

National Oceanic and Atmospheric Administration	NOAA Administrative Order 216-107A	
NOAA ADMINISTRATIVE ORDER SERIES	DATE OF ISSUANCE June 04, 2021	EFFECTIVE DATE June 04, 2021
SUBJECT: NOAA Policy on Cooperative Institutes		

### **SECTION 1. PURPOSE.**

.01 This National Oceanic and Atmospheric Administration (NOAA) Administrative Order (NAO) elaborates Congressional authorization for the Secretary of Commerce (authority delegated to NOAA) to designate Joint and Cooperative Institutes (CI).

.02 This Order authorizes the development of NOAA's CI Handbook. The CI Handbook will contain procedures for implementing this policy and requires formal approval by the NOAA Science Council.

### **SECTION 2. SCOPE.**

.01 This Order applies to CIs established after the effective date of this Order and those established competitively prior to that date. The CI Handbook prescribes responsibilities in the implementation of this policy.

.02 This Order serves as an aid to NOAA internal management. It is not intended to create any right or benefit enforceable at law by a party against NOAA, the Department of Commerce (DOC), or its officers.

### **SECTION 3. DEFINITIONS.**

.01 Cooperative Institute: A NOAA-supported, non-Federal, academic, and/or non-profit institution that has an established, outstanding research program in one or more areas relevant to NOAA's mission. A CI is established at a research institution that has a strong education program with established degree programs in NOAA-related sciences. A CI engages in research directly related to NOAA's long-term mission needs that require substantial involvement of one or more research units within the research institution(s), as well as one or more NOAA programs. A CI may include multiple research institutions. A CI provides significant coordination of resources among all non-government partners and promotes the involvement of students and postdoctoral scientists in NOAA-funded research. A CI provides mutual benefits, with value provided by all parties. A CI is synonymous with a Joint Institute.

.02 Research Institution: The parent institution(s) of a CI.

.03 Cooperative Agreement: A legal instrument describing the relationship, obligations, and responsibilities between NOAA and a non-Federal recipient whenever:

- a. The principal purpose of the relationship is to transfer money, property, services, or anything of value to accomplish a public purpose of support or stimulation authorized by Federal statute; and
- b. There is substantial involvement (e.g., collaboration, participation, intervention in the management of the project) between NOAA and the recipient during performance of the contemplated activity.

NOAA cooperative agreements are subject to the same guidance followed by the Department of Treasury's Office of Management and Budget, as well as other Federal laws and policies, for grant requirements adherence. (See 31 U.S.C. § 6305 – Using Cooperative Agreements and the DOC Grants and Cooperative Agreements Manual.)

.04 Institutional Award: A grant or cooperative agreement in which funds are initially awarded based on competition and the expectation of a long-term partnership between NOAA and the recipient so that new awards may be made on a non-competitive basis if the:

- a. Recipient performs satisfactorily and submits the appropriate application document; and
- b. Results of the periodic reviews validate the effectiveness and continued desirability of the use of institutional awards for the program. (See the DOC Grants and Cooperative Agreements Manual.)

#### **SECTION 4. POLICY.**

.01 NOAA may establish a CI when it sponsors a long-term (5-10 years) collaborative partnership with one or more non-Federal, non-profit, accredited, degree-granting research institutions. The goals of these partnerships are to promote research, education, training, and outreach that align with NOAA's mission, fund research capabilities that do not exist internally, and expand research capacity in NOAA-related sciences. Specifically, CIs are meant to:

- a. Conduct collaborative, long-term research, relevant to NOAA's mission, with substantial involvement between NOAA scientists and those at research institutions in one or more scientific disciplines of interest to NOAA;
- b. Utilize the scientific, educational, and outreach expertise at research institutions which, depending on the research needs determined by NOAA, may or may not be located near a NOAA facility;
- c. Support the participation of students and postdoctoral scientists in NOAA-related research studies; and
- d. Strengthen or expand research capacity within the research institutions in NOAA-related research by providing funding to support administrative and scientific research activities.

.02 A CI may consist of one or more academic institutions that demonstrate outstanding performance within an established research program in NOAA-related sciences and offer accredited, graduate-level, degree-granting programs in NOAA-related sciences. A CI may also consist of a consortium of academic institutions with the aforementioned programs and their

supporting research affiliates. Each proposing entity must have strong programs in support of at least one of the identified research areas.

These academic institutions may include Minority Serving Institutions (MSI) and other universities with departments that may substantially contribute to the proposed activities of the CI, including NOAA Cooperative Science Centers (CSC). NOAA is strongly committed to increasing the participation of MSIs. To foster diversity and inclusion and promote understanding of the value of diverse environments, NOAA encourages CIs to establish partnerships with MSIs. These partnerships could involve providing opportunities for undergraduate students, graduate students, and postdoctoral scientists. NOAA also encourages faculty and staff exchanges with MSIs. As highlighted in NOAA's Diversity and Inclusion Policy Statement, NOAA is firmly committed to integrating these concepts into our organizational practices and culture.

