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National Institute
of Food and
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**National Institute of Food and Agriculture (NIFA) Federal Assistance
Policy Guide:
Appendix III: Capacity Program Guide
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NIFA Office of Grants and Financial Management

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The contents of this document do not have the force and effect of law and are not meant to bind the public in any way. This document is intended only to provide clarity to the public regarding existing requirements under the law or agency policies.

APPENDIX III: NIFA CAPACITY PROGRAM GUIDE CAPACITY AWARDS

Extension Capacity Programs	Research Capacity Programs
<ul style="list-style-type: none"> • Smith-Lever 3(b) and (c) • Smith-Lever Special Needs • Agricultural Extension at 1890 land-grant institutions, including Tuskegee University, Central State University, and West Virginia State University (Section 1444 Program) • EFNEP (Smith-Lever 3(d)) • RREA • District of Columbia Public Postsecondary Education Reorganization Act 	<ul style="list-style-type: none"> • AHDR • Agricultural Research at 1890 land-grant institutions, including Tuskegee University, Central State University, and West Virginia State University (Section 1445 Program) • McIntire-Stennis • Hatch • Hatch Multistate

A. Smith-Lever 3(b) and (c)

The Smith-Lever Act of 1914 (7 U.S.C. 341 – 349) established the Cooperative Extension Service (CES) and provides authorization for Federal funding of cooperative agricultural extension activities carried out by the 1862 land-grant institutions in coordination with USDA. Separate statutory authorities authorize extension funding for the University of the District of Columbia (Section 208(c) of the District of Columbia Public Postsecondary Education Reorganization Act (Pub. L. 93-471; 88 Stat. 1428) and the 1890 land-grant institutions (Section 1444 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3221)). CES supports the development of practical applications for research knowledge and giving of instruction and practical demonstrations of existing or improved practices or technologies in agriculture, uses of solar energy with respect to agriculture, home economics, rural energy, and other relevant subjects for dissemination to individuals not enrolled in the institutions. CES supports imparting information to the non-student community through demonstrations, publications, and otherwise and for the necessary printing and distribution of information in connection with the subjects. CES provides the continuing adult education based on the agricultural programs in place at land grant universities and their affiliated State Agricultural Experiment Stations (7 U.S.C. 342).

Institutions receiving Smith-Lever 3(b) and (c) funding must have an approved Plan of Work (POW) on file with NIFA to remain eligible to receive funds.

B. Multistate Extension and Integrated Research and Extension Requirements

Eligible institutions must spend a percentage of the funds allocated to eligible institutions under Smith-Lever 3(b) and (c) on multistate extension and integrated research and extension activities, in accordance with AREERA. For additional information, see the revised interim [Administrative Guidance for Multistate Extension Activities and Integrated Research and Extension Activities](#), 75 Fed. Reg. 48921 (Aug. 12, 2010) (“Administrative Guidance”). Smith-Lever recipients should refer to the Administrative Guidance for specific information regarding the statutory requirements.

Multistate activities are collaborative efforts that reflect the programs of institutions located in at least two or more states or territories. Multistate extension activities might include committees, projects, training, workshops, centers, and meetings that involve more than one state or territory. Integrated activities are jointly planned, funded, and interwoven activities between research and extension to solve problems. Such activities include the generation of knowledge and the transfer of information and technology. Examples of integrated activities include joint research and extension personnel appointments. In addition, integrated activities may include coordinating committees, workshops, training, centers, projects, and meetings, as long as they meet the definition of “integrated activities.”

In accordance with the Administrative Guidance, eligible institutions were required to reconfirm or reset target percentages of funds to be spent on multistate extension and integrated research and extension activities.

Waivers from meeting the multistate and integrated requirements may be requested by any institution unable to meet their target percentages due to infeasibility, hardship, or other extenuating circumstances. Requests for waivers must be submitted in writing and must include a justification with supporting documentation stating why the waiver is needed, the source of funds to which the waiver would apply, the applicable fiscal year, the amount of the waiver and how it was computed, as well as documentation of how the institution is planning to meet the target percentages in the future. Waivers will be granted on an annual basis. NIFA will respond to the waiver request within 60 days of receipt.

