

(among farm producers, consumers, and other interested persons or groups) concerning the establishment and operation of direct marketing from farmers to consumers;

(2) compiling laws and regulations relevant to the conduct of the various methods of such direct marketing within the State, formulating drafts and enabling legislation needed to facilitate such direct marketing, determining feasible locations for additional facilities for such direct marketing, and preparing and disseminating practical information on the establishment and operation of such direct marketing; and

(3) providing technical assistance for the purpose of aiding interested individuals or groups in the establishment of arrangements for direct marketing from farmers to consumers.

(b) In the implementation of this section, the Secretary shall take into account consumer preferences and needs which may bear upon the establishment and operation of arrangements for direct marketing from farmers to consumers.

(Pub. L. 94-463, § 5, Oct. 8, 1976, 90 Stat. 1982.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 3006 of this title.

§ 3005. Review of activities by Secretary; annual report to Congressional committees

The Secretary shall periodically review the activities carried out under this chapter and shall report to the Committee on Agriculture, United States House of Representatives, and the Committee on Agriculture, Nutrition, and Forestry, United States Senate, within one year of October 8, 1976, and annually thereafter, with respect to the effectiveness of this chapter. The Secretary shall include in such report a State-by-State summary of the results of the survey conducted under this chapter, and a summary of the activities and accomplishments of the Extension Service and the State departments of agriculture in the development of direct marketing from farmers to consumers during the previous year.

(Pub. L. 94-463, § 6, Oct. 8, 1976, 90 Stat. 1983; Pub. L. 103-437, § 4(a)(8), Nov. 2, 1994, 108 Stat. 4582.)

AMENDMENTS

1994—Pub. L. 103-437 substituted “Committee on Agriculture, Nutrition, and Forestry” for “Committee on Agriculture and Forestry”.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 3006 of this title.

§ 3006. Authorization of appropriations

(a) For purposes of carrying out the provisions of sections 3003 and 3005 of this title, there are authorized to be appropriated such sums as are necessary.

(b) For purposes of carrying out the provisions of section 3004 of this title, there is authorized to be appropriated \$1,500,000 for each of the fiscal years ending September 30, 1977, and September 30, 1978.

(Pub. L. 94-463, § 7, Oct. 8, 1976, 90 Stat. 1983.)

CHAPTER 64—AGRICULTURAL RESEARCH, EXTENSION, AND TEACHING

SUBCHAPTER I—FINDINGS, PURPOSES, AND DEFINITIONS

- Sec. 3101. Purposes of agricultural research and extension.
- 3102. Additional purposes of agricultural research and extension.
- 3103. Definitions.

SUBCHAPTER II—COORDINATION AND PLANNING OF AGRICULTURAL RESEARCH, EXTENSION, AND TEACHING

- 3121. Responsibilities of Secretary and Department of Agriculture.
- 3122. Joint Council on Food and Agricultural Sciences.
 - (a) Establishment.
 - (b) Membership.
 - (c) Administrative provisions.
 - (d) Primary responsibility.
 - (e) Other responsibilities.
 - (f) Reports.
- 3123. National Agricultural Research and Extension Users Advisory Board.
 - (a) Establishment.
 - (b) Membership.
 - (c) Chairperson; vice-chairperson.
 - (d) Meetings.
 - (e) Panels.
 - (f) Responsibilities.
 - (g) Reports by Advisory Board.
 - (h) Report by Secretary.
- 3123a. Agricultural Science and Technology Review Board.
 - (a) Establishment.
 - (b) Membership.
 - (c) Technical interpretation and assessments.
 - (d) Technology assessment report.
- 3124. Existing research programs.
- 3124a. Federal-State partnership and coordination.
 - (a) Covered programs; statement of purposes.
 - (b) Establishment, etc., of cooperative centers.
 - (c) Designation of State cooperative institutions; reports; research grants.
 - (d) Designation of State agricultural experiment stations and Agricultural Research Service facilities; pilot projects; additional research.
- 3125. Annual report of Secretary of Agriculture to President and Congress.
- 3125a. National Agricultural Library.
 - (a) Purpose.
 - (b) Establishment.
 - (c) Director.
 - (d) Functions of Director.
 - (e) Library products and services.
 - (f) Receipts.
 - (g) Agreements.
 - (h) Authorization of appropriations.
- 3125b. National Rural Information Center Clearinghouse.
 - (a) Establishment.
 - (b) Functions.
 - (c) Federal agencies.
 - (d) State and local agencies and non-profit organizations.
 - (e) Limitation on authorization of appropriations.
- 3125c. Education program regarding handling of agricultural chemicals and agricultural chemical containers.
- 3126. Libraries and information network.
 - (a) Congressional declaration of policy.

- | | |
|--|--|
| <p>Sec.</p> <p>3127. (b) Food and Nutrition and Education Resources Center.
(c) Authorization of appropriations. Support for Joint Council, Advisory Board, and Technology Board.
(a) Appointment of staff.
(b) Additional clerical assistance and staff personnel.
(c) Assistance of outside personnel.</p> <p>3128. General provisions.
(a) Vacancies in Joint Council, Advisory Board, or Technology Board.
(b) Compensation and expenses of members of Joint Council, Advisory Board, and Technology Board.
(c) Authorization of appropriations.</p> <p>3129. Repealed.</p> <p>3130. Composting research and extension program.
(a) Purpose.
(b) Composting information.
(c) Research.
(d) Composting extension program.
(e) Farm conservation practice.</p> <p style="text-align: center;">SUBCHAPTER III—AGRICULTURAL RESEARCH AND EDUCATION GRANTS AND FELLOWSHIPS</p> <p>3151. Grants to enhance research capacity in schools of veterinary medicine.
(a) Competitive grant program.
(b) Preference.
(c) Apportionment and distribution of funds.</p> <p>3152. Grants and fellowships for food and agricultural sciences education.
(a) Higher education teaching programs.
(b) Grants.
(c) Eligibility for grants.
(d) Evaluation of teaching programs.
(e) Continuing education.
(f) Transfers of funds and functions.
(g) National Food and Agricultural Sciences Teaching Awards.
(h) Administration.
(i) Authorization of appropriations.</p> <p>3153. National Agricultural Science Award.
(a) Establishment.
(b) Amount and term.
(c) Eligibility.
(d) Categories.
(e) Nominating and selection committees.</p> <p>3154. Grants for research on production and marketing of alcohols and industrial hydrocarbons from agricultural commodities and forest products.
(a) Authority of Secretary.
(b) Set aside of funds for certain grant projects.
(c) Minority groups.
(d) Authorization of appropriations.</p> <p style="text-align: center;">SUBCHAPTER IV—NATIONAL FOOD AND HUMAN NUTRITION RESEARCH AND EXTENSION PROGRAM</p> <p>3171. Congressional findings and declaration of policy.
(a) Findings.
(b) Declaration of policy.</p> <p>3172. Duties of Secretary of Agriculture.</p> <p>3173. Research by Department of Agriculture.
(a) Increase in level of support.
(b) Periodic consultation with administrators of other Federal departments and agencies.</p> <p>3174. Food science and nutrition research center.
(a) Establishment of center.
(b) Research facility described.
(c) Administration of funds.
(d) Authorization of appropriations.</p> | <p>Sec.</p> <p>3175. Nutrition education program.
(a) Establishment.
(b) Expansion of existing programs.
(c) Funding requirements.</p> <p>3175a. Nutrition and consumer education; Congressional findings.</p> <p>3175b. Expansion of effective food, nutrition, and consumer education services.</p> <p>3175c. Program of food, nutrition, and consumer education by State cooperative extension services.</p> <p>3175d. Administration of program of food, nutrition, and consumer education by State cooperative extension services.
(a) Administration by Secretary of Agriculture.
(b) Evaluation and report.</p> <p>3175e. Authorization of appropriations.</p> <p>3176, 3177. Repealed.</p> <p>3178. Nutritional status monitoring.
(a) Formulation of system.
(b) Coordination of existing activities; recommendation for necessary additional authorities.</p> <p>3178a. Nutrition monitoring.</p> <p style="text-align: center;">SUBCHAPTER V—ANIMAL HEALTH AND DISEASE RESEARCH</p> <p>3191. Congressional findings and declaration of purpose.</p> <p>3192. Definitions.</p> <p>3193. Authorization to Secretary of Agriculture.
(a) Authority to cooperate with, encourage, and assist States.
(b) Study of animal care delivery system.</p> <p>3194. Animal Health Science Research Advisory Board.
(a) Establishment and membership.
(b) Duties.</p> <p>3195. Continuing animal health and disease research programs.
(a) Authorization of appropriations.
(b) Apportionment of appropriated funds.
(c) Development of program for each State.
(d) Use of excess funds.
(e) Reallocation of funds to new colleges of veterinary medicine.
(f) Joint establishment or support of accredited regional college of veterinary medicine.</p> <p>3196. Research on national and regional animal health or disease problems.
(a) Authorization of appropriations.
(b) Duration of grants.
(c) Establishment of annual priority lists for allocation of funds.
(d) Assignment of priorities for grants.
(e) Distribution of multiyear grants.</p> <p>3197. Availability of appropriated funds.</p> <p>3198. Withholding of appropriated funds.</p> <p>3199. Requirements for use of funds.</p> <p>3200. Matching funds.</p> <p>3201. Funds appropriated or otherwise made available pursuant to other provisions of law.</p> <p style="text-align: center;">SUBCHAPTER VI—1890 LAND GRANT COLLEGE FUNDING</p> <p>3221. Extension at 1890 land grant colleges, including Tuskegee Institute.
(a) Authorization of appropriations.
(b) Allocation and distribution of appropriated funds.
(c) Comprehensive program of extension for each State.
(d) Payment of funds to eligible institutions.
(e) Diminution, loss, or misapplication of funds.</p> |
|--|--|

- Sec.
- (f) Secretary's finding of non-entitlement to appropriated funds.
 - (g) Mailing of correspondence, bulletins, and reports.
3222. Agricultural research at 1890 land grant colleges, including Tuskegee Institute.
- (a) Authorization of appropriations.
 - (b) Allocation and distribution of appropriated funds.
 - (c) Comprehensive program of agricultural research for each State.
 - (d) Payment of funds to eligible institutions.
 - (e) Mailing of bulletins, reports, periodicals, reprints, articles, and other publications.
 - (f) Administration; rules and regulations; cooperation by and between institutions.
 - (g) Entitlement; unexpended appropriations; reports to Congress.
 - (h) Existing legal relationships not impaired or modified.
- 3222a. Resident instruction at 1890 land-grant colleges, including Tuskegee University.
- (a) Purpose.
 - (b) Grants.
 - (c) Use of grant funds.
 - (d) Grant requirements.
 - (e) Minority set-aside.
 - (f) Authorization of appropriations.
- 3222b. Grants to upgrade agricultural and food sciences facilities at 1890 land-grant colleges, including Tuskegee University.
- (a) Purpose.
 - (b) Authorization of appropriations.
 - (c) Use of grant funds.
 - (d) Method of awarding grants.
 - (e) Prohibition of certain uses.
 - (f) Regulations.
- 3222c. National research and training centennial centers.
- (a) Competitive grants authorized.
 - (b) Use of grants.
 - (c) Priority.
 - (d) Payments.
 - (e) Prohibited uses of funds.
 - (f) Authorization of appropriations.
 - (g) "Center" defined.
 - (h) Coordination of center activities.
3223. Grants for acquisition and improvement of research facilities and equipment.
- (a) Eligible institutions; statement of purposes.
 - (b) Authorization of appropriations.
 - (c) Allocation of funds.
 - (d) Amount, terms, and conditions.
 - (e) Restrictions.
 - (f) Rules and regulations.
3224. Grants to upgrade 1890 land-grant college extension facilities.
- (a) Congressional declaration of intent.
 - (b) Authorization of appropriations.
 - (c) Administration of grants program; provision of facilities for extension work.
 - (d) Authority of Secretary of Agriculture.
 - (e) Overhead costs.
 - (f) Rules and regulations.
- SUBCHAPTER VII—SOLAR ENERGY RESEARCH AND DEVELOPMENT
- PART A—COMPETITIVE GRANT PROGRAM
3241. Repealed.
- PART B—INFORMATION SYSTEM AND ADVISORY COMMITTEE
- 3251, 3252. Repealed.

- Sec.
- PART C—MODEL FARMS AND DEMONSTRATION PROJECTS
- 3261 to 3263. Repealed.
- PART D—REGIONAL SOLAR ENERGY RESEARCH AND DEVELOPMENT CENTERS
3271. Repealed.
- PART E—APPROPRIATIONS AND DEFINITIONS
- 3281, 3282. Repealed.
- SUBCHAPTER VIII—INTERNATIONAL AGRICULTURAL RESEARCH AND EXTENSION
3291. International agricultural research and extension.
- (a) Authority of Secretary.
 - (b) Enhancing linkages.
 - (c) Provision of specialized or technical services.
3292. Grants to States for international trade development centers.
- (a) Grant program.
 - (b) Location and funding of certain centers.
 - (c) Preferences.
 - (d) Activities of centers.
 - (e) Authorization of appropriations.
3293. Agricultural fellowship program for middle income countries and emerging democracies.
- (a) Establishment.
 - (b) Eligible countries.
 - (c) Purpose of fellowships.
 - (d) Individuals who may receive fellowships.
 - (e) Program implementation.
 - (f) Authorization of appropriations.
 - (g) Complementary funds.
3294. Center For North American Studies.
- (a) Establishment.
 - (b) Location.
 - (c) Authorization of appropriations.
- SUBCHAPTER IX—STUDIES
- 3301 to 3304. Repealed.
- SUBCHAPTER X—FUNDING AND MISCELLANEOUS PROVISIONS
3311. Authorization of appropriations.
- (a) Existing programs.
 - (b) Agricultural research at State agricultural experiment stations.
 - (c) Funding requirements for programs.
3312. Authorization of appropriations for extension education.
3313. Payment of funds.
3314. Withholding of funds.
3315. Auditing, reporting, bookkeeping, and administrative requirements.
3316. Rules and regulations.
3317. Program evaluation studies.
3318. Contract, grant, and cooperative agreement authorities.
- (a) Purposes, nature and construction.
 - (b) Authority of Secretary; legal effect of agreement; participation by other Federal agencies.
 - (c) Duration and eligibility.
 - (d) Vesting of title.
 - (e) Applicable requirements.
3319. Restriction on treatment of indirect costs and tuition remission.
- 3319a. Cost-reimbursable agreements.
- 3319b, 3319c. Repealed.
- 3319d. Supplemental and alternative crops.
- (a) Research and pilot project program.
 - (b) Importance to producers.
 - (c) Research funding, special or competitive grants, etc.; program requirements; agreements, grants and other arrangements.

- Sec. (d) Use of expertise and resources of other Federal agencies and land-grant colleges and universities.

3319e. Repealed.

SUBCHAPTER XI—AQUACULTURE

3321. Statement of purpose.
 3322. Assistance programs.
 (a) Research and extension program.
 (b) Grants.
 (c) Aquaculture development plans.
 (d) Aquacultural centers.
 (e) Reports.
 (f) Listing of laws on aquaculture.
 (g) Fish disease program.
 3323. Aquaculture research facilities.
 (a) Grant authorized.
 (b) Authorization of appropriations.
 3324. Authorization of appropriations.

SUBCHAPTER XII—RANGELAND RESEARCH

3331. Congressional statement of purpose.
 3332. Program; development, purposes, scope, etc.
 3333. Grants; eligible institutions; amounts.
 3334. Reporting requirements.
 3335. Rangeland Research Advisory Board; establishment, duration, etc.
 3336. Authorization of appropriations; allocation of funds.

CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in title 16 sections 1647, 1676.

SUBCHAPTER I—FINDINGS, PURPOSES, AND DEFINITIONS

§ 3101. Purposes of agricultural research and extension

Subject to the varying conditions and needs of States, Federally funded agricultural research and extension programs shall be designed to, among other things, accomplish the following—

- (1) continue to satisfy human food and fiber needs;
- (2) enhance the long-term viability and competitiveness of the food production and agricultural system of the United States within the global economy;
- (3) expand economic opportunities in rural America and enhance the quality of life for farmers, rural citizens, and society as a whole;
- (4) improve the productivity of the American agricultural system and develop new agricultural crops and new uses for agricultural commodities;
- (5) develop information and systems to enhance the environment and the natural resource base upon which a sustainable agricultural economy depends; or
- (6) enhance human health—
 - (1) by fostering the availability and affordability of a safe, wholesome, and nutritious food supply that meets the needs and preferences of the consumer; and
 - (2) by assisting farmers and other rural residents in the detection and prevention of health and safety concerns.

(Pub. L. 95–113, title XIV, § 1402, as added Pub. L. 101–624, title XVI, § 1602(a), Nov. 28, 1990, 104 Stat. 3705.)

PRIOR PROVISIONS

A prior section 3101, Pub. L. 95–113, title XIV, § 1402, Sept. 29, 1977, 91 Stat. 981; Pub. L. 97–98, title XIV,

§ 1402, Dec. 22, 1981, 95 Stat. 1294; Pub. L. 99–198, title XIV, § 1402, Dec. 23, 1985, 99 Stat. 1542, stated Congressional findings, prior to repeal by Pub. L. 101–624, title XVI, § 1601(f)(1)(A), Nov. 28, 1990, 104 Stat. 3704.

SHORT TITLE OF 1985 AMENDMENT

Section 1401 of title XIV of Pub. L. 99–198 provided that: “This title [enacting sections 1632, 3224, 3292, 3319a to 3319d, and 4701 to 4710 of this title, amending this section and sections 178c, 342, 343, 390 to 390d, 390f, 390h, 390i, 390j, 450i, 2266, 2662, 2663, 3103, 3121 to 3123, 3124a, 3125, 3151, 3152, 3194 to 3196, 3221 to 3223, 3291, 3311, 3312, 3318, 3319, 3322, 3324, 3335, and 3336 of this title, repealing sections 390e, 390g, 3174, 3177, 3301 to 3304, and 3323 of this title, enacting provisions set out as notes under sections 343, 390, 390c, 450i, 3173, 3292, 3311, 3312, and 4701 of this title, amending provisions set out as a note under section 3222 of this title, and repealing provisions set out as a note under section 2281 of this title] may be cited as the ‘National Agricultural Research, Extension, and Teaching Policy Act Amendments of 1985’.”

SHORT TITLE OF 1981 AMENDMENT

Section 1401 of title XIV of Pub. L. 97–98 provided that: “This title [enacting sections 2271, 2661 to 2667, 3124a, 3223, 3317 to 3319, 3321 to 3324, and 3331 to 3336 of this title, amending this section and sections 322, 361c, 390c, 450i, 3102, 3103, 3121 to 3124, 3125 to 3128, 3151 to 3154, 3175, 3177, 3191, 3192, 3194 to 3196, 3221, 3222, 3263, 3282, 3291, 3311, and 3312 of this title, section 5315 of Title 5, Government Organization and Employees, sections 582a, 582a–1, and 582a–3 to 582a–5 of Title 16, Conservation, section 483 of Title 40, Public Buildings, Property, and Works, and sections 6651 and 8852 of Title 42, The Public Health and Welfare, repealing sections 2670 and 3176 of this title, omitting section 2668 of this title, and enacting provisions set out as notes under sections 2281 and 3176 of this title] may be cited as the ‘National Agricultural Research, Extension, and Teaching Policy Act Amendments of 1981’.”

SHORT TITLE

Section 1401 of title XIV of Pub. L. 95–113 provided that: “This title [enacting this chapter and sections 2669 and 2670 of this title, amending sections 341, 342, 343, 361c, 390 to 390j, 427, 450i, 1923, 1942, 2662, 2663, and 2667 of this title and section 6651 of Title 42, The Public Health and Welfare, and repealing section 390k of this title] may be cited as the ‘National Agricultural Research, Extension, and Teaching Policy Act of 1977’.”

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 3122, 3123, 3123a, 3222a of this title.

§ 3102. Additional purposes of agricultural research and extension

The purposes of this chapter are to—

- (1) establish firmly the Department of Agriculture as the lead agency in the Federal Government for the food and agricultural sciences, and to emphasize that agricultural research, extension, and teaching are distinct missions of the Department of Agriculture;
- (2) undertake the special measures set forth in this chapter to improve the coordination and planning of agricultural research, extension, and teaching programs, identify needs and establish priorities for these programs, assure that national agricultural research, extension, and teaching objectives are fully achieved, and assure that the results of agricultural research are effectively communicated and demonstrated to farmers, processors, handlers, consumers, and all other users who can benefit therefrom;

(3) increase cooperation and coordination in the performance of agricultural research by Federal departments and agencies, the States, State agricultural experiment stations, colleges and universities, and user groups;

(4) enable the Federal Government, the States, colleges and universities, and others to implement needed agricultural research, extension, and teaching programs, through the establishment of new programs and the improvement of existing programs, as provided for in this chapter;

(5) establish a new program of grants for high-priority agricultural research to be awarded on the basis of competition among research workers and all colleges and universities;

(6) establish a new program of grants for facilities and instrumentation used in agricultural research; and

(7) establish a new program of education grants and fellowships to strengthen research, extension, and teaching programs in the food and agricultural sciences, to be awarded on the basis of competition.

