

U.S. Fish and Wildlife Service

Frequently Asked Questions (FAQs)

The Cooperative Ecosystem Studies Units (CESU) Network

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1. CESU Background

What is the Cooperative Ecosystem Studies Units (CESU) Network?

The Cooperative Ecosystem Studies Units (CESU) Network is a national, collaborative consortium of federal agencies, tribes, universities, state and local governments, and other partners that provide scientific research, technical assistance, and education on natural and cultural resource issues to federal land management, environmental, and research agencies. There are 17 CESUs throughout the country. Each is comprised of a host university, multiple federal agencies, and additional academic and nonfederal partners. For more information, visit the CESU website.

What is the mission of the CESU Network?

The mission of the CESU Network is to promote, conduct, and provide research, studies, assessments, monitoring, technical assistance, and educational services nationwide in support of the missions of participating federal agencies and their partners concerning natural and cultural resource management on public and/or private lands and waters, and management of public trust resources. Specifically, the CESU Network:

- Provides usable knowledge to support informed decision making;
- Ensures the independence and objectivity of research;
- Creates and maintain effective partnerships among the federal agencies and universities to share resources and expertise;
- Benefits faculty and students by providing research and career opportunities;
- Encourages professional development of current and future federal scientists, resource managers, and environmental leaders; and
- Manages federal resources effectively.

How was the CESU Network established?

The CESU program was created in response to legislation passed in 1998. In 1998, the National Parks Omnibus Management Act (P.L. 105-391 §203) directed the Secretary of the Interior to establish a network of "cooperative study units" with academic institutions and other non-federal partners to provide research, technical assistance, and education related to the resources of National Park Service units and their larger regions. In 1999, federal agency administrators signed a Memorandum of Understanding (MOU) establishing the CESU Council and initiating the selection process for the first five CESUs, as well as the application and partner renewal processes. The signatory agencies agreed to fully support and work to expand the CESU Network within the missions and authorities of participating federal agencies.

What benefits do CESUs provide to the Service and other federal agencies?

Federal agencies participate in CESUs within the scope of their respective missions and administrative structure. CESUs provide a broad range of biological, physical, social, and cultural science expertise needed to address resource management and other needs at multiple scales and in an ecosystem

context. For Fish and Wildlife Service (the Service) and other federal agency resource managers, CESUs provide high-quality scientific research, ensure the independence and objectivity of scientific activities, and link students and university researchers directly with federal agency science-based resources. Overall, CESUs provide a number of key benefits to federal agencies, including:

- Helping to meet our needs for high quality, objective scientific research;
- Providing an additional avenue to engage universities; and
- Saving money through a reduced, capped indirect cost rate currently 17.5%.

What benefits do CESUs provide non-federal partners?

University faculty and institutional experts benefit by close professional collaboration with federal employees and increased opportunities for interdisciplinary, multi-agency research projects related to federal resource management issues. Similarly, graduate students benefit from increased research, fieldwork, and employment opportunities; exposure to contemporary federal resource management issues; and additional faculty, courses, and seminars

Are CESUs a new source of funding?

No. The Service joined the CESU Network to encourage and facilitate collaboration with universities and other partners, but Congress does not provide funding for CESU participation through a specific, fixed appropriations account. Service programs providing financial assistance for cooperative agreements meeting the criteria to be defined as a CESU project (see Section 3 of this guidance) may take advantage of the flexibilities provided by the CESU Network.

Who is part of the CESU Network?

Each CESU is a working collaborative focused on a specific biogeographic region with participation from numerous federal and non-federal institutional partners. The CESU Network includes more than 450 partners, among them universities, federal agencies, and other non-federal partners such as tribes and tribal organizations, state agencies, museums, aquariums and arboretums, and nonprofit conservation organizations. Federal agencies participate in the CESU Network through a Memorandum of Understanding (MOU) and by joining individual CESUs. The Service joined the Network in 2000, and has been a partner to all 17 CESUs since 2011.