- C. District of Columbia Public Postsecondary Education Reorganization Act
The District of Columbia Public Postsecondary Education Reorganization Act (DCPPER), Section 208, authorizes funding for the development of practical applications of research knowledge, education, and practical demonstrations of existing or improved practices or technologies in agriculture, uses of solar energy with respect to agriculture, home economics, and rural energy, and related subjects to people not attending the University of the District of Columbia, and teaching them through demonstrations, publications, and otherwise, and for the necessary printing and distribution of information related to the subjects.

Under certain statutes, including the Smith-Lever Act, the University of the District of Columbia (UDC) is considered a university established for the benefit of agriculture and the mechanic arts in accordance with the provisions of the First Morrill Act (7 U.S.C. 301 *et seq.*), and the term “state,” as used in the Smith-Lever Act, includes the District of Columbia. Funding for extension work at UDC is authorized by section 208 of the District of Columbia Public Postsecondary Education Reorganization Act, not the Smith-Lever Act.

D. Hatch Act

The Hatch Act supports agricultural research at State Agricultural Experiment Stations (SAES). SAESs are academic units established under the direction of a college or university or agricultural department of the college or university in each state in accordance with the First Morrill Act. SAESs conduct research of local, regional, and national importance in the areas of food, agriculture, and natural resources. To be eligible to receive funding under the Hatch Act, SAESs must have a chief administrative officer, who is the same as the Experiment Station Director, and a treasurer.

Institutions must have an established merit review process for internal review of projects supported by Hatch, which must be detailed in the POW.

E. Hatch Multistate

The Hatch Act supports the Multistate Research Fund, State Agricultural Experiment Stations (MRF). Research conducted under Hatch Multistate employs multidisciplinary approaches in which an SAES working cooperatively with another SAES, the ARS, or a college or university, to solve problems that concern one or more state.

The MRF is an efficient and comprehensive approach to finding technological opportunities and undertaking complex problem solving beyond the scope of a single SAES. MRF activities involve cooperative, jointly planned research employing multidisciplinary approaches and oriented towards accomplishment of specific outcomes and impacts based on priorities developed from stakeholder input and NIFA's goals.

F. Integrated Research Activities

SAESs are required to spend a percentage of the funds they are awarded annually under the Hatch Act on integrated research activities. Integrated activities are jointly planned, funded, and interwoven activities between research and extension to solve problems. Examples of integrated activities include joint research and extension personnel appointments. Integrated activities might include coordinating committees, workshops, training, centers, projects, and meetings. This requirement applies to both Hatch and Hatch Multistate funds, but does not apply to funds provided by the institution to meet the matching requirement. Institutions can report on compliance with all multistate extension and integrated research and extension activities in a single report. Funds that are allocated for integrated activities may also be used by a state to satisfy the multistate activities requirement.

For additional information see the revised interim [Administrative Guidance for Multistate Extension Activities and Integrated Research and Extension Activities](#), 75 Fed. Reg. 48921 (Aug. 12, 2010) ("Administrative Guidance"). Hatch recipients should refer to the Administrative Guidance for specific information regarding the statutory requirements.

In accordance with the Administrative Guidance, eligible institutions were required to reconfirm or reset target percentages of funds to be spent on integrated research and extension activities. Target percentages can be set at (1) 25 percent of the total funds

awarded under Hatch, or (2) two times the FY 1997 expenditures for integrated research and extension activities (this is also known as the 1997 baseline), that is less than 25 percent.

Waivers from meeting the integrated requirements may be requested by institutions unable to meet their target percentages due to infeasibility, hardship, or other extenuating circumstances. Requests for waivers must be submitted in writing and must include a justification with supporting documentation stating why the waiver is needed, the source of funds to which the waiver would apply, the applicable fiscal year, the amount of the waiver and how it was computed, as well as documentation of how the institution is planning to meet the target percentages in the future. Waivers will be granted on an annual basis. NIFA will respond to the waiver request within 60 days of receipt.

