

§ 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.

§ 3222e. New beginning for tribal students

(a) Definitions

In this section:

(1) Indian tribe

The term “Indian tribe” has the meaning given such term in section 5304 of title 25.¹

(2) Land-grant college or university

The term “land-grant college or university” includes a 1994 Institution (as defined in section 532 of the Equity in Educational Land-Grant Status Act of 1994 (Public Law 103-382; 7 U.S.C. 301 note)).

(3) Tribal student

The term “Tribal student” means a student at a land-grant college or university that is a member of an Indian tribe.

(b) New beginning initiative

(1) Authorization

The Secretary may make competitive grants to land-grant colleges and universities to provide identifiable support specifically targeted for Tribal students.

(2) Application

A land-grant college or university that desires to receive a grant under this section shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may require.

(3) Use of funds

A land-grant college or university that receives a grant under this section shall use the grant funds to support Tribal students through—

- (A) recruiting;
- (B) tuition and related fees;
- (C) experiential learning; and
- (D) student services, including—
 - (i) tutoring;
 - (ii) counseling;
 - (iii) academic advising; and
 - (iv) other student services that would increase the retention and graduation rate of Tribal students enrolled at the land-grant college or university, as determined by the Secretary.

(4) Matching funds

A land-grant college or university that receives a grant under this section shall provide matching funds toward the cost of carrying out the activities described in this section in an amount equal to not less than 100 percent of the grant award.

(5) Maximum amount per state

No State shall receive, through grants made under this section to land-grant colleges and universities located in the State, more than \$500,000 per year.

¹ So in original. The closing parenthesis probably should not appear.

(c) Report

Not later than 3 years after December 20, 2018, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry and the Committee on Indian Affairs of the Senate a report that includes an itemized list of grant funds distributed under this section, including the specific form of assistance provided under subsection (b)(3), and the number of Tribal students assisted and the graduation rate of Tribal students at land-grant colleges and universities receiving grants under this section.

(d) Authorization of appropriation

There is authorized to be appropriated to carry out this section \$5,000,000 for each of fiscal years 2019 through 2023.

(Pub. L. 95-113, title XIV, §1450, as added Pub. L. 115-334, title VII, §7120, Dec. 20, 2018, 132 Stat. 4791.)

§ 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 carrying 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.