

(Pub. L. 95–113, title XIV, §1447B, as added Pub. L. 110–234, title VII, §7125, May 22, 2008, 122 Stat. 1223, and Pub. L. 110–246, §4(a), title VII, §7125, June 18, 2008, 122 Stat. 1664, 1984; amended Pub. L. 113–79, title VII, §7113, Feb. 7, 2014, 128 Stat. 874.)

#### CODIFICATION

Pub. L. 110–234 and Pub. L. 110–246 enacted identical sections. Pub. L. 110–234 was repealed by section 4(a) of Pub. L. 110–246.

#### EFFECTIVE DATE

Enactment of this section and repeal of Pub. L. 110–234 by Pub. L. 110–246 effective May 22, 2008, the date of enactment of Pub. L. 110–234, see section 4 of Pub. L. 110–246, set out as a note under section 8701 of this title.

#### AMENDMENTS

2014—Pub. L. 113–79, §7113(a)(2), inserted “and support tropical and subtropical agricultural research” after “equipment” and substituted “colleges and universities” for “institutions” in section catchline.

Subsec. (a). Pub. L. 113–79, §7113(a)(1), amended subsec. (a) generally. Prior to amendment, text read as follows: “It is the intent of Congress to assist the land-grant institutions in the insular areas in efforts to acquire, alter, or repair facilities or relevant equipment necessary for conducting agricultural research.”

Subsec. (d). Pub. L. 113–79, §7113(b), substituted “2018” for “2012”.

#### § 3222c. Repealed. Pub. L. 113–79, title VII, § 7114, Feb. 7, 2014, 128 Stat. 875

Section, Pub. L. 95–113, title XIV, §1448, as added Pub. L. 101–624, title XVI, §1612(c), Nov. 28, 1990, 104 Stat. 3723; amended Pub. L. 104–127, title VIII, §814, Apr. 4, 1996, 110 Stat. 1166; Pub. L. 105–185, title III, §301(a)(10), June 23, 1998, 112 Stat. 562; Pub. L. 107–171, title VII, §7110, May 13, 2002, 116 Stat. 433; Pub. L. 110–234, title VII, §7126, May 22, 2008, 122 Stat. 1223; Pub. L. 110–246, §4(a), title VII, §7126, June 18, 2008, 122 Stat. 1664, 1984, related to national research and training virtual centers.

#### PRIOR PROVISIONS

A prior section 1448 of Pub. L. 95–113, title XIV, Sept. 29, 1977, 91 Stat. 1011, amended sections 1923 and 1942 of this title, prior to repeal by Pub. L. 101–624, title XVI, §1601(f)(1)(D), Nov. 28, 1990, 104 Stat. 3704.

#### § 3222d. Matching funds requirement for research and extension activities at eligible institutions

##### (a) Definitions

In this section:

##### (1) Eligible institution

The term “eligible institution” means a college eligible to receive funds under the Act of August 30, 1890 (7 U.S.C. 321 et seq.) (commonly known as the “Second Morrill Act”), including Tuskegee University.

##### (2) Formula funds

The term “formula funds” means the formula allocation funds distributed to eligible institutions under sections 3221 and 3222 of this title.

##### (b) Determination of non-Federal sources of funds

Not later than September 30, 1999, each eligible institution shall submit to the Secretary a report describing for fiscal year 1999—

(1) the sources of non-Federal funds made available by the State to the eligible institution for agricultural research, extension, and education to meet the requirements of this section; and

(2) the amount of such funds generally available from each source.

##### (c) Matching formula

Notwithstanding any other provision of this subchapter, the State shall provide equal matching funds from non-Federal sources.

##### (d) Waiver authority

Notwithstanding subsection (f), the Secretary may waive the matching funds requirement under subsection (c) above the 50 percent level for any fiscal year for an eligible institution of a State if the Secretary determines that the State will be unlikely to satisfy the matching requirement.

##### (e) Use of matching funds

Under terms and conditions established by the Secretary, matching funds provided as required by subsection (c) may be used by an eligible institution for agricultural research, extension, and education activities.

##### (f) Redistribution of funds

##### (1) Redistribution required

Federal funds that are not matched by a State in accordance with subsection (c) for a fiscal year shall be redistributed by the Secretary to eligible institutions whose States have satisfied the matching funds requirement for that fiscal year.

##### (2) Administration

Any redistribution of funds under this subsection shall be subject to the applicable matching requirement specified in subsection (c) and shall be made in a manner consistent with sections 3221 and 3222 of this title, as determined by the Secretary.

(Pub. L. 95–113, title XIV, §1449, as added Pub. L. 105–185, title II, §226(a), June 23, 1998, 112 Stat. 542; amended Pub. L. 107–171, title VII, §7212, May 13, 2002, 116 Stat. 447; Pub. L. 110–234, title VII, §7127, May 22, 2008, 122 Stat. 1223; Pub. L. 110–246, §4(a), title VII, §7127, June 18, 2008, 122 Stat. 1664, 1984.)

#### REFERENCES IN TEXT

Act of August 30, 1890, referred to in subsec. (a)(1), is act Aug. 30, 1890, ch. 841, 26 Stat. 417, as amended, popularly known as the Agricultural College Act of 1890 and also as the Second Morrill Act, which is classified generally to subchapter II (§321 et seq.) of chapter 13 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 321 of this title and Tables.

#### CODIFICATION

Pub. L. 110–234 and Pub. L. 110–246 made identical amendments to this section. The amendments by Pub. L. 110–234 were repealed by section 4(a) of Pub. L. 110–246.

