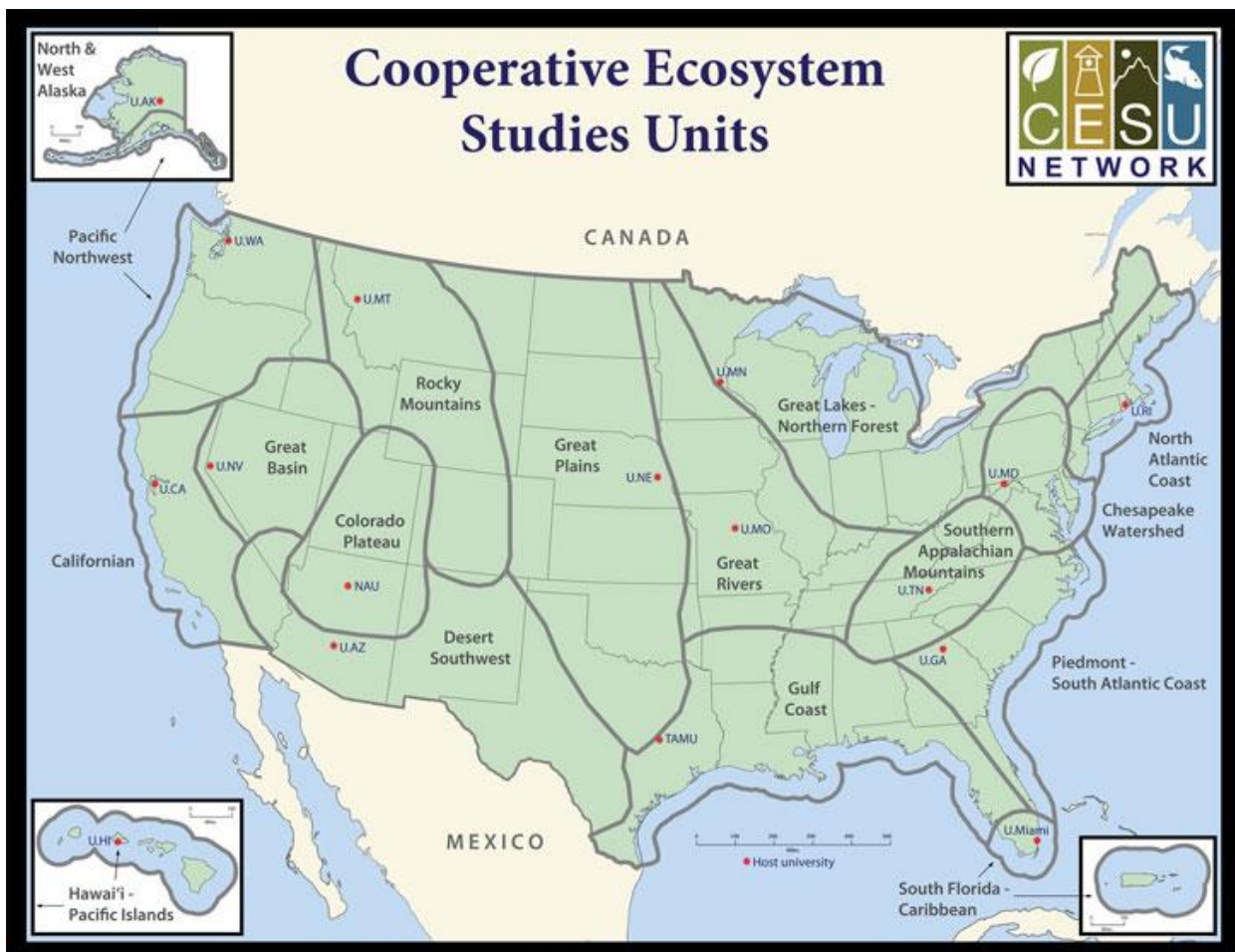




# U.S. Fish and Wildlife Service

## Overview and Guidelines

# The Cooperative Ecosystem Studies Units (CESU) Network



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*This document is for the use of programmatic, financial, and administrative personnel of the U.S. Fish and Wildlife Service in the development of CESU Cooperative Agreement awards.*

## **I. Introduction**

The Cooperative Ecosystem Studies Units (CESU) Network is a national, collaborative consortium of federal agencies, Tribes, universities, state and local governments, and other partners. The CESU Network's mission is to provide scientific research, technical assistance, and education on natural and cultural resource issues to federal land management, environmental organizations and research institutions. CESUs are based at host universities and focused on a particular biogeographic region of the United States.

