

INDIRECT COST FUNDING RESTRICTIONS AND TUITION REIMBURSEMENT LIMITATIONS

Reimbursement of the cooperator's indirect costs is subject to Agency verification that cooperator has a current federally negotiated indirect cost rate agreement. In determining the "Cooperator Type" the System for Award Management (SAM) Business Type must be determined. The Agency will have the final say on the Cooperator Type. Following are the indirect cost restrictions and tuition limitations by agreement type. The following are the *only* indirect cost restrictions and tuition limitations by agreement type.

Non-Assistance Cooperative Agreement

Agreement Legal Authorities: 7 U.S.C. 3318(b); 7 U.S.C. 3291

If Cooperator Type is:	Funding Restriction(s) is:	Restriction authority is found here:
State Cooperative Institutions, as defined in 7 U.S.C. 3103(16) (and 7 USC 301 note)	- no indirect costs allowed - no tuition reimbursement allowed	7 U.S.C. 3319: Restriction on treatment of indirect costs and tuition remission
Non-profit organization (<i>applicable to nonprofit institutions of higher education</i>)	Official negotiated indirect cost rate not to exceed 10% of total direct cost of agreement	The indirect cost rate limit appears annually in the General Provisions to the USDA Appropriations Act (SECTION 704)

Cooperative Agreement

Agreement Legal Authorities: 7 U.S.C. 3318(c); 7 U.S.C. 3291

If Cooperator Type is:	Funding Restriction is:	Restriction authority is found here:
Non-profit organization (<i>applicable to nonprofit institutions of higher education</i>)	Official negotiated indirect cost rate not to exceed 10% of total direct cost of agreement	The indirect cost rate limit appears annually in the General Provisions to the USDA Appropriations Act (SECTION 704)

Grant Agreement

Agreement Legal Authorities: 7 U.S.C. 3318(c); 7 U.S.C. 3291

If Cooperator Type is:	Funding Restriction is:	Restriction authority is found here:
All non-Federal entities	The lesser of official negotiated indirect cost rate or the equivalent of 30% of total Federal funds provided under the grant award	7 U.S.C. 3310: Limitation on indirect costs for agricultural research, education, and extension programs

Research Support Agreement

Agreement Legal Authority: 7 U.S.C. 3319a

Cooperator Type is limited to:	Funding Restriction is:	Restriction authority is found here:
Institutions of Higher Education, as defined at 20 U.S.C. 1001	Negotiated indirect cost rate NOT to exceed 10% of total direct cost of agreement	7 U.S.C. 3319a: Cost-reimbursable agreements