- G. Agricultural Extension at 1890 Land-Grant Institutions (Section 1444 Program)
Section 1444 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (NARETPA) supports agricultural and forestry extension activities at 1890 land-grant institutions. Eligible 1890 institution should designate an Administrator responsible for carrying out the institution's extension activities. The 1890 Extension Administrator must work in coordination with the 1862 Extension Director to develop a comprehensive program of extension work to be conducted in the state and to coordinate annual updates to the state POW.

- H. Agricultural Research at 1890 Land-Grant Institutions (Section 1445 Program/Evans-Allen)
Section 1445 of NARETPA authorizes the Evans-Allen Research Program, which supports agricultural research at 1890 land-grant institutions. The Evans-Allen Research Program is also referred to as Section 1445. Research Directors at 1890 institutions and SAES Directors should work together to develop a coordinated, comprehensive program of agricultural research for their state. The Plan of Work should reflect this coordination.

Institutions must have an established merit review process for internal review of projects supported by Evans-Allen, which must be detailed in the POW.

I. Animal Health and Disease Research

The Continuing Animal Health and Disease Research (AHDR) Program promotes animal health research at [accredited state veterinary schools or colleges](#) or SAESs. Eligible institutions and experiment stations conducting AHDR funded research are working to improve the health and productivity of food animals and horses through effective prevention, control or treatment of disease, reduction of losses from transportation and other hazards, and protection of human health through control of animal diseases transmissible to people. When possible, eligible institutions are encouraged to cooperate with other AHDR-funded institutions and conduct regular regional and national meetings.

Each institution receiving AHDR funds must conduct an institutional level review to assess scientific merit of the projects funded. An institutional review of a project proposal should evaluate the project's compliance with the stated goals of the institution's animal health and disease research program.

If at any time it is determined that an eligible institution has not complied with the legislative or regulatory requirements applicable to use of the AHDR grant funds, NIFA can withhold an institution's fund. Facts and reasons supporting the withholding will be documented and reported in accordance with 7 U.S.C. 3198.

J. Expanded Food and Nutrition Education Program

The Expanded Food and Nutrition Education Program (EFNEP) provides Federal funding for science-based or evidence based activities to enable low-income individuals and families to engage in nutritionally sound food purchase and preparation practices. The objectives of EFNEP are to assist low-income families and youth in acquiring knowledge, skills, attitudes, and changed behaviors necessary for nutritionally sound diets and to contribute to their personal development and improvement of the total family diet and nutritional well-being. EFNEP is authorized by section 1425 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3175), and appropriations are made available pursuant to section 3(d) of the Smith-Lever Act. For more information about EFNEP, please see their [policy guide](#).

K. McIntire-Stennis

The McIntire-Stennis Act supports forestry research at state forestry schools and colleges to aid in the production, utilization, and protection of forestland, to train future forestry scientists, and to involve other disciplines in forestry research. The current McIntire-Stennis Strategic Plan identifies high priority issues funded projects should seek to address.³¹ The McIntire-Stennis Cooperative Forestry (M/S) capacity grant program assists all states in

³¹ McIntire-Stennis Strategic Plan. "Sustaining Healthy and Productive Forests: An Investment in America's Competitive Position in the Global Marketplace." (2010) (Developed by the National Association of University Forest Resources Programs (NAUFRP)). Eligible institutions should note that although the Strategic Plan is a useful guide to the research priorities to be pursued with McIntire-Stennis funding, they are not legally obligated to comply with any requirements established in the Strategic Plan. The Plan serves as useful guidance but establishes no rights or responsibilities on recipient institutions. The Plan is available online at <http://www.naufrp.org/pdf/M-S%20Plan.pdf>.

carrying out programs of state forestry research at state forestry schools and colleges, and developing a trained pool of forest scientists capable of conducting needed forestry research.

