

title [subtitle E (§7501-7506) of title VII of Pub. L. 107-171, enacting this subchapter and sections 7631 and 7719 of this title, amending sections 3103, 7715, and 7772 of this title, and enacting provisions set out as a note under section 3103 of this title] to promote and strengthen higher education in the food and agricultural sciences at institutions of higher education (as defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a))) that have demonstrable capacity to carry out teaching and extension programs in food and agricultural sciences and that are located in the insular areas of the Commonwealth of Puerto Rico, the Virgin Islands of the United States, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, the Federated States of Micronesia, the Republic of the Marshall Islands, or the Republic of Palau by formulating and administering programs to enhance teaching programs in agriculture, natural resources, forestry, veterinary medicine, home economics, and disciplines closely allied to the food and agriculture production and delivery systems.”

§ 3362. Distance education grants for insular areas

(a) In general

The Secretary may make competitive grants to eligible institutions in insular areas to strengthen the capacity of such institutions to carry out distance food and agricultural education programs using digital network technologies.

(b) Use

Grants made under this section shall be used—

(1) to acquire the equipment, instrumentation, networking capability, hardware and software, digital network technology, and infrastructure necessary to teach students and teachers about technology in the classroom;

(2) to develop and provide educational services (including faculty development) to prepare students or faculty seeking a degree or certificate that is approved by the State or a regional accrediting body recognized by the Secretary of Education;

(3) to provide teacher education, library and media specialist training, and preschool and teacher aid certification to individuals who seek to acquire or enhance technology skills in order to use technology in the classroom or instructional process;

(4) to implement a joint project to provide education regarding technology in the classroom with a local educational agency, community-based organization, national nonprofit organization, or business; or

(5) to provide leadership development to administrators, board members, and faculty of eligible institutions with institutional responsibility for technology education.

(c) Limitation on use of grant funds

Funds provided under this section shall not be used for the planning, acquisition, construction, rehabilitation, or repair of a building or facility.

(d) Administration of program

The Secretary may carry out this section in a manner that recognizes the different needs and opportunities for eligible institutions in the Atlantic and Pacific Oceans.

(e) Matching requirement

(1) In general

The Secretary may establish a requirement that an eligible institution receiving a grant

under this section shall provide matching funds from non-Federal sources in an amount equal to not less than 50 percent of the grant.

(2) Waivers

If the Secretary establishes a matching requirement under paragraph (1), the Secretary shall retain an option to waive the requirement for an eligible institution for any fiscal year if the Secretary determines that the institution will be unlikely to meet the matching requirement for the fiscal year.

(f) Authorization of appropriations

There is authorized to be appropriated to carry out this section—

(1) such sums as are necessary for each of fiscal years 2002 through 2013; and

(2) \$2,000,000 for each of fiscal years 2014 through 2018.

(Pub. L. 95-113, title XIV, §1490, as added Pub. L. 107-171, title VII, §7503, May 13, 2002, 116 Stat. 464; amended Pub. L. 110-234, title VII, §7143(a), May 22, 2008, 122 Stat. 1232; Pub. L. 110-246, §4(a), title VII, §7143(a), June 18, 2008, 122 Stat. 1664, 1994; Pub. L. 113-79, title VII, §7127(a), Feb. 7, 2014, 128 Stat. 877.)

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

2014—Subsec. (a). Pub. L. 113-79, §7127(a)(1), struck out “or noncompetitive” after “competitive”.

Subsec. (f). Pub. L. 113-79, §7127(a)(2), substituted “section—” for “section such sums as may be necessary for each of fiscal years 2002 through 2012.” and added pars. (1) and (2).

2008—Subsec. (f). Pub. L. 110-246, §7143(a), substituted “2012” for “2007”.

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.

§ 3363. Resident instruction grants for insular areas

(a) In general

The Secretary of Agriculture shall make competitive grants to eligible institutions to—

(1) strengthen institutional educational capacities, including libraries, curriculum, faculty, scientific instrumentation, instruction delivery systems, and student recruitment and retention, in order to respond to identified State, regional, national, or international education needs in the food and agricultural sciences;

(2) attract and support undergraduate and graduate students in order to educate them in identified areas of national need in the food and agriculture sciences;

(3) facilitate cooperative initiatives between two or more insular area eligible institutions, or between those institutions and units of State Government or organizations in the pri-

vate sector, to maximize the development and use of resources such as faculty, facilities, and equipment to improve food and agricultural sciences teaching programs; and

(4) conduct undergraduate scholarship programs to assist in meeting national needs for training food and agricultural scientists.

