

(d) Authorization of appropriations

There are authorized to be appropriated to carry out this section such sums as are necessary for each of fiscal years 2008 through 2012.

(Pub. L. 95-113, title XIV, §1473E, as added Pub. L. 110-234, title VII, §7137, May 22, 2008, 122 Stat. 1229, and Pub. L. 110-246, §4(a), title VII, §7137, June 18, 2008, 122 Stat. 1664, 1990.)

REFERENCES IN TEXT

The date of the enactment of this section, referred to in subsec. (b)(2)(A), is the date of enactment of Pub. L. 110-246, which was approved June 18, 2008.

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 L. 110-234 was repealed by section 4(a) of Pub.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.

PRIOR PROVISIONS

A prior section 3319e, Pub. L. 95-113, title XIV, §1473E, as added Pub. L. 101-220, §5, Dec. 12, 1989, 103 Stat. 1878, related to research into new commercial products from natural plant materials, prior to repeal by Pub. L. 102-237, title IV, §402(14), Dec. 13, 1991, 105 Stat. 1863.

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.

§ 3319f. Beginning farmer and rancher development program**(a) Definition of beginning farmer or rancher**

In this section, the term “beginning farmer or rancher” means a person that—

- (1)(A) has not operated a farm or ranch; or
- (B) has operated a farm or ranch for not more than 10 years; and
- (2) meets such other criteria as the Secretary may establish.

(b) Program

The Secretary shall establish a beginning farmer and rancher development program to provide training, education, outreach, and technical assistance initiatives for beginning farmers or ranchers.

(c) Grants**(1) In general**

In carrying out this section, the Secretary shall make competitive grants to support new and established local and regional training, education, outreach, and technical assistance initiatives for beginning farmers or ranchers, including programs and services (as appropriate) relating to—

- (A) basic livestock, forest management, and crop farming practices;
- (B) innovative farm, ranch, and private, nonindustrial forest land transfer strategies;
- (C) entrepreneurship and business training;
- (D) financial and risk management training (including the acquisition and management of agricultural credit);
- (E) natural resource management and planning;
- (F) diversification and marketing strategies;

- (G) curriculum development;
- (H) mentoring, apprenticeships, and internships;
- (I) resources and referral;
- (J) farm financial benchmarking;
- (K) assisting beginning farmers or ranchers in acquiring land from retiring farmers and ranchers;
- (L) agricultural rehabilitation and vocational training for veterans;
- (M) farm safety and awareness; and
- (N) other similar subject areas of use to beginning farmers or ranchers.

(2) Eligibility

To be eligible to receive a grant under this subsection, the recipient shall be a collaborative State, tribal, local, or regionally-based network or partnership of public or private entities, which may include—

- (A) a State cooperative extension service;
- (B) a Federal, State, or tribal agency;
- (C) a community-based or nongovernmental organization;
- (D) a college or university (including an institution awarding an associate’s degree) or foundation maintained by a college or university; or
- (E) any other appropriate partner, as determined by the Secretary.

(3) Maximum term and size of grant**(A) In general**

- A grant under this subsection shall—
- (i) have a term that is not more than 3 years; and
 - (ii) be in an amount that is not more than \$250,000 for each year.

(B) Consecutive grants

An eligible recipient may receive consecutive grants under this subsection.

(4) Matching requirement

To be eligible to receive a grant under this subsection, a recipient shall provide a match in the form of cash or in-kind contributions in an amount equal to 25 percent of the funds provided by the grant.

(5) Evaluation criteria

In making grants under this subsection, the Secretary shall evaluate—

- (A) relevancy;
- (B) technical merit;
- (C) achievability;
- (D) the expertise and track record of 1 or more applicants;
- (E) the adequacy of plans for the participatory evaluation process, outcome-based reporting, and the communication of findings and results beyond the immediate target audience; and
- (F) other appropriate factors, as determined by the Secretary.

(6) Regional balance

In making grants under this subsection, the Secretary shall, to the maximum extent practicable, ensure geographical diversity.

(7) Priority

In making grants under this subsection, the Secretary shall give priority to partnerships

and collaborations that are led by or include nongovernmental, community-based organizations, and school-based agricultural educational organizations with expertise in new agricultural producer training and outreach.

(8) Set-asides

(A) In general

Not less than 5 percent of the funds used to carry out this subsection for a fiscal year shall be used to support programs and services that address the needs of—

- (i) limited resource beginning farmers or ranchers (as defined by the Secretary);
- (ii) socially disadvantaged farmers or ranchers (as defined in section 2003(e) of this title) who are beginning farmers or ranchers; and
- (iii) farmworkers desiring to become farmers or ranchers.

