

## § 658.35

658.32, and 658.33, the Secretary, to the extent practicable and consistent with the criterion of excellence, seeks to encourage diversity by ensuring that a variety of types of projects and institutions receive funding.

(Authority: 20 U.S.C. 1124 and 1126)

[58 FR 32576, June 10, 1993]

### § 658.35 What priority does the Secretary give?

(a) The Secretary gives priority to applications from institutions of higher education or consortia of these institutions that require entering students to have successfully completed at least two years of secondary school foreign language instruction or that require each graduating student to earn two years of postsecondary credit in a foreign language (or have demonstrated equivalent competence in the foreign language) or, in the case of a 2-year degree granting institution, offer two years of postsecondary credit in a foreign language.

(b) The Secretary announces the number of points to be awarded under this priority in the application notice published in the FEDERAL REGISTER.

(Authority: 20 U.S.C. 1124)

[58 FR 32576, June 10, 1993, as amended at 74 FR 35074, July 17, 2009]

### Subpart E—What Conditions Must Be Met by a Grantee?

#### § 658.40 What are the limitations on allowable costs?

(a) Equipment costs may not exceed five percent of the grant amount; and

(b) No more than ten percent of the total amount of grant funds awarded to a grantee under this part may be used for the activity described in § 658.11(j).

(Authority: 20 U.S.C. 1124)

[74 FR 35074, July 17, 2009]

#### § 658.41 What are the cost-sharing requirements?

(a) The grantee's share may be derived from cash contributions from private sector corporations or foundations in the amount of one-third of the total cost of the project.

(b) The grantee's share may be derived from cash or in-kind contribu-

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tions from institutional and non-institutional funds, including State and private sector corporation or foundation contributions, equal to one-half of the total cost of the project.

(c) In-kind contributions means property or services that benefit a grant-supported project or program and that are contributed by non-Federal third parties without charge to the grantee.

(d) The Secretary may waive or reduce the required non-Federal share for institutions that—

(1) Are eligible to receive assistance under part A or B of title III or under title V of the Higher Education Act of 1965, as amended; and

(2) Have submitted a grant application under this part that demonstrates a need for a waiver or reduction.

(Authority: 20 U.S.C. 1124 and 3474; OMB Circular A–110)

[58 FR 32577, June 10, 1993, as amended at 64 FR 7740, Feb. 16, 1999; 74 FR 35074, July 17, 2009]

## PART 660—THE INTERNATIONAL RESEARCH AND STUDIES PROGRAM

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