

## § 3411.7

agrees to support a specified level of effort for a predetermined time period without the announced intention of providing additional support at a future date.

(2) *Continuation grant.* This is a funding mechanism whereby the Department agrees to support a specified level of effort for a predetermined period of time with a statement of intention to provide additional support at a future date, provided that performance has been satisfactory, appropriations are available for this purpose, and continued support would be in the best interests of the Federal government and the public. This kind of mechanism normally will be awarded for an initial one-year period, and any subsequent continuation project grants will also be awarded in one-year increments. The award of a continuation project grant to fund an initial or succeeding budget period does not constitute an obligation to fund any subsequent budget period. Unless prescribed otherwise by CSREES, a grantee must submit a separate application for continued support for each subsequent fiscal year. Decisions regarding continued support and the actual funding levels of such support in future years usually will be made administratively after consideration of such factors as the grantee's progress and management practices and the availability of funds. Since initial peer reviews are based upon the full term and scope of the original application, additional evaluations of this type generally are not required prior to successive years' support. However, in unusual cases (e.g., when the nature of the project or key personnel change or when the amount of future support requested substantially exceeds the grant application originally reviewed and approved), additional reviews may be required prior to approving continued funding.

(e) *Obligation of the Federal Government.* Neither the approval of any application nor the award of any project grant shall commit or obligate the United States in any way to make any renewal, supplemental, continuation, or other award with respect to any approved application or portion of an approved application.

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(f) *Current Research Information Service (CRIS).* For each project funded, instructions will be sent to the grantee for the completion of CRIS Forms AD-416, "Research Work Unit/Project Description-Research Resume" and AD-417, "Research Work Unit/Project Description—Classification of Research." Grant funds will not be released until the completed forms are received electronically via CRIS.

[56 FR 57952, Nov. 14, 1991. Redesignated and amended at 60 FR 63368, 63370, Dec. 8, 1995; 71 FR 54898, Sept. 20, 2006]

### § 3411.7 Use of funds; changes.

(a) *Delegation of fiscal responsibility.* The grantee may not, in whole or in part, delegate or transfer to another person, institution, or organization the responsibility for use or expenditure of grant funds.

(b) *Change in project plans.* (1) The permissible changes by the grantee, Project Director(s), or other key project personnel in the approved grant shall be limited to changes in methodology, techniques, or other aspects of the project to expedite achievement of the project's approved goals. If the grantee and/or the Project Director(s) is uncertain whether a particular change complies with this provision, the question must be referred to the Administrator for final determination.

(2) Changes in approved goals, or objectives, shall be requested by the grantee and approved in writing by the Department prior to effecting such changes. Normally, no requests for such changes that are outside the scope of the original approved project will be approved.

(3) Changes in approved project leadership or the replacement or reassignment of other key project personnel shall be requested by the grantee and approved in writing by the Department prior to effecting such changes.

(4) Transfers of actual performance of the substantive programmatic work in whole or in part and provisions for payment of funds, whether or not Federal funds are involved, shall be requested by the grantee and approved in writing by the Department prior to effecting such changes, except as may be allowed in the terms and conditions of a grant award.

(c) *Changes in project period.* The project period determined pursuant to § 3411.5(b) may be extended by the Administrator without additional financial support, for such additional period(s) as the Administrator determines may be necessary to complete, or fulfill the purposes of, an approved project. Any extension, when combined with the originally approved or amended project period, shall not exceed five (5) years (the limitation established by statute) and shall be further conditioned upon prior request by the grantee and approval in writing by the Department, except as may be allowed in the terms and conditions of a grant award.

(d) *Changes in approved budget.* The terms and conditions of a grant will prescribe circumstances under which written Departmental approval must be requested and obtained prior to instituting changes in an approved budget.

[56 FR 57952, Nov. 14, 1991. Redesignated at 60 FR 63368, Dec. 8, 1995, as amended at 61 FR 45319, Aug. 29, 1996; 71 FR 54898, Sept. 20, 2006]

#### § 3411.8 Other Federal statutes and regulations that apply.

Several other Federal statutes and/or regulations apply to grant proposals considered for review or to grants awarded under this part. These include but are not limited to:

- 7 CFR 1.1—USDA implementation of Freedom of Information Act;
- 7 CFR part 1c—USDA implementation of the Federal Policy for the Protection of Human Subjects;
- 7 CFR part 15, subpart A—USDA implementation of title VI of the Civil Rights Act of 1964;
- 7 CFR part 3—USDA implementation of OMB Circular A-129 regarding debt collection;
- 7 CFR part 3015—USDA Uniform Federal Assistance Regulations, implementing OMB directives (*i.e.*, Circular Nos. A-21 and A-122) and incorporating provisions of 31 U.S.C. 6301-6308 (formerly, the Federal Grant and Cooperative Agreement Act of 1977, Pub. L. 95-224), as well as general policy requirements applicable to recipients of Departmental financial assistance;
- 7 CFR part 3016—USDA Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments (*i.e.*, Circular Nos. A-102 and A-87);

7 CFR part 3017—USDA implementation of Governmentwide Debarment and Suspension (Nonprocurement) and Governmentwide Requirements for Drug-Free Workplace (Grants);

7 CFR part 3018—USDA implementation of New Restrictions on Lobbying. Imposes new prohibitions and requirements for disclosure and certification related to lobbying on recipients of Federal contracts, grants, cooperative agreements, and loans;

7 CFR part 3051—Audits of Institutions of Higher Education and Other Nonprofit Institutions.

7 CFR part 3407—CSREES procedures to implement the National Environmental Policy Act;

29 U.S.C. 794, section 504—Rehabilitation Act of 1973, and 7 CFR part 15B (USDA implementation of statute), prohibiting discrimination based upon physical or mental handicap in Federally assisted programs;

35 U.S.C. 200 *et. seq.*—Bayh-Dole Act, controlling allocation of rights to inventions made by employees of small business firms and domestic nonprofit organizations, including universities, in Federally assisted programs (implementing regulations are contained in 37 CFR part 401).

[56 FR 57952, Nov. 14, 1991. Redesignated and amended at 60 FR 63368, 63370, Dec. 8, 1995; 71 FR 54898, Sept. 20, 2006]

#### § 3411.9 Other conditions.

The Administrator may, with respect to any grant or to any class of awards, impose additional conditions prior to or at the time of any award when, in the Administrator's judgment, such conditions are necessary to assure or protect advancement of the approved project, the interests of the public, or the conservation of grant funds.

### Subpart B—Scientific Peer Review of Research Grant Applications

#### § 3411.10 Establishment and operation of peer review groups.

Subject to § 3411.5, the Administrator shall adopt procedures for the conduct of peer reviews and the formulation of recommendations under § 3411.14. Peer reviews of all responsive applications will be made by assembled groups of reviewers and/or by written comments solicited from *ad hoc* reviewers.

[56 FR 57952, Nov. 14, 1991. Redesignated at 60 FR 63368, Dec. 8, 1995, as amended at 61 FR 45319, Aug. 29, 1996]