Current federal partners are:

- 1. Bureau of Land Management
- 2. U.S. Fish and Wildlife Service
- 3. U.S. Geological Survey
- 4. National Park Service
- 5. Bureau of Reclamation
- 6. Bureau of Ocean Energy Management
- 7. Bureau of Indian Affairs
- 8. Natural Resources Conservation Service
- 9. U.S. Forest Service

- 10. Agricultural Research Service
- 11. Farm Service Agency
- 12. National Oceanic and Atmospheric Administration
- 13. National Aeronautics and Space Administration
- 14. U.S. Army Corps of Engineers
- 15. Department of Defense Installations & Environment
- 16. Department of Defense POW/MIA Accounting Agency
- 17. DOI Office of Native Hawaiian Relations
- 18. Western Area Power Administration
- 19. Bureau of Safety and Environmental Enforcement

Visit the CESU website for more information on partners.

Who coordinates the CESU Network?

The CESU Network is coordinated by the CESU Network Council that includes representatives of the federal agency partners who have signed a <u>Memorandum of Understanding</u>. The National CESU coordinator is <u>Dr. Tom Fish</u>, based at the Department of the Interior and administratively hosted by the National Park Service. The National CESU Coordinator serves as chair of the CESU Network Council. Individual CESUs are administered at the field/regional level.

CESUs are guided by a Federal Managers Committee composed of field managers and additional representatives from participating federal agencies, including agency Technical Representatives to each CESU. The Committee provides advice and guidance on science priorities and CESU activities to the CESU Network Council, reviews strategic and annual work plans provided by the host universities, and assists in evaluating CESU performance. A primary role of the Committee is providing recommendations regarding host university renewals to the CESU Council.

Who coordinates Service involvement in the CESU Network?

The Service's Assistant Director for Science Applications or their designee serves as the Service CESU Council Representative. In addition, the Headquarters Science Applications office helps to coordinate and support the CESU Network and CESU projects (see Table 1).

Table 1: National Contacts	
National CESU Coordinator	Dr. Thomas E. Fish National Coordinator - CESU Network U.S. Department of the Interior Tom_Fish@nps.gov
FWS Council Representative	Anna-Marie York Grants Management Specialist Science Applications
	U.S. Fish and Wildlife Service anna-marie_york@fws.gov

Each of the 17 CESUs has a designated Technical Representative, as well as an Administrative & Cooperative Agreements Representative.

What are the responsibilities of the CESU Technical Representatives and Administrative Representatives?

The Service Technical Representative acts a facilitator of CESU projects in support of Service science needs and priorities, and work with the Administrative Representative to facilitate financial assistance agreements with the CESU.

Technical Representatives:

- Serve as the principal liaison with the CESU universities and partner agencies;
- Promote, build awareness and generate support for the CESU program in the Region;
- Assist with identifying priority science and other research needs that could be met by CESU projects;
- Help develop and facilitate CESU projects including soliciting, reviewing and writing research proposals as appropriate, reviewing work plans and federal involvement, etc.;
- Support the Administrative Representative in coordinating CESU agreements as needed;
- Participate in coordination meetings and oversee renewal process;
- Review potential non-federal partners;
- Communicate with the CESU Network National Office staff, as needed;
- Actively contribute to CESU strategic plan and annual reports; and
- Disseminate CESU information and research results.

CESU Administrative/Cooperative Agreements Representative:

- Prepare cooperative agreements in accordance with Service policy and each CESU Memorandum of Understanding (also known as a "Master Cooperative Agreement");
- Manage the individual CESU project cooperative agreement awards as initiated and/or, as necessary, on behalf of a designated grants officer/specialist; and

Provide support to CESU Technical Representatives on individual CESU awards.

What is the role of the CESU Network Council?

