

and other appropriate Federal agencies at the State and regional levels.

(2) Funding

Funds described in subsection (c)(2) shall be available to carry out planning coordination under paragraph (1).

(3) Use of plan

The sun grant centers and subcenter shall use the plan described in paragraph (1) in making grants under subsection (c)(1).

(e) Grant Information Analysis Center

The sun grant centers and subcenter shall maintain a Sun Grant Information Analysis Center at the sun grant center specified in subsection (b)(1)(A) to provide the sun grant centers and subcenter with analysis and data management support.

(f) Annual reports

Not later than 90 days after the end of each fiscal year, a sun grant center or subcenter receiving a grant under this section shall submit to the Secretary a report that describes the policies, priorities, and operations of the program carried out by the center or subcenter during the fiscal year, including—

(1) the results of all peer and merit review procedures conducted pursuant to subsection (c)(1)(C)(i); and

(2) a description of progress made in facilitating the priorities described in subsection (d)(1).

(g) Authorization of appropriations

There is authorized to be appropriated to carry out this section \$75,000,000 for each of fiscal years 2008 through 2023, of which not more than \$4,000,000 for each fiscal year shall be made available to carry out subsection (e).

(Pub. L. 110-234, title VII, § 7526, May 22, 2008, 122 Stat. 1274; Pub. L. 110-246, § 4(a), title VII, § 7526, June 18, 2008, 122 Stat. 1664, 2035; Pub. L. 113-79, title VII, §§ 7128(b)(5), 7516, Feb. 7, 2014, 128 Stat. 879, 903; Pub. L. 115-334, title VII, §§ 7414, 7614(b)(4)(A), Dec. 20, 2018, 132 Stat. 4819, 4836.)

Editorial Notes

REFERENCES IN TEXT

Section 7511(a)(4), referred to in subsec. (c)(1)(D)(iv)(II), (III), means section 7511(a)(4) of Pub. L. 110-246.

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 L. 110-234 was repealed by section 4(a) of Pub.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

Section was enacted as part of the Food, Conservation, and Energy Act of 2008, and not as part of title IX of the Farm Security and Rural Investment Act of 2002 which comprises this chapter.

PRIOR PROVISIONS

Provisions similar to those in this section were contained in section 8109 of this title prior to the general amendment of this chapter by Pub. L. 110-246.

AMENDMENTS

2018—Subsec. (c)(1)(C)(iv)(IV). Pub. L. 115-334, § 7614(b)(4)(A), struck out subcl. (IV). Text read as follows: “The matching funds requirement under section

3371 of this title shall not apply in the case of a grant provided by a sun grant center or subcenter under this paragraph.”

Subsec. (g). Pub. L. 115-334, § 7414, substituted “2023” for “2018”.

2014—Subsec. (a)(4)(B). Pub. L. 113-79, § 7516(a)(1), substituted “other appropriate Federal agencies (as determined by the Secretary)” for “the Department of Energy”.

Subsec. (b)(1)(A). Pub. L. 113-79, § 7516(a)(2)(A), struck out “at South Dakota State University” after “center”.

Subsec. (b)(1)(B). Pub. L. 113-79, § 7516(a)(2)(B), struck out “at the University of Tennessee at Knoxville” after “center” in introductory provisions.

Subsec. (b)(1)(C). Pub. L. 113-79, § 7516(a)(2)(C), struck out “at Oklahoma State University” after “center”.

Subsec. (b)(1)(D). Pub. L. 113-79, § 7516(a)(2)(D), struck out “at Oregon State University” after “center” in introductory provisions.

Subsec. (b)(1)(E). Pub. L. 113-79, § 7516(a)(2)(E), struck out “at Cornell University” after “center”.

Subsec. (b)(1)(F). Pub. L. 113-79, § 7516(a)(2)(F), struck out “at the University of Hawaii” after “subcenter”.

Subsec. (c)(1)(B). Pub. L. 113-79, § 7516(a)(3)(A), substituted “integrated, multistate research, extension, and education programs on technology development and technology implementation” for “multistate—

“(i) research, extension, and education programs on technology development; and

“(ii) integrated research, extension, and education programs on technology implementation”.

Subsec. (c)(1)(C), (D). Pub. L. 113-79, § 7516(a)(3)(B), (C), redesignated subpar. (D) as (C) and struck out former subpar. (C) which related to funding allocation.

Subsec. (c)(1)(D)(iv)(IV). Pub. L. 113-79, § 7128(b)(5), added subcl. (IV).

Subsec. (d)(1). Pub. L. 113-79, § 7516(a)(4)(A), struck out “in accordance with paragraph (2)” after “industry” and substituted “bioproducts” for “gasification” and “other appropriate Federal agencies” for “the Department of Energy”.

Subsec. (d)(2) to (4). Pub. L. 113-79, § 7516(a)(4)(B), (C), redesignated pars. (3) and (4) as (2) and (3), respectively, and struck out former par. (2). Prior to amendment, text read as follows: “With respect to gasification research activity, the sun grant centers and subcenter shall coordinate planning with land-grant colleges and universities in their respective regions that have ongoing research activities in that area.”