(Pub. L. 95-113, title XIV, §1403, Sept. 29, 1977, 91 Stat. 983; Pub. L. 97-98, title XIV, §1403, Dec. 22, 1981, 95 Stat. 1296; Pub. L. 101-624, title XVI, §1602(b), Nov. 28, 1990, 104 Stat. 3705.)

REFERENCES IN TEXT

This chapter, referred to in text, was in the original this "title", meaning title XIV of Pub. L. 95-113, Sept. 29, 1977, 91 Stat. 981, as amended, which enacted this chapter and sections 2669 and 2670 of this title, amended sections 341, 342, 343, 361c, 390 to 390j, 427, 450i, 1923, 1942, 2662, 2663, and 2667 of this title and section 6651 of Title 42, The Public Health and Welfare, and repealed section 390k of this title. For complete classification of such title to the Code, see Short Title note set out under section 3101 of this title and Tables.

AMENDMENTS

1990—Pub. L. 101-624 amended section catchline generally.

1981—Par. (2). Pub. L. 97-98, §1403(1), inserted "extension, and teaching programs," and substituted "these programs" for "such research, assure that high priority research is given adequate funding".

Par. (4). Pub. L. 97-98, §1403(2), substituted "programs through" for "programs, including the initiatives specified in section 3101(8) of this title, through".

Par. (5). Pub. L. 97-98, §1403(3), substituted "among research workers" for "among scientific research workers".

Par. (7). Pub. L. 97-98, §1403(4), substituted "research, extension, and teaching" for "training and research".

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.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 3123 of this title.

§ 3103. Definitions

When used in this chapter—

(1) the term "Advisory Board" means the National Agricultural Research and Extension Users Advisory Board;

(2) the term "agricultural research" means research in the food and agricultural sciences;

(3) the term "aquaculture" means the propagation and rearing of aquacultural species, including, but not limited to, any species of finfish, mollusk, or crustacean (or other aquatic invertebrate), amphibian, reptile, or aquatic plant, in controlled or selected environments;

(4) the terms "college" and "university" mean an educational institution in any State which (A) admits as regular students only persons having a certificate of graduation from a school providing secondary education, or the recognized equivalent of such a certificate, (B) is legally authorized within such State to provide a program of education beyond secondary education, (C) provides an educational program for which a bachelor's degree or any other higher degree is awarded, (D) is a public or other nonprofit institution, and (E) is accredited by a nationally recognized accrediting agency or association;

(5) the term "cooperative extension services" means the organizations established at the land-grant colleges and universities under the Smith-Lever Act of May 8, 1914 (38 Stat. 372-374, as amended; 7 U.S.C. 341-349), and section 209(b) of the Act of October 26, 1974 (88 Stat. 1428, as amended; D.C. Code, sec. 31-1719(b));

(6) the term "Department of Agriculture" means the United States Department of Agriculture;

(7) the term "extension" means the informal education programs conducted in the States in cooperation with the Department of Agriculture;

(8) the term "food and agricultural sciences" means basic, applied, and developmental research, extension, and teaching activities in the food, agricultural, renewable natural resources, forestry, and physical and social sciences, in the broadest sense of these terms, including but not limited to, activities relating to:

(A) agriculture, including soil and water conservation and use, the use of organic waste materials to improve soil tilth and fertility, plant and animal production and protection, and plant and animal health;

(B) the processing, distributing, marketing, and utilization of food and agricultural products;

(C) forestry, including range management, production of forest and range products, multiple use of forest and range lands, and urban forestry;

(D) aquaculture;

(E) home economics, including consumer affairs, food and nutrition, clothing and textiles, housing, and family well-being and financial management;

(F) rural community welfare and development;

(G) youth development, including 4-H clubs;

(H) domestic and export market expansion for United States agricultural products;

(I) production inputs, such as energy, to improve productivity; and

(J) international food and agricultural issues, such as agricultural development, de-

velopment of institutions, germ plasm collection and preservation, information exchange and storage, and scientific exchanges;

(9) the term “Joint Council” means the Joint Council on Food and Agricultural Sciences;

(10) the term “land-grant colleges and universities” means those institutions eligible to receive funds under the Act of July 2, 1862 (12 Stat. 503–505, as amended; 7 U.S.C. 301–305, 307 and 308), or the Act of August 30, 1890 (26 Stat. 417–419, as amended; 7 U.S.C. 321–326 and 328), including the Tuskegee Institute;

(11) the term “Secretary” means the Secretary of Agriculture of the United States;

(12) the term “State” means any one of the fifty States, the Commonwealth of Puerto Rico, Guam, American Samoa, the Commonwealth of the Northern Marianas, the Trust Territory of the Pacific Islands, the Virgin Islands of the United States, and the District of Columbia;

(13) the term “State agricultural experiment stations” means those institutions eligible to receive funds under the Act of March 2, 1887 (24 Stat. 440–442, as amended; 7 U.S.C. 361a–361i);

(14) the term “teaching” means formal classroom instruction, laboratory instruction, and practicum experience in the food and agricultural sciences and matters relating thereto (such as faculty development, student recruitment and services, curriculum development, instructional materials and equipment, and innovative teaching methodologies) conducted by colleges and universities offering baccalaureate or higher degrees;

(15) the term “cooperating forestry schools” means those institutions eligible to receive funds under the Act of October 10, 1962 (16 U.S.C. 582a et seq.), commonly known as the McIntire-Stennis Act of 1962;

(16) the term “State cooperative institutions” or “State cooperative agents” means institutions or agents designated by—

(A) the Act of July 2, 1862 (7 U.S.C. 301 et seq.), commonly known as the First Morrill Act;

(B) the Act of August 30, 1890 (7 U.S.C. 321 et seq.), commonly known as the Second Morrill Act, including the Tuskegee Institute;

(C) the Act of March 2, 1887 (7 U.S.C. 361a et seq.), commonly known as the Hatch Act of 1887;

(D) the Act of May 8, 1914 (7 U.S.C. 341 et seq.), commonly known as the Smith-Lever Act;

(E) the Act of October 10, 1962 (16 U.S.C. 582a et seq.), commonly known as the McIntire-Stennis Act of 1962; and

(F) subchapters V, VI, XI, and XII of this chapter;

(17) the term “sustainable agriculture” means an integrated system of plant and animal production practices having a site-specific application that will, over the long-term—

(A) satisfy human food and fiber needs;

(B) enhance environmental quality and the natural resource base upon which the agriculture economy depends;

(C) make the most efficient use of non-renewable resources and on-farm resources and integrate, where appropriate, natural biological cycles and controls;

(D) sustain the economic viability of farm operations; and

(E) enhance the quality of life for farmers and society as a whole; and

(18) the term “Technology Board” means the Agricultural Science and Technology Review Board established in section 3123a of this title.

(Pub. L. 95–113, title XIV, §1404, Sept. 29, 1977, 91 Stat. 983; Pub. L. 97–98, title XIV, §1404, Dec. 22, 1981, 95 Stat. 1297; Pub. L. 99–198, title XIV, §1403, Dec. 23, 1985, 99 Stat. 1544; Pub. L. 101–624, title XVI, §1603, Nov. 28, 1990, 104 Stat. 3705; Pub. L. 102–237, title IV, §402(3), Dec. 13, 1991, 105 Stat. 1863.)

REFERENCES IN TEXT

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

The Smith-Lever Act of May 8, 1914, referred to in pars. (5) and (16)(D), is act May 18, 1914, ch. 79, 38 Stat. 372, as amended, which is classified generally to subchapter IV (§341 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 341 of this title and Tables.

Act of July 2, 1862, 12 Stat. 503, referred to in pars. (10) and (16)(A), is popularly known as the “Morrill Act” and also as the “First Morrill Act”, which is classified generally to subchapter I (§301 et seq.) of chapter 13 of this title. For complete classification of this Act to the Code, see Short Title note set out under 301 of this title and Tables.

Act of August 30, 1890, 26 Stat. 417, referred to in pars. (10) and (16)(B), is 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.

Act of March 2, 1887, referred to in pars. (13) and (16)(C), is act Mar. 2, 1887, ch. 314, 24 Stat. 440, as amended, 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 pars. (15) and (16)(E), is Pub. L. 87–788, Oct. 10, 1962, 76 Stat. 806, as amended, known as the McIntire-Stennis Act of 1962, 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 Tables.

AMENDMENTS

1991—Par. (18). Pub. L. 102–237 inserted “and” after “Science”.

1990—Par. (16)(F). Pub. L. 101–624, §1603(2), inserted reference to subchapter VI of this chapter.

Pars. (17), (18). Pub. L. 101–624, §1603(1), (3), added pars. (17) and (18).

1985—Par. (8)(J). Pub. L. 99–198 added subpar. (J).

1981—Par. (8). Pub. L. 97–98, §1404(1), substituted in provision preceding subpar. (A) “basic, applied, and developmental research, extension, and teaching activities in the food, agricultural, renewable natural resources, forestry, and physical and social sciences, in the broadest sense of these terms, including but not limited to, activities relating to” for “sciences relating to food and agriculture in the broadest sense, including the social, economic, and political considerations of”, in subpar. (E) “including consumer affairs, food and nutrition, clothing and textiles, housing, and family well-

being and financial management;" for "human nutrition, and family life; and", and in subpar. (F) "community welfare and development" for "and community development", and added subpars. (G) to (I).

Par. (12). Pub. L. 97-98, §1404(2), struck out "except as provided in subchapter VII of this chapter," before "the term" and included within term "State" American Samoa, the Commonwealth of the Northern Marianas, and the Trust Territory of the Pacific Islands.

Par. (14). Pub. L. 97-98, §1404(4), struck out reference to laboratory training, inserted reference to practicum experience and matters relating to formal classroom instruction, laboratory instruction, and practicum experience, and substituted provision that the teaching be conducted at colleges or universities offering baccalaureate or higher degrees for provision that the teaching be conducted at colleges and universities leading to a baccalaureate and other recognized degrees.

Pars. (15), (16). Pub. L. 97-98, §1404(5), added pars. (15) and (16).

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.

TERMINATION OF TRUST TERRITORY OF THE PACIFIC ISLANDS

For termination of Trust Territory of the Pacific Islands, see note set out preceding section 1681 of Title 48, Territories and Insular Possessions.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 450i, 2027, 3319, 3292, 5801, 5931 of this title.

SUBCHAPTER II—COORDINATION AND PLANNING OF AGRICULTURAL RESEARCH, EXTENSION, AND TEACHING

§ 3121. Responsibilities of Secretary and Department of Agriculture

The Department of Agriculture is designated as the lead agency of the Federal Government for agricultural research (except with respect to the biomedical aspects of human nutrition concerned with diagnosis or treatment of disease), extension, and teaching in the food and agricultural sciences, and the Secretary, in carrying out the Secretary's responsibilities, shall—

(1) establish jointly with the Secretary of Health and Human Services procedures for coordination with respect to nutrition research in areas of mutual interest;

(2) keep informed of developments in, and the Nation's need for, research, extension, teaching, and manpower development in the food and agricultural sciences and represent such need in deliberations within the Department of Agriculture, elsewhere within the executive branch of the United States Government, and with the several States and their designated land-grant colleges and universities, other colleges and universities, agricultural and related industries, and other interested institutions and groups;

(3) coordinate all agricultural research, extension, and teaching activity conducted or financed by the Department of Agriculture and,

to the maximum extent practicable, by other agencies of the executive branch of the United States Government;

(4) take the initiative in establishing coordination of State-Federal cooperative agricultural research, extension, and teaching programs, funded in whole or in part by the Department of Agriculture in each State, through the administrative heads of land-grant colleges and universities and the State directors of agricultural experiment stations and cooperative extension services, and other appropriate program administrators;

(5) consult the Joint Council, Advisory Board, and appropriate advisory committees of the Department of Agriculture in the formulation of basic policies, goals, strategies, and priorities for programs of agricultural research, extension, and teaching;

(6) report (as a part of the Department of Agriculture's annual budget submissions) to the House Committee on Agriculture, the House Committee on Appropriations, the Senate Committee on Agriculture, Nutrition, and Forestry, and the Senate Committee on Appropriations actions taken or proposed to support the recommendations of the Advisory Board;

(7) establish appropriate review procedures to assure that agricultural research projects are timely and properly reported and published and that there is no unnecessary duplication of effort or overlapping between agricultural research units;

(8) establish Federal or cooperative multidisciplinary research teams on major agricultural research problems with clearly defined leadership, budget responsibility, and research programs;

(9) in order to promote the coordination of agricultural research of the Department of Agriculture, conduct a continuing inventory of ongoing and completed research projects being conducted within or funded by the Department;

(10) coordinate all agricultural research, extension, and teaching activities conducted or financed by the Department of Agriculture with the periodic renewable resource assessment and program provided for in sections 1601 and 1602 of title 16 and the appraisal and program provided for in sections 2004 and 2005 of title 16;

(11) coordinate the efforts of States, State cooperative institutions, State extension services, the Joint Council, the Advisory Board, and other appropriate institutions in assessing the current status of, and developing a plan for, the effective transfer of new technologies, including biotechnology, to the farming community, with particular emphasis on addressing the unique problems of small- and medium-sized farms in gaining information about those technologies; and

(12) establish, after coordination with the Technology Board, appropriate controls with respect to the development and use of the application of biotechnology to agriculture.

(Pub. L. 95-113, title XIV, §1405, Sept. 29, 1977, 91 Stat. 985; Pub. L. 97-98, title XIV, §1405, Dec. 22, 1981, 95 Stat. 1298; Pub. L. 99-198, title XIV,

§ 1404, Dec. 23, 1985, 99 Stat. 1544; Pub. L. 101-624, title XVI, § 1605(b)(3), Nov. 28, 1990, 104 Stat. 3714.)

AMENDMENTS

1990—Par. (12). Pub. L. 101-624 inserted “, after coordination with the Technology Board,” after “establish”.

1985—Pars. (11), (12). Pub. L. 99-198 added pars. (11) and (12) and struck out former par. (11) which required the Secretary to “take the initiative in overcoming barriers to long-range planning by developing, in conjunction with the States, State cooperative institutions, the Joint Council, the Advisory Board, and other appropriate institutions, a long-term needs assessment for food, fiber, and forest products, and by determining the research requirements necessary to meet the identified needs.”

1981—Par. (1). Pub. L. 97-98, § 1405(1), substituted “Secretary of Health and Human Services” for “Secretary of Health, Education, and Welfare”.

Par. (5). Pub. L. 97-98, § 1405(2), substituted “and appropriate advisory” for “and other appropriate advisory”.

Par. (6). Pub. L. 97-98, § 1405(3), inserted “or proposed”.

Pars. (10), (11). Pub. L. 97-98, § 1405(4)–(6), added pars. (10) and (11).

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

Subchapter 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.

§ 3122. Joint Council on Food and Agricultural Sciences

(a) Establishment

The Secretary shall establish within the Department of Agriculture a committee to be known as the Joint Council on Food and Agricultural Sciences which shall remain in existence until September 30, 1995.

(b) Membership

The Joint Council shall be composed of not less than 21 representatives of organizations or agencies which conduct or assist in conducting programs of research, extension, or teaching in the food and agricultural sciences, including the following:

(1) Six representatives from State cooperative institutions, including at least one from institutions eligible to receive funds under the Act of August 30, 1890 (7 U.S.C. 321 et seq.), including Tuskegee University.

(2) Four representatives from agencies within the Department of Agriculture which have significant research, extension, and teaching responsibilities.

(3) One representative from public colleges and universities having a demonstrable capacity to carry out food and agricultural research, extension, or teaching.

(4) One representative from colleges and universities conducting research related to the food and agricultural sciences.

(5) Three representatives from private organizations or corporations conducting research in the food and agricultural sciences, includ-

ing one representative from the food processing industry involved in food technology research.

(6) One representative from among foundations funding research in the food and agricultural sciences.

(7) One representative from among farmers, ranchers, and other producers of domestic agricultural commodities.

(8) One representative from the Office of Science and Technology Policy.

(9) Two representatives from other Federal agencies determined by the Secretary to be appropriate.

(10) One representative from the National Academy of Sciences.

(11) To the extent the Joint Council is composed of more than 21 members, representatives of other public and private institutions, producers, and representatives of the public who are interested in and have the potential to contribute to (as determined by the Secretary) the formulation of national policy in the food and agricultural sciences.

(c) Administrative provisions

(1) Terms

Members of the Joint Council shall be appointed for a term of up to three years by the Secretary from nominations made by the organizations and agencies described in subsection (b) of this section. The terms of the members shall be staggered.

(2) Chairperson

The Joint Council shall be jointly chaired by the Assistant Secretary of Agriculture for research, extension, and teaching, and a person to be elected from among the non-Federal membership of the Joint Council.

(3) Meetings

The Joint Council shall meet at least once during each three-month period. At least one meeting each year shall be a combined meeting with the Advisory Board. The meetings of the Joint Council shall be publicly announced in advance and shall be open to the public. Appropriate records of the activities of the Joint Council shall be kept and made available to the public on request.

(d) Primary responsibility

The primary responsibility of the Joint Council is to bring about more effective research, extension, and teaching in the food and agricultural sciences in the United States by improving the planning and coordination of publicly and privately supported food and agricultural science activities and by relating Federal budget development and program management to these processes.

(e) Other responsibilities

The responsibilities of the Joint Council shall also include the following:

(1) Provide a forum for the interchange of information among the organizations represented by the members of the Joint Council that will assure improved awareness among these organizations concerning the agricultural research, extension, and teaching pro-

grams, results, and directions of each organization.

(2) Analyze and evaluate the economic, environmental, and social impacts of agricultural research, extension, and teaching programs conducted in the United States.

(3) Determine high priority issues and goals for agricultural research, extension, and teaching programs, and submit annual reports identifying such high priority issues and goals to the Secretary and to Congress.

(4) Develop and review the effectiveness of a system, for use by the Secretary, of compiling, maintaining, and disseminating information about each federally supported agricultural research or extension project and, to the maximum extent possible, information about private agricultural research and extension projects conducted by colleges and universities, foundations, contract research groups, businesses, and others. Information about private agricultural research and extension shall not be included in this system unless they are partially or entirely funded by the Federal Government or the organizations sponsoring the projects agree to the inclusions of information about such projects.

(5) Assist the parties in developing, reviewing, and evaluating memoranda of understanding or other documents that detail the terms and conditions between the Secretary and the participants in agricultural research, extension, and teaching programs under this Act and other Acts.

(6) Assist the Secretary in carrying out the responsibilities assigned to the Secretary under this chapter through planning and coordination in the food and agricultural sciences, by using, wherever possible, the existing regional research, extension, and teaching organizations of State cooperative institutions to provide regional planning and coordination, and by the development of recommendations and reports describing current and long-range needs, priorities, and goals in the food and agricultural sciences and means to achieve these goals.

(7) Coordinate with the Secretary in assessing the current status of, and developing a plan for, the effective transfer of new technologies to the farming community.

(8) In consultation with the Users Advisory Board—

(A) provide an annual review and prioritize requests for agricultural related special grants and construction grants;

(B) provide an annual review of the competitive grants made by the Secretary to determine priority research and grant categories and types that best advance the purposes expressed in section 3101 of this title; and

(C) review and make budget recommendations on the research, extension, and teaching budgets for the Agricultural Research Service, the Forest Service, the Economic Research Service, the Extension Service, the National Agricultural Library, the Cooperative State Research Service, and other department agencies.

(f) Reports

(1) Report

At such times as the Joint Council determines appropriate, the Joint Council shall prepare a report specifying its conclusions on—

(A) priorities for food and agricultural research, extension, and teaching programs;

(B) suggested areas of responsibility among Federal, State, and private organizations in carrying out such programs;

(C) the levels of financial and other support needed to carry out such programs;

(D) the progress made toward accomplishing the priorities and associated levels of financial and other support recommended in the annual report issued in the prior year; and

(E) the activities of the Board in meeting its responsibilities under this section.

(2) Five-year plan

Not later than November 30, 1990, the Joint Council shall prepare a report outlining a five-year plan for food and agricultural sciences that reflects the coordinated views of the research, extension, and teaching community.

(3) Submission of reports

Each report prepared under this subsection shall be submitted to the Secretary. Minority views, if timely submitted, shall be included in each such report.

(Pub. L. 95-113, title XIV, § 1407, Sept. 29, 1977, 91 Stat. 986; Pub. L. 97-98, title XIV, § 1407, Dec. 22, 1981, 95 Stat. 1299; Pub. L. 99-198, title XIV, § 1405, Dec. 23, 1985, 99 Stat. 1545; Pub. L. 101-624, title XVI, § 1604(a), Nov. 28, 1990, 104 Stat. 3706; Pub. L. 102-237, title IV, §§ 402(1), 407(1), Dec. 13, 1991, 105 Stat. 1863, 1864; Pub. L. 104-66, title I, § 1012(d), (e), Dec. 21, 1995, 109 Stat. 712.)

REFERENCES IN TEXT

Act of August 30, 1890, referred to in subsec. (b)(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.

For definition of “this chapter”, referred to in subsec. (e)(6), see note set out under section 3102 of this title.

AMENDMENTS

1995—Subsec. (f)(1). Pub. L. 104-66, § 1012(d), substituted “Report” for “Annual report” in par. heading, and “At such times as the Joint Council determines appropriate” for “Not later than June 30 of each year” in introductory provisions.

