

§ 550.3

Suspension of an award is a separate action from suspension under Federal Agency regulations implementing Executive Orders 12549 and 12689, “Debarment and Suspension.”

Termination means the cancellation of Federal sponsorship, in whole or in part, under an agreement at any time prior to the date of completion.

Unliquidated obligations are the amount of obligations incurred by the Cooperator for which an outlay has not been recorded.

Unobligated balance means the portion of the funds authorized by the REE Agency that has not been obligated by the Cooperator and is determined by deducting the cumulative obligations from the cumulative funds authorized.

Unrecovered indirect cost means the difference between the amount awarded and the amount, which could have been awarded under the Cooperator’s approved negotiated indirect cost rate.

U.S.C. means the United States Code.

USDA means the United States Department of Agriculture.

§ 550.3 Applicability.

This part applies to all REE non-assistance cooperative agreements awarded under the authority of 7 U.S.C. 3318(b).

§ 550.4 Eligibility.

REE agencies may enter into non-assistance cooperative agreements with State agricultural experiment stations, State cooperative extension services, all colleges and universities, other research or education institutions and organizations, Federal and private agencies and organizations, individuals, and any other party, either foreign or domestic, to further research, extension, or teaching programs in the food and agricultural sciences. (7 U.S.C. 3318(b)(1)).

§ 550.5 Competition.

REE agencies may enter into non-assistance cooperative agreements, as authorized by this part, without regard to any requirements for competition. (7 U.S.C. 3318(e)).

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§ 550.6 Duration.

REE may enter into non-assistance cooperative agreements for a period not to exceed five years.

§ 550.7 Exceptions.

This Part does not apply to:

(a) USDA Federal Financial Assistance agreements subject to 7 CFR 3015, 3016, or 3019.

(b) Procurement contracts or other agreements subject to the Federal Acquisition Regulation (FAR) or the Agriculture Acquisition Regulation (AgAR); on Agreements providing loans or insurance directly to an individual.

§ 550.8 Conflicting policies and deviations.

This part supersedes and takes precedence over any individual REE regulations and directives dealing with the award and administration of non-assistance cooperative agreements entered into under the delegated authority of 7 U.S.C. 3318(b). This part may only be superseded, in whole or in part, by either a specifically worded statutory provision or a waiver authorized by the USDA-REE-Administrative and Financial Management (AFM)-Extramural Agreements Division (EAD) or any successor organization. Responsibility for developing, interpreting, and updating this part is assigned to the USDA-REE-AFM-EAD or any successor organization.

§ 550.9 Other applicable regulations.

Related issuances are in other parts of the CFR and the U.S.C. as follows:

(a) 7 CFR Part 3017 “Governmentwide Debarment and Suspension”;

(b) 7 CFR Part 3018 “New Restrictions on Lobbying”;

(c) 7 CFR Part 3052 “Audits of States, Local Governments, and Nonprofit Organizations”;

(d) 7 CFR 3015.175 (b) “Copyrights”;

(e) 37 CFR 401.14 “Standard Patent Rights Clause”;

(f) 15 U.S.C. 205a *et seq.* “The Metric Conversion Act, as amended by the Omnibus Trade and Competitiveness Act”;

(g) 42 U.S.C. 6962 “Resource Conservation and Recovery Act (RCRA)”.