The CESU Network is coordinated by the CESU Network Council that includes representatives of the federal agency partners. The National CESU coordinator is Dr. Tom Fish, based at the Department of the Interior and administratively hosted by the National Park Service.

### **Partners**

The 17 CESUs encompass all 50 states and U.S. territories. Each CESU is comprised of a host university, multiple federal agencies, and additional university and non-federal partners. Each CESU is structured as a working collaborative with participation from numerous federal and non-federal institutional partners. In total, the CESU Network includes more than 480 partners, among them universities, federal agencies, and other non-federal partners such as Tribes and Tribal organizations, state agencies, museums, aquariums and arboretums, and non-profit conservation organizations.

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 to establish the seventeen CESUs and selected, by majority vote, the host and partners within each CESU. Visit the CESU website for more information about the [selection process](#).

Tribal, state, and local governments, academic institutions, nonprofit conservation organizations, and other non-federal entities are eligible to apply to become partners in any particular CESU at any time. A potential partner submits an application package to the CESU's host university representative. The application is considered and evaluated based on established criteria by existing partners. If approved, the CESU Network National Office drafts an amendment adding the new partner. For more information, visit the CESU website information on [new member application and approval](#) and [how to join](#).

Agreements with the CESU host university and non-federal partners are renewed every 5 years. The CESU Network Council staff coordinates the renewal review through the host university and federal managers committee (made up of representatives from federal agency partners), and decides on the renewal of each CESU. Visit the CESU website for more information about the [renewal process](#).

Federal agencies participate in CESUs within the scope of their respective missions and administrative structure. The U.S. Fish and Wildlife Service (the Service) joined the CESU Network in 2000, and has been a partner to all 17 CESUs since 2011. There is no expiration on federal membership, and so the Service and other federal agencies do not need to renew membership. If an organization wishes to withdraw from an individual CESU, the partner must submit a written request. Starting in 2015, federal agency partners (including the Service) agreed to provide annual financial support to the host universities of each unit in which they are a member. At this time, Service contributions are being made at the HQ level directly to the CESU Network National Office.

## **Benefits of CESUs**

### ***. . . to the Public***

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. Therefore, CESU projects are funded as federal financial assistance (cooperative agreements) instead of as procurement (contracts).

The goals of the CESU Network are 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 maintains effective partnerships among the federal agencies and universities to share resources and expertise;
- Benefits faculty and students through providing research and career opportunities;
- Encourages professional development of current and future federal scientists, resource managers, and environmental leaders; and
- Helps effectively manage federal resources.

### ***. . . to Non-federal Partners***

CESUs provide significant benefits to non-federal partners. University faculty and institutional experts benefit by close professional collaboration with federal employees and by 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.

### **. . . to the Service**

CESUs provide the Service (and other federal partners) a broad range of biological, physical, social, and cultural science expertise needed to address natural resource management, landscape scale conservation, and other mission critical goals at multiple levels in an ecosystem context. The CESU Network empowers the Service to be involved in interdisciplinary and multi-agency research projects with the host university and other CESU partners. These activities enhance the education of future research scientists, advance efforts to preserve and protect natural resources of the community, and further the mission of the Service. Connecting with an established network of multi-disciplinary partners allows the Service to maximize its own science-based expertise and resources; and to expand this collaborative conservation effort to fulfill the Service's mission of conserving and protecting our nation's natural resources for the American public.

In addition, federal agencies are required to manage their scientific resources to minimize cost and maximize value to managers, scientists, Congress, and the public. While the CESU Network does not provide a new source of funding, it does allow for projects to be completed under favourable negotiated terms. All CESU partner universities and institutional partners have agreed to an indirect cost rate ([currently of 17.5%](#)), negotiated by the CESU National Council. This rate provides reduced administrative costs on both the federal and university level and often means that more federal dollars are going to actual project costs incurred by the researcher and students such as salaries, travel to field sites, supplies, printing, and mailing.