Subsec. (f)(2). Pub. L. 104-66, § 1012(e), struck out at end “The Joint Council shall update this plan every two years thereafter in reports reflecting the progress being made toward implementing the plan.”

1991—Pub. L. 102-237, § 407(1), amended directory language of Pub. L. 101-624, § 1604(a). See 1990 Amendment note below.

Subsec. (e)(7). Pub. L. 102-237, § 402(1), substituted a period for semicolon at end.

1990—Pub. L. 101-624, § 1604(a), as amended by Pub. L. 102-237, § 407(1), amended section generally, substituting present provisions for provisions which established Joint Council on Food and Agricultural Sciences to expire on Sept. 30, 1990, provided for membership on Coun-

cil of not fewer than 25 representatives, provided for meetings of Council at least once during each three month period, outlined primary responsibilities of Council, including submission of reports, provided for publicity of meetings and activities, and provided for nonapplicability of the Federal Advisory Committee Act and title XVIII of the Food and Agriculture Act of 1977 [7 U.S.C. 2281 et seq.].

1985—Subsec. (a). Pub. L. 99-198, §1405(a), substituted “1990” for “1985”.

Subsec. (b). Pub. L. 99-198, §1405(b), inserted provision that one of the members of the Joint Council shall be appointed by the Secretary from among distinguished persons who are food technologists from accredited or certified departments of food technology.

Subsec. (d)(H). Pub. L. 99-198, §1405(c), added subpar. (H).

1981—Subsec. (a). Pub. L. 97-98, §1407(a), substituted “that expires September 30, 1985” for “of five years”.

Subsec. (b). Pub. L. 97-98, §1407(b), inserted provisions authorizing the Joint Council to be composed of not fewer than twenty-five members, expanding the areas from which members be chosen, specifying the term of office of members, and directing the Secretary to appoint specific numbers of members from specified groups.

Subsec. (d)(1). Pub. L. 97-98, §1407(c), substituted provision specifying the primary responsibility of the Joint Council as to bring about more effective research, extension, and teaching in food and agricultural sciences by improving planning and coordination of publicly and privately supported food and agricultural science activities and by relating Federal budget development and program management to these processes for provision directing the primary responsibility of the Joint Council as to foster coordination of the agricultural research, extension, and teaching activities of the Federal Government, the States, colleges and universities, and other public and private institutions and persons involved in the food and agricultural sciences.

Subsec. (d)(2)(E). Pub. L. 97-98, §1407(d), substituted “in the food and agricultural sciences, by using, wherever possible, the existing regional research, extension, and teaching organizations of State cooperative institutions to provide regional planning and coordination” for “efforts in the food and agricultural sciences that utilize an effective system of regional and national planning”.

Subsec. (d)(2)(G). Pub. L. 97-98, §1407(e), substituted provision requiring that a report be submitted to the Secretary of Agriculture, not later than June 30 of each year, specifying the Joint Council’s recommendations on priorities for food and agricultural research, extension, and teaching programs, delineating responsibilities, and specifying levels of financial and other support needed, a report be submitted, not later than Nov. 30 of each year, specifying ongoing research, extension, and teaching programs, accomplishments of these programs, and the future expectations of these programs, and a report submitted, not later than June 30, 1983, outlining a five-year plan for food and agricultural sciences that reflects the coordinated views of the research, extension, and teaching community, with this plan to be updated every two years thereafter, for provision requiring that a statement of recommendations be submitted to the Secretary, not later than Dec. 31 of each year, which was to include the Joint Council’s recommendations as to unified national, regional, or interstate agricultural research, extension, or teaching programs to be implemented during the following fiscal year, delineating suggested areas of responsibility between Federal and State agencies, and the overall planning, evaluation, coordination, and support necessary for such programs and a summary of agricultural research, extension, and teaching achievements made during, and the status of ongoing projects as of the end of, the prior fiscal year and requiring that the Secretary submit copies of the statement to the Subcommittee on Food and Renewable Resources of the Federal Coordinating Council for Science, Engineering, and Technology, and the Advisory Board.

Subsecs. (e), (f). Pub. L. 97-98, §1407(f), added subsecs. (e) and (f).

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.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 3125 of this title.

§ 3123. National Agricultural Research and Extension Users Advisory Board

(a) Establishment

The Secretary shall establish within the Department of Agriculture a board to be known as the National Agricultural Research and Extension Users Advisory Board which shall remain in existence until September 30, 1995.

(b) Membership

The Advisory Board shall be composed of 21 members appointed by the Secretary. The members shall be appointed to serve staggered terms, in a manner determined appropriate by the Secretary. The members of the Advisory Board shall consist of the following:

- (1) One member who is a producer representing farm cooperatives.
- (2) Two members who are producers representing general farm organizations.
- (3) Four members who are producers representing agricultural commodities, forest product, and aquacultural product groups from various geographic regions.
- (4) One member representing agricultural farm suppliers.
- (5) One member representing food and fiber processors.
- (6) One member representing animal health interests.
- (7) One member engaged in transportation of food and agricultural products to domestic or foreign markets.
- (8) One member representing labor organizations primarily concerned with the production, processing, distribution, or transport of food and agricultural products.
- (9) One member representing food marketing interests.
- (10) One member representing private nonprofit organizations and foundations involved in agricultural research, sustainable agricultural research, education, and extension.
- (11) One member representing private sector organizations involved in development programs and issues in developing countries.
- (12) One member representing agencies of the Department of Agriculture that do not have research capabilities.
- (13) One member engaged in rural development work.
- (14) One member engaged in human nutrition work.
- (15) Two members representing consumer interests, including one member who represents nonprofit consumer advocacy organizations.
- (16) One member representing nonprofit environmental protection organizations.

(c) Chairperson; vice-chairperson

At the first meeting each year of the Advisory Board, the members of the Advisory Board shall

elect a chairperson and vice-chairperson from the members. The chairperson and vice-chairperson shall serve in such positions for a term of one year.

(d) Meetings

The Advisory Board shall meet a sufficient number of times each year to carry out its responsibilities under subsection (f) of this section. At least one meeting each year shall be held as a combined meeting with the Joint Council.

(e) Panels

The Advisory Board may establish such panels as the Advisory Board considers appropriate to develop information, reports, advice, and recommendations for the use of the Advisory Board in meeting the responsibilities of the Advisory Board. Members of such panels may include members of the Advisory Board, Advisory Board staff members, individuals from the Department of Agriculture and other departments and agencies of the Federal Government, and individuals from the private sector who have expertise in the subject to be examined by the panel.

(f) Responsibilities

(1) Advisory opinions

The Advisory Board shall have general responsibility for preparing independent advisory opinions on the food and agricultural sciences.

(2) Specific duties

The Advisory Board shall have specific responsibility to perform the following duties:

(A) Review the policies, plans, and goals of programs within the Department of Agriculture involving the food and agricultural sciences, and related programs in other Federal and State departments and agencies and in the colleges and universities developed by the Secretary under this chapter.

(B) Review and assess the extent of agricultural research, teaching, and extension being conducted by the private sector and the relationships and coordination of such activities with Federally supported agricultural research, teaching, and extension programs.

(C) Review and provide consultation to the Secretary on national policies, priorities, and strategies for agricultural research and extension for both the short and long term.

(D) Assess the overall adequacy of the distribution of resources and the allocation of funds for the agricultural research, extension, and teaching activities of the Department of Agriculture and make recommendations with regard to such distribution and allocation to the Secretary, Federal agencies, and private organizations that are contributing to the funding of agricultural research, extension, and teaching.

(E) Identify emerging agricultural research, teaching, and extension issues and suggest programs and technology transfer solutions for use by the public and private agricultural science and education community.

(F) Evaluate the results and the effectiveness of research and extension programs

with regard to their influence on long-term goals of agriculture expressed in sections 3101 and 3102 of this title and consumer needs.

(g) Reports by Advisory Board

(1) Examination of federally supported agricultural research and extension programs

Not later than July 1 of each year, the Advisory Board shall provide an oral briefing to the Secretary (by the chairperson of the Advisory Board) and may provide a written report to Congress and the Secretary of recommendations concerning the allocation of responsibilities and levels of funding among federally supported agricultural research and extension programs. The Advisory Board shall include in each oral briefing and written report prepared under this paragraph—

(A) a review and assessment of the allocation of funds for agricultural research and extension made for the preceding fiscal year by the Department of Agriculture;

(B) an evaluation of—

(i) the effectiveness of coordination of Federal and private research initiatives;

(ii) new research and extension programs that need to be conducted by the research system; and

(iii) the effectiveness of the private and public research and extension system; and

(C) minority views, if timely submitted.

(2) Requirement of reports

Each report prepared by the Advisory Board shall list the membership of the Advisory Board as of the time the report was prepared, including the organizational and employment affiliation of each member of the Advisory Board.

(h) Report by Secretary

Not later than February 1 of each year, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes the manner in which the recommendations of the Advisory Board have been incorporated into the budget and programs of the Department of Agriculture.

(Pub. L. 95-113, title XIV, § 1408, Sept. 29, 1977, 91 Stat. 988; Pub. L. 97-98, title XIV, § 1408, Dec. 22, 1981, 95 Stat. 1300; Pub. L. 99-198, title XIV, § 1406, Dec. 23, 1985, 99 Stat. 1545; Pub. L. 101-624, title XVI, § 1604(b), Nov. 28, 1990, 104 Stat. 3709; Pub. L. 102-237, title IV, § 402(2), Dec. 13, 1991, 105 Stat. 1863; Pub. L. 104-66, title I, §§ 1011(t), 1012(f), Dec. 21, 1995, 109 Stat. 710, 712.)

REFERENCES IN TEXT

For definition of “this chapter”, referred to in subsec. (f)(2)(A), see note set out under section 3102 of this title.

AMENDMENTS

1995—Subsec. (g)(1). Pub. L. 104-66, § 1012(f), inserted “may provide” before “a written report” in first sentence.

Subsec. (g)(2), (3). Pub. L. 104-66, § 1011(t), redesignated par. (3) as (2) and struck out former par. (2) which required Advisory Board to submit to the President and

congressional committees a report containing appraisal by Board of President's proposed budget for food and agricultural sciences and recommendations of Secretary.

1991—Subsec. (e). Pub. L. 102-237, §402(2)(A), substituted "Government" for "government".

Subsec. (g)(1). Pub. L. 102-237, §402(2)(B), substituted "federally" for "Federally".

1990—Pub. L. 101-624 amended section generally, substituting present provisions for provisions which established National Agricultural Research and Extension Users Advisory Board to expire on Sept. 30, 1990, authorized membership of Board at 25 representatives, provided for selection of chairman and vice-chairman, provided for meetings at least once during each three month period, authorized establishment of panels to assist Board in meeting its responsibilities, and outlined general and specific responsibilities of Board, including the submission of reports.

1985—Subsec. (a). Pub. L. 99-198, §1406(a), substituted "1990" for "1985".

Subsec. (f)(2)(G). Pub. L. 99-198, §1406(b), added subpar. (G).

1981—Subsec. (a). Pub. L. 97-98, §1408(a), substituted "that expires September 30, 1985" for "of five years".

Subsec. (b). Pub. L. 97-98, §1408(b), in provision preceding par. (1) substituted "twenty-five" for "twenty-one" and inserted "to serve staggered terms" and in par. (1) substituted "eight" for "four" and "agricultural, forestry, and aquacultural products, from various geographical regions" for "agricultural commodities, forest products, and aquacultural products".

Subsec. (f)(2)(E). Pub. L. 97-98, §1408(c)(1), substituted "July 1" for "October 1".

Subsec. (f)(2)(F). Pub. L. 97-98, §1408(c)(2), substituted "February 20 of" for "March 1 of".

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.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 3125 of this title; title 16 section 1673.

§ 3123a. Agricultural Science and Technology Review Board

(a) Establishment

The Secretary, acting through the Joint Council, shall establish and oversee an Agricultural Science and Technology Review Board.

(b) Membership

(1) Composition

The Technology Board shall be composed of 11 individuals, to be appointed by the Secretary, who have expertise in technology assessment, environmental sciences, international agricultural issues, the social sciences, agricultural sciences (both basic and applied), technology transfer, and education, including representatives of—

- (A) the Agricultural Research Service;
- (B) the Cooperative State Research Service;
- (C) the Extension Service;
- (D) private foundations and nonprofit organizations who have expertise in agricultural research, education, and technology transfer;
- (E) private agricultural research and technology transfer firms; and
- (F) the Land Grant University System.

(2) Manner of appointment

The Secretary shall appoint members of the Technology Board in a manner determined to be appropriate by the Secretary.

(3) Private sector representation

A majority of the members of the Technology Board appointed under paragraph (1) shall be from the private sector.

(4) Term

Members of the Technology Board shall serve for staggered terms of 3 years, as determined appropriate by the Secretary.

(5) Chairperson

The Technology Board shall select a chairperson from its membership, who shall serve in that position for a term of 1 year.

(c) Technical interpretation and assessments

(1) In general

The Technology Board shall—

(A) provide technical interpretation and translation of current and emerging agricultural and environmental science issues for use by the Joint Council and the Advisory Board in setting priorities and conducting evaluations; and

(B) provide technology assessment of current and emerging public and private agricultural research and technology transfer initiatives, including emerging technologies from private industry and public institutions that would influence agriculture, environment, nutrition, and the broad social, economic, and health consequences on urban and rural communities.

(2) Assessments

The Technology Board may conduct assessments to consider to what extent agricultural research and extension programs foster—

(A) the development of farming systems that most effectively take advantage of natural processes and beneficial biological interactions and other sustainable agriculture techniques;

(B) genetics research that results in crop varieties and livestock that enhance management options, farm productivity, use of inputs, and a diversity of products that can be marketed by the farm operator;

(C) research to develop farming systems appropriate to climatological uncertainty;

(D) research to increase the demand for current farm products, and to develop new farm crops and enterprises, that are economically and environmentally advantageous and enhance agricultural diversity;

(E) research to enhance economic and societal well-being;

(F) research that develops rural economic development strategies that build on the entrepreneurial skills, self-employment tradition, and the resource base of rural communities and extension programs to disseminate those strategies;

(G) innovative extension and education programs that transfer new technology to the rural community including small- and moderate-sized family farmers and potential

beginning and minority farmers with limited resources; and

(H) extension programs that substantially involve a broad range of interested individuals, commodity groups, agri-industry groups, farm groups, rural organizations, community groups, farmworkers, and environmental organizations to broaden input into research and extension priority setting.

(d) Technology assessment report

(1) In general

Not later than December 31 of each year, the Technology Board shall prepare a report that contains a technology assessment of emerging public and private agricultural research initiatives and activities, including—

(A) recommendations on how such research would be best directed to advance the purposes set forth in section 3101 of this title; and

(B) an assessment of activities conducted by the Secretary, research components of public and private colleges and universities, and emerging private agricultural research initiatives.

(2) Recipients

The Technology Board shall submit the report required under paragraph (1) to the appropriate Committees of Congress, to the Secretary, to the heads of other Federal agencies who support agricultural research, and (on request) to private organizations who have a significant involvement in agricultural research.

(3) Minority views

The Technology Board shall include minority views in the report, if timely submitted.

(Pub. L. 95-113, title XIV, §1408A, as added Pub. L. 101-624, title XVI, §1605(a), Nov. 28, 1990, 104 Stat. 3711; amended Pub. L. 102-237, title IV, §402(3), (4), Dec. 13, 1991, 105 Stat. 1863.)

AMENDMENTS

1991—Subsec. (a). Pub. L. 102-237, §402(3), inserted “and” after “Science”.

Subsec. (c)(2)(H). Pub. L. 102-237, §402(4), substituted “farmworkers” for “farmerworkers”.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 3103, 3125 of this title.

§ 3124. Existing research programs

It is the intent of Congress in enacting this chapter to augment, coordinate, and supplement the planning, initiation, and conduct of agricultural research programs existing prior to September 29, 1977, except that it is not the intent of Congress in enacting this title to limit the authority of the Secretary of Health and Human Services under any Act which the Secretary of Health and Human Services administers.

(Pub. L. 95-113, title XIV, §1409, Sept. 29, 1977, 91 Stat. 989; Pub. L. 97-98, title XIV, §1409, Dec. 22, 1981, 95 Stat. 1301.)

REFERENCES IN TEXT

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

AMENDMENTS

1981—Pub. L. 97-98 substituted “Secretary of Health and Human Services” for “Secretary of Health, Education, and Welfare” in two places.

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.

§ 3124a. Federal-State partnership and coordination

(a) Covered programs; statement of purposes

A unique partnership arrangement exists in food and agricultural research, extension, and teaching between the Federal Government and the governments of the several States whereby the States have accepted and have supported, through legislation and appropriations—

(1) research programs under—

(A) the Act of March 2, 1887 (7 U.S.C. 361a et seq.), commonly known as the Hatch Act of 1887;

(B) the Act of October 10, 1962 (16 U.S.C. 582a et seq.), commonly known as the McIntire-Stennis Act of 1962;

(C) subchapter V of this chapter; and

(D) subchapter VI of this chapter;

(2) extension programs under subchapter VI of this chapter and the Act of May 8, 1914 (7 U.S.C. 341 et seq.), commonly known as the Smith-Lever Act;

(3) teaching programs under—

(A) the Act of July 2, 1862 (7 U.S.C. 301 et seq.), commonly known as the First Morrill Act;

(B) the Act of August 30, 1890 (7 U.S.C. 321 et seq.), commonly known as the Second Morrill Act; and

(C) the Act of June 29, 1935 (7 U.S.C. 329, commonly known as the Bankhead-Jones Act; and

(4) international agricultural programs under title XII of the Foreign Assistance Act of 1961 (22 U.S.C. 2220a et seq.).

This partnership in publicly supported agricultural research, extension, and teaching involving the programs of Federal agencies and the programs of the States has played a major role in the outstanding successes achieved in meeting the varied, dispersed, and in many cases, site-specific needs of American agriculture. This partnership must be preserved and enhanced.

(b) Establishment, etc., of cooperative centers

In order to promote research and education in food and human nutrition, the Secretary may establish cooperative human nutrition centers to focus resources, facilities, and scientific expertise on particular high priority nutrition problems identified by the Department. Such centers shall be established at State cooperative institutions; and at other colleges and universities, having a demonstrable capacity to carry out human nutrition research and education.

(c) Designation of State cooperative institutions; reports; research grants

(1) To promote research for purposes of developing agricultural policy alternatives, the Secretary is encouraged—

(A) to designate at least one State cooperative institution to conduct research in an interdisciplinary fashion; and

(B) to report on a regular basis with respect to the effect of emerging technological, economic, sociological, and environmental developments on the structure of agriculture.

(2) Support for this effort should include grants to examine the role of various food production, processing, and distribution systems that may primarily benefit small- and medium-sized family farms, such as diversified farm plans, energy, water, and soil conservation technologies, direct and cooperative marketing, production and processing cooperatives, and rural community resource management.

(d) Designation of State agricultural experiment stations and Agricultural Research Service facilities; pilot projects; additional research

To address more effectively the critical need for reducing farm input costs, improving soil, water, and energy conservation on farms and in rural areas, using sustainable agricultural methods, adopting alternative processing and marketing systems, and encouraging rural resources management, the Secretary is encouraged to designate at least one State agricultural experiment station and one Agricultural Research Service facility to examine these issues in an integrated and comprehensive manner, while conducting ongoing pilot projects contributing additional research through the Federal-State partnership.

(Pub. L. 95-113, title XIV, § 1409A, as added Pub. L. 97-98, title XIV, § 1410(a), Dec. 22, 1981, 95 Stat. 1301; amended Pub. L. 99-198, title XIV, § 1407, Dec. 23, 1985, 99 Stat. 1545; Pub. L. 101-624, title XVI, § 1601(f)(1)(B), Nov. 28, 1990, 104 Stat. 3704.)

REFERENCES IN TEXT

Act of March 2, 1887, referred to in subsec. (a)(1)(A), is act Mar. 2, 1887, ch. 314, 24 Stat. 440, as amended, 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. (a)(1)(B), is Pub. L. 87-788, Oct. 10, 1962, 76 Stat. 806, as amended, known as the McIntire-Stennis Act of 1962, 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 Tables.

Act of May 8, 1914, referred to in subsec. (a)(2), is act May 8, 1914, ch. 79, 38 Stat. 372, as amended, popularly known as the Smith-Lever Act, which is classified generally to subchapter IV (§ 341 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 341 of this title and Tables.

Act of July 2, 1862, referred to in subsec. (a)(3)(A), is act July 2, 1862, ch. 130, 12 Stat. 503, as amended, popularly known as the First Morrill Act, which is classified generally to subchapter I (§ 301 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 301 of this title and Tables.

Act of August 30, 1890, referred to in subsec. (a)(3)(B), 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.

The Foreign Assistance Act of 1961, referred to in subsec. (a)(4), is Pub. L. 87-195, Sept. 4, 1961, 75 Stat. 424, as amended. Title XII of the Foreign Assistance Act of 1961 probably means title XII of chapter 2 of part I of the Act, which is classified generally to subpart XII (§ 2220a et seq.) of part II of subchapter I of chapter 32 of Title 22, Foreign Relations and Intercourse. For complete classification of this Act to the Code, see Short Title note set out under section 2151 of Title 22 and Tables.

