

the criteria specified in subparagraph (B) to develop counseling, retraining, and educational” for “special grants for programs to develop educational, retraining, and counseling”.

Subsec. (f)(1)(B). Pub. L. 101-624, § 2389(b)(3), (4), added subpar. (B), struck out heading, introductory provisions, and cl. (i) of former subpar. (B), and redesignated cls. (ii) to (viii) of former subpar. (B) as cls. (i) to (vii) of subpar. (D). Prior to amendment, introductory provisions and cl. (i) read as follows: “Such programs shall provide the following services:

“(i) Clinical outreach counseling and crisis management assistance through appropriate State officials.”

Subsec. (f)(1)(C). Pub. L. 101-624, § 2389(b)(2), (4), added subpar. (C) and redesignated former subpar. (C) as (E).

Subsec. (f)(1)(D). Pub. L. 101-624, § 2389(b)(2), (4), added heading and introductory provisions of subpar. (D) and redesignated former subpar. (D) as (F).

Subsec. (f)(1)(D)(i) to (vii). Pub. L. 101-624, § 2389(b)(3)(B), redesignated former subpar. (B)(ii) to (viii) as subpar. (D)(i) to (vii).

Subsec. (f)(1)(D)(viii). Pub. L. 101-624, § 2389(b)(5), added cl. (viii).

Subsec. (f)(1)(E). Pub. L. 101-624, § 2389(b)(2), redesignated former subpar. (C) as (E).

Subsec. (f)(1)(F). Pub. L. 101-624, § 2389(b)(6), substituted “shall work with the appropriate State office of rural health, State department or agency of mental health, and other” for “is encouraged to work with” and “an annual comprehensive plan” for “a comprehensive plan”, struck out “special” before “grant funds”, and inserted at end “For recipients in a State to be eligible for a grant under this subsection in any fiscal year, the Cooperative Extension Service within the State must develop and sign a Memorandum of Agreement with the appropriate State department or agency of mental health and other State agencies as may be appropriate to carry out the comprehensive plan. Such agreement and plan must emphasize the development and delivery of counseling and outreach programs as provided under subparagraph (B).”

Pub. L. 101-624, § 2389(b)(2), redesignated former subpar. (D) as (F).

Subsec. (f)(2). Pub. L. 101-624, § 2389(a), inserted “to eligible applicants in any State applying for such grants” after “under paragraph (1)”, and substituted “1995” for “1990”.

Subsec. (g). Pub. L. 101-624, § 2346, added subsec. (g).

Subsec. (h). Pub. L. 101-624, § 2349, added subsec. (h) relating to research grants.

Pub. L. 101-624, § 2390(b)(1), added subsec. (h) relating to rural health and safety education programs.

1987—Subsec. (f). Pub. L. 100-219 amended subsec. (f) generally. Prior to amendment, subsec. (f) read as follows:

“(1)(A) The Secretary shall provide special grants for programs to develop income alternatives for farmers who have been adversely affected by the current farm and rural economic crisis and those displaced from farming.

“(B) Such programs shall consist of educational and counseling services to farmers to—

“(i) assess human and nonhuman resources;

“(ii) assess income earning alternatives;

“(iii) identify resources and opportunities available to the farmer in the local community, county, and State;

“(iv) implement financial planning and management strategies; and

“(v) provide linkages to specific resources and opportunities that are available to the farmer, such as reentering agriculture, new business opportunities, other off-farm jobs, job search programs, and retraining skills.

“(C) The Secretary also may provide support to mental health officials in developing outreach programs in rural areas.

“(2) Grants may be made under paragraph (1) during the period beginning on December 23, 1985, and ending 3 years after such date.”

1985—Subsec. (f). Pub. L. 99-198 added subsec. (f).

#### 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, except as otherwise provided, see section 4 of Pub. L. 110-246, set out as an Effective Date note under section 8701 of this title.

Amendment by section 7511(c)(6) of Pub. L. 110-246 effective Oct. 1, 2009, see section 7511(c) of Pub. L. 110-246, set out as a note under section 1522 of this title.