The CESU Network is coordinated by the CESU Network Council (hereafter CESU Council) comprised of representatives of the federal agency partners. The National CESU Coordinator serves as chair of the CESU Council. The CESU Council representatives:

- Serve as the official liaison between the CESU Network and the Council members' agencies;
- Are responsible for coordinating and communicating with the agency's CESU Technical and Administrative representatives in support of effective interaction with the CESU Network;
- Establish, maintain, and revise CESU guidance, policies and procedures, including negotiate the reduced indirect cost rate applicable to CESU projects;
- Implement CESU membership selection and renewal procedures, including approve the addition of new federal agencies into the CESU Network, select host universities for new CESUs, evaluate existing CESUs, and approve CESU renewals;
- Develop and support CESU Network initiatives;
- Appoint and evaluate the CESU national coordinator;
- Form Working Groups to assist the CESU Council; and
- Conduct additional activities appropriate to the Council.

Where are CESUs located?

CESUs are based at host universities and focused on a particular biogeographic region of the country. The 17 CESUs and host universities are:

- 1. Californian University of California System
- 2. Chesapeake Watershed University System of Maryland
- 3. Colorado Plateau Northern Arizona University
- 4. Desert Southwest University of Arizona
- 5. Great Basin University of Nevada
- 6. Great Lakes-Northern Forest University of Minnesota
- 7. Great Plains University of Nebraska
- 8. Great Rivers University of Missouri
- 9. Gulf Coast Texas A&M University
- 10. Hawaii-Pacific Islands University of Hawaii System
- 11. North & West Alaska University of Alaska System
- 12. North Atlantic Coast University of Rhode Island
- 13. Piedmont-South Atlantic Coast University of Georgia
- 14. Pacific Northwest University of Washington
- 15. Rocky Mountains University of Montana
- 16. South Florida-Caribbean University of Miami
- 17. Southern Appalachian Mountains University of Tennessee

Visit the CESU website for a map of the CESUs and host universities.

How were the CESU host universities and partners selected?

Each of the 17 CESUs in the Network was formed by a prescribed round of competitive solicitations to universities, state agencies, tribes, and nonprofit organizations.

Between fiscal years 1999 and 2003, the CESU Network Council conducted five rounds of formal competition, which established the seventeen CESUs. The CESU Network Council of interagency representatives established the review and selection process, which was approved by the Department of Interior Solicitor's Office (a letter is on file at the National CESU office). For each CESU, a formal Program Announcement and Request for Proposals (RFP) was distributed to the states within each CESU biogeographical area. The RFP was published for 10 days in *Commerce Business Daily* as well as posted on the CESU website. Proposals received by the assigned due date were technically evaluated according to criteria described in the RFP. Site visits to the applicants were organized and conducted. The CESU Network Council of interagency representatives selected, by majority vote, the host and partners within each CESU. The process for competition is described further here.

What are the responsibilities of host universities?

Each host university assigns a CESU Director to oversee the CESU. Though each CESU varies slightly in its execution, the host university is responsible for coordinating the federal and nonfederal partners, the number of which varies from unit to unit. These responsibilities are outlined in the cooperative and joint venture agreement and include:

- 1. Conduct, with participating Federal Agencies and Partner Institutions, a program of research, technical assistance, and education related to the CESU objectives;
- 2. Allow and encourage its faculty to engage in participating Federal Agencies' research, technical assistance and education activities related to the CESU objectives, as appropriate;
- 3. Provide basic administrative and clerical support for CESU agreements with the Partner Institutions and Federal Agency partners, as appropriate;
- 4. Provide access for CESU Federal Agency staff to campus facilities, including library, laboratories, computer facilities on the same basis or costs as other faculty members of the Host University to the maximum extent allowable under state laws and regulations;
- 5. Provide suitable office space, furniture and laboratory space, utilities, computer network access and basic telephone service for CESU Federal Agency staff to be located at the Host University, as appropriate;
- 6. Offer educational and training opportunities to participating Federal Agency employees, in accordance with the respective policies of the Federal Agencies and the Host University;
- 7. Encourage its students to participate in the activities of the CESU;
- 8. Coordinate activities, as appropriate, with the Partner Institutions and develop administrative policies for such coordination; and

9. Maintain a CESU Manager's Committee and convene a meeting of this committee, at least annually, to provide advice and guidance, review of the annual work and multi-year strategic plans, and assist in evaluation the CESU.