Institutions must conduct an internal merit review to determine which projects to fund. The institutional merit review should: (1) ensure completeness of the project proposal; (2) evaluate relevance of the proposed research; (3) evaluate quality and scientific value of the proposed research; (4) consider opportunities for cooperation with other individuals or units; (5) provide opportunity for the project leader to interact with reviewers and make adjustments as appropriate; and, (6) provide NIFA with an indication, project by project, that the procedure was followed.

1. Forestry Research Advisory Council

The Forestry Research Advisory Council (FRAC) is required by the Agriculture and Food Act of 1981 to provide advice to the Secretary of Agriculture on accomplishing efficiently the purposes of the McIntire-Stennis Act of 1962. The act authorizes the secretary to support states in carrying out a program of forestry research through land-grant colleges or agricultural experiment stations and other state-supported colleges and universities that offer graduate training in the sciences basic to forestry. The council also provides advice related to the Forest Service research program, authorized by the Forest and Rangeland Renewable Resources Research Act of 1978. Council responsibilities cover regional and national forestry research planning and coordination within Federal and state agencies, forestry schools, forest industries, and non-governmental organizations. The council has least 16 members appointed by the Secretary and drawn Federal and state agencies concerned with developing and utilizing the Nation's forest resources, the forest industries, forestry schools of the state-certified eligible institutions SAESs, and volunteer public groups concerned with forests and related natural resources. FARC appointments are for 3-years and appointments are made for staggered terms. It convenes at least annually and presents recommendations to the Secretary.

FRAC advises USDA on how to implement and distribute McIntire-Stennis funds. FRAC also provides advice related to the USDA's Forest Service research program. FRAC is composed of at least 16 appointed members from four sectors: 1) Federal and state agencies concerned with developing and utilizing the Nation's forest resources; 2) the forest industries; 3) forestry schools of the state-certified eligible institutions SAESs; and 4) and volunteer public groups concerned with forests and related natural resources. FARC appointments are for 3 years and appointments are made for staggered terms.

For additional information on the members and work of the FRAC, see 5 U.S.C. App. and 76 Fed. Reg. 16597, March 24, 2011 or visit the [FRAC website](#) for more information about the council activities.

L. Renewable Resource Extension Act

The Renewable Resources Extension Act of 1978 (RREA) supports an expanded and comprehensive extension program for forest and rangeland renewable resources (Pub. L. 95-306, 92 Stat. 349, 16 U.S.C. 1671 *et seq.*). RREA supports forest and rangeland owners and managers in the sustainable production of wood products, forage and livestock, fish and wildlife populations and developing outdoor recreation opportunities.

The structure and focus of each RREA program varies depending on each state's natural resource base and the educational needs of its citizens. RREA grant funds support programs that, generally, address renewable resources, management and protection of forests and rangelands, technical and financial resources for forest and rangeland owners, small, private, nonindustrial forest landowners, fish and wildlife, forest, range and watershed management, and youth education. Additional program areas may be identified in the annual RFA.

For additional information on the mission and vision for forest and rangeland extension programs supported by RREA, request a copy of the [NIFA-18-018 RREA Strategic Plan FY 2018-2022 | National Institute of Food and Agriculture \(usda.gov\)](#).³²

M. Smith-Lever Special Needs Capacity Program

Special Needs funds are allocated to a state Cooperative Extension Service to fulfill a purpose or overcome a condition particular to that state, or for a purpose not normally a part of the continuing extension program. Smith-Lever Special Needs funds support extension activities identified in eligible institution's approved 5-Year Plan of Work. Only institutions identified in the annual RFA are eligible to receive these funds.

³² The 2018-2022 RREA Strategic Plan is a useful tool for understanding how the RREA Program functions, the roles and responsibilities of the parties involved, and the intended future scope of research and programming, the Strategic Plan does not impose any legally enforceable rights or responsibilities on NIFA, USDA, or the recipients of RREA funds.