#### 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.

#### EFFECT OF AMENDMENTS ON CURRENT GRANT RECIPIENTS

Pub. L. 101-624, title XXIII, § 2389(d), Nov. 28, 1990, 104 Stat. 4055, provided that 8 States receiving grants under 7 U.S.C. 2662(f) during fiscal year 1990 could continue to be eligible to receive grants (in an amount not to exceed the amount received during that fiscal year) under that section notwithstanding that such grants be awarded competitively, so long as such States complied with requirement that not less than one-half of such grant amount was to be used for clinical outreach counseling and crisis management assistance, prior to repeal by Pub. L. 104-127, title VII, § 792(b)(1), Apr. 4, 1996, 100 Stat. 1152.

#### RURAL HEALTH INFRASTRUCTURE IMPROVEMENT

Pub. L. 101-624, title XXIII, § 2391, Nov. 28, 1990, 104 Stat. 4057, provided for award of grant for establishment of project to demonstrate model approach to improving rural health infrastructure, which was to carry out systematic, community-based rural health needs assessments, identify and coordinate available health services resources, improve community infrastructure through health education and information and leadership development and training, and develop community generated health improvement strategies, and further provided for project implementation and limitations on authorization of appropriations, prior to repeal by Pub. L. 104-127, title VII, § 709, Apr. 4, 1996, 110 Stat. 1112.

#### § 2662a. Repealed. Pub. L. 104-127, title VII, § 706, title VIII, § 867, Apr. 4, 1996, 110 Stat. 1112, 1174

Section, Pub. L. 101-624, title XXIII, § 2348, Nov. 28, 1990, 104 Stat. 4037, required Secretary to establish program of competitive grants to rural areas to serve as demonstration areas for rural economic development and as models of such development for other areas, and set forth criteria for award of such grants.

#### § 2663. Funding

##### (a) Authorization of appropriations

There are authorized to be appropriated such sums as are necessary to carry out the purposes of this subchapter.

##### (b) Distributions

Such sums as are appropriated to carry out the provisions of section 2662(a) and (b) of this title shall be distributed by the Secretary of Agriculture as follows:

(1) 4 per centum shall be retained by the Secretary for program administration and national coordination of State programs, and program assistance to the States;

(2) 10 per centum shall be used to finance work serving two or more States in which col-

leges or universities in two or more States cooperate or that is conducted by one college or university to serve two or more States;

(3) 20 per centum shall be allocated equally among the States; and

(4) 66 per centum shall be allocated to each State as follows: One-half in an amount that bears the same ratio to the total amount to be allotted as the rural population of the State bears to the total rural population of all the States, as determined by the last preceding decennial census current at that time; and one-half in an amount that bears the same ratio to the total amount to be allotted as the farm population of the State bears to the total farm population of all the States, as determined by the last preceding decennial census current at that time:

*Provided*, That, beginning with the fiscal year ending September 30, 1982, no State may receive more than \$75,000 until all States have been allotted a minimum of \$75,000.

**(c) Additional distributions**

Such sums as are appropriated to carry out subsections (e) and (i) of section 2662 of this title shall be distributed by the Secretary to colleges and universities, on a competitive or matching fund basis, according to the Secretary's determination of the projects and manner of funding that show the most promise of fulfilling the objectives of those subsections.

**(d) Administration of programs**

Funds appropriated under this subchapter may be used to pay salaries and other expenses of personnel employed to carry out the functions authorized by this subchapter; to obtain necessary supplies, equipment, and services; and to rent, repair, and maintain facilities needed, but not to purchase or construct buildings.

**(e) Development of plans of work and budgets by eligible institutions**

Payment of funds to any State for programs authorized under section 2662(a), (b), (c), and (d) of this title shall be contingent upon approval by the Secretary of a plan of work and budget for such programs and compliance with such regulations as the Secretary may issue under this subchapter. Plans for work shall be jointly developed in each State by the land-grant colleges and universities eligible to receive funds under the Act of July 2, 1862 (7 U.S.C. 301 et seq.), and the Act of August 30, 1890 (7 U.S.C. 321 et seq.), including Tuskegee Institute. In States in which there is no land-grant institution eligible to receive funds under the Act of August 30, 1890, the land-grant institution eligible to receive funds under the Act of July 2, 1862, shall be responsible for developing plans of work and budgets. In the development of the plans of work and budgets, consideration shall be given to involvement of the resources and expertise of the colleges and universities serving the region in which the plans and budgets are to be applied.

