

Subsec. (c). Pub. L. 105-185, §225(b), inserted subsec. heading, designated existing provisions as par. (1) and inserted par. heading, and added pars. (2) to (5).

Subsec. (g). Pub. L. 105-362, §101(e)(1), struck out “(1)” before “On or before”.

Subsec. (g)(2). Pub. L. 105-362, §101(e)(2), struck out par. (2) which read as follows: “The Secretary shall make an annual report to Congress during the first regular session of each year of the receipts and expenditures and work of the eligible institutions under the provisions of this section and also whether any portion of the appropriation available for allotment to any institution has been withheld and if so the reasons therefor.”

Pub. L. 105-185, §226(b) redesignated par. (4) as (2) and struck out former par. (2) which read as follows: “If it appears to the Secretary from the annual statement of receipts and expenditures of funds by any eligible institution that an amount in excess of 5 percent of the preceding annual appropriation allotted to that institution under this section remains unexpended, such amount in excess of 5 percent of the preceding annual appropriation allotted to that institution shall be deducted from the next succeeding annual allotment to the institution.”

Subsec. (g)(3). Pub. L. 105-185, §103(f)(3)(B), struck out par. (3) which read as follows: “If the Secretary withholds from any eligible institution any portion of the appropriations available for allotment, the facts and reasons therefor shall be reported to the President and the amount involved shall be kept separate in the Treasury until the close of the next Congress. If the next Congress does not direct such sum to be paid, it shall be carried to surplus.”

Subsec. (g)(4). Pub. L. 105-185, §226(b)(2), redesignated par. (4) as (2).

1985—Subsec. (a). Pub. L. 99-198, §1417(a), provided that not more than 5 percent of the funds received by an institution in any fiscal year, under this section, may be carried forward to the succeeding fiscal year.

Subsec. (g)(2). Pub. L. 99-198, §1417(b), in amending par. (2) generally, substituted “If it appears” for “Whenever it shall appear” before “to the Secretary” and “that an amount in excess of 5 percent” for “that any portion” before “of the preceding annual appropriation” and inserted “in excess of 5 percent of the preceding annual appropriation allotted to that institution” before “shall be deducted”.

1981—Subsec. (b)(1). Pub. L. 97-98, §1432(a)(1), inserted provision authorizing use of administrative funds for transportation of scientists to research meetings convened for purpose of assessing research opportunities or research planning.

Subsec. (b)(2)(B). Pub. L. 97-98, §1432(a)(2), inserted “current at the time each such additional sum is first appropriated” after “the last preceding decennial census” in two places.

Subsecs. (c), (d). Pub. L. 97-98, §1432(a)(3), substituted “research director” for “chief administrative officer” wherever appearing.

1978—Subsec. (b). Pub. L. 95-547 amended subsec. (b) generally, substituting in par. (A) provisions relating to allocation of funds among eligible institutions in same proportion as funds made available under former section 450i of this title (now section 3157 of this title), for fiscal year ending Sept. 30, 1978, are allocated among eligible institutions for provisions relating to allocation of \$100,000 to each eligible institution, and substituting in par. (B) provisions relating to allocation among eligible institutions of 20 per centum of the excess funds in equal proportions, 40 per centum in proportion that the rural population of the State in which each eligible institution is located bears to total rural population of all States in which such institutions are located, and balance in proportion that farm population of State in which each eligible institution is located bears to total farm population of all States in which such institutions are located for provisions relating to allocation among eligible institutions of one-half of remaining funds in an amount which bore same ratio

to total amount to be allocated as rural population of State in which eligible institution was located bore to total rural population of all States in which such institutions were located, and one-half in an amount which bore same ratio to total amount to be allocated as farm population of State in which eligible institution was located bore to total farm population of all States in which such institutions were located.

#### 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.

#### EFFECTIVE DATE OF 1998 AMENDMENT

Amendment by section 225(b) of Pub. L. 105-185 effective Oct. 1, 1999, see section 225(c) of Pub. L. 105-185, set out as a note under section 3221 of this title.

#### EFFECTIVE DATE OF 1981 AMENDMENT

Amendment by Pub. L. 97-98 effective Dec. 22, 1981, see section 1801 of Pub. L. 97-98, set out as an Effective Date note under section 4301 of this title.

#### EFFECTIVE DATE

Section effective Oct. 1, 1977, see section 1901 of Pub. L. 95-113, set out as an Effective Date of 1977 Amendment note under section 1307 of this title.

#### WEST VIRGINIA STATE COLLEGE, INSTITUTE, WEST VIRGINIA

Pub. L. 106-78, title I, Oct. 22, 1999, 113 Stat. 1140, provided in part that West Virginia State College in Institute, West Virginia: “for fiscal year 2000 and thereafter shall be designated as an eligible institution under section 1445 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3222)”.

#### GRANT FOR DAIRY GOAT RESEARCH PROGRAM

Pub. L. 97-98, title XIV, §1432(b), Dec. 22, 1981, 95 Stat. 1311, as amended by Pub. L. 99-198, title XIV, §1432, Dec. 23, 1985, 99 Stat. 1557; Pub. L. 101-624, title XVI, §1601(c), Nov. 28, 1990, 104 Stat. 3703; Pub. L. 104-127, title VIII, §887, Apr. 4, 1996, 110 Stat. 1180, authorized grant for dairy goat research, described uses for grant and times of payment, and authorized appropriations for fiscal years 1991 through 1997, prior to repeal by Pub. L. 105-185, title III, §302(b), June 23, 1998, 112 Stat. 563.

