriated to carry out this section—

(1) such sums as are necessary for fiscal year 2013;

(2) \$1,000,000 for each of fiscal years 2014 through 2018; and

(3) \$2,000,000 for each of fiscal years 2019 through 2023.

(Pub. L. 95-113, title XIV, §1473D, as added Pub. L. 99-198, title XIV, §1428, Dec. 23, 1985, 99 Stat. 1554; amended Pub. L. 101-624, title XVI, §1601(b)(5), Nov. 28, 1990, 104 Stat. 3703; Pub. L. 104-127, title VIII, §819, Apr. 4, 1996, 110 Stat. 1167; Pub. L. 105-185, title III, §301(a)(14), title VI, §606(a), June 23, 1998, 112 Stat. 562, 603; Pub. L. 107-171, title VII, §7115, May 13, 2002, 116 Stat. 433; Pub. L. 110-234, title VII, §§7136, 7511(c)(13),