

**(b) Exception**

Subsections (a) and (c) shall not apply to a grant awarded competitively under section 638 of title 15.

**(c) Treatment of subgrants**

In the case of a grant described in subsection (a), the limitation on indirect costs specified in such subsection shall be applied to both the initial grant award and any subgrant of the Federal funds provided under the initial grant award so that the total of all indirect costs charged against the total of the Federal funds provided under the initial grant award does not exceed such limitation.

(Pub. L. 95-113, title XIV, § 1462, as added Pub. L. 105-185, title II, § 230(a), June 23, 1998, 112 Stat. 546; amended Pub. L. 107-171, title VII, § 7222, May 13, 2002, 116 Stat. 454; Pub. L. 110-234, title VII, § 7132(a), May 22, 2008, 122 Stat. 1228; Pub. L. 110-246, § 4(a), title VII, § 7132(a), June 18, 2008, 122 Stat. 1664, 1989; Pub. L. 115-334, title VII, § 7125, Dec. 20, 2018, 132 Stat. 4794.)

**Editorial Notes**

## 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 L. 110-234 were repealed by section 4(a) of Pub.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 1462 of Pub. L. 95-113 was classified to section 3304 of this title, prior to repeal by Pub. L. 99-198.

## AMENDMENTS

2018—Subsec. (a). Pub. L. 115-334, § 7125(1), substituted “30 percent” for “22 percent”.

Subsec. (b). Pub. L. 115-334, § 7125(2), substituted “Subsections (a) and (c)” for “Subsection (a)”.

Subsec. (c). Pub. L. 115-334, § 7125(3), added subsec. (c).

2008—Subsec. (a). Pub. L. 110-246, § 7132(a), substituted “any agricultural” for “a competitive agricultural” and “22 percent” for “19 percent”.

2002—Pub. L. 107-171 designated existing provisions as subsec. (a), inserted heading, and added subsec. (b).

**Statutory Notes and Related Subsidiaries**

## 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.

**§ 3310a. Research equipment grants****(a) In general**

The Secretary may make competitive grants for the acquisition of special purpose scientific research equipment for use in the food and agricultural sciences programs of eligible institutions.

**(b) Maximum amount**

The amount of a grant made to an eligible institution under this section may not exceed \$500,000.

**(c) Prohibition on charge or equipment as indirect costs**

The cost of acquisition or depreciation of equipment purchased with a grant under this section shall not be—

(1) charged as an indirect cost against another Federal grant; or

(2) included as part of the indirect cost pool for purposes of calculating the indirect cost rate of an eligible institution.

**(d) Eligible institutions defined**

In this section, the term “eligible institution” means—

(1) a college or university; or

(2) a State cooperative institution.

**(e) Authorization of appropriations**

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, § 1462A, as added Pub. L. 115-334, title VII, § 7126, Dec. 20, 2018, 132 Stat. 4794.)

**Editorial Notes**

## PRIOR PROVISIONS

A prior section 3310a, Pub. L. 95-113, title XIV, § 1462A, as added Pub. L. 107-171, title VII, § 7402, May 13, 2002, 116 Stat. 456; amended Pub. L. 110-234, title VII, § 7133, May 22, 2008, 122 Stat. 1228; Pub. L. 110-246, § 4(a), title VII, § 7133, June 18, 2008, 122 Stat. 1664, 1989, related to research equipment grants, prior to repeal by Pub. L. 113-79, title VII, § 7118, Feb. 7, 2014, 128 Stat. 875.

**§ 3311. Authorization of appropriations****(a) Existing programs**

Notwithstanding any authorization for appropriations for agricultural research in any Act enacted prior to September 29, 1977, there are hereby authorized to be appropriated for the purposes of carrying out the provisions of this chapter, except sections 3152,<sup>1</sup> and 2669 of this title, and the competitive grants program provided for in section 1414,<sup>2</sup> and except that the authorization for moneys provided under the Act of March 2, 1887 (24 Stat. 440-442, as amended; 7 U.S.C. 361a-361i), is excluded and is provided for in subsection (b) of this section, such sums as may be necessary for each of fiscal years 1991 through 2023.