#### **§ 3222a. Repealed. Pub. L. 104-127, title VIII, § 855, Apr. 4, 1996, 110 Stat. 1172**

Section, Pub. L. 95-113, title XIV, §1446, as added Pub. L. 101-624, title XVI, §1612(a), Nov. 28, 1990, 104 Stat. 3721; amended Pub. L. 102-237, title IV, §402(9), (10), Dec. 13, 1991, 105 Stat. 1863, related to resident instruction at 1890 land-grant colleges, including Tuskegee University.

#### **§ 3222b. Grants to upgrade agricultural and food sciences facilities at 1890 land-grant colleges, including Tuskegee University**

##### **(a) Purpose**

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 University (hereafter referred to in this section as “eligible institutions”) in the acquisition and improvement of agricultural and food sciences facilities and equipment, including libraries, so that the eligible institutions may participate fully in the production of human capital.

##### **(b) Authorization of appropriations**

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

rying out the provisions of this section, \$25,000,000 for each of fiscal years 2002 through 2018, and such sums shall remain available until expended.

**(c) Use of grant funds**

Four percent 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 eligible institutions for the purpose of assisting them in the purchase of equipment and land, the planning, construction, alteration, or renovation of buildings to strengthen their capacity in the production of human capital in the food and agricultural sciences and can be used at the discretion of the eligible institutions in the areas of research, extension, and resident instruction or any combination thereof.

**(d) Method of awarding grants**

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) Prohibition of certain uses**

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

**(f) Regulations**

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

(Pub. L. 95-113, title XIV, § 1447, as added Pub. L. 101-624, title XVI, § 1612(b), Nov. 28, 1990, 104 Stat. 3722; amended Pub. L. 104-127, title VIII, § 813, Apr. 4, 1996, 110 Stat. 1166; Pub. L. 105-185, title III, § 301(a)(9), June 23, 1998, 112 Stat. 562; Pub. L. 107-171, title VII, § 7109, May 13, 2002, 116 Stat. 432; Pub. L. 110-234, title VII, § 7123, May 22, 2008, 122 Stat. 1222; Pub. L. 110-246, § 4(a), title VII, § 7123, June 18, 2008, 122 Stat. 1664, 1983; Pub. L. 113-79, title VII, § 7112, Feb. 7, 2014, 128 Stat. 874.)

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

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.

PRIOR PROVISIONS

A prior section 1447 of Pub. L. 95-113, title XIV, Sept. 29, 1977, 91 Stat. 1011, amended sections 341 and 342 of this title, prior to repeal by Pub. L. 101-624, title XVI, § 1601(f)(1)(D), Nov. 28, 1990, 104 Stat. 3704.

AMENDMENTS

2014—Subsec. (b). Pub. L. 113-79 substituted “2018” for “2012”.

2008—Subsec. (b). Pub. L. 110-246, § 7123, substituted “2012” for “2007”.

2002—Subsec. (b). Pub. L. 107-171 substituted “\$25,000,000 for each of fiscal years 2002 through 2007” for “\$15,000,000 for each of fiscal years 1996 through 2002”.

1998—Subsec. (b). Pub. L. 105-185 substituted “through 2002” for “and 1997”.

1996—Subsec. (b). Pub. L. 104-127 substituted “\$15,000,000 for each of fiscal years 1996 and 1997” for “\$8,000,000 for each of the fiscal years 1991 through 1995”.

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.

**§ 3222b-1. Grants to upgrade agriculture and food sciences facilities at the District of Columbia land-grant university**

**(a) Purpose**

It is the intent of Congress to assist the land-grant university in the District of Columbia established under section 208 of the District of Columbia Public Postsecondary Education Reorganization Act (Public Law 93-471; 88 Stat. 1428) in efforts to acquire, alter, or repair facilities or relevant equipment necessary for conducting agricultural research.

**(b) Authorization of appropriations**

There are authorized to be appropriated to carry out this section \$750,000 for each of fiscal years 2008 through 2012.

(Pub. L. 95-113, title XIV, § 1447A, as added Pub. L. 110-234, title VII, § 7124, May 22, 2008, 122 Stat. 1222, and Pub. L. 110-246, § 4(a), title VII, § 7124, June 18, 2008, 122 Stat. 1664, 1983.)

REFERENCES IN TEXT

Section 208 of the District of Columbia Public Postsecondary Education Reorganization Act (Public Law 93-471; 88 Stat. 1428), referred to in subsec. (a), is not classified to the Code.

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.

**§ 3222b-2. Grants to upgrade agriculture and food sciences facilities and equipment and support tropical and subtropical agricultural research at insular area land-grant colleges and universities**

**(a) Purpose**

It is the intent of Congress to assist the land-grant colleges and universities in the insular areas in efforts to—

(1) acquire, alter, or repair facilities or relevant equipment necessary for conducting agricultural research; and

(2) support tropical and subtropical agricultural research, including pest and disease research.