AMENDMENTS

1990—Subsecs. (c) to (e). Pub. L. 101-624 redesignated subsecs. (d) and (e) as (c) and (d), respectively, and struck out former subsec. (c) which read as follows: "In order to meet the increasing needs of consumers and to promote the health and welfare of people, the Secretary shall ensure that the cooperative research, extension, and teaching programs of the various States adequately address the challenges described in paragraph (10) of section 3101 of this title. The Secretary may implement new cooperative initiatives in home economics and related disciplines to address such challenges."

1985—Subsec. (a)(4). Pub. L. 99-198, § 1407(a), added par. (4).

Subsecs. (d), (e). Pub. L. 99-198, § 1407(b), added subsecs. (d) and (e).

EFFECTIVE DATE

Section effective Dec. 22, 1981, see section 1801 of Pub. L. 97-98, set out as a note under section 4301 of this title.

§ 3125. Annual report of Secretary of Agriculture to President and Congress

The Secretary shall submit to the President and Congress by January 1 of each year a report on the Nation's agricultural research, extension, and teaching activities, and such report shall include—

(1) a review covering the following three categories of activities of the Department of Agriculture with respect to agricultural research, extension, and teaching activities and the relationship of these activities to similar activities of other departments and agencies of the Federal Government, the States, colleges and universities, and the private sector—

(A) a current inventory of such activities organized by statutory authorization and budget outlay;

(B) a current inventory of such activities organized by field of basic and applied science; and

(C) a current inventory of such activities organized by commodity and product category;

(2) the recommendations of the Joint Council developed under section 3122(f) of this title, the recommendations of the Advisory Board developed under section 3123(g) of this title, and the recommendations of the Technology Board developed under section 3123a(d) of this title; and

(3) in the second and succeeding years, a five-year projection of national priorities with respect to agricultural research, extension, and teaching, taking into account both domestic and international needs.

(Pub. L. 95-113, title XIV, § 1410, Sept. 29, 1977, 91 Stat. 989; Pub. L. 97-98, title XIV, § 1411, Dec. 22,

1981, 95 Stat. 1302; Pub. L. 99-198, title XIV, § 1408, Dec. 23, 1985, 99 Stat. 1546; Pub. L. 101-624, title XVI, § 1605(b)(4), Nov. 28, 1990, 104 Stat. 3714.)

AMENDMENTS

1990—Par. (2), Pub. L. 101-624 amended par. (2) generally. Prior to amendment, par. (2) read as follows: “the statements of recommendations of the Joint Council developed pursuant to the provisions of section 3122(d)(2)(G) of this title and the statement of recommendations of the Advisory Board developed pursuant to the provisions of section 3123(f)(2)(E) of this title; and”.

1985—Par. (4), Pub. L. 99-198 struck out par. (4) which provided for inclusion “in the report of January 1, 1984, the Secretary’s needs assessment developed pursuant to the provisions of section 3121(11) of this title”.

1981—Pub. L. 97-98 substituted in provision preceding par. (1) “January 1” for “February 1” and added par. (4).

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.

§ 3125a. National Agricultural Library

(a) Purpose

The purpose of this section is to consolidate and expand the statutory authority for the operation of the library of the Department of Agriculture established pursuant to section 2201 of this title as the primary agricultural information resource of the United States.

(b) Establishment

There is established in the Department of Agriculture the National Agricultural Library to serve as the primary agricultural information resource of the United States.

(c) Director

The Secretary shall appoint a Director for the National Agricultural Library who shall be subject to the direction of the Secretary.

(d) Functions of Director

The Director may—

(1) acquire, preserve, and manage information and information products and services in all phases of agriculture and allied sciences;

(2) organize agricultural information and information products and services by cataloging, indexing, bibliographical listing, and other appropriate techniques;

(3) provide agricultural information and information products and services to agencies of the Department of Agriculture and the Federal Government, public and private organizations, and individuals, within the United States and internationally;

(4) plan for, coordinate, and evaluate information and library needs related to agricultural research and education;

(5) cooperate with and coordinate efforts among agricultural college and university libraries, in conjunction with private industry and other agricultural library and information centers, toward the development of a comprehensive agricultural library and information network; and

(6) coordinate the development of specialized subject information services among the agricultural and library information communities.

(e) Library products and services

The Director may—

(1) make copies of the bibliographies prepared by the National Agricultural Library;

(2) make microforms and other reproductions of books and other library materials in the Department;

(3) provide any other library and information products and services; and

(4) sell those products and services at such prices (not less than the estimated total cost of disseminating the products and services) as the Secretary may determine appropriate.

(f) Receipts

Funds received from sales under subsection (e) of this section shall be deposited in the Treasury of the United States to the credit of the applicable appropriation and shall remain available until expended.

(g) Agreements

(1) In general

The Director may enter into agreement with, and receive funds from any State, and other political subdivision, organization, business, or individual for the purpose of conducting activities to carry out this section.

(2) Funds

Funds received under this subsection for payments for library products and services or other activities shall be deposited to the miscellaneous contributed fund account, and shall remain available until expended.

(h) Authorization of appropriations

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

(Pub. L. 95-113, title XIV, § 1410A, as added Pub. L. 101-624, title XVI, § 1606(a), Nov. 28, 1990, 104 Stat. 3714.)

§ 3125b. National Rural Information Center Clearinghouse

(a) Establishment

The Secretary shall establish, within the National Agricultural Library, in coordination with the Extension Service, a National Rural Information Center Clearinghouse (in this section referred to as the “Clearinghouse”) to perform the functions specified in subsection (b) of this section.

(b) Functions

The Clearinghouse shall provide and distribute information and data to any industry, organization, or Federal, State, or local government entity, on request, about programs and services provided by Federal, State, and local agencies and private nonprofit organizations and institutions under which individuals residing in, or organizations and State and local government entities operating in, a rural area may be eligible for any kind of assistance, including job training, education, health care, and economic development assistance, and emotional and financial counseling. To the extent possible, the National Agricultural Library shall use telecommunications technology to disseminate information to rural areas.

(c) Federal agencies

On request of the Secretary, the head of a Federal agency shall provide to the Clearinghouse such information as the Secretary may request to enable the Clearinghouse to carry out subsection (b) of this section.

(d) State and local agencies and nonprofit organizations

The Secretary shall request State and local governments and private nonprofit organizations and institutions to provide to the Clearinghouse such information as such agencies and organizations may have about any program or service of such agencies, organizations, and institutions under which individuals residing in a rural area may be eligible for any kind of assistance, including job training, educational, health care, and economic development assistance, and emotional and financial counseling.

(e) Limitation on authorization of appropriations

To carry out this section, there are authorized to be appropriated \$500,000 for each of the fiscal years 1991 through 1995.

(Pub. L. 101-624, title XXIII, §2381, Nov. 28, 1990, 104 Stat. 4049.)

CODIFICATION

Section was enacted as part of the Rural Economic Development Act of 1990, and also as part of the Food, Agriculture, Conservation, and Trade Act of 1990, and not as part of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 which comprises this chapter.

§ 3125c. Education program regarding handling of agricultural chemicals and agricultural chemical containers

Subject to the availability of funds appropriated in advance, the Secretary of Agriculture shall direct the Extension Service to operate a program in each State to catalogue the Federal, State, and local laws and regulations that govern the handling of unused or unwanted agricultural chemicals and agricultural chemical containers in the State. The program established under this section shall make available to producers of agricultural commodities and the general public, and provide on request, educational materials developed or collected by the program.

(Pub. L. 101-624, title XIV, §1499A, as added Pub. L. 102-237, title II, §201(h)(1), Dec. 13, 1991, 105 Stat. 1847.)

CODIFICATION

Section was enacted as part of the Conservation Program Improvements Act, and also as part of the Food, Agriculture, Conservation, and Trade Act of 1990, and not as part of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 which comprises this chapter.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 5506 of this title.

§ 3126. Libraries and information network**(a) Congressional declaration of policy**

It is declared to be the policy of Congress that—

(1) cooperation and coordination among, and the more effective utilization of, disparate agricultural libraries and information units be facilitated;

(2) information and library needs related to agricultural research and education be effectively planned for, coordinated, and evaluated;

(3) a structure for the coordination of the agricultural libraries of colleges and universities, Department of Agriculture libraries, and their closely allied information gathering and disseminating units be established in close conjunction with private industry and other research libraries;

(4) effective access by all colleges and universities and Department of Agriculture personnel to literature and information regarding the food and agricultural sciences be provided;

(5) programs for training in information utilization with respect to the food and agricultural sciences, including research grants for librarians, information scientists, and agricultural scientists be established or strengthened; and

(6) the Department of Agriculture establish mutually valuable working relationships with international and foreign information and data programs.

(b) Food and Nutrition and Education Resources Center

There is established within the National Agricultural Library of the Department of Agriculture a Food and Nutrition Information and Education Resources Center. Such Center shall be responsible for—

(1) assembling and collecting food and nutrition education materials, including the results of nutrition research, training methods, procedures, and other materials related to the purpose of this chapter;

(2) maintaining such information and materials in a library; and

(3) providing notification about these collections on a regular basis to the State cooperative extension services, State educational agencies, and other interested persons.

(c) Authorization of appropriations

Funds are authorized to be appropriated annually in such amounts as Congress may determine necessary to support the purposes of this section. The Secretary is authorized to carry out this section with existing facilities through the use of grants, contracts, or such other means as the Secretary deems appropriate and to require matching of funds. No funds appropriated to support the purposes of this section shall be used to purchase additional equipment unless specifically authorized by law subsequent to September 29, 1977.

(Pub. L. 95-113, title XIV, §1411, Sept. 29, 1977, 91 Stat. 990; Pub. L. 97-98, title XIV, §1412, Dec. 22, 1981, 95 Stat. 1302.)

REFERENCES IN TEXT

For definition of “this chapter”, referred to in subsec. (b)(1), see note set out under section 3102 of this title.

AMENDMENTS

1981—Subsec. (a)(6). Pub. L. 97-98, §1412(1)-(3), added par. (6).

Subsec. (b)(3). Pub. L. 97-98, §1412(4), substituted “notification about these collections on a regular basis to the State cooperative extension services, State educational agencies, and other interested persons” for “for the dissemination of such information and materials on a regular basis to State educational agencies and other interested persons”.

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.

§ 3127. Support for Joint Council, Advisory Board, and Technology Board

(a) Appointment of staff

To assist the Joint Council, the Advisory Board, and the Technology Board in the performance of their duties, the Secretary may appoint, after consultation with the cochairpersons of the Joint Council and the chairperson of the Advisory Board and the Technology Board—

(1) a full-time executive director who shall perform such duties as the cochairpersons of the Joint Council and the chairperson of the Advisory Board and the Technology Board may direct and who shall receive compensation at a rate not to exceed the rate payable for GS-18 of the General Schedule established in section 5332 of title 5; and

(2) a professional staff of not more than five full-time employees qualified in the food and agricultural sciences, of which one shall serve as the executive secretary to the Joint Council, one shall serve as the executive secretary to the Advisory Board, and one shall serve as the executive secretary to the Technology Board.

(b) Additional clerical assistance and staff personnel

The Secretary shall provide such additional clerical assistance and staff personnel as may be required to assist the Joint Council, Advisory Board, and Technology Board in carrying out their duties.

(c) Assistance of outside personnel

In formulating their recommendations to the Secretary, the Joint Council, Advisory Board, and Technology Board may obtain the assistance of Department of Agriculture employees, and, to the maximum extent practicable, the assistance of employees of other Federal departments and agencies conducting related programs of agricultural research, extension, and teaching and of appropriate representatives of colleges and universities, including State agricultural experiment stations, cooperative extension services, and other non-Federal organizations conducting significant programs in the food and agricultural sciences.

(Pub. L. 95-113, title XIV, §1412, Sept. 29, 1977, 91 Stat. 991; Pub. L. 97-98, title XIV, §1413, Dec. 22, 1981, 95 Stat. 1302; Pub. L. 101-624, title XVI, §1605(b)(1), Nov. 28, 1990, 104 Stat. 3713; Pub. L. 102-237, title IV, §402(5), Dec. 13, 1991, 105 Stat. 1863.)

AMENDMENTS

1991—Subsecs. (b) and (c). Pub. L. 102-237 substituted “, Advisory Board, and Technology Board” for “and Advisory Board”.

1990—Pub. L. 101-624, §1605(b)(1)(A), amended section catchline generally.

Subsec. (a). Pub. L. 101-624, §1605(b)(1)(B), in introductory provision, substituted “, the Advisory Board, and the Technology Board” for “and the Advisory Board” and inserted “and the Technology Board” before the dash, in par. (1), inserted “and the Technology Board” before “may direct”, and in par. (2), substituted “Council,” for “Council and” and inserted before period at end “, and one shall serve as the executive secretary to the Technology Board”.

Subsecs. (b), (c). Pub. L. 101-624, §1605(b)(1)(C), (D), which directed the substitution of “, the Advisory Board, and the Technology Board” for “and the Advisory Board”, could not be executed because the phrase “and the Advisory Board” did not appear in text.

1981—Subsec. (a). Pub. L. 97-98 inserted in provision preceding par. (1) provision requiring consultation with the cochairpersons of the Joint Council and the chairperson of the Advisory Board, redesignated former par. (2) as (1) and substituted provision that a full-time executive director perform such duties as the cochairpersons of the Joint Council and chairperson of the Advisory Board direct for provision that an executive director perform such duties as the chairman of the Joint Council and the chairman of the Advisory Board direct, and redesignated former par. (1) as (2) and inserted provision that one of the full-time staff serve as the executive secretary to the Joint Council and one serve as executive secretary to the Advisory Board.

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.

REFERENCES IN OTHER LAWS TO GS-16, 17, OR 18 PAY RATES

References in laws to the rates of pay for GS-16, 17, or 18, or to maximum rates of pay under the General Schedule, to be considered references to rates payable under specified sections of Title 5, Government Organization and Employees, see section 529 [title I, §101(c)(1)] of Pub. L. 101-509, set out in a note under section 5376 of Title 5.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 3128 of this title.

§ 3128. General provisions

(a) Vacancies in Joint Council, Advisory Board, or Technology Board

Any vacancy in the Joint Council, the Advisory Board, or the Technology Board shall not affect their powers under this title and shall be filled in the same manner as the original position.

(b) Compensation and expenses of members of Joint Council, Advisory Board, and Technology Board

Members of the Joint Council, the Advisory Board, and the Technology Board shall serve without compensation, if not otherwise officers or employees of the United States, except that they shall, while away from their homes or regular places of business in the performance of services under this chapter, be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in the Government service are allowed expenses under sections 5701 through 5707 of title 5.

(c) Authorization of appropriations

There are authorized to be appropriated annually such sums as Congress may determine nec-

essary to carry out the provisions of section 3127 of this title and subsection (b) of this section.

(Pub. L. 95-113, title XIV, § 1413, Sept. 29, 1977, 91 Stat. 991; Pub. L. 97-98, title XIV, § 1414(a), Dec. 22, 1981, 95 Stat. 1303; Pub. L. 101-624, title XVI, § 1605(b)(2), Nov. 28, 1990, 104 Stat. 3713; Pub. L. 103-354, title II, § 218(e)(7), Oct. 13, 1994, 108 Stat. 3213.)

REFERENCES IN TEXT

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

AMENDMENTS

1994—Subsec. (d). Pub. L. 103-354 struck out subsec. (d) which read as follows: “The President shall appoint, by and with the advice and consent of the Senate, an Assistant Secretary of Agriculture who shall perform such duties as are necessary to carry out this chapter and who shall receive compensation at the rate now or hereafter prescribed by law for Assistant Secretaries of Agriculture.”

1990—Subsec. (a). Pub. L. 101-624, § 1605(b)(2)(A), substituted “, the Advisory Board, or the Technology Board” for “or the Advisory Board”.

Subsec. (b). Pub. L. 101-624, § 1605(b)(2)(B), substituted “, the Advisory Board, and the Technology Board” for “and Advisory Board”.

Subsecs. (d), (e). Pub. L. 101-624, § 1605(b)(2)(C), redesignated subsec. (e) as (d) and struck out former subsec. (d) which read as follows: “The Subcommittee on Food, Agricultural, and Forestry Research, the Joint Council, and the Advisory Board shall improve communication and interaction among themselves and with others in the agricultural science and education system through such mechanisms as the exchange of reports, joint meetings, and the use of liaison representatives.”

1981—Subsecs. (c) to (e). Pub. L. 97-98 added subsecs. (c) to (e).

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.

§ 3129. Repealed. Pub. L. 101-624, title XVI, § 1601(f)(1)(C), Nov. 28, 1990, 104 Stat. 3704

Section, Pub. L. 95-113, title XIV, § 1413A, as added Pub. L. 96-294, title II, § 255(a), June 30, 1980, 94 Stat. 707, provided for biomass energy educational and technical assistance programs.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in title 42 section 8852.

§ 3130. Composting research and extension program

(a) Purpose

It is the purpose of this section to require the Secretary of Agriculture to identify and compile appropriate methods of composting agricultural wastes and the potential uses for such compost, and to make such information available to the appropriate Federal, State, or other private authorities and the general public.

(b) Composting information

(1) Secretary

The Secretary shall identify and compile information on—

(A) the composting of agricultural wastes, including information on the composting of wastes from the production, processing, and

distribution of food, fiber, forestry, livestock, and fish products, and the potential uses of such compost; and

(B) laws, rules, and programs adopted by State and local governments and foreign governments that establish definitions and set standards for the processing, handling, and use of compost.

(2) Consultation

In identifying and compiling such information, the Secretary may consult with representatives of other Federal departments and such other persons as the Secretary determines appropriate.

(c) Research

The Secretary shall conduct research on the potential uses for compost derived from animal wastes, and from other waste streams as appropriate, and identify uses for such compost, including the potential for marketing such product. Such research shall also include evaluation of the application of compost derived from agricultural wastes on soil, plants, and food and fiber crops.

(d) Composting extension program

Beginning not later than one year after November 28, 1990, the Secretary shall initiate extension efforts to inform the agricultural community and the general public regarding—

(1) the desirability and safety of compost derived from agricultural wastes;

(2) on-farm and other composting techniques; and

(3) procedures for using compost.

(e) Farm conservation practice

The Secretary shall consider designating composting as a farm conservation practice eligible for cost-sharing.

(Pub. L. 101-624, title XIV, § 1456, Nov. 28, 1990, 104 Stat. 3614.)

CODIFICATION

Section was enacted as part of the Conservation Program Improvements Act, and also as part of the Food, Agriculture, Conservation, and Trade Act of 1990, and not as part of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 which comprises this chapter.

SUBCHAPTER III—AGRICULTURAL RESEARCH AND EDUCATION GRANTS AND FELLOWSHIPS

§ 3151. Grants to enhance research capacity in schools of veterinary medicine

(a) Competitive grant program

The Secretary shall conduct a program of competitive grants to States for the purpose of meeting the costs of renovation, improving compliance with Federal regulations, employing faculty, acquiring equipment, and taking other action related to the improvement of schools of veterinary medicine to ensure agricultural competitiveness on a worldwide basis. This grant program shall be based on a matching formula of 50 per centum Federal and 50 per centum State funding.

(b) Preference

Except with respect to the States of Alaska and Hawaii, the Secretary shall give preference

in awarding grants to States which file, with their application for funds under this section, assurances satisfactory to the Secretary that—

(1) the State has established a veterinary medical training program with one or more States without colleges of veterinary medicine which consists of appropriate cooperative agreements providing for a sharing of curriculum and costs by the individual States;

(2) the clinical training of the school to be improved shall emphasize care and preventive medical programs for food animals and companion animals (including horses) which support industries of major economic importance; and

(3) the Secretary may set aside a portion of funds appropriated for the award of grants under this section and make such amounts available only for grants to eligible colleges and universities that the Secretary determines have unique capabilities for achieving the objective of full participation of minority groups in research in the Nation's schools of veterinary medicine.

Notwithstanding clause (1) of this subsection, no State which the Secretary determines has made a reasonable effort to establish appropriate cooperative agreements shall be denied a grant or otherwise prejudiced because of its failure to establish such cooperative agreements.

(c) Apportionment and distribution of funds

Funds appropriated to carry out this section for any fiscal year shall be apportioned and distributed as follows:

(1) Five per centum shall be retained by the Department of Agriculture for administration, program assistance to eligible States, and program coordination.

(2) The remainder shall be apportioned and distributed by the Secretary to those States which have applied for funds under this section on such basis as the Secretary may deem appropriate.

(Pub. L. 95-113, title XIV, § 1415, Sept. 29, 1977, 91 Stat. 993; Pub. L. 97-98, title XIV, § 1417, Dec. 22, 1981, 95 Stat. 1305; Pub. L. 99-198, title XIV, § 1410, Dec. 23, 1985, 99 Stat. 1547; Pub. L. 101-624, title XVI, § 1607(a), (b), Nov. 28, 1990, 104 Stat. 3716.)

AMENDMENTS

1990—Pub. L. 101-624, § 1607(b)(1), amended section catchline generally.

Subsec. (a). Pub. L. 101-624, § 1607(b)(1), inserted heading.