How is support provided to host universities?

Until 2015, the administrative and other tasks of the host universities were supported by a one-time fee each federal agency paid to that unit upon joining the network.

The CESU Council has been working to find more sustainable financial support for the host universities. In 2015, the CESU Council agreed that going forward, every federal agency will provide annual financial support to the host universities of each unit in which they are a member. Service contributions are currently being made at the HQ level directly to the CESU Network National Office, so no additional Regional costs are expected at this time. The formula for each federal agency's contribution is the "federal share" of a negotiated annual fee, based on the number of CESUs of which they are a member on October 1 of each year (the first day of the federal fiscal year).

How do additional partners join?

Tribal, state, and local governments, academic institutions, nongovernmental (non-profit) conservation organizations, and other non-federal organizations are eligible to apply to become partners in any individual CESU, to participate in collaborative activities aligned with the mission and goals of the CESU Network and individual CESU.

A potential partner submits an application package to the CESU's host university representative expressing its interest in joining and outlining the competencies and expertise they would bring to the group, as well as past experience working with federal agencies. Applications may be received at any point during the five-year life of the CESU agreement. Nonfederal applicants must also document past experience working with federal agencies. Additionally, the CESU director may invite an applicant to attend the annual CESU partner meeting for an in-person presentation and interview as part of the application process to provide more information.

The application package is distributed for consideration to the existing partners, where it is evaluated based on existing criteria. If approved by the group, the CESU Network National Office drafts an amendment adding the new partner and circulates it for signature. Under the policy of the CESU National Council, once the signature period of 45-days is past the new partner can actively participate.

Visit the CESU website for more information about joining the CESU Network or about <u>new member</u> application and approval.

Does CESU membership expire?

Each CESU has established renewable cooperative agreements with a 5-year duration. Agreements with the CESU host university are renewed every 5-years based on mutual consent, self-assessment, federal agency assessment, and independent external review, by reviewers chosen by the federal managers.

The CESU Network Council coordinates the review through the host university and the Federal Managers Committee (made up of representatives from federal agency partners). This review includes four key elements:

- 1. The host university prepares a letter of interest describing the intent of the host university and each of its non-federal partners to renew the CESU.
- 2. The host university, working with its non-federal partners, prepares a CESU self-assessment of the host university, according to a standard format provided by the CESU Council.
- 3. The CESU Federal Managers Committee (including the Service Technical Representative) prepares a brief review and specific recommendation to the CESU Council concerning renewal.
- 4. The CESU Federal Managers Committee appoints two to three external reviewers, who prepare an independent assessment of the CESU.

After the CESU Council examines the review materials, it decides on the renewal of each CESU in late March or early April. Visit the CESU website for more information about the <u>renewal process</u>.

However, there is no expiration on federal membership, and so the Service (and other federal agencies) does not need to renew membership. If an organization wishes to withdrawal from the CESU, the partner must submit a written request.

2.CESU Projects

Who can set up CESU projects?

Anyone in the Service from any region can set up a CESU project under the existing MOU (also known as a "Master Cooperative Agreement" or simply as a "Cooperative and Joint Venture Agreement"), for any CESU for which the Service is a partner. The Service is currently a partner in all 17 CESUs.

What kinds of projects qualify as CESU projects?

CESU projects can be research, technical assistance, or education, but in practice, most CESU projects are either research or technical assistance, and focus on natural science or cultural resources. Many projects will qualify under this program, though not all. CESU projects can be funded only as cooperative agreements (financial assistance instruments, NOT contracts) and must meet all of the following criteria:

- Intended recipient must be an <u>approved non-Federal partner</u> of the CESU Network (see <u>partner</u> application and approval process);
- 2. The project must qualify as financial assistance (<u>supports or stimulates a public purpose</u> (financial assistance) and is not for the exclusive direct benefit of the Government (procurement);
- 3. The project activities must include substantial Service involvement.; and
- 4. The project must meet one or more objectives as stated in the applicable CESU MOU.