**(b) Agricultural research at State agricultural experiment stations**

Notwithstanding any authorization for appropriations for agricultural research at State agricultural experiment stations in any Act enacted prior to September 29, 1977, there are authorized to be appropriated for the purpose of conducting agricultural research at State agricultural experiment stations pursuant to the Act of March 2, 1887 (24 Stat. 440-442, as amended; 7 U.S.C. 361a-361i), such sums as may be necessary for each of fiscal years 1991 through 2023.

**(c) Funding requirements for programs**

Notwithstanding any other provision of law effective beginning October 1, 1983, not less than 25 per centum of the total funds appropriated to the Secretary in any fiscal year for the conduct of the cooperative research program provided for under the Act of March 2, 1887, commonly known as the Hatch Act (7 U.S.C. 361a et seq.); the coop-

<sup>1</sup> So in original. The comma probably should not appear.

<sup>2</sup> See References in Text note below.

erative forestry research program provided for under the Act of October 10, 1962, commonly known as the McIntire-Stennis Act (16 U.S.C. 582a et seq.); the special and competitive grants programs provided for in sections 2(b) and 2(c) of the Act of August 4, 1965 (7 U.S.C. 450i);<sup>2</sup> the animal health research program provided for under sections 3195(a) and 3196 of this title; the native latex research program provided for in the Native Latex Commercialization and Economic Development Act of 1978 (7 U.S.C. 178 et seq.); and the research provided for under various statutes for which funds are appropriated under the Agricultural Research heading or a successor heading, shall be appropriated for research at State agricultural experiment stations pursuant to the provision of the Act of March 2, 1887.

(Pub. L. 95-113, title XIV, § 1463, Sept. 29, 1977, 91 Stat. 1017; Pub. L. 97-98, title XIV, § 1437, Dec. 22, 1981, 95 Stat. 1314; Pub. L. 99-198, title XIV, § 1422, Dec. 23, 1985, 99 Stat. 1552; Pub. L. 101-624, title XVI, § 1601(b)(3), Nov. 28, 1990, 104 Stat. 3703; Pub. L. 102-237, title IV, § 402(12), Dec. 13, 1991, 105 Stat. 1863; Pub. L. 104-127, title VIII, §§ 817, 884(d), Apr. 4, 1996, 110 Stat. 1167, 1179; Pub. L. 105-185, title III, § 301(a)(12), June 23, 1998, 112 Stat. 562; Pub. L. 107-171, title VII, § 7113, May 13, 2002, 116 Stat. 433; Pub. L. 110-234, title VII, §§ 7110(b), 7134, May 22, 2008, 122 Stat. 1219, 1228; Pub. L. 110-246, § 4(a), title VII, §§ 7110(b), 7134, June 18, 2008, 122 Stat. 1664, 1980, 1989; Pub. L. 113-79, title VII, §§ 7111(b)(4), 7119, Feb. 7, 2014, 128 Stat. 874, 875; Pub. L. 115-334, title VII, § 7127, Dec. 20, 2018, 132 Stat. 4795.)

#### Editorial Notes

##### REFERENCES IN TEXT

For definition of “this chapter”, referred to in subsec. (a), see note set out under section 3102 of this title.

Section 1414, referred to in subsec. (a), is section 1414 of Pub. L. 95-113, which generally amended section 2 of Pub. L. 89-106, Aug. 4, 1965, 79 Stat. 431. Section 2 of Pub. L. 89-106 was classified to section 450i of this title, prior to editorial reclassification and renumbering as section 3157 of this title.