Pub. L. 101-624, § 1607(a)(1), amended first sentence generally. Prior to amendment, first sentence read as follows: "The Secretary shall conduct a program of grants to States for the purpose of meeting the costs of construction, employing faculty, acquiring equipment, and taking other action relating to the initial establishment and initial operation of schools of veterinary medicine, or the expansion of existing schools of veterinary medicine, as determined [sic] by the Secretary by regulations."

Subsec. (b). Pub. L. 101-624, § 1607(b)(2), inserted heading.

Subsec. (b)(1). Pub. L. 101-624, § 1607(a)(2), struck out ", or has made a reasonable effort to establish," after "established", and "and" after "States;"

Subsec. (b)(2). Pub. L. 101-624, § 1607(a)(3), amended par. (2) generally. Prior to amendment, par. (2) read as

follows: "the clinical training of the school to be established or expanded shall emphasize care and preventive medical programs for food-producing animals."

Subsec. (b)(3). Pub. L. 101-624, § 1607(a)(3), added par. (3).

Subsec. (c). Pub. L. 101-624, § 1607(b)(3), inserted heading.

1985—Subsec. (c)(1). Pub. L. 99-198 substituted "Five" for "Four".

1981—Subsec. (c)(2). Pub. L. 97-98 struck out proviso that not less than 50 per centum of such funds shall be made available to States which have accredited schools of veterinary medicine.

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

Subchapter 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.

§ 3152. Grants and fellowships for food and agricultural sciences education

(a) Higher education teaching programs

The Secretary shall promote and strengthen higher education in the food and agricultural sciences by formulating and administering programs to enhance college and university teaching programs in agriculture, natural resources, forestry, veterinary medicine, home economics, and disciplines closely allied to the food and agricultural system.

(b) Grants

The Secretary may make competitive grants (or grants without regard to any requirement for competition) to land-grant colleges and universities, to colleges and universities having significant minority enrollments and a demonstrable capacity to carry out the teaching of food and agricultural sciences, and to other colleges and universities having a demonstrable capacity to carry out the teaching of food and agricultural sciences, for a period not to exceed 5 years—

(1) to strengthen institutional capacities, including curriculum, faculty, scientific instrumentation, instruction delivery systems, and student recruitment and retention, to respond to identified State, regional, national, or international educational needs in the food and agricultural sciences;

(2) to attract and support undergraduate and graduate students in order to educate the students in national need areas of the food and agricultural sciences;

(3) to facilitate cooperative initiatives between two or more eligible institutions, or between eligible institutions and units of State government or organizations in the private sector, to maximize the development and use of resources such as faculty, facilities, and equipment to improve food and agricultural sciences teaching programs;

(4) to design and implement innovative food and agricultural educational programs;

(5) to conduct undergraduate scholarship programs to meet national and international needs for training food and agricultural scientists and professionals; and

(6) to conduct graduate and postdoctoral fellowship programs to attract highly promising individuals to research or teaching careers in the food and agricultural sciences.

(c) Eligibility for grants

(1) In general

To be eligible for a grant under subsection (b) of this section, a recipient institution must have a significant demonstrable commitment to higher education teaching programs in the food and agricultural sciences and to each specific subject area for which the grant is to be used.

(2) Minority groups

The Secretary may set aside a portion of the funds appropriated for the awarding of grants under subsection (b) of this section, and make such amounts available only for grants to eligible colleges and universities that the Secretary determines have unique capabilities for achieving the objective of full representation of minority groups in the food and agricultural sciences workforce of the United States.

(d) Evaluation of teaching programs

The Secretary shall conduct programs to develop, analyze, and provide to colleges and universities data and information that are essential to the evaluation of the quality of teaching programs and to facilitate the design of more effective programs comprising the food and agricultural sciences higher education system of the United States.

(e) Continuing education

The Secretary shall conduct special programs with colleges and universities, and with organizations in the private sector, to support educational initiatives to enable food and agricultural scientists and professionals to maintain their knowledge of changing technology, the expanding knowledge base, societal issues, and other factors that impact the skills and competencies needed to maintain the expertise base available to the agricultural system of the United States. The special programs shall include grants and technical assistance.

(f) Transfers of funds and functions

Funds authorized in section 22 of the Act of June 29, 1935 (49 Stat. 439, chapter 338; 7 U.S.C. 329) are transferred to and shall be administered by the Secretary of Agriculture. There are transferred to the Secretary all the functions and duties of the Secretary of Education under such Act applicable to the activities and programs for which funds are made available under section 22 of such Act.

(g) National Food and Agricultural Sciences Teaching Awards

(1) Establishment

The Secretary shall establish a National Food and Agricultural Sciences Teaching Awards program to recognize and promote excellence in teaching food and agricultural sciences at a college or university. The Secretary shall make at least one cash award in each fiscal year to a nominee selected by the Secretary for excellence in teaching a food and agricultural science at a college or university.

(2) Funding

The Secretary may transfer funds from amounts appropriated for the conduct of any agricultural research, extension, or teaching program to an account established pursuant to this section for the purpose of making the awards. The Secretary may accept gifts in accordance with section 2269 of this title for the purpose of making the awards.

(h) Administration

The Federal Advisory Committee Act and title XVIII of the Food and Agriculture Act of 1977 (7 U.S.C. 2281 et seq.) shall not apply to a panel or board created for the purpose of reviewing applications and proposals for grants or nominations for awards submitted under this section.

(i) Authorization of appropriations

There are authorized to be appropriated for carrying out this section \$60,000,000 for each of the fiscal years 1990 through 1995.

(Pub. L. 95-113, title XIV, §1417, Sept. 29, 1977, 91 Stat. 996; Pub. L. 97-98, title XIV, §1418, Dec. 22, 1981, 95 Stat. 1305; Pub. L. 99-198, title XIV, §1412, Dec. 23, 1985, 99 Stat. 1548; Pub. L. 101-624, title XVI, §1608, Nov. 28, 1990, 104 Stat. 3716; Pub. L. 102-237, title IV, §402(6), Dec. 13, 1991, 105 Stat. 1863.)

REFERENCES IN TEXT

Act of June 29, 1935, referred to in subsec. (f), is act June 29, 1935, ch. 338, 49 Stat. 436, as amended, known as the Bankhead-Jones Act, which was classified principally to sections 329 and 427 to 427j of this title, and was repealed by act Aug. 11, 1966, ch. 790, §2, 69 Stat. 674, except for sections 1, 10, and 22 of the Act, which are classified to sections 427, 427i, and 329 of this title, respectively. For complete classification of this Act to the Code, see Tables.

The Federal Advisory Committee Act, referred to in subsec. (h), is Pub. L. 92-463, Oct. 6, 1972, 86 Stat. 770, as amended, which is set out in the Appendix to Title 5, Government Organization and Employees.

The Food and Agriculture Act of 1977, referred to in subsec. (h), is Pub. L. 95-113, Sept. 29, 1977, 91 Stat. 913, as amended. Title XVIII of the Act is classified generally to chapter 55A (§2281 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 1281 of this title and Tables.

AMENDMENTS

1991—Subsec. (i). Pub. L. 102-237 struck out at end “Of amounts appropriated to carry out this section for a fiscal year, not less than \$10,000,000 shall be used for the national needs graduate fellowship program referred to in subsection (b)(6) of this section.”

1990—Pub. L. 101-624 amended section generally, substituting present provisions for provisions which established grant categories for promotion and development of higher education in food and agricultural sciences, provided for program of predoctoral and postdoctoral fellowships in food and agricultural sciences, provided for transfer of funds, functions and duties to Secretary of Agriculture, authorized appropriations to carry out the section, and provided for nonapplicability of certain Federal laws to any panel or board created to review applications submitted under the section.

1985—Subsec. (a)(2). Pub. L. 99-198, §1412(a)(1), substituted “Each” for “Such grants shall be made without regard to matching funds, but each”.

Subsec. (a)(3). Pub. L. 99-198, §1412(a)(2), substituted “Each recipient institution shall have a significant ongoing commitment to the food and agricultural sciences generally and to the specific subject area for

which such grant is to be used.” for “Such grants shall be made without regard to matching funds provided by recipients.”

Subsec. (d). Pub. L. 99-198, §1412(b), amended subsec. (d) generally. Prior to amendment, subsec. (d) read as follows: “There are hereby authorized to be appropriated for the purposes of carrying out the provisions of this section \$25,000,000 for the fiscal year ending September 30, 1978, \$30,000,000 for the fiscal year ending September 30, 1979, \$35,000,000 for the fiscal year ending September 30, 1980, \$40,000,000 for the fiscal year ending September 30, 1981, and \$50,000,000 for each of the fiscal years ending September 30, 1982, September 30, 1983, September 30, 1984, and 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. (e). Pub. L. 99-198, §1412(c), added subsec. (e). 1981—Subsec. (a). Pub. L. 97-98, §1418(a), substituted provisions authorizing the Secretary to promote and develop higher education in the food and agricultural science by formulating and administering higher education programs, to make grants to land-grant colleges and universities and other institutions capable of teaching food and agricultural education for specified purposes for a period not to exceed five years without regard to matching funds and to make competitive grants to colleges and universities to develop or administer programs to meet unique food and agricultural educational problems, and to administer and conduct specialized programs and graduate fellowship programs for a period not to exceed five years without regard to matching funds for provisions relating to competitive grants to all colleges and universities for the purpose of furthering education in the food and agricultural sciences in two specified categories.

Subsec. (c). Pub. L. 97-98 inserted provisions relating to the transfer to the Secretary of all the functions and duties of the Secretary of Education under the act of June 29, 1935, applicable to the activities and programs for which funds are made available under section 329 of this title.

Subsec. (d). Pub. L. 97-98, §1418(c), inserted provisions relating to the authorization of appropriations for fiscal years ending Sept. 30, 1983, Sept. 30, 1984, and Sept. 30, 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.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 3311 of this title.

§ 3153. National Agricultural Science Award

(a) Establishment

The Secretary shall establish the National Agricultural Science Award for research or advanced studies in the food and agricultural sciences, including the social sciences. Two such awards, one for each of the categories described in subsection (d) of this section, shall be made in each fiscal year.

(b) Amount and term

The awards shall not exceed \$50,000 per year for a period of not to exceed three years to support research or study by the recipient.

(c) Eligibility

The awards shall be open to persons in agricultural research, extension, teaching, or any combination thereof.

(d) Categories

Awards under this section shall be made in each fiscal year in two categories as follows:

(1) to a scientist in recognition of outstanding contributions to the advancement of the food and agricultural sciences; and

(2) to a research scientist in early career development or a graduate student, in recognition of demonstrated capability and promise of significant future achievement in the food and agricultural sciences.

(e) Nominating and selection committees

The Secretary may establish such nominating and selection committees, to consist of scientists and others, to receive nominations and make recommendations for awards under this section, as the Secretary deems appropriate.

(Pub. L. 95-113, title XIV, §1418, Sept. 29, 1977, 91 Stat. 997; Pub. L. 97-98, title XIV, §1420(a), Dec. 22, 1981, 95 Stat. 1306.)

AMENDMENTS

1981—Subsec. (a). Pub. L. 97-98, §1420(a)(2), substituted “Science Award” for “Research Award”, and “subsection (d)” for “subsection (c)”.

Subsecs. (c) to (e). Pub. L. 97-98, §1420(a)(3), (4), added subsec. (c) and redesignated former subsecs. (c) and (d) as (d) and (e), respectively.

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.

§ 3154. Grants for research on production and marketing of alcohols and industrial hydrocarbons from agricultural commodities and forest products

(a) Authority of Secretary

The Secretary may award grants under this section to colleges, universities, and Federal laboratories for the purpose of conducting research related to—

(1) alcohol fuels, including ethanol and methanol or their ethers;

(2) industrial oilseed crops for diesel fuel and petrochemical substitutes;

(3) other forms of biomass fuels, including gaseous and solid fuels;

(4) other industrial hydrocarbons made from agricultural commodities and forest products; and

(5) the development of the most economical and commercially feasible means of producing, collecting, and transporting agricultural crops, wastes, residues, and byproducts for use as feedstocks for the production of alcohol and other forms of biomass energy and the development of new markets for byproducts.

(b) Set aside of funds for certain grant projects

Of the amounts appropriated in any fiscal year pursuant to the authorization contained in subsection (d) of this section, not less than 50 percent of those amounts shall be made available for grants for research relating to the development of technologies for increasing the energy efficiency and commercial feasibility of alcohol production, including—

(1) processes of cellulose conversion and membrane technology,

(2) research to improve the quality and value of byproducts to increase digestibility and performance of livestock, poultry, and fish, and

(3) development of new markets for byproducts.

(c) Minority groups

The Secretary may set aside a portion of funds appropriated for the award of grants under this section and make such amounts available only for grants to eligible colleges and universities that the Secretary determines have unique capabilities for achieving the objective of full participation of minority groups in research on the production and marketing of alcohols and industrial hydrocarbons from agricultural commodities and forest products.

(d) Authorization of appropriations

There are authorized to be appropriated for the purposes of carrying out this section \$20,000,000 for each of the fiscal years 1991 through 1995.

(Pub. L. 95-113, title XIV, § 1419, Sept. 29, 1977, 91 Stat. 997; Pub. L. 96-294, title II, § 252, June 30, 1980, 94 Stat. 705; Pub. L. 97-98, title XIV, § 1422, Dec. 22, 1981, 95 Stat. 1306; Pub. L. 101-624, title XVI, § 1609(a), Nov. 28, 1990, 104 Stat. 3718; Pub. L. 102-237, title IV, § 402(7), Dec. 13, 1991, 105 Stat. 1863.)

AMENDMENTS

1991—Subsec. (b). Pub. L. 102-237 substituted “subsection (d)” for “subsection (c)”.

1990—Pub. L. 101-624 amended section generally, substituting present provisions for provisions which authorized grants to conduct research related to production and marketing of coal tar and other coal derivatives, alcohol and other forms of biomass energy, and other industrial hydrocarbons made from agricultural commodities and forest products, authorized appropriations for such activities, and defined terms “biomass”, “biomass energy”, and “municipal wastes”.

1981—Subsec. (a). Pub. L. 97-98 inserted reference to Federal laboratories in two places, extended authorization of appropriations through fiscal years ending September 30, 1985, in first proviso, substituted “\$40,000,000 during the eight-year period beginning October 1, 1977, and shall not exceed such sums as may be authorized by law for any fiscal year subsequent to such period” for “\$24,000,000 during the five-year period beginning October 1, 1977, and ending September 30, 1982, and not in excess of such sums as may after September 29, 1977, be authorized by law for any subsequent fiscal year”, and in second proviso, increased maximum amount awardable from \$3,000,000 to \$5,000,000.

1980—Pub. L. 96-294 designated existing provisions as subsec. (a), inserted provisions relating to grants to Government corporations for conducting research in production and marketing of agricultural chemicals, etc., and provisions relating to authority to conduct research under paragraph (2) and authorizations of appropriations for grants to conduct such research, substituted “subsection” for “section” wherever appearing, substituted “and other forms of biomass energy as substitutes for petroleum or natural gas” for “made from agricultural commodities and forest products as a substitute for alcohol made from petroleum products”, in par. (2), and added subsec. (b).

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.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 3311 of this title; title 42 section 8852.

SUBCHAPTER IV—NATIONAL FOOD AND HUMAN NUTRITION RESEARCH AND EXTENSION PROGRAM

§ 3171. Congressional findings and declaration of policy

(a) Findings

Congress finds that there is increasing evidence of a relationship between diet and many of the leading causes of death in the United States: that improved nutrition is an integral component of preventive health care; that there is a serious need for research on the chronic effects of diet on degenerative diseases and related disorders; that nutrition and health considerations are important to United States agricultural policy; that there is insufficient knowledge concerning precise human nutritional requirements, the interaction of the various nutritional constituents of food, and differences in nutritional requirements among different population groups such as infants, children, adolescents, elderly men and women, and pregnant women; and that there is a critical need for objective data concerning food safety, the potential of food enrichment, and means to encourage better nutritional practices.

(b) Declaration of policy

It is declared to be the policy of the United States that the Department of Agriculture conduct research in the fields of human nutrition and the nutritive value of foods and conduct human nutrition education activities, as provided in this subchapter.

(Pub. L. 95-113, title XIV, § 1421, Sept. 29, 1977, 91 Stat. 999.)

EFFECTIVE DATE

Subchapter 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.

§ 3172. Duties of Secretary of Agriculture

In order to carry out the policy of this subchapter, the Secretary shall develop and implement a national food and human nutrition research and extension program that shall include, but not be limited to—

- (1) research on human nutritional requirements;
- (2) research on the nutrient composition of foods and the effects of agricultural practices, handling, food processing, and cooking on the nutrients they contain;
- (3) surveillance of the nutritional benefits provided to participants in the food programs administered by the Department of Agriculture;
- (4) research on the factors affecting food preference and habits; and
- (5) the development of techniques and equipment to assist consumers in the home or in institutions in selecting food that supplies a nutritionally adequate diet.

(Pub. L. 95-113, title XIV, § 1422, Sept. 29, 1977, 91 Stat. 999.)

§ 3173. Research by Department of Agriculture

(a) Increase in level of support

The Secretary shall establish research into food and human nutrition as a separate and dis-

tinct mission of the Department of Agriculture, and the Secretary shall increase support for such research to a level that provides resources adequate to meet the policy of this subchapter.

(b) Periodic consultation with administrators of other Federal departments and agencies

The Secretary, in administering the food and human nutrition research program, shall periodically consult with the administrators of the other Federal departments and agencies that have responsibility for programs dealing with human food and nutrition, as to the specific research needs of those departments and agencies. (Pub. L. 95-113, title XIV, §1423, Sept. 29, 1977, 91 Stat. 999.)

NATIONAL FOOD AND HUMAN NUTRITION RESEARCH PROGRAM; CONGRESSIONAL FINDINGS; COMPREHENSIVE PLAN; ANNUAL REPORT; JOINT DIETARY ASSESSMENT, STUDIES AND REPORTS; SUBMISSION OF PLAN AND REPORTS TO CONGRESSIONAL COMMITTEES

Pub. L. 99-198, title XIV, subtitle B, §§1451-1453, Dec. 23, 1985, 99 Stat. 1561, 1562, provided that:

“FINDINGS

“SEC. 1451. Congress finds that—

“(1) nutrition and health considerations are important to United States agricultural policy;

“(2) section 1405 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3121) designates the Department of Agriculture as the lead agency of the Federal Government for human nutrition research (except with respect to the biomedical aspects of human nutrition concerned with diagnosis or treatment of disease);

“(3) section 1423 of such Act (7 U.S.C. 3173) requires the Secretary of Agriculture to establish research into food and human nutrition as a separate and distinct mission of the Department of Agriculture;

“(4) the Secretary has established a nutrition education program; and

“(5) nutrition research continues to be of great importance to those involved in agricultural production.

“HUMAN NUTRITION RESEARCH

“SEC. 1452. (a) Not later than 1 year after the date of enactment of this Act [Dec. 23, 1985], the Secretary of Agriculture (hereafter in this subtitle referred to as the ‘Secretary’) shall submit to the appropriate committees of Congress a comprehensive plan for implementing a national food and human nutrition research program, including recommendations relating to research directions, educational activities, and funding levels necessary to carry out such plan.

“(b) Not later than 1 year after the date of the submission of the plan required under subsection (a), and each year thereafter, the Secretary shall submit to such committees an annual report on the human nutrition research activities conducted by the Secretary.

“DIETARY ASSESSMENT AND STUDIES

“SEC. 1453. (a) The Secretary of Agriculture and the Secretary of Health and Human Services shall jointly conduct an assessment of existing scientific literature and research relating to—

“(1) the relationship between dietary cholesterol and blood cholesterol and human health and nutrition; and

“(2) dietary calcium and its importance in human health and nutrition.

In conducting the assessments under this subsection, the Secretaries shall consult with agencies of the Federal Government involved in related research. On completion of such assessments, the Secretaries shall each recommend such further studies as the Secretaries consider useful.

“(b) Not later than 1 year after the date of enactment of this Act [Dec. 23, 1985], the Secretary of Agriculture and the Secretary of Health and Human Services shall each submit to the House Committees on Agriculture and Energy and Commerce and the Senate Committees on Agriculture, Nutrition, and Forestry and Labor and Human Resources a report that shall include the results of the assessments conducted under subsection (a) and recommendations made under such subsection, for more complete studies of the issues examined under such subsection, including a protocol, feasibility assessment, budget estimates and a timetable for such research as each Secretary shall consider appropriate.”

§ 3174. Food science and nutrition research center

(a) Establishment of center

The Secretary may award a grant to a research facility described in subsection (b) of this section to establish not less than one food science and nutrition research center for the Southeast Region of the United States.

(b) Research facility described

The research facility referred to in subsection (a) of this section is a research facility that is part of a land-grant college or university system and, on October 1, 1990, benefits from a dedicated non-Federal nutrition endowment of not less than \$100,000,000.

(c) Administration of funds

The Cooperative State Research Service, in consultation with the Agricultural Research Service, shall administer funds appropriated to carry out this section—

(1) to assure a coordinated approach to human nutrition research; and

(2) to avoid duplication of research conducted at any research center established under subsection (a) of this section with research conducted at Federal human nutrition research centers.

(d) Authorization of appropriations

There are authorized to be appropriated for each of the fiscal years 1991 through 1995 such sums as may be necessary to carry out this section.