What does it mean that CESU projects must "stimulate or support a public purpose"?

A basic requirement for CESU projects is that their primary function must be to carry out a public purpose and provide benefit for the greater community, rather than for the federal government or the

Service alone. For example, the results of the project should be made available to a wide audience (including non-federal entities), and the universities or other partners participating in the project should benefit from or gain expertise and/or professional development through participation in the project.

Meeting this criterion allows CESU projects to be administered as a distinct and standalone financial assistance awards in the form of cooperative agreements. If the principal purpose of a project is to acquire services for the exclusive direct benefit or use of the federal government, then a procurement contract should be used, and the project would not be eligible to be administered as a CESU project.

What does it mean that CESU projects must have "substantial federal involvement"?

As specified in the Federal Grants and Cooperative Agreements Act, substantial involvement is expected between agencies and funding recipients in all cooperative agreements. Federal agencies must be "substantially involved" in CESU activities, working closely with host universities and/or partner institutions. In contrast to grants, where funding is generally provided to the grantee and the grantee assumes sole responsibility for the daily management and success of the project, cooperative agreements include substantial involvement from the Service. Some projects have much more substantial involvement than others.

Substantial involvement could include working with a researcher to develop a proposal, selecting trainees, securing permits and other approval, participating with the recipients in the development and review of project plans, offering technical advice at key points in the project, working cooperatively in accomplishing the objectives of the project (such as through field work, data analysis, etc.), approving the completion of one phase before the recipient moves to the next phase of the project, or monitoring specific kinds of work in order to direct or redirect the progress of the project. Monitoring project compliance is not considered substantial involvement.

Can CESU projects be "product-oriented"?

Yes. US Code 16 Section 5933, states:

"(a) Cooperative study units. The Secretary is authorized and directed to enter into cooperative agreements with colleges and universities, including but not limited to land grant schools, in partnership with other federal and State agencies, to establish cooperative study units to conduct multi-disciplinary research and develop integrated information products"

What is the indirect cost rate cap for CESU projects?

To facilitate cooperation, the non-Federal CESU partners have agreed to a reduced indirect cost rate to be charged to CESU projects, currently set at 17.5% (increased from 15% in 2004). The CESU National Council facilitated negotiation of this rate. This rate deviation was approved by the Office of Management and Budget through the Department's Office of Grants Management (PGM) per Department regulations at 2 CFR §1402.414. Attachment 1 to Department policy DOI-AAAP-0007, "Department of the Interior Policy, Procedures, and General Decision-Making Criteria for Deviations from Negotiated Indirect Cost Rates under Federal Financial Assistance Programs and Agreements" documents approval of the CESU indirect cost rate cap. Per the 2 CFR 1402 regulations and Department

policy DOI-AAAP-0007, for all deviations to the Federal negotiated indirect cost rate, the basis of direct costs against which the reduced indirect cost rate is applied must be:

- (1) The same base identified in the recipient's negotiated indirect cost rate agreement, if the recipient has a federally negotiated indirect cost rate agreement; or
- (2) The Modified Total Direct Cost (MTDC) base as defined in 2 CFR 200, when the recipient does not have a federally negotiated indirect cost rate agreement. A CESU recipient with a federally negotiated indirect cost rate agreement base that is only a subset of the MTDC (such as salaries and wages) may be approved to use the MTDC instead, if its use would still result in charging less indirect costs as compared to charging at their full approved rate. Such arrangements require prior written Service approval.