Act of March 2, 1887, referred to in text, is act Mar. 2, 1887, ch. 314, 24 Stat. 440, popularly known as the Hatch Act of 1887, which is classified generally to sections 361a to 361i of this title. For complete classification of this Act to the Code, see Short Title note set out under section 361a of this title and Tables.

Act of October 10, 1962, referred to in subsec. (c), is Pub. L. 87-788, Oct. 10, 1962, 76 Stat. 806, popularly known as the “McIntire-Stennis Act of 1962” and also as the “McIntire-Stennis Cooperative Forestry Act”, which is classified generally to subchapter III (§ 582a et seq.) of chapter 3 of Title 16, Conservation. For complete classification of this Act to the Code, see Short Title note set out under section 582a of Title 16 and Tables.

Sections 2(b) and 2(c) of the Act of August 4, 1965, referred to in subsec. (c), is section 2(b), (c) of Pub. L. 89-106, Aug. 4, 1965, 79 Stat. 431, which was classified to section 450i(b), (c) of this title prior to editorial reclassification and renumbering as section 3157(b), (c) of this title.

The Native Latex Commercialization and Economic Development Act of 1978, referred to in subsec. (c), is Pub. L. 95-592, Nov. 4, 1978, 92 Stat. 2529, which, as amended by Pub. L. 98-284, May 16, 1984, 98 Stat. 181, is known as the Critical Agricultural Materials Act and is classified principally to subchapter II (§ 178 et seq.) of chapter 8A of this title. For complete classification of this Act to the Code, see Short Title note set out under section 178 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

2018—Subsecs. (a), (b). Pub. L. 115-334 substituted “2023” for “2018”.

2014—Subsecs. (a), (b). Pub. L. 113-79, § 7119, substituted “2018” for “2012”.

Subsec. (c). Pub. L. 113-79, § 7111(b)(4), substituted “sections 3195(a) and 3196” for “sections 3195 and 3196”.

2008—Subsec. (a). Pub. L. 110-246, §§ 7110(b), 7134, struck out “3154,” after “3152,” and substituted “2012” for “2007”.

Subsec. (b). Pub. L. 110-246, § 7134, substituted “2012” for “2007”.

2002—Subsec. (a). Pub. L. 107-171, § 7113(1), substituted “such sums as may be necessary for each of fiscal years 1991 through 2007” for “\$850,000,000 for each of the fiscal years 1991 through 2002”.

Subsec. (b). Pub. L. 107-171, § 7113(2), substituted “such sums as may be necessary for each of fiscal years 1991 through 2007” for “\$310,000,000 for each of the fiscal years 1991 through 2002”.

1998—Subsecs. (a), (b). Pub. L. 105-185 substituted “2002” for “1997”.

1996—Subsec. (a). Pub. L. 104-127, § 884(d), struck out “390 to 390j,” before “3152, 3154”.

Pub. L. 104-127, § 817, substituted “1997” for “1995”.

Subsec. (b). Pub. L. 104-127, § 817, substituted “1997” for “1995”.

1991—Subsec. (a). Pub. L. 102-237 struck out “subchapter VII of this chapter and” after “chapter, except”.

1990—Subsec. (a). Pub. L. 101-624, § 1601(b)(3)(A), substituted “\$850,000,000 for each of the fiscal years 1991 through 1995” for “\$600,000,000 for the fiscal year ending September 30, 1986, \$610,000,000 for the fiscal year ending September 30, 1987, \$620,000,000 for the fiscal year ending September 30, 1988, \$630,000,000 for the fiscal year ending September 30, 1989, and \$640,000,000 for the fiscal year ending September 30, 1990.”

Subsec. (b). Pub. L. 101-624, § 1601(b)(3)(B), substituted “\$310,000,000 for each of the fiscal years 1991 through 1995” for “\$270,000,000 for the fiscal year ending September 30, 1986, \$280,000,000 for the fiscal year ending September 30, 1987, \$290,000,000 for the fiscal year ending September 30, 1988, \$300,000,000 for the fiscal year ending September 30, 1989, and \$310,000,000 for the fiscal year ending September 30, 1990.”