#### AMENDMENTS

2008—Subsec. (c). Pub. L. 110–246, §7127, substituted “the State shall provide equal matching funds” for “for each of fiscal years 2003 through 2007, the State shall provide matching funds” and struck out at end “Such

matching funds shall be for an amount equal to not less than—

“(1) 60 percent of the formula funds to be distributed to the eligible institution for fiscal year 2003;

“(2) 70 percent of the formula funds to be distributed to the eligible institution for fiscal year 2004;

“(3) 80 percent of the formula funds to be distributed to the eligible institution for fiscal year 2005;

“(4) 90 percent of the formula funds to be distributed to the eligible institution for fiscal year 2006; and

“(5) 100 percent of the formula funds to be distributed to the eligible institution for fiscal year 2007 and each fiscal year thereafter.”

2002—Subsec. (c). Pub. L. 107-171, §7212(1), reenacted heading without change and amended text generally. Prior to amendment, text read as follows: “Notwithstanding any other provision of this subchapter, the distribution of formula funds to an eligible institution shall be subject to the following matching requirements:

“(1) For fiscal year 2000, the State shall provide matching funds from non-Federal sources in an amount equal to not less than 30 percent of the formula funds to be distributed to the eligible institution.

“(2) For fiscal year 2001, the State shall provide matching funds from non-Federal sources in an amount equal to not less than 45 percent of the formula funds to be distributed to the eligible institution.

“(3) For fiscal year 2002 and each fiscal year thereafter, the State shall provide matching funds from non-Federal sources in an amount equal to not less than 50 percent of the formula funds to be distributed to the eligible institution.”

Subsec. (d). Pub. L. 107-171, §7212(2), amended heading and text of subsec. (d) generally. Prior to amendment, text read as follows:

“(1) FISCAL YEAR 2000.—Notwithstanding subsection (f) of this section, the Secretary may waive the matching funds requirement under subsection (c)(1) of this section for fiscal year 2000 for an eligible institution of a State if the Secretary determines that, based on the report received under subsection (b) of this section, the State will be unlikely to satisfy the matching requirement.

“(2) FUTURE FISCAL YEARS.—The Secretary may not waive the matching requirement under subsection (c) of this section for any fiscal year other than fiscal year 2000.”

#### EFFECTIVE DATE OF 2008 AMENDMENT

Amendment of this section and repeal of Pub. L. 110-234 by Pub. L. 110-246 effective May 22, 2008, the date of enactment of Pub. L. 110-234, see section 4 of Pub. L. 110-246, set out as an Effective Date note under section 8701 of this title.

### § 3223. Grants for acquisition and improvement of research facilities and equipment

#### (a) Eligible institutions; statement of purposes

It is hereby declared to be the intent of Congress to assist the institutions eligible to receive funds under the Act of August 30, 1890 (7 U.S.C. 321 et seq.), including Tuskegee Institute (hereinafter referred to in this section as “eligible institutions”), in the acquisition and improvement of research facilities and equipment, including agricultural libraries, so that eligible institutions may participate fully with the State agricultural experiment stations in a balanced attack on the research needs of the people of their States.

#### (b) Authorization of appropriations

There are authorized to be appropriated to the Secretary of Agriculture for the purpose of car-

rying out the provisions of this section \$10,000,000 for each of the fiscal years ending September 30, 1982, September 30, 1983, September 30, 1984, September 30, 1985, September 30, 1986, and September 30, 1987, such sums to remain available until expended.

#### (c) Allocation of funds

Four per centum of the sums appropriated pursuant to this section shall be available to the Secretary for administration of this grants program. The remaining funds shall be available for grants to the eligible institutions for the purpose of assisting them in the purchase of equipment and land, and the planning, construction, alteration, or renovation of buildings to strengthen their capacity to conduct research in the food and agricultural sciences.

#### (d) Amount, terms, and conditions

Grants awarded pursuant to this section shall be made in such amounts and under such terms and conditions as the Secretary shall determine necessary for carrying out the purposes of this section.

#### (e) Restrictions

Federal funds provided under this section may not be utilized for the payment of any overhead costs of the eligible institutions.

#### (f) Rules and regulations

The Secretary may promulgate such rules and regulations as the Secretary may deem necessary to carry out the provisions of this section.

(Pub. L. 97-98, title XIV, §1433, Dec. 22, 1981, 95 Stat. 1312; Pub. L. 99-198, title XIV, §1433, Dec. 23, 1985, 99 Stat. 1557.)

#### REFERENCES IN TEXT

Act of August 30, 1890, referred to in subsec. (a), is act Aug. 30, 1890, ch. 841, 26 Stat. 417, as amended, popularly known as the Agricultural College Act of 1890 and also as the Second Morrill Act, which is classified generally to subchapter II (§321 et seq.) of chapter 13 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 321 of this title and Tables.

#### CODIFICATION

Section was enacted as part of the Agriculture and Food Act of 1981, and not as part of the National Agricultural Research Extension and Teaching Policy Act of 1977 which comprises this chapter.

#### AMENDMENTS

1985—Subsec. (a). Pub. L. 99-198, §1432(a), inserted “, including agricultural libraries,” after “equipment”.

Subsec. (b). Pub. L. 99-198, §1432(b), authorized appropriations for fiscal year ending Sept. 30, 1987.

#### EFFECTIVE DATE

Section effective Dec. 22, 1981, see section 1801 of Pub. L. 97-98, set out as a note under section 4301 of this title.

### § 3224. Repealed. Pub. L. 104-127, title VIII, § 873, Apr. 4, 1996, 110 Stat. 1175; Pub. L. 105-185, title VI, § 606(g), June 23, 1998, 112 Stat. 604

Section, Pub. L. 99-198, title XIV, §1416, Dec. 23, 1985, 99 Stat. 1549; Pub. L. 101-624, title XVI, §1601(d)(1), Nov. 28, 1990, 104 Stat. 3704, provided for grants to upgrade 1890 land-grant college extension facilities.