

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.

**§ 3352. Agriculture research facility expansion and security upgrades**

**(a) In general**

To enhance the security of agriculture in the United States against threats posed by bioterrorism, the Secretary shall make expansion or security upgrade grants on a competitive basis to colleges and universities (as defined in section 3103(4) of this title).

**(b) Limitation on grants**

Grants to a recipient under this section shall not exceed \$10,000,000 in any fiscal year.

**(c) Requirements for grants**

The Secretary shall make a grant under this section only if the grant applicant provides satisfactory assurances to the Secretary that—

- (1) sufficient funds are available to pay the non-Federal share of the cost of the proposed expansion or security upgrades; and
- (2) the proposed expansion or security upgrades meet such reasonable qualifications as may be established by the Secretary with respect to biosafety and biosecurity requirements necessary to protect facility staff, members of the public, and the food supply.

**(d) Additional requirements for grants for facility expansion**

The Secretary shall make a grant under this section for the expansion, renovation, remodeling, or alteration (collectively referred to in this section as “expansion”) of a facility only if the grant applicant provides such assurances as the Secretary determines to be satisfactory to ensure the following:

- (1) For not less than 20 years after the grant is awarded, the facility shall be used for the purposes of the research for which the facility was expanded, as described in the grant application.
- (2) Sufficient funds will be available, as of the date of completion of the expansion, for the effective use of the facility for the purposes of the research for which the facility was expanded.
- (3) The proposed expansion—
  - (A) will increase the capability of the applicant to conduct research for which the facility was expanded; or
  - (B) is necessary to improve the quality of the research of the applicant.

**(e) Amount of grant**

The amount of a grant awarded under this section shall be determined by the Secretary.

**(f) Federal share**

The Federal share of the cost of any expansion or security upgrade carried out using funds from a grant provided under this section shall not exceed 50 percent.

**(g) Authorization of appropriations**

There are authorized to be appropriated to carry out this section such sums as are necessary for each fiscal year.

(Pub. L. 95-113, title XIV, §1485, as added Pub. L. 107-171, title VII, §7221(a), May 13, 2002, 116 Stat. 453.)

**§ 3353. Agricultural biosecurity**

**(a) Security at colleges and universities**

**(1) Grants**

The Secretary of Agriculture (referred to in this section as the “Secretary”) may award grants to covered entities to review security standards and practices at their facilities in order to protect against bioterrorist attacks.

**(2) Covered entities**

Covered entities under this subsection are colleges or universities that—

- (A) are colleges or universities as defined in section 3103 of this title; and
- (B) have programs in food and agricultural sciences, as defined in such section.

**(3) Limitation**

Each individual covered entity may be awarded one grant under paragraph (1), the amount of which shall not exceed \$50,000.

**(4) Contract authority**

Colleges and universities receiving grants under paragraph (1) may use such grants to enter into contracts with independent private organizations with established and demonstrated security expertise to conduct the security reviews specified in such paragraph.

**(b) Guidelines for agricultural biosecurity**

**(1) In general**

The Secretary may award grants to associations of food producers or consortia of such associations for the development and implementation of educational programs to improve biosecurity on farms in order to ensure the security of farm facilities against potential bioterrorist attacks.

**(2) Limitation**

Each individual association eligible under paragraph (1) may be awarded one grant under such paragraph, the amount of which shall not exceed \$100,000. Each consortium eligible under paragraph (1) may be awarded one grant under such paragraph, the amount of which shall not exceed \$100,000 per association participating in the consortium.

**(3) Contract authority**

Associations of food producers receiving grants under paragraph (1) may use such grants to enter into contracts with independent private organizations with established and demonstrated expertise in biosecurity to assist in the development and implementation of educational programs to improve biosecurity specified in such paragraph.

**(c) Authorization of appropriations**

There are authorized to be appropriated to carry out this section such sums as may be necessary for each fiscal year.

(Pub. L. 107-188, title III, §334, June 12, 2002, 116 Stat. 679.)

CODIFICATION

Section was enacted as part of the Public Health Security and Bioterrorism Preparedness and Response Act of 2002, and not as part of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 which comprises this chapter.

**§ 3354. Agricultural bioterrorism research and development**

**(a) In general**

The Secretary of Agriculture (referred to in this section as the “Secretary”) may utilize existing research authorities and research programs to protect the food supply of the United States by conducting and supporting research activities to—

(1) enhance the capability of the Secretary to respond in a timely manner to emerging or existing bioterrorist threats to the food and agricultural system of the United States;

(2) develop new and continue partnerships with institutions of higher education and other institutions to help form stable, long-term programs to enhance the biosecurity and food safety of the United States, including the coordination of the development, implementation, and enhancement of diverse capabilities for addressing threats to the nation’s agricultural economy and food supply, with special emphasis on planning, training, outreach, and research activities related to vulnerability analyses, incident response, detection, and prevention technologies;

(3) strengthen coordination with the intelligence community to better identify research needs and evaluate materials or information acquired by the intelligence community relating to potential threats to United States agriculture;

(4) expand the involvement of the Secretary with international organizations dealing with plant and animal disease control;

(5) continue research to develop rapid detection field test kits to detect biological threats to plants and animals and to provide such test kits to State and local agencies preparing for or responding to bioterrorism;

(6) develop an agricultural bioterrorism early warning surveillance system through enhancing the capacity of and coordination between State veterinary diagnostic laboratories, Federal and State agricultural research facilities, and public health agencies; and

(7) otherwise improve the capacity of the Secretary to protect against the threat of bioterrorism.

**(b) Authorization of appropriations**

There is authorized to be appropriated to carry out this section, \$190,000,000 for fiscal year 2002, and such sums as may be necessary for each subsequent fiscal year.

(Pub. L. 107-188, title III, § 335, June 12, 2002, 116 Stat. 680.)

CODIFICATION

Section was enacted as part of the Public Health Security and Bioterrorism Preparedness and Response Act of 2002, and not as part of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 which comprises this chapter.

SUBCHAPTER XIV—INSTITUTIONS OF HIGHER EDUCATION IN INSULAR AREAS

**§ 3361. Definition**

For the purposes of this subchapter, the term “eligible institution” means an institution of

higher education (as defined in section 1001(a) of title 20) in an insular area that has demonstrable capacity to carry out teaching and extension programs in the food and agricultural sciences.

(Pub. L. 95-113, title XIV, § 1489, as added Pub. L. 107-171, title VII, § 7503, May 13, 2002, 116 Stat. 464.)

RESIDENT INSTRUCTION AND DISTANCE EDUCATION AT INSTITUTIONS OF HIGHER EDUCATION IN UNITED STATES INSULAR AREAS

Pub. L. 107-171, title VII, § 7501(a), May 13, 2002, 116 Stat. 463, provided that: “It is the purpose of this subtitle [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.