1985—Subsec. (a). Pub. L. 99-198, § 1422(a), substituted “\$600,000,000 for the fiscal year ending September 30, 1986, \$610,000,000 for the fiscal year ending September 30, 1987, \$620,000,000 for the fiscal year ending September 30, 1988, \$630,000,000 for the fiscal year ending September 30, 1989, and \$640,000,000 for the fiscal year ending September 30, 1990” for “\$505,000,000 for the fiscal year ending September 30, 1978, \$575,000,000 for the fiscal year ending September 30, 1979, \$645,000,000 for the fiscal year ending September 30, 1980, \$715,000,000 for the fiscal year ending September 30, 1981, \$780,000,000 for the fiscal year ending September 30, 1982, \$780,000,000 for the fiscal year ending September 30, 1983, \$835,000,000 for the fiscal year ending September 30, 1984, and \$890,000,000 for the fiscal year ending September 30, 1985, and not in excess of such sums as may after the date of enactment of this title be authorized by law for any subsequent fiscal year”.

Subsec. (b). Pub. L. 99-198, § 1422(b), substituted “\$270,000,000 for the fiscal year ending September 30, 1986, \$280,000,000 for the fiscal year ending September 30, 1987, \$290,000,000 for the fiscal year ending September 30, 1988, \$300,000,000 for the fiscal year ending September 30, 1989, and \$310,000,000 for the fiscal year ending September 30, 1990” for “\$120,000,000 for the fiscal year ending September 30, 1978, \$145,000,000 for the fiscal year ending September 30, 1979, \$170,000,000 for

the fiscal year ending September 30, 1980, \$195,000,000 for the fiscal year ending September 30, 1981, \$220,000,000 for the fiscal year ending September 30, 1982, \$230,000,000 for the fiscal year ending September 30, 1983, \$240,000,000 for the fiscal year ending September 30, 1984, and \$250,000,000 for the fiscal year ending September 30, 1985, and not in excess of such sums as may after September 29, 1977 be authorized by law for any subsequent fiscal year”.

1981—Subsec. (a). Pub. L. 97-98, §1437(1), inserted provisions authorizing appropriations of \$780,000,000 for fiscal year ending Sept. 30, 1983, \$835,000,000 for fiscal year ending Sept. 30, 1984, and \$890,000,000 for fiscal year ending Sept. 30, 1985.

Subsec. (b). Pub. L. 97-98, §1437(2), inserted provisions authorizing appropriations of \$230,000,000 for fiscal year ending Sept. 30, 1983, \$240,000,000 for fiscal year ending Sept. 30, 1984, and \$250,000,000 for fiscal year ending Sept. 30, 1985.

Subsec. (c). Pub. L. 97-98, §1437(3), added subsec. (c).

### Statutory Notes and Related Subsidiaries

#### 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 1985 AMENDMENT

Pub. L. 99-198, title XIV, §1422(a), (b), Dec. 23, 1985, 99 Stat. 1552, provided that the amendments made by section 1422(a), (b) are effective Oct. 1, 1985.

#### 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.

### § 3312. Authorization of appropriations for extension education

Notwithstanding any authorization for appropriations for the Cooperative Extension Service in any Act enacted prior to September 29, 1977, there are hereby authorized to be appropriated for the purposes of carrying out the extension programs of the Department of Agriculture such sums as may be necessary for each of fiscal years 1991 through 2023.