(Pub. L. 95-113, title XIV, §1424, as added Pub. L. 101-624, title XVI, §1610(a), Nov. 28, 1990, 104 Stat. 3719.)

PRIOR PROVISIONS

A prior section 3174, Pub. L. 95-113, title XIV, §1424, Sept. 29, 1977, 91 Stat. 1000, provided for a study assessing potential value and cost of establishing regional food and human nutrition research centers and a report thereon, with findings and recommendations, to be submitted to the Congress not later than one year after Oct. 1, 1977, prior to repeal by Pub. L. 99-198, title XIV, §1413, Dec. 23, 1985, 99 Stat. 1549.

§ 3175. Nutrition education program

(a) Establishment

The Secretary shall establish a national education program which shall include, but not be limited to, the dissemination of the results of food and human nutrition research performed or funded by the Department of Agriculture.

(b) Expansion of existing programs

In order to enable low-income individuals and families to engage in nutritionally sound food

purchasing and preparation practices, the expanded food and nutrition education program presently conducted under section 343(d) of this title, shall provide for the employment and training of professional and paraprofessional aides to engage in direct nutrition education of low-income families and in other appropriate nutrition education programs. To the maximum extent practicable, program aides shall be hired from the indigenous target population.

(c) Funding requirements

Beginning with the fiscal year ending September 30, 1982—

(1) Any funds annually appropriated under section 343(d) of this title, for the conduct of the expanded food and nutrition education program, up to the amount appropriated under such section for such program for the fiscal year ending September 30, 1981, shall be allocated to each State in the same proportion as funds appropriated under such section for the conduct of the program for the fiscal year ending September 30, 1981, are allocated among the States; with the exception that the Secretary may retain up to 2 per centum of such amount for the conduct of such program in States that did not participate in such program in the fiscal year ending September 30, 1981.

(2) Any funds appropriated annually under section 343(d) of this title, for the conduct of the expanded food and nutrition education program in excess of the amount appropriated under such section for the conduct of the program for the fiscal year ending September 30, 1981, shall be allocated as follows:

(A) 4 per centum shall be available to the Secretary for administrative, technical, and other services necessary for the administration of the program.

(B) The remainder shall be allocated among the States as follows:

(i) 10 per centum shall be distributed equally among all States; and

(ii) the remainder shall be allocated to each State in an amount which bears the same ratio to the total amount to be allocated under this subparagraph as the population of the State living at or below 125 per centum of the income poverty guidelines prescribed by the Office of Management and Budget (adjusted pursuant to section 9902(2) of title 42), bears to the total population of all the States living at or below 125 per centum of the income poverty guidelines, as determined by the last preceding decennial census at the time each such additional amount is first appropriated. The provisions of this subparagraph shall not preclude the Secretary from developing educational materials and programs for persons in income ranges above the level designated in this subparagraph.

(3) There is authorized to be appropriated to carry out the expanded food and nutrition education program established under section 343(d) of this title and this section \$63,000,000 for fiscal year 1991, \$68,000,000 for fiscal year 1992, \$73,000,000 for fiscal year 1993, \$78,000,000

for fiscal year 1994, and \$83,000,000 for fiscal year 1995.

(Pub. L. 95-113, title XIV, §1425, Sept. 29, 1977, 91 Stat. 1000; Pub. L. 97-98, title XIV, §1423, Dec. 22, 1981, 95 Stat. 1307; Pub. L. 101-624, title XVII, §1776(b), Nov. 28, 1990, 104 Stat. 3814.)

AMENDMENTS

1990—Subsec. (c)(3). Pub. L. 101-624 added par. (3).

1981—Subsec. (b). Pub. L. 97-98 substantially retained existing provisions of the subsection relating to expanded food and nutrition education programs and transferred remaining provisions relating to allocation of funds to States and the authority of the Secretary to develop educational materials and programs for persons in certain income ranges to a new subsec. (c).

Subsec. (c). Pub. L. 97-98 added subsec. (c), and included therein provisions relating to allocation of funds to States and the authority of the Secretary to develop educational materials and programs for persons in certain income ranges formerly contained in subsec. (b).

EFFECTIVE DATE OF 1990 AMENDMENT

Amendment by Pub. L. 101-624 effective Oct. 1, 1990, see section 1781(b)(1) of Pub. L. 101-624, set out as a note under section 2012 of this title.

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.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 3175e of this title.

§ 3175a. Nutrition and consumer education; Congressional findings

Congress finds that individuals in households eligible to participate in programs under the Food Stamp Act of 1977 [7 U.S.C. 2011 et seq.] and other low-income individuals, including those residing in rural areas, should have greater access to nutrition and consumer education to enable them to use their food budgets, including food assistance, effectively and to select and prepare foods that satisfy their nutritional needs and improve their diets.

(Pub. L. 99-198, title XV, §1584, Dec. 23, 1985, 99 Stat. 1596.)

REFERENCES IN TEXT

The Food Stamp Act of 1977, referred to in text, is Pub. L. 88-525, Aug. 31, 1964, 78 Stat. 703, as amended, which is classified generally to chapter 51 (§2011 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 2011 of this title and Tables.

CODIFICATION

Section was enacted as part of the Food Security Act of 1985, and not as part of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 which comprises this chapter.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 2020, 3175b, 3175e of this title.

§ 3175b. Expansion of effective food, nutrition, and consumer education services

The purpose of the program provided for under sections 3175a through 3175e of this title is to ex-

pand effective food, nutrition, and consumer education services to the greatest practicable number of low-income individuals, including those participating in or eligible to participate in the programs under the Food Stamp Act of 1977 [7 U.S.C. 2011 et seq.], to assist them to—

(1) increase their ability to manage their food budgets, including food stamps and other food assistance;

(2) increase their ability to buy food that satisfies nutritional needs and promotes good health; and

(3) improve their food preparation, storage, safety, preservation, and sanitation practices.

(Pub. L. 99-198, title XV, §1585, Dec. 23, 1985, 99 Stat. 1596.)

REFERENCES IN TEXT

The Food Stamp Act of 1977, referred to in text, is Pub. L. 88-525, Aug. 31, 1964, 78 Stat. 703, as amended, which is classified generally to chapter 51 (§2011 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 2011 of this title and Tables.

CODIFICATION

Section was enacted as part of the Food Security Act of 1985, and not as part of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 which comprises this chapter.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 2020, 3175c, 3175e of this title.

§ 3175c. Program of food, nutrition, and consumer education by State cooperative extension services

The cooperative extension services of the States shall, with funds made available under this subtitle, carry out an expanded program of food, nutrition, and consumer education for low-income individuals in a manner designed to achieve the purpose set forth in section 3175b of this title. In operating the program, the cooperative extension services may use the expanded food and nutrition education program, and other food, nutrition, and consumer education activities of the cooperative extension services or similar activities carried out by them in collaboration with other public or private non-profit agencies or organizations. In carrying out their responsibilities under the program, the cooperative extension services are encouraged to—

(1) provide effective and meaningful food, nutrition, and consumer education services to as many low-income individuals as possible;

(2) employ educational methodologies, including innovative approaches, that accomplish the purpose set forth in section 3175b of this title; and

(3) to the extent practicable, coordinate activities carried out under the program with the delivery to low-income individuals of benefits under food assistance programs.

(Pub. L. 99-198, title XV, §1586, Dec. 23, 1985, 99 Stat. 1596.)

REFERENCES IN TEXT

This subtitle, referred to in text, is subtitle C (§§ 1581-1589) of title XV of Pub. L. 99-198 which is classi-

fied as follows: sections 1581 and 1582 are not classified to the Code; section 1583 is set out as a note under section 2011 of this title; sections 1584 through 1588 are classified, respectively, to sections 3175a to 3175e of this title; and section 1589 is classified to section 3178a of this title.

CODIFICATION

Section was enacted as part of the Food Security Act of 1985, and not as part of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 which comprises this chapter.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 2020, 3175b, 3175d, 3175e of this title.

§ 3175d. Administration of program of food, nutrition, and consumer education by State cooperative extension services

(a) Administration by Secretary of Agriculture

The program provided for under section 3175c of this title shall be administered by the Secretary of Agriculture through the Extension Service, in consultation with the Food and Nutrition Service and the Human Nutrition Information Service. The Secretary shall ensure that the Extension Service coordinates activities carried out under this subtitle with the ongoing food, nutrition, and consumer education activities of other agencies of the Department of Agriculture.

(b) Evaluation and report

The Secretary of Agriculture, not later than April 1, 1989, shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report evaluating the effectiveness of the program provided for under section 3175c of this title.

(Pub. L. 99-198, title XV, §1587, Dec. 23, 1985, 99 Stat. 1596.)

REFERENCES IN TEXT

This subtitle, referred to in subsec. (a), is subtitle C (§§ 1581-1589) of title XV of Pub. L. 99-198, which is classified as follows: sections 1581 and 1582 are not classified to the Code; section 1583 is set out as a note under section 2011 of this title; sections 1584 through 1588 are classified, respectively, to sections 3175a to 3175e of this title; and section 1589 is classified to section 3178a of this title.

CODIFICATION

Section was enacted as part of the Food Security Act of 1985, and not as part of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 which comprises this chapter.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 2020, 3175b, 3175e of this title.

§ 3175e. Authorization of appropriations

(a) There are hereby authorized to be appropriated to carry out sections 3175a through 3175e of this title \$8,000,000 for each of the fiscal years 1991 through 1995.

(b) Any funds appropriated under this section for a fiscal year shall be allocated in the manner specified in subparagraphs (A) and (B) of section 3175(c)(2) of this title.

(c) Any funds appropriated to carry out sections 3175a through 3175e of this title shall supplement any other funds appropriated to the Department of Agriculture for use by the Department and the cooperative extension services of the States for food, nutrition, and consumer education for low-income households.

(Pub. L. 99-198, title XV, §1588, Dec. 23, 1985, 99 Stat. 1597; Pub. L. 101-624, title XVII, §1776(a), Nov. 28, 1990, 104 Stat. 3814.)

CODIFICATION

Section was enacted as part of the Food Security Act of 1985, and not as part of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 which comprises this chapter.

AMENDMENTS

1990—Subsec. (a). Pub. L. 101-624 substituted “\$8,000,000 for each of the fiscal years 1991 through 1995.” for “\$5,000,000 for the fiscal year ending September 30, 1986; \$6,000,000 for the fiscal year ending September 30, 1987; and \$8,000,000 for each of the fiscal years ending September 30, 1988, September 30, 1989, and September 30, 1990.”

EFFECTIVE DATE OF 1990 AMENDMENT

Amendment by Pub. L. 101-624 effective Oct. 1, 1990, see section 1781(b)(1) of Pub. L. 101-624, set out as a note under section 2012 of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 2020, 3175b of this title.

§ 3176. Repealed. Pub. L. 97-98, title XIV, § 1424(a), Dec. 22, 1981, 95 Stat. 1308

Section, Pub. L. 95-113, title XIV, §1426, Sept. 29, 1977, 91 Stat. 1000, related to preparation and distribution of a comprehensive set of educational materials on food and nutrition education by Secretary to State departments of education.

EFFECTIVE DATE OF REPEAL

Repeal 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.

§ 3177. Repealed. Pub. L. 99-198, title XIV, § 1413, Dec. 23, 1985, 99 Stat. 1549

Section, Pub. L. 95-113, title XIV, §1427, Sept. 29, 1977, 91 Stat. 1000; Pub. L. 97-98, title XIV, §1425(a), Dec. 22, 1981, 95 Stat. 1308, required submission to Congress of a plan for a human nutrition research management system.

§ 3178. Nutritional status monitoring

(a) Formulation of system

The Secretary and the Secretary of Health and Human Services shall formulate and submit to Congress, within ninety days after September 29, 1977, a proposal for a comprehensive nutritional status monitoring system, to include:

(1) an assessment system consisting of periodic surveys and continuous monitoring to determine: the extent of risk of nutrition-related health problems in the United States; which population groups or areas of the country face greatest risk; and the likely causes of risk and changes in the above risk factors over time;

(2) a surveillance system to identify remediable nutrition-related health risks to individ-

uals or for local areas, in such a manner as to tie detection to direct intervention and treatment. Such system should draw on screening and other information from other health programs, including those funded under titles V, XVIII, and XIX of the Social Security Act [42 U.S.C. 701 et seq., 1395 et seq., and 1396 et seq.] and section 330 of the Public Health Service Act [42 U.S.C. 254c]; and

(3) program evaluations to determine the adequacy, efficiency, effectiveness, and side effects of nutrition-related programs in reducing health risks to individuals and populations.

(b) Coordination of existing activities; recommendation for necessary additional authorities

The proposal shall provide for coordination of activities under existing authorities and contain recommendations for any additional authorities necessary to achieve a comprehensive monitoring system.

(Pub. L. 95-113, title XIV, §1428, Sept. 29, 1977, 91 Stat. 1001; Pub. L. 96-88, title V, §509(b), Oct. 17, 1979, 93 Stat. 695.)

REFERENCES IN TEXT

The Social Security Act, referred to in subsec. (a)(2), is act Aug. 14, 1935, ch. 531, 49 Stat. 620, as amended. Title V of the Social Security Act is classified principally to subchapter V (§701 et seq.) of chapter 7 of Title 42, The Public Health and Welfare. Titles XVIII and XIX of the Social Security Act are classified generally to subchapters XVIII (§1395 et seq.) and XIX (§1396 et seq.), respectively, of chapter 7 of Title 42. For complete classification of this Act to the Code, see section 1305 of Title 42 and Tables.

CHANGE OF NAME

“Secretary of Health and Human Services” substituted for “Secretary of Health, Education, and Welfare” in subsec. (a) pursuant to section 509(b) of Pub. L. 96-88, which is classified to section 3508(b) of Title 20, Education.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 5302 of this title.

§ 3178a. Nutrition monitoring

The Secretary of Agriculture shall—

(1) in conducting the Department of Agriculture’s continuing survey of food intakes of individuals and any nationwide food consumption survey, include a sample that is representative of low-income individuals and, to the extent practicable, the collection of information on food purchases and other household expenditures by such individuals;

(2) to the extent practicable, continue to maintain the nutrient data base established by the Department of Agriculture; and

(3) encourage research by public and private entities relating to effective standards, methodologies, and technologies for accurate assessment of the nutritional and dietary status of individuals.

(Pub. L. 99-198, title XV, §1589, Dec. 23, 1985, 99 Stat. 1597.)

CODIFICATION

Section was enacted as part of the Food Security Act of 1985, and not as part of the National Agricultural Re-

search, Extension, and Teaching Policy Act of 1977 which comprises this chapter.

SUBCHAPTER V—ANIMAL HEALTH AND DISEASE RESEARCH

SUBCHAPTER REFERRED TO IN OTHER SECTIONS

This subchapter is referred to in sections 3103, 3124a of this title.

§ 3191. Congressional findings and declaration of purpose

It is the purpose of this subchapter to promote the general welfare through the improved health and productivity of domestic livestock, poultry, aquatic animals, and other income-producing animals which are essential to the Nation's food supply and the welfare of producers and consumers of animal products; to improve the health of horses; to facilitate the effective treatment of, and, where possible, prevent, animal and poultry diseases in both domesticated and wild animals which, if not controlled, would be disastrous to the United States livestock and poultry industries and endanger the Nation's food supply; to minimize livestock and poultry losses due to transportation and handling; to protect human health through control of animal diseases transmissible to humans; to improve methods of controlling the births of predators and other animals; and otherwise to promote the general welfare through expanded programs of research and extension to improve animal health. It is recognized that the total animal health and disease research and extension efforts of the several State colleges and universities and of the Federal Government would be more effective if there were close coordination between such programs, and it is further recognized that colleges and universities having accredited schools or colleges of veterinary medicine and State agricultural experiment stations that conduct animal health and disease research are especially vital in training research workers in animal health.

(Pub. L. 95-113, title XIV, § 1429, Sept. 29, 1977, 91 Stat. 1001; Pub. L. 97-98, title XIV, § 1426, Dec. 22, 1981, 95 Stat. 1309.)

AMENDMENTS

1981—Pub. L. 97-98 substituted "schools or colleges of veterinary medicine and State agricultural experiment stations that conduct animal health and disease research" for "colleges of veterinary medicine or departments of veterinary sciences or animal pathology, and similar units conducting animal health and disease research in the State agricultural experiment stations,".

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

Subchapter 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.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 3199 of this title.

§ 3192. Definitions

When used in this subchapter—

(1) the term "eligible institution" means an accredited school or college of veterinary medicine or a State agricultural experiment station that conducts animal health and disease research;

(2) the term "dean" means the dean of an accredited school or college of veterinary medicine;

(3) the term "director" means the director of a State agricultural experiment station which qualifies as an eligible institution;

(4) the term "Board" means the Animal Health Science Research Advisory Board; and

(5) the term "animal health research capacity" means the capacity of an eligible institution to conduct animal health and disease research, as determined by the Secretary.

(Pub. L. 95-113, title XIV, § 1430, Sept. 29, 1977, 91 Stat. 1002; Pub. L. 97-98, title XIV, § 1427, Dec. 22, 1981, 95 Stat. 1309.)

AMENDMENTS

1981—Par. (1). Pub. L. 97-98 substituted "an accredited school or college of veterinary medicine or a State agricultural research experiment station that conducts animal health and disease research" for "any college or university having an accredited college of veterinary medicine or a department of veterinary science or animal pathology, or a similar unit conducting animal health and disease research in a State agricultural experiment station".

Par. (2). Pub. L. 97-98 substituted "an accredited school or college of veterinary medicine" for "a college or university which qualifies as an eligible institution".

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.

§ 3193. Authorization to Secretary of Agriculture

(a) Authority to cooperate with, encourage, and assist States

In order to carry out the purpose of this subchapter, the Secretary is authorized to cooperate with, encourage, and assist the States in carrying out programs of animal health and disease research at eligible institutions in the manner hereinafter described in this subchapter.

(b) Study of animal care delivery system

(1) The Secretary shall commission the National Academy of Sciences, working through the Board on Agriculture of the National Research Council, to conduct a study of the delivery system utilized to provide farmers, including small and limited resource farmers, and ranchers with animal care and veterinary medical services, including animal drugs.

(2) The study required by this subsection shall assess opportunities to—

(A) improve the flow of information to producers regarding animal husbandry practices, and diagnostic and treatment methods, including the costs and conditions necessary for the effective use of such practices and methods;

(B) foster achievement of food safety goals; and

(C) advance the well-being and treatment of farm animals, with particular emphasis on disease prevention strategies.

(3) The study required by this subsection shall include recommendations for changes in research and extension policies or priorities, food safety programs and policies, and policies and procedures governing the approval, use, and monitoring of animal drugs.

(Pub. L. 95-113, title XIV, §1431, Sept. 29, 1977, 91 Stat. 1002; Pub. L. 101-624, title XVI, §1611(a), Nov. 28, 1990, 104 Stat. 3720.)

AMENDMENTS

1990—Pub. L. 101-624 amended section catchline generally, designated existing provisions as subsec. (a), inserted heading, and added subsec. (b).

§ 3194. Animal Health Science Research Advisory Board

(a) Establishment and membership

The Secretary shall establish a board to be known as the Animal Health Science Research Advisory Board which shall have a term that expires September 30, 1995, and which shall be composed of the following 12 members—

(1) a representative of the Agricultural Research Service of the Department of Agriculture,

(2) a representative of the Cooperative State Research Service of the Department¹ of Agriculture,

(3) a representative of the Animal and Plant Health Inspection Service of the Department of Agriculture,

(4) a representative of the Center for Veterinary Medicine of the Food and Drug Administration of the Department of Health and Human Services, and

(5) eight members appointed by the Secretary—

(A) two persons representing accredited colleges of veterinary medicine,

(B) two persons representing State agricultural experiment stations,

(C) one person representing an organization concerned with the general protection and well-being of animals, and

(D) three persons representing national livestock and poultry organizations.

The members shall serve without compensation, if not otherwise officers or employees of the United States, except that they shall, while away from their homes or regular places of business in the performance of services for the Board, be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in the Government service are allowed expenses under sections 5701 through 5707 of title 5.

(b) Duties

The Board shall meet at the call of the Secretary, but at least once annually, to consult with and advise the Secretary with respect to the implementation of any animal health and disease research program provided for under this chapter, under such rules and procedures for conducting business as the Secretary may prescribe.

(Pub. L. 95-113, title XIV, §1432, Sept. 29, 1977, 91 Stat. 1002; Pub. L. 96-88, title V, §509(b), Oct. 17,

1979, 93 Stat. 695; Pub. L. 97-98, title XIV, §1428, Dec. 22, 1981, 95 Stat. 1309; Pub. L. 99-198, title XIV, §1414(a), Dec. 23, 1985, 99 Stat. 1549; Pub. L. 101-624, title XVI, §1611(b), Nov. 28, 1990, 104 Stat. 3721; Pub. L. 102-237, title IV, §402(8), Dec. 13, 1991, 105 Stat. 1863.)

REFERENCES IN TEXT

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

AMENDMENTS

1991—Pub. L. 102-237 made technical amendment to section involving underlying provision of original act, which required no change in text.

1990—Pub. L. 101-624, §1611(b)(1), made technical amendment to section catchline which required no change in text.