**(f) Availability; budgets and accounts**

Funds shall be available for use by each State in the fiscal year for which appropriated and the next fiscal year following the fiscal year for which appropriated. Funds shall be budgeted and

accounted for on such forms and at such times as the Secretary shall prescribe.

**(g) Financing of programs at other than cooperating institutions**

Funds provided to each State under this subchapter may be used to finance programs through or at private and publicly supported colleges and universities other than the institutions responsible for administering the programs, as provided under section 2664 of this title.

(Pub. L. 92-419, title V, § 503, as added Pub. L. 97-98, title XIV, § 1444(a), Dec. 22, 1981, 95 Stat. 1324; amended Pub. L. 99-198, title XIV, § 1440(b), Dec. 23, 1985, 99 Stat. 1560; Pub. L. 101-624, title XXIII, §§ 2389(c)(2), 2390(b)(2), Nov. 28, 1990, 104 Stat. 4055, 4056; Pub. L. 102-237, title IV, § 403(b), Dec. 13, 1991, 105 Stat. 1863; Pub. L. 104-127, title VII, § 792(b)(2), Apr. 4, 1996, 110 Stat. 1152.)

REFERENCES IN TEXT

Act of July 2, 1862, referred to in subsec. (e), is act July 2, 1862, ch. 130, 12 Stat. 503, popularly known as the "Morrill Act" and also as the "First Morrill Act", which is classified generally to subchapter I (§ 301 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 301 of this title and Tables.

Act of August 30, 1890, referred to in subsec. (e), 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.

PRIOR PROVISIONS

A prior section 2663, Pub. L. 92-419, title V, § 503, Aug. 30, 1972, 86 Stat. 672; Pub. L. 94-259, § 1, Apr. 5, 1976, 90 Stat. 314; Pub. L. 95-113, title XIV, § 1441, Sept. 29, 1977, 91 Stat. 1006; Pub. L. 96-355, § 4(1)-(3), Sept. 24, 1980, 94 Stat. 1173, 1174, related to program moneys, prior to repeal by Pub. L. 97-98, title XIV, § 1444(a), Dec. 22, 1981, 95 Stat. 1326.

AMENDMENTS

1996—Subsec. (c). Pub. L. 104-127, § 792(b)(2)(A)(ii), (iii), which directed substitution of "subsections (e), (h), and (i) of section 2662 of this title shall be distributed" for "section 2662(e)" and all that follows through "shall be distributed" and "objectives of subsections (e), (h), and (i) of section 2662 of this title" for "objectives of" and all that follows through "title", could not be executed because of prior amendment by Pub. L. 102-237, which substituted "subsections (e) and (i) of section 2662 of this title shall be distributed" for "the provisions of section 2662(e) of this title shall be distributed" and "objectives of those subsections" for "objectives of section 2662(e) of this title". See 1991 Amendment note below.

Pub. L. 104-127, § 792(b)(2)(A)(i), (B), struck out "(1)" before "Such sums" and struck out par. (2) which read as follows: "The Secretary shall distribute the amounts appropriated to carry out section 2662(f) of this title to colleges and universities in accordance with the requirements of such subsection."

1991—Subsec. (c)(1). Pub. L. 102-237 substituted "subsections (e) and (i) of section 2662 of this title" for "the provisions of section 2662(e) of this title" and "objectives of those subsections" for "objectives of section 2662(e) of this title".

1990—Subsec. (c). Pub. L. 101-624, § 2390(b)(2), which directed substitution of "section 2662(f) of this title, and section 2662(h) of this title" for "and section 2662(f) of

this title", could not be executed because of prior amendment by Pub. L. 101-624, §2389(c)(2)(B), which struck out "and section 2662(f)" wherever appearing in par. (1). See below.

Pub. L. 101-624, §2389(c)(2), inserted heading, designated existing provisions as par. (1), struck out "and section 2662(f)" before "of this title" in two places, and added par. (2).