Subsec. (f)(1). Pub. L. 113-79, § 7516(b), substituted “subsection (c)(1)(C)(i)” for “subsection (c)(1)(D)(i)”.

Subsec. (g). Pub. L. 113-79, § 7516(a)(5), substituted “2018” for “2012”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2018 AMENDMENT

Amendment by section 7614(b)(4)(A) of Pub. L. 115-334 applicable to grants, cooperative agreements, or other awards made after Dec. 20, 2018, with matching funds requirement in effect on Dec. 20, 2018, to continue to apply to such grant, cooperative agreement, or other award, see section 7614(c) of Pub. L. 115-334, set out as a note under section 3151 of this title.

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.

DEFINITION OF “SECRETARY”

“Secretary” as meaning the Secretary of Agriculture, see section 8701 of this title.

§ 8115. Carbon utilization and biogas education program

(a) Definitions

In this section:

(1) Carbon dioxide

The term “carbon dioxide” means carbon dioxide that is produced as a byproduct of the production of a biobased product.

(2) Eligible entity

The term “eligible entity” means an entity that—

(A) is—

- (i) an organization described in section 501(c)(3) of title 26 and exempt from taxation under section 501(a) of that title; or
- (ii) an institution of higher education (as defined in section 1001(a) of title 20);

(B) has demonstrated knowledge about—

- (i) sequestration and utilization of carbon dioxide; or
- (ii) aggregation of organic waste from multiple sources into a single biogas system; and

(C) has a demonstrated ability to conduct educational and technical support programs.

(b) Establishment

The Secretary, in consultation with the Secretary of Energy, shall make competitive grants to eligible entities—

(1) to provide education to the public about the economic and emissions benefits of permanent sequestration or utilization of carbon dioxide with a primary objective of providing benefits and opportunities for rural businesses, rural communities, and utilities serving rural communities; or

(2) to provide education to agricultural producers and other stakeholders about opportunities for aggregation of organic waste from multiple sources into a single biogas system.

(c) Funding

There are authorized to be appropriated for each of fiscal years 2019 through 2023—

- (1) \$1,000,000 to carry out subsection (b)(1); and
- (2) \$1,000,000 to carry out subsection (b)(2).

(Pub. L. 107–171, title IX, §9014, as added Pub. L. 115–334, title IX, §9011, Dec. 20, 2018, 132 Stat. 4887.)

CHAPTER 108—TREE ASSISTANCE PROGRAM

Sec.	
8201.	Definitions.
8202.	Eligibility.
8203.	Assistance.
8204.	Limitations on assistance.
8205.	Authorization of appropriations.

§ 8201. Definitions

In this chapter:

(1) Eligible orchardist

The term “eligible orchardist” means a person that produces annual crops from trees for commercial purposes.

(2) Natural disaster

The term “natural disaster” means plant disease, insect infestation, drought, fire, freeze, flood, earthquake, lightning, and other occurrence, as determined by the Secretary.

(3) Secretary

The term “Secretary” means the Secretary of Agriculture.

(4) Tree

The term “tree” includes a tree, bush, and vine.

(Pub. L. 107–171, title X, §10201, May 13, 2002, 116 Stat. 490.)

§ 8202. Eligibility

(a) Loss

Subject to subsection (b), the Secretary shall provide assistance under section 8203 of this title to eligible orchardists that planted trees for commercial purposes but lost the trees as a result of a natural disaster, as determined by the Secretary.

(b) Limitation

An eligible orchardist shall qualify for assistance under subsection (a) only if the tree mortality of the eligible orchardist, as a result of damaging weather or related condition, exceeds 15 percent (adjusted for normal mortality).

(Pub. L. 107–171, title X, §10202, May 13, 2002, 116 Stat. 490.)

§ 8203. Assistance

Subject to section 8204 of this title, the assistance provided by the Secretary to eligible orchardists for losses described in section 8202 of this title shall consist of—

(1) reimbursement of 75 percent of the cost of replanting trees lost due to a natural disaster, as determined by the Secretary, in excess of 15 percent mortality (adjusted for normal mortality); or

(2) at the option of the Secretary, sufficient seedlings to reestablish a stand.

(Pub. L. 107–171, title X, §10203, May 13, 2002, 116 Stat. 491.)

§ 8204. Limitations on assistance

(a) Amount

The total amount of payments that a person shall be entitled to receive under this chapter may not exceed \$75,000, or an equivalent value in tree seedlings.

(b) Acres

The total quantity of acres planted to trees or tree seedlings for which a person shall be entitled to receive payments under this chapter may not exceed 500 acres.

(c) Regulations

The Secretary shall promulgate regulations—

(1) defining the term “person” for the purposes of this chapter, which shall conform, to the maximum extent practicable, to the regulations defining the term “person” promulgated under section 1308 of this title (before the amendment made by section 1603(a)¹ of the Food, Conservation, and Energy Act of 2008); and

(2) promulgating such regulations as the Secretary determines necessary to ensure a fair and reasonable application of the limitation established under this section.

(Pub. L. 107–171, title X, §10204, May 13, 2002, 116 Stat. 491; Pub. L. 110–234, title I, §1603(g)(4), May

¹ See References in Text note below.