Subsec. (a). Pub. L. 101-624, §1611(b)(1), (2)(A), (B), inserted heading, and in introductory provisions substituted “1995” for “1990” and “12” for “eleven”.

Subsec. (a)(4). Pub. L. 101-624, §1611(b)(2)(C), substituted “Center for” for “Bureau of”.

Subsec. (a)(5). Pub. L. 101-624, §1611(b)(2)(D), substituted “eight” for “seven” in introductory provisions, struck out “and” at end of subpar. (B), added subpar. (C), and redesignated former subpar. (C) as (D).

Subsec. (b). Pub. L. 101-624, §1611(b)(3), added subsec. (b) and struck out former subsec. (b) which read as follows: “The Board shall meet at the call of the Secretary, but at least once annually, to consult with and advise the Secretary with respect to the implementation of this subchapter and to recommend immediate priorities for the conduct of research programs authorized under subchapter, under such rules and procedures for conducting business as the Secretary shall, in the Secretary’s discretion, prescribe.”

1985—Subsec. (a). Pub. L. 99-198 substituted “1990” for “1985”.

1981—Subsec. (a). Pub. L. 97-98 extended term of Animal Health Science Research Advisory Board to Sept. 30, 1985, from former termination date of five years from date of its establishment.

CHANGE OF NAME

“Department of Health and Human Services” substituted for “Department of Health, Education, and Welfare” in subsec. (a)(4) pursuant to section 509(b) of Pub. L. 96-88, which is classified to section 3508(b) of Title 20, Education.

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.

§ 3195. Continuing animal health and disease research programs

(a) Authorization of appropriations

There are authorized to be appropriated such funds as Congress may determine necessary to support continuing animal health and disease research programs at eligible institutions, but not to exceed \$25,000,000 for each of the fiscal years 1991 through 1995, and not in excess of such sums as may after September 29, 1977, be authorized by law for any subsequent fiscal year. Funds appropriated under this section shall be used: (1) to meet expenses of conducting animal health and disease research, publishing and disseminating the results of such research, and contributing to the retirement of employees subject to the provisions of section 331 of this title; (2) for administrative planning and direction; and (3) to purchase equipment and supplies necessary for conducting such research.

¹ So in original. Probably should be “Department”.

(b) Apportionment of appropriated funds

Funds appropriated under subsection (a) of this section for any fiscal year shall be apportioned as follows:

(1) Four per centum shall be retained by the Department of Agriculture for administration, program assistance to the eligible institutions, and program coordination.

(2) Forty-eight per centum shall be distributed among the several States in the proportion that the value of and income to producers from domestic livestock and poultry in each State bears to the total value of and income to producers from domestic livestock and poultry in all the States. The Secretary shall determine the total value of and income from domestic livestock and poultry in all the States and the proportionate value of and income from domestic livestock and poultry for each State, based on the most current inventory of all cattle, sheep, swine, horses, and poultry published by the Department of Agriculture.

(3) Forty-eight per centum shall be distributed among the several States in the proportion that the animal health research capacity of the eligible institutions in each State bears to the total animal health research capacity in all the States. The Secretary shall determine the animal health research capacity of the eligible institutions with the advice, when available, of the Board.

(c) Development of program for each State

In each State with one or more accredited colleges of veterinary medicine, the deans of the accredited college or colleges and the director of the State agricultural experiment station shall develop a comprehensive animal health and disease research program for the State based on the animal health research capacity of each eligible institution in the State, which shall be submitted to the Secretary for approval and shall be used for the allocation of funds available to the State under this section.

(d) Use of excess funds

When the amount available under this section for allotment to any State on the basis of domestic livestock and poultry values and income exceeds the amount for which the eligible institution or institutions in the State are eligible on the basis of animal health research capacity, the excess may be used, at the discretion of the Secretary, for remodeling of facilities, construction of new facilities, or increase in staffing, proportionate to the need for added research capacity.

(e) Reallocation of funds to new colleges of veterinary medicine

Whenever a new college of veterinary medicine is established in a State and is accredited, the Secretary, after consultation with the dean of such college and the director of the State agricultural experiment station and, where applicable, deans of other accredited colleges in the State, shall provide for the reallocation of funds available to the State pursuant to subsection (b) of this section between the new college and other eligible institutions in the State, based on the animal health research capacity of each eligible institution.

(f) Joint establishment or support of accredited regional college of veterinary medicine

Whenever two or more States jointly establish an accredited regional college of veterinary medicine or jointly support an accredited college of veterinary medicine serving the States involved, the Secretary is authorized to make funds which are available to such States pursuant to subsection (b)(2) of this section available for such college in such amount that reflects the combined relative value of and income from domestic livestock and poultry in the cooperating States, such amount to be adjusted, as necessary, pursuant to the provisions of subsections (c) and (e) of this section.

(Pub. L. 95-113, title XIV, §1433, Sept. 29, 1977, 91 Stat. 1003; Pub. L. 97-98, title XIV, §1429, Dec. 22, 1981, 95 Stat. 1309; Pub. L. 99-198, title XIV, §1414(b), Dec. 23, 1985, 99 Stat. 1549; Pub. L. 101-624, title XVI, §1601(b)(1), Nov. 28, 1990, 104 Stat. 3703.)

AMENDMENTS

1990—Subsec. (a). Pub. L. 101-624 substituted “for each of the fiscal years 1991 through 1995,” for “annually for the period beginning October 1, 1981, and ending September 30, 1990.”

1985—Subsec. (a). Pub. L. 99-198 substituted “1990” for “1985”.

1981—Subsec. (a). Pub. L. 97-98 substituted “as Congress may determine necessary to support continuing animal health and disease research programs at eligible institutions, but not to exceed \$25,000,000 annually for the period beginning October 1, 1981, and 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” for “, not to exceed \$25,000,000 annually, as Congress may determine necessary to support continuing animal health and disease research programs at eligible institutions”.

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.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 3198, 3199, 3311 of this title; title 40 section 483.

§ 3196. Research on national and regional animal health or disease problems**(a) Authorization of appropriations**

There are authorized to be appropriated such funds as Congress may determine necessary to support research on specific national or regional animal health or disease problems, but not to exceed \$35,000,000 for each of the fiscal years 1991 through 1995, and not in excess of such sums as may after September 29, 1977, be authorized by law for any subsequent fiscal year.

(b) Duration of grants

Notwithstanding the provisions of section 3197 of this title, funds appropriated under this section shall be awarded in the form of grants, for periods not to exceed five years, to eligible institutions.

(c) Establishment of annual priority lists for allocation of funds

In order to establish a rational allocation of funds appropriated under this section, the Sec-

retary shall establish annually priority lists of animal health and disease problems of national or regional significance. Such lists shall be prepared after consultation with the Joint Council, the Advisory Board, and the Board. Any recommendations made in connection with such consultation shall not be controlling on the Secretary's determination of priorities. In establishing such priorities, the Secretary, the Joint Council, the Advisory Board, and the Board shall consider the following factors:

(1) any health or disease problem which causes or may cause significant economic losses to any part of the livestock production industry;

(2) whether current scientific knowledge necessary to prevent, cure, or abate such a health or disease problem is adequate; and

(3) whether the status of scientific research is such that accomplishments may be anticipated through the application of scientific effort to such health or disease problem.

(d) Assignment of priorities for grants

Without regard to any consultation under subsection (c) of this section, the Secretary shall, to the extent feasible, award grants to eligible institutions on the basis of the priorities assigned through a peer review system. Grantees shall be selected on a competitive basis in accordance with such procedures as the Secretary may establish.

(e) Distribution of multiyear grants

In the case of multiyear grants, the Secretary shall distribute funds to grant recipients on a schedule which is reasonably related to the timetable required for the orderly conduct of the research project involved.

(Pub. L. 95-113, title XIV, §1434, Sept. 29, 1977, 91 Stat. 1004; Pub. L. 97-98, title XIV, §1430, Dec. 22, 1981, 95 Stat. 1309; Pub. L. 99-198, title XIV, §1414(c), Dec. 23, 1985, 99 Stat. 1549; Pub. L. 101-624, title XVI, §1601(b)(2), Nov. 28, 1990, 104 Stat. 3703.)

AMENDMENTS

1990—Subsec. (a). Pub. L. 101-624 substituted “for each of the fiscal years 1991 through 1995,” for “annually for the period beginning October 1, 1981, and ending September 30, 1990.”

1985—Subsec. (a). Pub. L. 99-198 substituted “1990” for “1985”.

1981—Subsec. (a). Pub. L. 97-98, §1430(a), substituted “as Congress may determine necessary to support research on specific national or regional animal health or disease problems, but not to exceed \$35,000,000 annually for the period beginning October 1, 1981, and 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” for “, not to exceed \$15,000,000 annually, as Congress may determine necessary to support research on specific national or regional animal health or disease problems”.

Subsec. (b). Pub. L. 97-98, §1430(b), substituted provisions that funds appropriated under this section shall be awarded in the form of grants, for periods not to exceed five years, to eligible institutions for provisions that such funds shall be allocated by the Secretary to eligible institutions for work to be done, as mutually agreed upon between the Secretary and the eligible institution or institutions and that the Secretary shall consult the Board in developing plans for the use of these funds whenever possible.

Subsecs. (c) to (e). Pub. L. 97-98, §1430(c), added subsecs. (c) to (e).

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.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 3200, 3311 of this title.

§ 3197. Availability of appropriated funds

Funds available for allocation under the terms of this subchapter shall be paid to each State or eligible institution at such times and in such amounts as shall be determined by the Secretary. Funds shall remain available for payment of unliquidated obligations for one additional fiscal year following the year of appropriation.

(Pub. L. 95-113, title XIV, §1435, Sept. 29, 1977, 91 Stat. 1004.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 3196 of this title.

§ 3198. Withholding of appropriated funds

If the Secretary determines that a State is not entitled to receive its allocation of the annual appropriation under section 3195 of this title because of its failure to satisfy requirements of this subtitle or regulations issued under it, the Secretary shall withhold such amount. The facts and reasons concerning the determination and withholding shall be reported to the President; and the amount involved shall be kept separate in the Treasury until the close of the next Congress. If the next Congress does not direct such sum to be paid, it shall be carried to surplus.

(Pub. L. 95-113, title XIV, §1436, Sept. 29, 1977, 91 Stat. 1004.)

§ 3199. Requirements for use of funds

With respect to research projects on problems of animal health and disease to be performed at eligible institutions and supported with funds allocated to the States under section 3195 of this title, the dean or director of each eligible institution shall cause to be prepared and shall review proposals for such research projects, which contain data showing compliance with the purpose in section 3191 of this title and the provisions for use of funds specified in section 3195(a) of this title, and with general guidelines for project eligibility to be provided by the Secretary with the advice, when available, of the Board. Such research proposals that are approved by the dean or director shall be submitted to the Secretary prior to assignment of funds thereto with a brief summary showing compliance with the provisions of this subtitle and the Secretary's general guidelines.

(Pub. L. 95-113, title XIV, §1437, Sept. 29, 1977, 91 Stat. 1004.)

§ 3200. Matching funds

No funds in excess of \$100,000, exclusive of the funds provided for research on specific national

or regional animal health and disease problems under the provisions of section 3196 of this title, shall be paid by the Federal Government to any State under this subchapter during any fiscal year in excess of the amount from non-Federal sources made available to and budgeted for expenditure by eligible institutions in the State during the same fiscal year for animal health and disease research. The Secretary is authorized to make such payments in excess of \$100,000 on the certificate of the appropriate official of the eligible institution having charge of the animal health and disease research for which such payments are to be made. If any eligible institution certified for receipt of matching funds fails to make available and budget for expenditure for animal health and disease research in any fiscal year sums at least equal to the amount for which it is certified, the difference between the Federal matching funds available and the funds made available to and budgeted for expenditure by the eligible institution shall be reapportioned by the Secretary among other eligible institutions of the same State, if there are any which qualify therefor, and, if there are none, the Secretary shall reapportion such difference among the other States.

(Pub. L. 95-113, title XIV, §1438, Sept. 29, 1977, 91 Stat. 1005.)

§ 3201. Funds appropriated or otherwise made available pursuant to other provisions of law

The sums appropriated and allocated to States and eligible institutions under this subchapter shall be in addition to, and not in substitution for, sums appropriated or otherwise made available to such States and institutions pursuant to other provisions of law.

(Pub. L. 95-113, title XIV, §1439, Sept. 29, 1977, 91 Stat. 1005.)

SUBCHAPTER VI—1890 LAND GRANT
COLLEGE FUNDING

SUBCHAPTER REFERRED TO IN OTHER SECTIONS

This subchapter is referred to in sections 3103, 3124a of this title.

§ 3221. Extension at 1890 land grant colleges, including Tuskegee Institute

(a) Authorization of appropriations

There are authorized to be appropriated annually such sums as Congress may determine necessary to support continuing agricultural and forestry extension at colleges eligible to receive funds under the Act of August 30, 1890 (26 Stat. 417-419, as amended; 7 U.S.C. 321-326 and 328), including Tuskegee Institute (hereinafter in this section referred to as "eligible institutions"). Beginning with the fiscal year ending September 30, 1979, and ending with the fiscal year ending September 30, 1981, there shall be appropriated under this section for each fiscal year an amount not less than 4 per centum of the total appropriations for such year under the Act of May 8, 1914 (38 Stat. 372-374, as amended; 7 U.S.C. 341-349): *Provided*, That the amount appropriated for the fiscal year ending September 30, 1979, shall not be less than the amount made available for the fiscal year ending September

30, 1978, to such eligible institutions under section 3(d) of the Act of May 8, 1914 (38 Stat. 373, as amended; 7 U.S.C. 343(d)). Beginning with the fiscal year ending September 30, 1982, there shall be appropriated under this section an amount not less than 5½ per centum, and for each fiscal year thereafter an amount not less than 6 per centum of the total appropriations for such year under the Act of May 8, 1914 (7 U.S.C. 341 et seq.), and related acts pertaining to cooperative extension work at the land-grant institutions identified in the Act of May 8, 1914 (38 Stat. 372, chapter 79; 7 U.S.C. 341 et seq.). Funds appropriated under this section shall be used for expenses of conducting extension programs and activities, and for contributing to the retirement of employees subject to the provisions of section 331 of this title. No more than 20 per centum of the funds received by an institution in any fiscal year may be carried forward to the succeeding fiscal year.

(b) Allocation and distribution of appropriated funds

Beginning with the fiscal year ending September 30, 1979—

(1) any funds annually appropriated under this section up to the amount appropriated for the fiscal year ending September 30, 1978, pursuant to section 343(d) of this title, for eligible institutions, shall be allocated among the eligible institutions in the same proportion as funds appropriated under section 343(d) of this title for the fiscal year ending September 30, 1978, are allocated among the eligible institutions; and

(2) any funds appropriated annually under this section in excess of an amount equal to the amount appropriated under section 343(d) of this title, for the fiscal year ending September 30, 1978, for eligible institutions, shall be distributed as follows:

(A) A sum equal to 4 per centum of the total amount appropriated each fiscal year under this section shall be allotted to the Extension Service of the Department of Agriculture for administrative, technical, and other services, and for coordinating the extension work of the Department of Agriculture and the several States.

(B) Of the remainder, 20 per centum shall be allotted among the eligible institutions in equal proportions; 40 per centum shall be allotted among the eligible institutions in the proportion that the rural population of the State in which each eligible institution is located bears to the total rural population of all the States in which eligible institutions are located, as determined by the last preceding decennial census current at the time each such additional sum is first appropriated; and the balance shall be allotted among the eligible institutions in the proportion that the farm population of the State in which each eligible institution is located bears to the total farm population of all the States in which the eligible institutions are located, as determined by the last preceding decennial census current at the time each such additional sum is first appropriated.

In computing the distribution of funds allocated under paragraph (2) of this subsection, the allotments to Tuskegee Institute and Alabama Agricultural and Mechanical University shall be determined as if each institution were in a separate State.

(c) Comprehensive program of extension for each State

The State director of the cooperative extension service and the extension administrator at the eligible institution in each State where an eligible institution is located shall jointly develop, by mutual agreement, a comprehensive program of extension for such State to be submitted for approval by the Secretary within one year after September 29, 1977 and each five years thereafter.

(d) Payment of funds to eligible institutions

On or about the first day of October in each year after September 29, 1977, the Secretary shall ascertain whether each eligible institution is entitled to receive its share of the annual appropriation for extension work under this section and the amount which it is entitled to receive. Before the funds herein provided shall become available to any eligible institution for any fiscal year, plans for the work to be carried out under this section shall be submitted, as part of the State plan of work, and approved by the Secretary. Such sums shall be paid in equal quarterly payments on or about October 1, January 1, April 1, and July 1 of each year to the treasurer or other officer of the eligible institution duly authorized to receive such payments and such officer shall be required to report to the Secretary on or about the first day of December of each year a detailed statement of the amount so received during the previous fiscal year and its disbursement, on forms prescribed by the Secretary.

(e) Diminution, loss, or misapplication of funds

If any portion of the moneys received by any eligible institution for the support and maintenance of extension work as provided in this section shall by any action or contingency be diminished or lost or be misapplied, it shall be replaced by such institution and until so replaced no subsequent appropriation shall be apportioned or paid to such institution. No portion of such moneys shall be applied, directly or indirectly, to the purchase, erection, preservation, or repair of any building or buildings, or the purchase or rental of land, or in college course teaching, lectures in college, or any other purpose not specified in this section. It shall be the duty of such institution, annually, on or about the first day of January, to make to the Governor of the State in which it is located a full and detailed report of its operations in extension work, including a detailed statement of receipts and expenditures from all sources for this purpose, a copy of which report shall be sent to the Secretary.

(f) Secretary's finding of non-entitlement to appropriated funds

If the Secretary finds that an eligible institution is not entitled to receive its share of the annual appropriation, the facts and reasons

therefor shall be reported to the President, and the amount involved shall be kept separate in the Treasury until the expiration of the next Congress in order that the institution may, if it should so desire, appeal to Congress from the termination of the Secretary. If the next Congress does not direct such sum to be paid, it shall be carried to surplus.

(g) Mailing of correspondence, bulletins, and reports

To the extent that the official mail consists of correspondence, bulletins, and reports for furtherance of the purposes of this section, it shall be transmitted in the mails of the United States under penalty indicia: *Provided*, That each item shall bear such indicia as are prescribed by the Postmaster General and shall be mailed under such regulations as the Postmaster General may from time to time prescribe. Such items may be mailed from a principal place of business of each eligible institution or from an established subunit of such institution.

(Pub. L. 95-113, title XIV, §1444, Sept. 29, 1977, 91 Stat. 1007; Pub. L. 97-98, title XIV, §1431, Dec. 22, 1981, 95 Stat. 1310; Pub. L. 99-198, title XIV, §1415, Dec. 23, 1985, 99 Stat. 1549.)

REFERENCES IN TEXT

Act of August 30, 1890, 26 Stat. 417, as amended, referred to in subsec. (a), is popularly known as the "Agricultural College Act of 1890" and also as the "Second Morrill Act", and 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.

Act of May 8, 1914, 38 Stat. 372, as amended, referred to in subsec. (a), is popularly known as the "Smith-Lever Act", and is classified generally to subchapter IV (§341 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 341 of this title and Tables.

AMENDMENTS

1985—Subsec. (a). Pub. L. 99-198 in third sentence, struck out " , through the fiscal year ending September 30, 1985," after "fiscal year thereafter" and inserted at end " , and related acts pertaining to cooperative extension work at the land-grant institutions identified in the Act of May 8, 1914 (38 Stat. 372, chapter 79; 7 U.S.C. 341 et seq.)."

1981—Subsec. (a). Pub. L. 97-98, §1431(1), (2), inserted provisions designating the fiscal year ending Sept. 30, 1981, as the last of the fiscal years for which the appropriation under this section had to be 4 per centum or more of the total appropriation for each year under the Act of May 8, 1914, and inserted provisions that, beginning with the fiscal year ending Sept. 30, 1982, there must be appropriated under this section an amount not less than 5½ per centum and for each fiscal year thereafter, through the fiscal year ending Sept. 30, 1985, an amount not less than 6 per centum of the total appropriations for such year under the Act of May 8, 1914.

Subsec. (b)(2)(B). Pub. L., 97-98, §1431(3), inserted "current at the time each such additional sum is first appropriated" after "the last preceding decennial census" in two places.

Subsec. (c). Pub. L. 97-98, §1431(4), substituted "extension administrator" for "administrative head for extension" and inserted provision for the submission of a comprehensive program of extension for approval by the Secretary each five years after Sept. 29, 1977.

Subsec. (d). Pub. L. 97-98, §1431(5), substituted "submitted, as part of the State plan of work," for "submitted by the proper officials of each institution".

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

Subchapter 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.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in title 40 section 483.