(B) Veteran farmers and ranchers

Not less than 5 percent of the funds used to carry out this subsection for a fiscal year shall be used to support programs and services that address the needs of veteran farmers and ranchers (as defined in section 2279(e) of this title).

(9) Prohibition

A grant made under this subsection may not be used for the planning, repair, rehabilitation, acquisition, or construction of a building or facility.

(10) Administrative costs

The Secretary shall use not more than 4 percent of the funds made available to carry out this subsection for administrative costs incurred by the Secretary in carrying out this section.

(11) Limitation on indirect costs

A recipient of a grant under this subsection may not use more than 10 percent of the funds provided by the grant for the indirect costs of carrying out the initiatives described in paragraph (1).

(12) Coordination permitted

A recipient of a grant under this subsection using the grant as described in paragraph (8)(B) may coordinate with a recipient of a grant under section 5933 of this title in addressing the needs of veteran farmers and ranchers with disabilities.

(d) Education teams

(1) In general

In carrying out this section, the Secretary shall establish beginning farmer and rancher education teams to develop curricula and conduct educational programs and workshops for beginning farmers or ranchers in diverse geographical areas of the United States.

(2) Curriculum

In promoting the development of curricula, the Secretary shall, to the maximum extent practicable, include modules tailored to specific audiences of beginning farmers or ranchers, based on crop or regional diversity.

(3) Composition

In establishing an education team for a specific program or workshop, the Secretary shall, to the maximum extent practicable—

- (A) obtain the short-term services of specialists with knowledge and expertise in programs serving beginning farmers or ranchers; and
- (B) use officers and employees of the Department with direct experience in programs of the Department that may be taught as part of the curriculum for the program or workshop.

(4) Cooperation

(A) In general

In carrying out this subsection, the Secretary shall cooperate, to the maximum extent practicable, with—

- (i) State cooperative extension services;
- (ii) Federal and State agencies;
- (iii) community-based and nongovernmental organizations;
- (iv) colleges and universities (including an institution awarding an associate's degree) or foundations maintained by a college or university; and
- (v) other appropriate partners, as determined by the Secretary.

(B) Cooperative agreement

Notwithstanding chapter 63 of title 31, the Secretary may enter into a cooperative agreement to reflect the terms of any cooperation under subparagraph (A).

(e) Curriculum and training clearinghouse

The Secretary shall establish an online clearinghouse that makes available to beginning farmers or ranchers education curricula and training materials and programs, which may include online courses for direct use by beginning farmers or ranchers.

(f) Stakeholder input

In carrying out this section, the Secretary shall seek stakeholder input from—

- (1) beginning farmers and ranchers;
- (2) national, State, tribal, and local organizations and other persons with expertise in operating beginning farmer and rancher programs; and
- (3) the Advisory Committee on Beginning Farmers and Ranchers established under section 5 of the Agricultural Credit Improvement Act of 1992 (7 U.S.C. 1929 note; Public Law 102-554).

(g) Participation by other farmers and ranchers

Nothing in this section prohibits the Secretary from allowing farmers and ranchers who are not beginning farmers or ranchers from participating in programs authorized under this section to the extent that the Secretary determines that such participation is appropriate and will not detract from the primary purpose of educating beginning farmers and ranchers.

(h) Funding

(1) Mandatory funding for fiscal years 2009 through 2018

Of the funds of the Commodity Credit Corporation, the Secretary shall make available to carry out this section—

- (A) \$18,000,000 for fiscal year 2009;
- (B) \$19,000,000 for each of fiscal years 2010 through 2012; and
- (C) \$20,000,000 for each of fiscal years 2014 through 2018, to remain available until expended.

(2) Authorization of appropriations for fiscal years 2014 through 2018

In addition to funds provided under paragraph (1), there is authorized to be appropriated to carry out this section \$30,000,000 for each of fiscal years 2014 through 2018.

(3) Fiscal year 2013

There is authorized to be appropriated to carry out this section \$30,000,000 for fiscal year 2013.

(Pub. L. 107-171, title VII, §7405, May 13, 2002, 116 Stat. 458; Pub. L. 110-234, title VII, §7410, May 22, 2008, 122 Stat. 1254; Pub. L. 110-246, §4(a), title VII, §7410, June 18, 2008, 122 Stat. 1664, 2016; Pub. L. 112-240, title VII, §701(e)(3), Jan. 2, 2013, 126 Stat. 2364; Pub. L. 113-79, title VII, §7409, Feb. 7, 2014, 128 Stat. 898.)

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.

Section was enacted as part of the Farm Security and Rural Investment Act of 2002, and not as part of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 which comprises this chapter.

