

(1) to increase assistance by the Department of Defense to eligible entities furnishing procurement technical assistance to business entities; and

(2) to assist eligible entities in the payment of the costs of establishing and carrying out new procurement technical assistance programs and maintaining existing procurement technical assistance programs.

(Added Pub. L. 98-525, title XII, §1241(a)(1), Oct. 19, 1984, 98 Stat. 2605; amended Pub. L. 99-145, title IX, §919(a), Nov. 8, 1985, 99 Stat. 692.)

#### AMENDMENTS

1985—Pub. L. 99-145 amended section generally, substituting “assistance by the Department of Defense to eligible entities” for “Department of Defense assistance for eligible entities” in par. (1).

#### EFFECTIVE DATE OF 1985 AMENDMENT

Amendment by Pub. L. 99-145 effective Oct. 1, 1985, see section 919(d) of Pub. L. 99-145, set out as a note under section 2411 of this title.

### § 2413. Cooperative agreements

(a) The Secretary, in accordance with the provisions of this chapter, may enter into cooperative agreements with eligible entities to carry out the purposes of this chapter.

(b) Under any such cooperative agreement, the eligible entity shall agree to sponsor programs to furnish procurement technical assistance to business entities and the Secretary shall agree to defray not more than one-half of the eligible entity’s cost of furnishing such assistance under such programs, except that in the case of a program sponsored by such an entity that provides services solely in a distressed area, the Secretary may agree to furnish more than one-half, but not more than three-fourths, of such cost with respect to such program.

(c) In entering into cooperative agreements under subsection (a), the Secretary shall assure that at least one procurement technical assistance program is carried out in each Department of Defense contract administration services district during each fiscal year.

(d) In conducting a competition for the award of a cooperative agreement under subsection (a), and in determining the level of funding to provide under an agreement under subsection (b), the Secretary shall give significant weight to successful past performance of eligible entities under a cooperative agreement under this section.

(Added Pub. L. 98-525, title XII, §1241(a)(1), Oct. 19, 1984, 98 Stat. 2605; amended Pub. L. 99-145, title IX, §919(a), Nov. 8, 1985, 99 Stat. 692; Pub. L. 99-500, §101(c) [title X, §956(b)], Oct. 18, 1986, 100 Stat. 1783-82, 1783-174, and Pub. L. 99-591, §101(c) [title X, §956(b)], Oct. 30, 1986, 100 Stat. 3341-82, 3341-174; Pub. L. 99-661, div. A, title IX, formerly title IV, §956(b), Nov. 14, 1986, 100 Stat. 3954, renumbered title IX, Pub. L. 100-26, §3(5), Apr. 21, 1987, 101 Stat. 273, and amended Pub. L. 100-180, div. A, title XII, §1233(b), Dec. 4, 1987, 101 Stat. 1161; Pub. L. 105-261, div. A, title VIII, §802(a)(1), Oct. 17, 1998, 112 Stat. 2081; Pub. L. 107-314, div. A, title VIII, §814, Dec. 2, 2002, 116 Stat. 2610.)

#### CODIFICATION

Pub. L. 99-591 is a corrected version of Pub. L. 99-500.

#### AMENDMENTS

2002—Subsec. (d). Pub. L. 107-314 added subsec. (d).

1998—Subsec. (c). Pub. L. 105-261 substituted “district” for “region”.

1987—Subsec. (b). Pub. L. 100-180 made technical amendment to directory language of Pub. L. 99-500, Pub. L. 99-591, and Pub. L. 99-661. See 1986 Amendment note below.

1986—Subsec. (b). Pub. L. 99-500, Pub. L. 99-591, and Pub. L. 99-661, as amended by Pub. L. 100-180, amended subsec. (b) identically, inserting “sponsor programs to” after first reference to “agree to”, “under such programs” after “such assistance”, and “with respect to such program” after “such cost” and substituting “a program sponsored by such an entity that provides services solely in a distressed area” for “an eligible entity that is a distressed entity”.

1985—Pub. L. 99-145 amended section generally, substituting “, in accordance with the provisions of this chapter, may enter” for “may, in accordance with the provisions of this chapter, enter” in subsec. (a), adding subsec. (b), and redesignating former subsec. (b) as (c).

#### EFFECTIVE DATE OF 1987 AMENDMENT

Section 1233(c)(2) of Pub. L. 100-180 provided that: “The amendment made by subsection (b) [amending Public Laws 99-500, 99-591, and 99-661 which amended this section] shall apply as if included in the enactment of Public Laws 99-500, 99-591, and 99-661.”

#### EFFECTIVE DATE OF 1985 AMENDMENT

Amendment by Pub. L. 99-145 effective Oct. 1, 1985, see section 919(d) of Pub. L. 99-145, set out as a note under section 2411 of this title.

### § 2414. Limitation

(a) IN GENERAL.—The value of the assistance furnished by the Secretary to any eligible entity to carry out a procurement technical assistance program under a cooperative agreement under this chapter during any fiscal year may not exceed—

(1) in the case of a program operating on a Statewide basis, other than a program referred to in clause (3) or (4), \$600,000;

(2) in the case of a program operating on less than a Statewide basis, other than a program referred to in clause (3) or (4), \$300,000;

(3) in the case of a program operated wholly within one service area of the Bureau of Indian Affairs by an eligible entity referred to in section 2411(1)(D) of this title, \$150,000; or

(4) in the case of a program operated wholly within more than one service area of the Bureau of Indian Affairs by an eligible entity referred to in section 2411(1)(D) of this title, \$600,000.

(b) DETERMINATIONS ON SCOPE OF OPERATIONS.—A determination of whether a procurement technical assistance program is operating on a Statewide basis or on less than a Statewide basis or is operated wholly within one or more service areas of the Bureau of Indian Affairs by an eligible entity referred to in section 2411(1)(D) of this title shall be made in accordance with regulations prescribed by the Secretary of Defense.

(Added Pub. L. 98-525, title XII, §1241(a)(1), Oct. 19, 1984, 98 Stat. 2606; amended Pub. L. 99-145, title IX, §919(a), Nov. 8, 1985, 99 Stat. 692; Pub. L. 100-456, div. A, title VIII, §841(a), Sept. 29, 1988, 102 Stat. 2025; Pub. L. 101-189, div. A, title VIII, §819(c), Nov. 29, 1989, 103 Stat. 1503; Pub. L.