As a federal partner to the CESU Network, the Service can establish projects with host universities or other institutional partners under these favorable negotiated terms. Note that the CESU reduced indirect cost rate *only applies to projects specifically set up as CESU projects from inception*. Programs must clearly indicate in all applicable public Notices of Funding Opportunity (NOFO) if the awards to be made relate to an existing CESU agreement, including a clear statement that the CESU indirect cost rate cap will apply in the event an award is made. If the program does not include such a statement in their NOFO, does not specific that the CESU indirect cost rate cap will apply, the Service must not ask the applicant to accept the lower rate, even if the non-federal applicant is a partner to the CESU.

The <u>2003 CESU Council memo</u> documenting the negotiated current indirect cost rate (17.5%) can be used as a justification for the use of the 17.5% rate, and should be maintained in the official award file.

Visit the CESU website for more information about the <u>CESU indirect cost rate</u> or the 2003 <u>CESU Council</u> <u>Memo establishing the current rate</u>.

How many CESU projects have been completed?

CESUs have been engaged in over 8,000 cooperative research, technical assistance, and education projects since 1999, estimated at more than \$800 million. Topics are wide-ranging – from the discovery of a lost 19th-century city to bird habitat management plans to Geographic Information Systems-based automated coastal change analysis tools.

Visit the CESU website for examples of CESU projects.

How many CESU projects has the Service done?

The Service is engaged in dozens of CESU projects every year, all across the CESU system with a wide variety of universities and partners. For example, from 2008-2013 the Service funded 49 projects through the California CESU, including over \$3.3 million in funding. Engagement varies from year to year due to funding availability and research needs and priorities.

What challenges does the Service have in working with the CESU Network?

The Service is currently working across regions to better share information, streamline the agreement process, promote consistent policy and procedures, and support engagement with CESUs all across the

agency. The only method of tracking CESU projects in the Service is the catalog function in Grant Solutions. Each CESU has a tag in the catalog function.

For the latest Service policy on financial assistance, visit the Service's <u>Financial Assistance Policy & Compliance Intranet page</u>.

3. CESU Project Awards

What Authorities govern the use of CESU project awards?

Primarily the CESU program is authorized under The National Parks Omnibus Management Act of 1998 (16 U.S.C. 5933, P.L. 105-391) in which the Secretary of the Interior is directed to establish a network of "cooperative study units" with academic and other non-federal partners to provide research, technical assistance, and education related to the resources of National Park Service units and regions.

16 USC 5933, P.L. 105-391, Sec. 203—Cooperative Agreements: (a) COOPERATIVE STUDY UNITS.--The Secretary is authorized and directed to enter into cooperative agreements with colleges and universities, including but not limited to land grant schools, in partnership with other federal and state agencies, to establish cooperative study units to conduct multi-disciplinary research and develop integrated information products on the resources of the National Park System, or the larger region of which parks are a part. [emphasis added]

CESU financial assistance projects are funded under several other legislative authorities. In accordance with the Fish and Wildlife Coordination Act ([16 U.S.C. § 661, 16 U.S.C. § 742(f), and 16 U.S.C. § 753(a)], the Service is authorized to cooperate with other agencies to assist in providing research, technical assistance, and education.

What other laws, rules, and regulations apply?

In accordance with 16 U.S.C. § 661, 16 U.S.C. § 742(f), and 16 U.S.C. § 753(a), the Service is authorized to cooperate with other agencies to assist in providing research, technical assistance, and education.

Service financial assistance awards are subject to the code of Federal regulations at <u>Title 2 C.F.R.</u> and related Department and <u>Service policy</u> (Parts 515-516), and <u>Service guidance</u>.

Visit these links for more details on <u>authorities</u> and <u>allowable direct costs</u> under CESU cooperative agreements.

What are the funding instruments to be used for CESU project awards?

The Service's participation in an individual CESU is based on a Memorandum of Understanding (MOU) (also known as a "Master Cooperative Agreement" or as a "Cooperative and Joint Venture Agreement"). These overarching agreements provide a framework for mutually-accepted expectations among federal agencies and non-federal partners participating in a CESU. MOUs typically last for five years. They are all available on the CESU website.