(Pub. L. 95-113, title XIV, §1464, Sept. 29, 1977, 91 Stat. 1018; Pub. L. 97-98, title XIV, §1438, Dec. 22, 1981, 95 Stat. 1314; Pub. L. 99-198, title XIV, §1423, Dec. 23, 1985, 99 Stat. 1552; Pub. L. 101-624, title XVI, §1601(b)(4), Nov. 28, 1990, 104 Stat. 3703; Pub. L. 104-127, title VIII, §818, Apr. 4, 1996, 110 Stat. 1167; Pub. L. 105-185, title III, §301(a)(13), June 23, 1998, 112 Stat. 562; Pub. L. 107-171, title VII, §7114, May 13, 2002, 116 Stat. 433; Pub. L. 110-234, title VII, §7135, May 22, 2008, 122 Stat. 1228; Pub. L. 110-246, §4(a), title VII, §7135, June 18, 2008, 122 Stat. 1664, 1990; Pub. L. 113-79, title VII, §7120, Feb. 7, 2014, 128 Stat. 876; Pub. L. 115-334, title VII, §7128, Dec. 20, 2018, 132 Stat. 4795.)

### Editorial Notes

#### 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

2018—Pub. L. 115-334 substituted “2023” for “2018”.

2014—Pub. L. 113-79 substituted “2018” for “2012”.

2008—Pub. L. 110-246, §7135, substituted “2012” for “2007”.

2002—Pub. L. 107-171 substituted “such sums as may be necessary for each of fiscal years 1991 through 2007” for “\$420,000,000 for fiscal year 1991, \$430,000,000 for fiscal year 1992, \$440,000,000 for fiscal year 1993, \$450,000,000 for fiscal year 1994, and \$460,000,000 for each of fiscal years 1995 through 2002”.

1998—Pub. L. 105-185 substituted “2002” for “1997”.

1996—Pub. L. 104-127 substituted “each of fiscal years 1995 through 1997” for “fiscal year 1995”.

1990—Pub. L. 101-624 substituted “\$420,000,000 for fiscal year 1991, \$430,000,000 for fiscal year 1992, \$440,000,000 for fiscal year 1993, \$450,000,000 for fiscal year 1994, and \$460,000,000 for fiscal year 1995” for “\$370,000,000 for the fiscal year ending September 30, 1986, \$380,000,000 for the fiscal year ending September 30, 1987, \$390,000,000 for the fiscal year ending September 30, 1988, \$400,000,000 for the fiscal year ending September 30, 1989, and \$420,000,000 for the fiscal year ending September 30, 1990.”

1985—Pub. L. 99-198 substituted “\$370,000,000 for the fiscal year ending September 30, 1986, \$380,000,000 for the fiscal year ending September 30, 1987, \$390,000,000 for the fiscal year ending September 30, 1988, \$400,000,000 for the fiscal year ending September 30, 1989, and \$420,000,000 for the fiscal year ending September 30, 1990” for “\$260,000,000 for the fiscal year ending September 30, 1978, \$280,000,000 for the fiscal year ending September 30, 1979, \$300,000,000 for the fiscal year ending September 30, 1980, \$320,000,000 for the fiscal year ending September 30, 1981, \$350,000,000 for the fiscal year ending September 30, 1982, \$360,000,000 for the fiscal year ending September 30, 1983, \$370,000,000 for the fiscal year ending September 30, 1984, and \$380,000,000 for the fiscal year ending September 30, 1985, and not in excess of such sums as may after September 29, 1977, be authorized by law for any subsequent fiscal year”.

1981—Pub. L. 97-98 inserted provisions authorizing appropriations of \$360,000,000 for fiscal year ending Sept. 30, 1983, \$370,000,000 for fiscal year ending Sept. 30, 1984, and \$380,000,000 for fiscal year ending Sept. 30, 1985.

### Statutory Notes and Related Subsidiaries

#### 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 1985 AMENDMENT

Pub. L. 99-198, title XIV, §1423, Dec. 23, 1985, 99 Stat. 1552, provided that the amendment made by section 1423 is effective Oct. 1, 1985.

#### 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.

### § 3313. Payment of funds

Except as provided elsewhere in this Act or any other Act of Congress, funds available for