1985—Subsec. (c). Pub. L. 99-198 inserted references to section 2662(f) of this title.

#### 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.

### § 2664. Cooperating colleges and universities

#### (a) Program administration

To ensure national coordination with other federally supported agricultural research and extension programs, administration of each State program shall be the responsibility of the colleges and universities eligible to receive funds under the Act of July 2, 1862 [7 U.S.C. 301 et seq.], and the Act of August 30, 1890 [7 U.S.C. 321 et seq.], including Tuskegee Institute. In States that contain more than one such institution, such administration shall be the responsibility of the institution designated by mutual agreement of all such institutions, subject to approval by the Secretary of Agriculture. The Secretary shall pay funds available to each State to such institution or university. Such administration shall be coordinated with other federally supported agricultural research and extension programs conducted in the State.

#### (b) Eligibility for participation

All private and publicly supported colleges and universities in a State shall be eligible to participate in programs authorized under this subchapter. Officials at universities or colleges other than those responsible for administering the programs that wish to participate in these programs shall submit program proposals to the college or university officials responsible for administering the programs who shall consider such proposals in the process of developing the budgets and plans of work.

#### (c) Designation of official for program coordination

The institution of each State responsible for administering the programs authorized under this subchapter shall designate an official who shall be responsible for the overall coordination of the programs.

#### (d) Appointment of advisory council for program administration; eligibility, membership, etc.

The institution in each State responsible for administering the programs authorized under this subchapter shall name an advisory council to review and approve budgets and plans of work conducted under this subchapter and to advise the chief administrative officer of the institution administering the programs on matters pertaining to the programs. An existing State rural development committee or council may be named to perform this function, or a new council may be appointed by the chief administrative officer or officers. The committee or council named or appointed shall consist of at least

twenty members and shall include persons representing farmers, business, labor, banking, local government, multicounty planning and development districts, public and private colleges and universities in the State, and Federal and State agencies involved in rural development.

(Pub. L. 92-419, title V, §504, as added Pub. L. 97-98, title XIV, §1444(a), Dec. 22, 1981, 95 Stat. 1325.)

#### REFERENCES IN TEXT

Act of July 2, 1862, referred to in subsec. (a), is act July 2, 1862, ch. 130, 12 Stat. 503, popularly known as the "Morrill Act" and also as the "First Morrill Act", which is classified generally to subchapter I (§301 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 301 of this title and Tables.

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.

#### PRIOR PROVISIONS

A prior section 2664, Pub. L. 92-419, title V, §504, Aug. 30, 1972, 86 Stat. 673, related to conducting of programs authorized by this subchapter, by cooperating colleges and universities, prior to repeal by Pub. L. 97-98, title XIV, §1444(a), Dec. 22, 1981, 95 Stat. 1326.

#### 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.

### § 2665. Withholding funds

If the Secretary of Agriculture determines that a State is not eligible to receive part or all of the funds to which it is otherwise entitled for programs under section 2662(a) and (b) of this title because of a failure to comply with regulations issued by the Secretary under this subchapter, the facts and reasons therefor shall be reported to the President, and the amount involved shall be kept separate in the Treasury until the expiration of the Congress next succeeding the session of the legislature of the State from which funds have been withheld in order that the State may, if it should so desire, appeal to Congress from the determination of the Secretary. If the next Congress shall not direct such sum to be paid, it shall be covered into the Treasury. If any portion of the moneys that are received by the designated officers of any State for the support and maintenance of programs authorized under this subchapter shall by any action or contingency be diminished or lost, or be misapplied, it shall be replaced by the State.

(Pub. L. 92-419, title V, §505, as added Pub. L. 97-98, title XIV, §1444(a), Dec. 22, 1981, 95 Stat. 1326.)

#### PRIOR PROVISIONS

A prior section 2665, Pub. L. 92-419, title V, §505, Aug. 30, 1972, 86 Stat. 673, related to agreements and plans, prior to repeal by Pub. L. 97-98, title XIV, §1444(a), Dec. 22, 1981, 95 Stat. 1326.

Provisions similar to those comprising this section were contained in former section 2666 of this title, prior to its repeal by Pub. L. 97-98.