These MOUs are not financial assistance awards, as they do not provide a mechanism to receive or provide funds.

The Service must issue each individual CESU project as a distinct and standalone financial assistance award in the form of a cooperative agreement. This award references the MOU to incorporate by reference the stated roles, responsibilities, terms, conditions, and provisions, including the prevailing reduced overhead rate.

Are CESU project awards just like other cooperative agreements?

Yes. A CESU cooperative agreement is treated like any other cooperative agreement our agency has with a university or partner institution. CESU project awards must comply with the same regulations, policies, and guidance as any other Service financial assistance action. In addition, CESU project awards must reference the MOU (also known as a "Master Cooperative Agreement" or simply as a "Cooperative and Joint Venture Agreement") of the relevant CESU.

Can CESU project awards be awarded as "single source awards"?

Per 2 CFR 1402, competition is expected in awarding discretionary funds, unless otherwise directed by Congress. Any CESU project awarded without competition (single source awards) must meet the criteria and be documented per the requirements in Service policy 516 FW 6.

Can we issue a CESU award be used to transfer funds to other federal agencies?

No. CESU federal partners can obligate project funds to their university partners and partner institutions through CESU cooperative agreements, but cannot transfer funds directly to other federal agencies using these agreements. We must use intra- or inter-agency agreements to transfer funds to other Federal agencies. Federal agencies are not eligible to receive Federal financial assistance unless explicitly identified as an eligible recipient in the awarding program's authorizing legislation.

Can multiple Federal agencies award funds to support a single shared project?

Yes. However, each Federal awarding agency will issue a separate award to the recipient. Each Federal award must clearly identify the activities and costs within the larger project that the recipient expects to charge to the award. Recipients are responsible for charging allowable costs to their Federal awards per the Federal cost principles in Title 2 C.F.R. part 200.

Is solicitor review or approval needed for CESU project awards?

Currently only if the project involves intellectual property, potential conflicts of interest, considerable levels of complexity, or considerable degrees of novelty, then it may require solicitor review.

The CESU Network Council sought legal review early in the development of the CESU cooperative agreements with the Department of the Interior Office of the Solicitor, which found that the final version of the CESU cooperative agreements met legal sufficiency and full compliance with the Federal Grant and Cooperate Agreement Act (letter on file). In addition, each participating agency separately

reviewed and approved the CESU's MOUs through their own internal administrative and legal review processes prior to signing the existing CESU agreements.

How does the CESU Network differ from the USGS Cooperative Fish and Wildlife Research Unit system?

The Cooperative Research Unit (coop unit) program is a national university-based program established in 1935 to enhance graduate education in fisheries and wildlife sciences and to facilitate research between natural resource agencies and universities on topics of mutual concern. The Cooperative Units Act (P.L. 86-686) was passed by Congress in 1960, which authorized the unit program as a separate budget item within the Fish and Wildlife Service. This act also established cooperative fishery units. The program has evolved over the years, including the addition of several new units, combining disparate wildlife and fisheries programs into single units in the 1970s, and moving the unit program from the U.S. Fish and Wildlife Service to the U.S. Geological Survey in the 1990s.

There are 40 Cooperative Research Units in 38 states. Each unit is a partnership among the U.S. Geological Survey, a State natural resource agency, a host university, and the Wildlife Management Institute. The Fish and Wildlife Service is a "cooperator" to the system. Unlike the CESUs, coop units are staffed by federal personnel and receive funding directly from USGS – though they do include university researchers and graduate students. Similar to the CESUs, they conduct research on renewable natural resource questions, participate in the education of graduate students, provide technical assistance and consultation on natural resource issues, and provide continuing education for natural resource professionals.

The coop units provide another opportunity for the Service to take advantage of scientific capacity available outside of the Service through research, education, and technical assistance projects including modeling, statistics, decisions, genetics, invasive species, endangered species, contaminants, climate change, botany, and aquatics. Similar to the CESU Network, projects are established by a cooperative agreement, and a reduced indirect cost rate has been negotiated. See Attachment 1 to DOI Policy DOI-AAAP-0007 for more information.

