

## **MEMORANDUM OF UNDERSTANDING**

**Between**

**U.S. DEPARTMENT OF AGRICULTURE  
And  
THE COUNCIL OF 1890 UNIVERSITIES**

### **1. PARTIES**

The U.S. Department of Agriculture (USDA) enters into this Memorandum of Understanding (MOU) with the Council of 1890 Universities (Council), hereinafter referred to as "Party" or "Parties."

### **2. PURPOSE**

This MOU reaffirms, engages, and sustains the partnership between the historically black colleges eligible to receive funds under the Second Morrill Act of August 30, 1890, (7 U.S.C. 321-326, and 328), including Tuskegee University (hereinafter referred to as "1890 Land-Grant Universities") and USDA, and to promote increased cooperation among them in all areas of mutual interest.

It reflects the commitment of the parties to improve USDA's outreach efforts with the 1890 Land-Grant Universities and the communities served by these Universities.

This MOU is not intended to, and does not create, any right, benefit, or trust responsibility, substantive or procedural, enforceable at law or equity, by a party against the United States, its agencies, its officers, or any person.

### **3. CANCELLATION**

This MOU supersedes the July 1, 1991, MOU between the Council and USDA.

### **4. RESPONSIBILITIES**

The parties will work together to identify activities/initiatives of mutual benefit.

USDA will broaden its outreach to the 1890 Land-Grant Universities to increase their equal access and opportunities to USDA programs and services.

The 1890 Land-Grant Universities will partner with USDA and assist USDA in reaching the communities served by these Universities, with focus on the undeserved, minority, and limited resource producers.

USDA and the Council will handle their own activities and utilize their own resources, including the expenditure of their own funds, in pursuing these objectives. Each party will carry out its separate activities in a coordinated and mutually beneficial manner.

## **5. SCOPE OF COLLABORATION**

Collaborative efforts under this MOU may include, but are not limited to, the following areas:

- a. Attracting more students into careers in the food, agricultural science, natural resources, and related fields;
- b. Encouraging more students to enter into Federal employment within USDA;
- c. Strengthening the overall capacity of the 1890 Land-Grant Universities recognizing them as full partners in the food and agriculture system;
- d. Sharing expertise and resources in areas of mutual benefit relating to teaching, research and extension programs, library and information services, technology development activities, limited resource, small-scale and minority producer programs, and rural development programs;
- e. Strengthening the linkages among the 1890 Land-Grant Universities, other academic institutions, USDA, and the private sector; and
- f. Increasing the involvement of the 1890 Land-Grant Universities in the conveyance of USDA programs.

## **6. FORMS OF COLLABORATION**

Collaboration between the 1890 Land-Grant Universities and USDA may include, but is not limited to, the following activities:

- a. Entering into Inter-governmental Personnel Act agreements, as work appropriate, for 1890 Land-Grant University faculty and administrators to work within USDA and USDA employees to work within 1890 Land-Grant Universities;
- b. Providing a USDA liaison to each 1890 Land-Grant University campus;

- c. Building relationships and partnerships between USDA and the 1890 Land-Grant Universities;
- d. Engaging in regularly scheduled Task Force and Executive Team meetings;
- e. Consulting, planning, and implementing activities/initiatives in areas of mutual benefit;
- f. Enhancing career and employment opportunities for graduates of 1890 Land-Grant Universities;
- g. Entering into contracts, grants, and cooperative agreements, as appropriate, to further agricultural research, extension, and teaching programs and library and information services or other program areas of mutual interest and benefit;
- h. Engaging in meaningful dialogue on relative issues affecting USDA and the 1890 Land-Grant Universities; and
- i. Participating on boards, committees, and commissions, as appropriate, to enhance the USDA/1890 partnership.

## **7. AGREEMENTS**

Before undertaking any collaborative activity that will require the obligation of Federal funds or resources, the concerned USDA agency and 1890 Land-Grant University will negotiate and execute an appropriate instrument such as a contract, grant, cooperative agreement, Intergovernmental Personnel Act agreement, or other agreement to document the transaction and identify the legal authority underlying the particular transaction. Each collaborative activity shall be agreed upon and conducted in accordance with all applicable statutes and regulations.

## **8. COSTS AND IMPLEMENTATION**

This MOU is not a financial or funding document. It does not impose any financial commitments on either party. Specific activities or initiatives that involve the transfer of funds, services, or property among the various agencies and offices of USDA and the Council will require execution of separate agreements and will be contingent upon the availability of appropriated funds. Such activities must be independently authorized by appropriate statutory authority. This MOU does not provide such authority. Negotiation, execution, and administration of each such agreements must comply with all applicable statutes and regulations.

USDA, the Council, and the 1890 Land-Grant Universities are encouraged to identify funds and resources to support activities of mutual benefit.

## 9. AMENDMENT AND TERMINATION

This MOU takes effect upon the signature of USDA and the Council and shall remain in effect for 5 years from the date of execution. This MOU may be extended or amended upon written request of either USDA or the Council and the subsequent written concurrence of the other. Either USDA or the Council may terminate this MOU with a 60-day written notice to the other.

## 10. AUTHORITIES

Second Morrill Act of August 30, 1890 (7 U.S.C. 321-326, and 328);

National Agricultural Research, Extension, and Teaching Policy Act of 1977, Pub. L. 95-113, § 1402, et seq., 7 U.S.C. § 3101;

Executive Order 13256, White House Initiative on Historically Black Colleges and Universities, dated February 12, 2002;

5 CFR Part 213.3202-Excepted Service, Student Educational Employment Program-Student Career Experience Program;

5 CFR Part 410-Training; and

Federal Agriculture Improvement and Reform Act of 1996 (FAIR Act), Title IX, Section 922 (7 U.S.C. § 2279c).

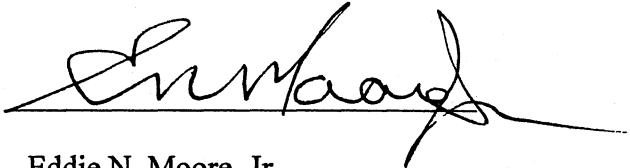
SIGNED:



Mike Johanns

Secretary of Agriculture

6/5/07  
Date



Eddie N. Moore, Jr.

Chairman, Council of 1890 Universities  
President, Virginia State University

6/5/07  
Date