(b) Grant requirements

(1) The Secretary of Agriculture shall ensure that each eligible institution, prior to receiving grant funds under subsection (a), shall have a significant demonstrable commitment to higher education programs in the food and agricultural sciences and to each specific subject area for which grant funds under this section are to be used.

(2) The Secretary of Agriculture may require that any grant awarded under this section contain provisions that require funds to be targeted to meet the needs identified in section 3101 of this title.

(c) Authorization of appropriations

There are authorized to be appropriated to carry out this section—

(1) such sums as are necessary for each of fiscal years 2002 through 2013; and

(2) \$2,000,000 for each of fiscal years 2014 through 2018.

(Pub. L. 95-113, title XIV, §1491, as added Pub. L. 107-171, title VII, §7503, May 13, 2002, 116 Stat. 465; amended Pub. L. 110-234, title VII, §7143(b), May 22, 2008, 122 Stat. 1233; Pub. L. 110-246, §4(a), title VII, §7143(b), June 18, 2008, 122 Stat. 1664, 1994; Pub. L. 113-79, title VII, §7127(b), Feb. 7, 2014, 128 Stat. 877.)

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

2014—Subsec. (c). Pub. L. 113-79 substituted “to carry out this section—” for “such sums as are necessary for each of the fiscal years 2002 through 2012 to carry out this section.” and added pars. (1) and (2).

2008—Subsecs. (c), (e). Pub. L. 110-246, §7143(b), redesignated subsec. (e) as (c) and substituted “2012” for “2007”.

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.

SUBCHAPTER XV—GENERAL PROVISIONS

§ 3371. Matching funds requirement

(a) In general

The recipient of a competitive grant that is awarded by the Secretary under a covered law shall provide funds, in-kind contributions, or a combination of both, from sources other than funds provided through such grant in an amount that is at least equal to the amount of such grant.

(b) Exception

The matching funds requirement under subsection (a) shall not apply to grants awarded—

(1) to a research agency of the Department of Agriculture; or

(2) to an entity eligible to receive funds under a capacity and infrastructure program (as defined in section 6971(f)(1)(C) of this title), including a partner of such entity.

(c) Waiver

The Secretary may waive the matching funds requirement under subsection (a) for a year with respect to a competitive grant that involves research or extension activities that are consistent with the priorities established by the National Agricultural Research, Extension, Education, and Economics Advisory Board under section 3123(c)(1)(B) of this title for the year involved.

(d) Covered law

In this section, the term “covered law” means each of the following provisions of law:

(1) This chapter.

(2) Title XVI of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5801 et seq.).

(3) The Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7601 et seq.).

(4) Part III of subtitle E of title VII of the Food, Conservation, and Energy Act of 2008.

(5) Section 450i of this title.

(Pub. L. 95-113, title XIV, §1492, as added Pub. L. 113-79, title VII, §7128(a), Feb. 7, 2014, 128 Stat. 877.)

REFERENCES IN TEXT

The Food, Agriculture, Conservation, and Trade Act of 1990, referred to in subsec. (d)(2), is Pub. L. 101-624, Nov. 28, 1990, 104 Stat. 3359. Title XVI of the Act is classified principally to chapter 88 (§5801 et seq.) of this title. For complete classification of this Act to the Code, see Short Title of 1990 Amendment note set out under section 1421 of this title and Tables.

The Agricultural Research, Extension, and Education Reform Act of 1998, referred to in subsec. (d)(3), is Pub. L. 105-185, June 23, 1998, 112 Stat. 523. For complete classification of this Act to the Code, see Short Title note set out under section 7601 of this title and Tables.

The Food, Conservation, and Energy Act of 2008, referred to in subsec. (d)(4), is Pub. L. 110-246, June 18, 2008, 122 Stat. 1651. For complete classification of this Act to the Code, see Short Title note set out under section 8701 of this title and Tables.

EFFECTIVE DATE

Pub. L. 113-79, title VII, §7128(c), Feb. 7, 2014, 128 Stat. 879, provided that:

“(1) NEW GRANTS.—Section 1492 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 [7 U.S.C. 3371], as added by subsection (a), shall apply with respect to grants described in such section awarded after October 1, 2014, unless the provision of a covered law under which such grants are awarded specifically exempts such grants from the matching funds requirement under such section.

“(2) GRANTS AWARDED ON OR BEFORE OCTOBER 1, 2014.—Notwithstanding the amendments made by subsection (b) [amending sections 450i, 3151, 3322, 3333, 5813, 5924, 5925, 5925b, 7626, 7632, and 8114 of this title], a matching funds requirement in effect on or before the date of the enactment of this section [Feb. 7, 2014] under a provision of a covered law shall continue to apply to a grant awarded under such provision on or before October 1, 2014.”