For more information on CRUs, visit the Coop Unit website.

4. CESU Announcements

Do CESU NOFOs have to be posted to grants.gov?

The Service must post all discretionary competitive opportunities on Grants.gov for 60 calendar days. Any competitive discretionary program that anticipates issuing cooperative agreements to CESU Network partners that qualify as CESU projects and therefore subject to the CESU indirect cost rate cap must clearly and explicitly state so in the "Funding Restrictions" section of their full text Notice of Funding Opportunity posted on Grants.gov and elsewhere as appropriate. Programs *must not* impose the CESU cost rate cap on successful university applicants if the Funding Opportunity did not explicitly state that awards to CESU partner universities would be subject to the CESU indirect cost rate cap.

Funding opportunities for CESU projects posted for the public may incorporate language similar to the following in order to provide appropriate transparency:

"This financial assistance opportunity is being issued under a Cooperative Ecosystem Studies Units (CESU) program. CESUs are partnerships that provide research, technical assistance, and education. Awards to successful CESU-member applicants will be subject to the CESU indirect cost rate cap of 17.5%."

The funding opportunity must also include a complete, detailed description of the expected substantial Service involvement in cooperative agreements awarded under the program.

<u>Single source awards</u>: Single source awards are funding opportunities specifically directed to a known recipient, determined to be an appropriate partner based on demonstrable criteria, such as unique expertise or capacity. Any CESU project awards that will be issued without competition (also known as single source awards) must be documented and justified according to Service policy (<u>516 FW 6</u>). In addition, awards should note that each CESU was selected only after a broad announcement and competition. See <u>516 FW 6</u> for more details. Single source awards should have a directed announcement posted to Grant Solutions for the recipient to answer

Open announcements: When a particular partner has not been identified, an open funding opportunity can be posted. Discretionary programs are required to publicize their application review criteria and detail their review and selection process to Grants.gov. Any open funding opportunity announcement intended to limit eligibility to CESU partners should be clearly indicated, including an expectation of utilizing the reduced indirect cost rate. If an open funding opportunity states an allowable indirect cost rate higher than the CESU rate (currently 17.5%), the Service cannot later require that the successful applicant lower the rate to 17.5%, even if the applicant is a partner to the CESU. Applications received as a result of an open announcement, regardless of whether the applicant is a partner to a CESU, must be impartially reviewed and evaluated against the evaluation criteria set forth within the announcement. For more on soliciting applications see Solicit Applications.

What Assistance Listing (CFDA) number should I assign to a CESU award?

As of May 18, 2020, allprograms must assign a program-specific CFDA to their CESU awards and use the <u>GrantSolutions "Category" functionality</u> to assign a "CESU" category to those awards. New programs may assign the Service's generic Assistance Listing (CFDA) <u>15.664</u>, "Fish and Wildlife Coordination and <u>Assistance"</u> until the program obtains a unique Assistance Listing (CFDA) number.

The System for Award Management (SAM) Assistance Listings (CFDA) are a U.S. Government publication of federal programs, projects, services, and activities that provide assistance or benefits to the public. The primary purpose of an Assistance Listing (CFDA) is to help the public obtain general information on each federal assistance program. The Service's Assistance Listings are available at SAM.gov.

Are there any other requirements for reporting, deliverables, etc.?

Reporting requirements are the same as for other cooperative agreements (see 516 FW 1).

How do I categorize CESU projects in Grant Solutions?

All projects, including CESU projects, must be categorized in Grant Solutions. In Grant Solutions search for the grant number (FAIN) on the Grant List screen. The grant will be listed with a plus sign to the left of the entry. Click on the plus sign to reveal additional action options. The category function is on the upper left. Choose the appropriate CESU catalog tag, and any other appropriate tags.