AMENDMENTS

2014—Subsec. (c)(1). Pub. L. 113-79, §7409(1)(A), added subpars. (A) to (N) and struck out former subpars. (A) to (R) which read as follows:

- “(A) mentoring, apprenticeships, and internships;
- “(B) resources and referral;
- “(C) assisting beginning farmers or ranchers in acquiring land from retiring farmers and ranchers;
- “(D) innovative farm and ranch transfer strategies;
- “(E) entrepreneurship and business training;
- “(F) model land leasing contracts;
- “(G) financial management training;
- “(H) whole farm planning;
- “(I) conservation assistance;
- “(J) risk management education;
- “(K) diversification and marketing strategies;
- “(L) curriculum development;
- “(M) understanding the impact of concentration and globalization;
- “(N) basic livestock and crop farming practices;
- “(O) the acquisition and management of agricultural credit;
- “(P) environmental compliance;
- “(Q) information processing; and
- “(R) other similar subject areas of use to beginning farmers or ranchers.”

Subsec. (c)(2)(C). Pub. L. 113-79, §7409(1)(B), substituted “or nongovernmental organization” for “and nongovernmental organization”.

Subsec. (c)(7). Pub. L. 113-79, §7409(1)(C), substituted “, community-based organizations, and school-based agricultural educational organizations” for “and community-based organizations”.

Subsec. (c)(8). Pub. L. 113-79, §7409(1)(D), added par. (8) and struck out former par. (8). Prior to amendment, text read as follows: “Not less than 25 percent of funds used to carry out this subsection for a fiscal year shall be used to support programs and services that address the needs of—

- “(A) limited resource beginning farmers or ranchers (as defined by the Secretary);

“(B) socially disadvantaged beginning farmers or ranchers (as defined in section 2003(e) of this title); and

“(C) farmworkers desiring to become farmers or ranchers.”

Subsec. (c)(11), (12). Pub. L. 113-79, §7409(1)(E), added pars. (11) and (12).

Subsec. (h)(1). Pub. L. 113-79, §7409(2)(A), substituted “2018” for “2012” in heading.

Subsec. (h)(1)(C). Pub. L. 113-79, §7409(2)(B)–(D), added subpar. (C).

Subsec. (h)(2). Pub. L. 113-79, §7409(3), substituted “2014 through 2018” for “2008 through 2012” in heading and text.

2013—Subsec. (h)(1). Pub. L. 112-240, §701(e)(3)(A), substituted “Mandatory funding for fiscal years 2008 through 2012” for “In general” in heading.

Subsec. (h)(2). Pub. L. 112-240, §701(e)(3)(B), inserted “for fiscal years 2008 through 2012” after “appropriations” in heading.

Subsec. (h)(3). Pub. L. 112-240, §701(e)(3)(C), added par. (3).

2008—Subsec. (c)(3). Pub. L. 110-246, §7410(a)(1), added par. (3) and struck out former par. (3). Prior to amendment, text read as follows: “The term of a grant under this subsection shall not exceed 3 years.”

Subsec. (c)(5) to (10). Pub. L. 110-246, §7410(a)(2), (3), added pars. (5) to (7) and redesignated former pars. (5) to (7) as (8) to (10), respectively.

Subsec. (h). Pub. L. 110-246, §7410(b), added subsec. (h) and struck out former subsec. (h). Prior to amendment, text read as follows: “There are authorized to be appropriated to carry out this section such sums as may be necessary for each of fiscal years 2002 through 2007.”

EFFECTIVE DATE OF 2013 AMENDMENT

Amendment by Pub. L. 112-240 effective Sept. 30, 2012, see section 701(j) of Pub. L. 112-240, set out in a 1-Year Extension of Agricultural Programs note under section 8701 of this title.

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.

DEFINITIONS

Pub. L. 107-171, title VII, §7401, May 13, 2002, 116 Stat. 455, provided that: “In this subtitle [subtitle D (§7401-7412) of title VII of Pub. L. 107-171, enacting this section and sections [former] 3310a, 3319b, 5925c, 5925d, and 7630 of this title and provisions set out as notes under sections 3101, 3319b, [former] 5925a, and 5925b of this title:

“(1) DEPARTMENT.—The term ‘Department’ means the Department of Agriculture.

“(2) SECRETARY.—The term ‘Secretary’ means the Secretary of Agriculture.”

§ 3319g. Fees

In fiscal year 2003 and thereafter, the agency is authorized to charge fees, commensurate with the fair market value, for any permit, easement, lease, or other special use authorization for the occupancy or use of land and facilities (including land and facilities at the Beltsville Agricultural Research Center) issued by the agency, as authorized by law, and such fees shall be credited to this account, and shall remain available until expended for authorized purposes.

(Pub. L. 108-7, div. A, title I, Feb. 20, 2003, 117 Stat. 17.)

REFERENCES IN TEXT

The agency, referred to in text, means the Agricultural Research Service.