.03 NOAA will use an open competition and merit-based peer-review process for creating each new CI. A limited competition will be employed when NOAA determines that it is in the best interest of the government to restrict the pool of qualified applicants. The rationale for such a restriction must be justified under the existing DOC and NOAA policies related to Federal assistance.

.04 In cases where multiple academic institutions join to form a CI, NOAA shall encourage these research institutions to consolidate management, administrative, and oversight activities into one CI, provided the benefit of consolidation outweighs the costs.

.05 The CI will provide significant coordination of resources among all participating academic institutions and their supporting research affiliates, forming a consortium. The CI will promote the involvement of students and postdoctoral scientists in NOAA-funded research. The CI will have an important role to play in the development of the future workforce and shall engage students in their work and promote career opportunities whenever possible.

.06 To foster collaborations, NOAA supports the collocation of research institutions and government scientists. NOAA will choose the arrangement that best fits the needs of the science and may choose to collocate when the benefits outweigh the costs of potentially limiting the applicant pool. Collocation is authorized, but not required.

.07 A long-term collaborative partnership is supported by a cooperative agreement. The cooperative agreement is facilitated by a 5-year Federal financial assistance award. A second 5-year Federal financial assistance award is possible after a CI renewal review. The decision to renew the CI will be based on the outcome of an extensive peer review that occurs at or about the beginning of the fourth year. The renewal review will be conducted with the help and support of the NOAA Science Advisory Board. This review will include a measurement of CI performance relative to well-established, mutually agreed-upon performance measures defined by NOAA and the research institution. NOAA will use the peer review to determine a potential renewal period of up to 5 more years and the level of funding commensurate with the final review rating.

The CI annual performance will be evaluated by the responsible NOAA Line Office using the same performance measures as in the renewal review. These performance measures will be incorporated into the award as required by additional terms and conditions.

.08 Funding for a CI may be terminated prior to the end of the award period in accordance with applicable regulations. (See 2 CFR § 200.340 – Termination.) Reasons for termination include, but are not limited to:

- a. Poor research quality;
- b. Failure to comply with a specific term of the award;
- c. Poor CI management;
- d. Poor fiscal management;
- e. Inability to complete proposed research within the time proposed; and/or
- f. Unavailability of NOAA funding for any prospective research area(s) pursued by the CI.

.09 NOAA CIs established under this Order are considered to be institutional awards for purposes of the Department of Commerce Grants and Cooperative Agreements Manual (October 2016), and of NOAA’s existing policies for grants and cooperative agreements implementing institutional programs and awards.

## **SECTION 5. RESPONSIBILITIES.**

.01 NOAA’s Office of Oceanic and Atmospheric Research is authorized to maintain a CI Administration Office to assist NOAA and to perform other duties as requested by NOAA to accomplish the purpose and elements of this NAO.

.02 The NOAA Science Council oversees CI policy and program implementation.

## **SECTION 6. REFERENCES.**

.01 The Secretary of Commerce, acting through the Under Secretary of Commerce for Oceans and Atmosphere, may enter into cooperative agreements and other financial agreements with a nonprofit organization to:

- a. Aid and promote scientific and educational activities to foster public understanding of NOAA or its programs; and
- b. Solicit private donations for the support of such activities. (See 15 U.S.C. § 1540 – Cooperative Agreements.)

Congress further provides, “The Secretary of Commerce may enter into cooperative agreements with the Joint and Cooperative Institutes as designated by the Secretary to use the personnel, services, or facilities of such organizations for research, education, training, and outreach.” (See 118 stat 71.)

.02 NOAA has a number of other programmatic statutes that authorize Federal assistance for:

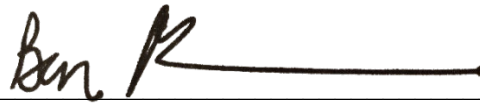
- a. Climate and global change;
- b. Management of marine resources;
- c. Weather services; and
- d. Worldwide environmental data.

**SECTION 7. EFFECT ON OTHER ISSUANCES.**

.01 This Order supersedes NAO 216-107, *NOAA Policy on Cooperative Institutes*, effective September 2, 2005.

.02 The Deputy Under Secretary for Operations Performing the Duties of Under Secretary of Commerce for Oceans and Atmosphere and NOAA Administrator signs because there is no delegation of authority for this NAO.

An electronic copy of this Order will be posted in accordance with Chapter 100 of the NOAA Records Control Schedule on the NOAA Office of the Chief Administrative Officer website under the Administrative Programs in the NOAA Administrative Issuances Section:  
[www.noaa.gov/organization/administration/noaa-administrative-orders](http://www.noaa.gov/organization/administration/noaa-administrative-orders).

A handwritten signature in black ink, appearing to read "Ben R.", is written over a horizontal line.

Deputy Under Secretary for Operations  
Performing the Duties of Under Secretary  
of Commerce for Oceans and Atmosphere  
and NOAA Administrator

Offices of Primary Interest:

Office of Oceanic and Atmospheric Research  
Cooperative Institutes Administration Office