Overall, CESUs provide a number of key benefits to the Service:

- Help meet Service needs for high quality scientific research;
- Ensure the independence and objectivity of scientific activities;
- Provide an additional avenue to engage universities and link students and researchers directly with the Service; and
- Minimize administrative costs and maximize the use of federal funds for research activities through a reduced, capped indirect cost rate.

## **II. 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. They are not technically cooperative agreements since they do not provide a mechanism to receive or provide funds. MOUs typically last for five years. They are all available on the [CESU website](#).

In the Service, each individual CESU project is administered as a distinct and standalone financial assistance award in the form of a cooperative agreement. This award references the MOU to encompass the stated roles, responsibilities, terms, conditions, and provisions, including the prevailing reduced overhead rate.

The Host University is the primary contact for the MOU. All cooperative agreement awards issued for funding individual CESU projects are subject to federal rules and regulations that apply to financial assistance.

Consistent with federal regulations for discretionary financial assistance funding, CESU projects must be transparent to the public through an announcement posted to [www.grants.gov or Grant Solutions](#). Eligible applicants may be limited to CESU partners who meet the criteria defined in the Notice of Funding Opportunity (NOFO).

Federal agency participation in a CESU does not alter or supersede previous arrangements or cooperative agreements. In addition, involvement in a CESU does not restrict or preclude partner continuation or development of new projects with other public and private agencies, organizations, and individuals through existing or alternative funding mechanisms, including agreements with universities participating in the CESU Network. Since CESU projects are funded through financial assistance (not contracts), CESU projects should not be initiated and funded through supplemental agreements or amendments modifications or task orders.

CESU federal agency 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 (funds can only be transferred to other federal agencies through intra- or inter-agency agreements).

## **Authorities and Regulations**

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.

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.

### ***Federal Regulations and Policy***

Agreements are entered into in accordance with the Federal Grant and Cooperative Agreement Act of 1977 (31 U.S.C. 6301-6308), Federal Financial Assistance Act of 1999 (P.L. 106-107), Office of Management and Budget (OMB) Circulars, Executive Orders (E.O.'s), Comptroller General Decisions, and other Department of the Interior (DOI) regulations and policies, and administered consistent with Uniform Guidance implementing regulations (2 CFR 200), and the implementing regulations of other participating federal agencies.

In addition, all cooperative agreement awards issued for funding individual CESU projects are subject to federal rules and regulations that apply to financial assistance and to the policies of the U.S. Fish and Wildlife Service *Manual* (Parts 515, [Financial Assistance Management](#) and 516, [Financial Assistance – Award Administration](#)).

### **Project Criteria**

CESU projects can involve research, technical assistance, or education, and must have substantial federal involvement to qualify as cooperative agreement awards. Some projects of interest to Service managers may not qualify as CESU projects. CESU projects must meet the following three criteria (see [Issuing a New Financial Assistance Award Guidance](#) for more details):

- 1) Project participants must be approved partners of the CESU Network (see [partner application and approval process](#));
- 2) The project should be to support or stimulate a public purpose (financial assistance) rather than for the exclusive direct benefit of the Government (procurement); and
- 3) Substantial involvement is expected between the funding agency and the award recipient.

To meet the criterion for being considered federal financial assistance rather than procurement, a proposed project must support or stimulate a public purpose, i.e., to benefit the greater community and not just the Service or the federal government 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.



The Service must be substantially involved in CESU projects. The Service fulfills its anticipated role by working with a researcher to develop a proposal, selecting key personnel and/or 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.), monitoring specific kinds of work in order to direct or redirect the progress of the project, or approving the completion of one phase before the recipient moves to the next phase of the project. (See [Funding Instrument Determination](#) for more details.)

Meeting both these criteria allows CESU projects to be administered as distinct and stand-alone financial assistance awards in the form of cooperative agreements.

### **Tips for Setting up a CESU Project Award**

The latest details and steps for issuing a CESU project award can be found on the Service's [Process Guidance and Resources](#) website. To get started, review and follow the steps outlined in the [Issue New Award](#) guidance..

### ***Components of a CESU Cooperative Agreement Award***

- In the Service, CESU projects are funded as federal financial assistance through stand-alone cooperative agreement awards including a reference to the overarching MOU (also known as a “Master Cooperative Agreement” or as a “Cooperative and Joint Venture Agreement”) of the particular regional CESU in which the project will be conducted.
- For reference, the CESU website posts all [Master Cooperative Agreements](#) publicly.
- CESU projects must involve an approved CESU partner, must support or stimulate a public purpose (cannot be for the exclusive direct benefit of the Government) and include substantial involvement between the executive agency, e.g., the Service, and the recipient.
- CESU projects must also be consistent with the Service’s mission and the goals of the CESU Network, and with the general scope of the particular CESU’s MOU.
- All CESU projects must be catalogued in Grant Solutions using the CESU tag of the CESU with which the agreement is made.
- Funding opportunities for CESU projects posted on [www.grants.gov](http://www.grants.gov) may incorporate the following language in order to provide appropriate transparency to the public:



*“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.”*

- As for CESU project awards, the funding opportunity synopsis **Description** field must include a description of the expected substantial involvement by the Service as follows:

*“Substantial involvement on the part of the USFWS is anticipated for the successful completion of the activities to be funded. In particular, the USFWS will be responsible for the following...”*

- While competition is encouraged in the awarding of cooperative agreements, it is not required (31 U.S.C. 6305(2)). 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 ([516 FW 6](#)). This means projects must meet one or more of the following criteria: unsolicited proposal, continuation, legislative intent, unique qualifications, and/or emergencies.
- The Service cannot circumvent the competitive process by simply amending an existing open CESU agreement to add new funds.
- 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 indirect cost 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.
- The [2003 CESU Council memo](#) documenting the negotiated current indirect cost rate (17.5%) can be used as a written justification for the use of the 17.5% rate, and should be maintained in the official award file.
- At the end of 2014, DOI issued [a new memorandum on indirect costs](#) to clarify that the CESU program is specifically “approved for deviation” from OMB’s 2014 Uniform Guidance ([2 CFR Part 200](#)), and thus approved to use an indirect cost rate that deviates from the federally negotiated indirect cost rate. This memo can be used to justify the use of the reduced rate if needed.

- Per DOI policy, all financial assistance agreements should include language regarding scientific integrity. Template language is below:

*Scientific integrity is vital to Department of the Interior activities under which scientific research, data, summaries, syntheses, interpretations, presentations, and/or publications are developed and used. Failure to uphold the highest degree of scientific integrity will result not only in potentially flawed scientific results, interpretations, and applications but will damage DOI's reputation and ability to uphold the public's trust. All work performed shall comply with the [DOI Scientific Integrity Policy](#) or its equivalent as provided by their organization or State law.*

*As stated in the Scientific Integrity Policy, contractors may be required to investigate allegations of scientific misconduct. Results of the contractor's investigation or any other correspondence regarding the allegations of misconduct shall be provided in writing to the Contracting Officer at a mutually agreeable date along with the following statement: "I, as a duly authorized agent of (insert name of company), attest that the information provided herein is true and accurate to the best of my knowledge."*

*Failure to comply with the DOI Scientific Integrity Policy, including failing to conduct and/or truthfully report a requested investigation, may result in the Government exercising any available remedy including, but not limited to, the remedies specified in Section 3.8 E(2)(d) of the attached DOI Scientific Integrity Policy.*

### **III. CESU Network Contacts**

The CESU Network is coordinated by the CESU Network Council (Council) that includes representatives of the federal agency partners who have signed a Memorandum of Understanding. The National CESU coordinator is 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 Council. Individual CESUs are administered and managed at the field/regional level.

The Service's Assistant Director for Science Applications 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.

The Service is a partner in all 17 CESUs. In each CESU, the Service has a designated Technical Representative and Cooperative Agreements/Administrative Representative.

#### 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 indirect cost rate;
- 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 as described below; and
- Conduct additional activities appropriate to the Council.

*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 Representatives:*

- Prepare cooperative agreements in accordance with Service policy and each CESU Memorandum of Understanding (also known as a “Master Cooperative Agreement” or simply as a “Cooperative and Joint Venture 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.

Table 1 below presents national level contacts for the CESU Network.

## CESU Network Contacts

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Table 1: National Contacts

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

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