§ 3222. Agricultural research at 1890 land grant colleges, including Tuskegee Institute

(a) Authorization of appropriations

There are authorized to be appropriated annually such sums as Congress may determine necessary to support continuing agricultural research at colleges eligible to receive funds under the Act of August 30, 1890 (26 Stat. 417-419, as amended; 7 U.S.C. 321-326 and 328), including Tuskegee Institute (hereinafter referred to in this section as "eligible institutions"). Beginning with the fiscal year ending September 30, 1979, there shall be appropriated under this section for each fiscal year an amount not less than 15 per centum of the total appropriations for such year under section 361c of this title: *Provided*, That the amount appropriated for the fiscal year ending September 30, 1979, shall not be less than the amount made available in the fiscal year ending September 30, 1978, to such eligible institutions under the Act of August 4, 1965 (79 Stat. 431, 7 U.S.C. 450i). Funds appropriated under this section shall be used for expenses of conducting agricultural research, printing, disseminating the results of such research, contributing to the retirement of employees subject to the provisions of section 331 of this title, administrative planning and direction, and purchase and rental of land and the construction, acquisition, alteration, or repair of buildings necessary for conducting agricultural research. The eligible institutions are authorized to plan and conduct agricultural research in cooperation with each other and such agencies, institutions, and individuals as may contribute to the solution of agricultural problems, and moneys appropriated pursuant to this section shall be available for paying the necessary expenses of planning, coordinating, and conducting such cooperative research. No more than 5 per centum of the funds received by an institution in any fiscal year, under this section, may be carried forward to the succeeding fiscal year.

(b) Allocation and distribution of appropriated funds

Beginning with the fiscal year ending September 30, 1979, the funds appropriated in each fiscal year under this section shall be distributed as follows:

(1) Three per centum shall be available to the Secretary for administration of this section. These administrative funds may be used for transportation of scientists who are not officers or employees of the United States to research meetings convened for the purpose of assessing research opportunities or research planning.

(2) The remainder shall be allotted among the eligible institutions as follows:

(A) Funds up to the total amount made available to all eligible institutions in the fiscal year ending September 30, 1978, under section 450i of this title, shall be allocated among the eligible institutions in the same proportion as funds made available under section 450i of this title, for the fiscal year ending September 30, 1978, are allocated among the eligible institutions.

(B) Of funds in excess of the amount allocated under subparagraph (A) of this paragraph, 20 per centum shall be allotted among eligible institutions in equal proportions; 40 per centum shall be allotted among the eligible institutions in the proportion that the rural population of the State in which each eligible institution is located bears to the total rural population of all the States in which eligible institutions are located, as determined by the last preceding decennial census current at the time each such additional sum is first appropriated; and the balance shall be allotted among the eligible institutions in the proportion that the farm population of the State in which each eligible institution is located bears to the total farm population of all the States in which the eligible institutions are located, as determined by the last preceding decennial census current at the time each such additional sum is first appropriated.

In computing the distribution of funds allocated under this subparagraph, the allotments to Tuskegee Institute and Alabama Agricultural and Mechanical University shall be determined as if each institution were in a separate State.

(c) Comprehensive program of agricultural research for each State

The director of the State agricultural experiment station in each State where an eligible institution is located and the research director specified in subsection (d) of this section in each of the eligible institutions in such State shall jointly develop, by mutual agreement, a comprehensive program of agricultural research in such State, to be submitted for approval by the Secretary within one year after September 29, 1977.

(d) Payment of funds to eligible institutions

Sums available for allotment to the eligible institutions under the terms of this section shall be paid to such institutions in equal quarterly payments beginning on or about the first day of October of each year upon vouchers approved by the Secretary. The President of each eligible institution shall appoint a research director who shall be responsible for administration of the program authorized herein. Each eligible institution shall designate a treasurer or other officer who shall receive and account for all funds allotted to such institution under the provisions of this section and shall report, with the approval of the research director, to the Secretary on or before the first day of December of each year a detailed statement of the amount received under the provisions of this section during the preceding fiscal year and its disburse-

ment on schedules prescribed by the Secretary. If any portion of the allotted moneys received by any eligible institution shall by any action or contingency be diminished, lost, or misapplied, it shall be replaced by such institution and until so replaced no subsequent appropriation shall be allotted or paid to such institution. Funds made available to eligible institutions shall not be used for payment of negotiated overhead or indirect cost rates.

(e) Mailing of bulletins, reports, periodicals, reprints, articles, and other publications

Bulletins, reports, periodicals, reprints or articles, and other publications necessary for the dissemination of results of the research and experiments funded under this section, including lists of publications available for distribution by the eligible institutions, shall be transmitted in the mails of the United States under penalty indicia: *Provided*, That each publication shall bear such indicia as are prescribed by the Postmaster General and shall be mailed under such regulations as the Postmaster General may from time to time prescribe. Such publications may be mailed from the principal place of business of each eligible institution or from an established subunit of such institution.

(f) Administration; rules and regulations; cooperation by and between institutions

The Secretary shall be responsible for the proper administration of this section, and is authorized and directed to prescribe such rules and regulations as may be necessary to carry out its provisions. It shall be the duty of the Secretary to furnish such advice and assistance as will best promote the purposes of this section, including participation in coordination of research initiated under this section by the eligible institutions, from time to time to indicate such lines of inquiry as to the Secretary seem most important, and to encourage and assist in the establishment and maintenance of cooperation by and between the several eligible institutions, the State agricultural experiment stations, and between them and the Department of Agriculture.

(g) Entitlement; unexpended appropriations; reports to Congress

(1) On or before the first day of October in each year after September 29, 1977, the Secretary shall ascertain whether each eligible institution is entitled to receive its share of the annual appropriations under this section and the amount which thereupon each is entitled, respectively, to receive.

(2) If it appears to the Secretary from the annual statement of receipts and expenditures of funds by any eligible institution that an amount in excess of 5 percent of the preceding annual appropriation allotted to that institution under this section remains unexpended, such amount in excess of 5 percent of the preceding annual appropriation allotted to that institution shall be deducted from the next succeeding annual allotment to the institution.

(3) If the Secretary withholds from any eligible institution any portion of the appropriations available for allotment, the facts and reasons therefor shall be reported to the President and the amount involved shall be kept separate in

the Treasury until the close of the next Congress. If the next Congress does not direct such sum to be paid, it shall be carried to surplus.

(4) The Secretary shall make an annual report to Congress during the first regular session of each year of the receipts and expenditures and work of the eligible institutions under the provisions of this section and also whether any portion of the appropriation available for allotment to any institution has been withheld and if so the reasons therefor.

(h) Existing legal relationships not impaired or modified

Nothing in this section shall be construed to impair or modify the legal relationship existing between any of the eligible institutions and the government of the States in which they are respectively located.

(Pub. L. 95-113, title XIV, §1445, Sept. 29, 1977, 91 Stat. 1009; Pub. L. 95-547, Oct. 28, 1978, 92 Stat. 2063; Pub. L. 97-98, title XIV, §1432(a), Dec. 22, 1981, 95 Stat. 1311; Pub. L. 99-198, title XIV, §1417, Dec. 23, 1985, 99 Stat. 1550.)

REFERENCES IN TEXT

Act of August 30, 1890, 26 Stat. 417, as amended, referred to in subsec. (a), is popularly known as the "Agricultural College Act of 1890" and also as the "Second Morrill Act", and 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.

Act of August 4, 1965 (79 Stat. 431, 7 U.S.C. 450i), referred to in subsec. (a), is Pub. L. 89-106, Aug. 4, 1965, 79 Stat. 431, which enacted sections 450i, 2250a, 2262, and 2263 of this title, amended sections 1704, 1762, 1884, and 2235 of this title, and repealed section 608f of this title. For complete classification of this Act to the Code, see Tables.

AMENDMENTS

1985—Subsec. (a). Pub. L. 99-198, §1417(a), provided that not more than 5 percent of the funds received by an institution in any fiscal year, under this section, may be carried forward to the succeeding fiscal year.

Subsec. (g)(2). Pub. L. 99-198, §1417(b), in amending par. (2) generally, substituted "If it appears" for "Whenever it shall appear" before "to the Secretary" and "that an amount in excess of 5 percent" for "that any portion" before "of the preceding annual appropriation" and inserted "in excess of 5 percent of the preceding annual appropriation allotted to that institution" before "shall be deducted".

1981—Subsec. (b)(1). Pub. L. 97-98, §1432(a)(1), inserted provision authorizing use of administrative funds for transportation of scientists to research meetings convened for purpose of assessing research opportunities or research planning.

Subsec. (b)(2)(B). Pub. L. 97-98, §1432(a)(2), inserted "current at the time each such additional sum is first appropriated" after "the last preceding decennial census" in two places.

Subsecs. (c), (d). Pub. L. 97-98, §1432(a)(3), substituted "research director" for "chief administrative officer" wherever appearing.

1978—Subsec. (b)(2)(A). Pub. L. 95-547 substituted provisions relating to allocation of funds among eligible institutions in same proportion as funds made available under section 450i of this title, for fiscal year ending Sept. 30, 1978, are allocated among eligible institutions for provisions relating to allocation of \$100,000 to each eligible institution.

Subsec. (b)(2)(B). Pub. L. 95-547 substituted provisions relating to allocation among eligible institutions of 20 percentum of the excess funds in equal proportions, 40

per centum in proportion that the rural population of the State in which each eligible institution is located bears to total rural population of all States in which such institutions are located, and balance in proportion that farm population of State in which each eligible institution is located bears to total farm population of all States in which such institutions are located for provisions relating to allocation among eligible institutions of one-half of remaining funds in an amount which bore same ratio to total amount to be allocated as rural population of State in which eligible institution was located bore to total rural population of all States in which such institutions were located, and one-half in an amount which bore same ratio to total amount to be allocated as farm population of State in which eligible institution was located bore to total farm population of all States in which such institutions were located.

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.

GRANT FOR DAIRY GOAT RESEARCH PROGRAM

Section 1432(b) of Pub. L. 97-98, as amended by Pub. L. 99-198, title XIV, §1432, Dec. 23, 1985, 99 Stat. 1557; Pub. L. 101-624, title XVI, §1601(c), Nov. 28, 1990, 104 Stat. 3703, provided that:

“(1) The Secretary of Agriculture shall make a grant of funds appropriated under paragraph (5) of this subsection to the one college of all the colleges eligible to receive funds under the Act of August 30, 1890 (7 U.S.C. 321 et seq.), including Tuskegee Institute, which on the date of the enactment of this title [Dec. 22, 1981]—

“(A) has initiated a dairy goat research program; and

“(B) has the best demonstrable capacity to carry out dairy goat research.

“(2) Any grant received under paragraph (1) by such college may be expended to—

“(A) pay expenses incurred in conducting dairy goat research;

“(B) print and disseminate the results of such research;

“(C) contribute to the retirement of employees engaged in such research;

“(D) plan, administer, and direct such research; and

“(E) construct, acquire, alter, and repair buildings necessary to conduct such research.

“(3)(A) Under the terms of such grant, funds appropriated under paragraph (5) of this subsection for a fiscal year shall be paid to such college in equal quarterly installments beginning on or about the first day of October of such year upon vouchers approved by the Secretary of Agriculture.

“(B) Not later than sixty days after the end of each fiscal year for which funds are paid under this subsection to such college, the research director of such college shall submit to the Secretary a detailed statement of the disbursements in such fiscal year of funds received by such college under this subsection.

“(C) If any of the funds so received by such college are by any action or contingency misapplied, lost, or diminished then—

“(i) such college shall replace such funds; and

“(ii) the Secretary shall not distribute to such college any other funds under this subsection until such replacement is made.

“(4) For purposes of section 1445(e) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3222(e)), research and experiments funded under this subsection shall be deemed to be research and experiments funded under section 1445 of such Act.

“(5) There is authorized to be appropriated to the Secretary to carry out this subsection, for each of the fiscal years 1991 through 1995, an amount equal to one per centum of the aggregate amount of funds appro-

priated under section 1445 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3222) in the fiscal year preceding the fiscal year for which funds are authorized to be appropriated under this paragraph.”

[Section 1432 of Pub. L. 99-198 provided in part that the amendment to section 1432(b) of Pub. L. 97-98, by Pub. L. 99-198 is effective Oct. 1, 1985.]

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 450i of this title; title 40 section 483.

§ 3222a. Resident instruction at 1890 land-grant colleges, including Tuskegee University

(a) Purpose

It is the purpose of this section to promote and strengthen higher education in the food and agricultural sciences at colleges eligible to receive funds under the Act of August 30, 1890 (7 U.S.C. 321 et seq.), including Tuskegee University (hereinafter in this section referred to as “eligible institutions”) 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 system.

(b) Grants

The Secretary shall make competitive grants, or grants without regard to any requirement for competition, to those eligible institutions having a demonstrable capacity to carry out the teaching of food and agricultural sciences.

(c) Use of grant funds

Grants made under subsection (b) of this section shall be used to—

(1) strengthen institutional educational capacities, including libraries, curriculum, faculty, scientific instrumentation, instruction delivery systems, and student recruitment and retention, in order to respond to identified State, regional, national, or international educational needs in the food and agricultural sciences;

(2) attract and support undergraduate and graduate students in order to educate them in identified areas of national need in the food and agricultural sciences;

(3) facilitate cooperative initiatives between two or more eligible institutions or between eligible institutions and units of State government, or organizations in the private sector, to maximize the development and use of resources such as faculty, facilities, and equipment to improve food and agricultural sciences teaching programs; and

(4) conduct undergraduate scholarship programs to assist in meeting national needs for training food and agricultural scientists.

(d) Grant requirements

(1) The Secretary shall ensure that each eligible institution, prior to receiving grant funds under subsection (b) of this section, shall have a significant demonstrable commitment to higher education programs in the food and agricultural sciences and to each specific subject area for which grant funds under this subsection are to be used.

(2) The Secretary may require that any grant awarded under this section contain provisions that require funds to be targeted to meet the purposes identified in section 3101 of this title.

(e) Minority set-aside

The Secretary may set aside a portion of the funds appropriated for grants under this section and make such amounts available only for grants to eligible institutions that the Secretary determines have unique capabilities for achieving the objective of full representation of minority groups that are under-represented in the Nation's food and agricultural sciences work force.

(f) Authorization of appropriations

There are authorized to be appropriated \$11,000,000 for each of the fiscal years 1991 through 1995 to carry out this section.

(Pub. L. 95-113, title XIV, § 1446, as added Pub. L. 101-624, title XVI, § 1612(a), Nov. 28, 1990, 104 Stat. 3721; amended Pub. L. 102-237, title IV, § 402(9), (10), Dec. 13, 1991, 105 Stat. 1863.)

REFERENCES IN TEXT

Act of August 30, 1890, referred to in subsec. (a), 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.

PRIOR PROVISIONS

A prior section 1446 of Pub. L. 95-113, title XIV, Sept. 29, 1977, 91 Stat. 1011, amended section 427 of this title, prior to repeal by Pub. L. 101-624, title XVI, § 1601(f)(1)(D), Nov. 28, 1990, 104 Stat. 3704.

AMENDMENTS

1991—Subsec. (d)(2). Pub. L. 102-237, § 402(9), substituted "the purposes identified" for "the needs identified".

Subsec. (e). Pub. L. 102-237, § 402(10), substituted "objective of" for "objective or".

§ 3222b. Grants to upgrade agricultural and food sciences facilities at 1890 land-grant colleges, including Tuskegee University

(a) Purpose

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 University (hereafter referred to in this section as "eligible institutions") in the acquisition and improvement of agricultural and food sciences facilities and equipment, including libraries, so that the eligible institutions may participate fully in the production of human capital.

(b) Authorization of appropriations

There are authorized to be appropriated to the Secretary of Agriculture for the purposes of carrying out the provisions of this section \$8,000,000 for each of the fiscal years 1991 through 1995, and such sums shall remain available until expended.

(c) Use of grant funds

Four percent of the sums appropriated pursuant to this section shall be available to the Sec-

retary for administration of this grants program. The remaining funds shall be available for grants to eligible institutions for the purpose of assisting them in the purchase of equipment and land, the planning, construction, alteration, or renovation of buildings to strengthen their capacity in the production of human capital in the food and agricultural sciences and can be used at the discretion of the eligible institutions in the areas of research, extension, and resident instruction or any combination thereof.

(d) Method of awarding grants

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) Prohibition of certain uses

Federal funds provided under this section may not be utilized for the payment of any overhead costs of the eligible institutions.

(f) Regulations

The Secretary may promulgate such rules and regulations as the Secretary may consider necessary to carry out the provisions of this section.

(Pub. L. 95-113, title XIV, § 1447, as added Pub. L. 101-624, title XVI, § 1612(b), Nov. 28, 1990, 104 Stat. 3722.)

REFERENCES IN TEXT

Act of August 30, 1890, referred to in subsec. (a), 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.

PRIOR PROVISIONS

A prior section 1447 of Pub. L. 95-113, title XIV, Sept. 29, 1977, 91 Stat. 1011, amended sections 341 and 342 of this title, prior to repeal by Pub. L. 101-624, title XVI, § 1601(f)(1)(D), Nov. 28, 1990, 104 Stat. 3704.

§ 3222c. National research and training centennial centers

(a) Competitive grants authorized

The Secretary of Agriculture may make a competitive grant to five national research and training centennial centers located at colleges (or a consortia of such colleges) eligible to receive funds under the Act of August 30, 1890 (7 U.S.C. 321 et seq.), including Tuskegee University, that—

(1) have been designated by the Secretary for the fiscal years 1991 through 1995 as national research and training centennial centers; and

(2) have the best demonstrable capacity, as determined by the Secretary, to provide administrative leadership as—

(A) a National Center for Goat Research and Training;

(B) a National Center for Agricultural Engineering Development, Research, and Training;

(C) a National Center for Water Quality and Agricultural Production Research and Training;

(D) a National Center for Sustainable Agriculture Research and Training; and

(E) a National Center for Domestic and International Trade and Development Research and Training.

(b) Use of grants

A grant made under subsection (a) of this section may be expended by a center to—

- (1) pay expenses incurred in conducting research for which the center was designated;
- (2) print and disseminate the results of such research;
- (3) plan, administer, and direct such research; and
- (4) alter or repair buildings necessary to conduct such research.

(c) Priority

In making a grant determination under subsection (a) of this section, the Secretary shall give priority to those centers that—

- (1) will assure dissemination of information between eligible institutions described in subsection (a) of this section and among agricultural producers; and
- (2) will attract students and needed professionals in the food and agricultural sciences.

(d) Payments

(1) Under the terms of a grant made under subsection (a) of this section, funds appropriated under subsection (f) of this section for a fiscal year shall be paid (upon vouchers approved by the Secretary) to a center receiving the grant in equal quarterly installments beginning on or about the first day of October of such year.

(2) Not later than 60 days after the end of each fiscal year for which funds are paid under this section to a center, the research director of such center shall submit to the Secretary a detailed statement of the disbursements in such fiscal year of funds received by such center under this section.

(3) If any of the funds received by a center under this section are misapplied, lost, or diminished by any action or contingency on the part of the center—

- (A) the center shall replace such funds; and
- (B) the Secretary shall not distribute to such center any other funds under this subsection until such funds are replaced.

(e) Prohibited uses of funds

Funds provided under this section may not be used—

- (1) to acquire or construct a building; or
- (2) to pay the overhead costs of the college (or consortia of colleges) receiving the grant.

(f) Authorization of appropriations

There are authorized to be appropriated \$2,000,000 for each of the fiscal years 1991 through 1995 for grants under this section.

(g) "Center" defined

For purposes of this section, the term "center" means a national research and training centennial center that receives a grant under this subsection.

(h) Coordination of center activities

(1) The center designated under subsection (a)(2)(C) of this section shall coordinate its ac-

tivities with the water quality research activities conducted under subtitle G of title XIV of the Food, Agriculture, Conservation, and Trade Act of 1990 [7 U.S.C. 5501 et seq.].

(2) The center designated under subsection (a)(2)(D) of this section shall coordinate its activities with the sustainable agriculture research and education program established under subtitle B of title XVI of the Food, Agriculture, Conservation, and Trade Act of 1990 [7 U.S.C. 5801 et seq.].

(Pub. L. 95-113, title XIV, §1448, as added Pub. L. 101-624, title XVI, §1612(c), Nov. 28, 1990, 104 Stat. 3723.)

REFERENCES IN TEXT

Act of August 30, 1890, referred to in subsec. (a), 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.

The Food, Agriculture, Conservation, and Trade Act of 1990, referred to in subsec. (h), is Pub. L. 101-624, Nov. 28, 1990, 104 Stat. 3359, as amended. Subtitle G of title XIV of the Act, popularly known as the "Agriculture and Water Policy Coordination Act", is classified generally to chapter 86 (§5501 et seq.) of this title. Subtitle B of title XVI of the Act enacted subchapter I (§5801 et seq.) of chapter 88 of this title and repealed chapter 78 (§4701 et seq.) of this title. For complete classification of this Act to the Code, see Tables.

PRIOR PROVISIONS

A prior section 1448 of Pub. L. 95-113, title XIV, Sept. 29, 1977, 91 Stat. 1011, amended sections 1923 and 1942 of this title, prior to repeal by Pub. L. 101-624, title XVI, §1601(f)(1)(D), Nov. 28, 1990, 104 Stat. 3704.

§ 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 pur-

pose 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.

(f) Rules and regulations

The Secretary may promulgate such rules and regulations as the Secretary may deem necessary to carry out the provisions of this section.

(Pub. L. 97-98, title XIV, §1433, Dec. 22, 1981, 95 Stat. 1312; Pub. L. 99-198, title XIV, §1433, Dec. 23, 1985, 99 Stat. 1557.)

REFERENCES IN TEXT

Act of August 30, 1890, referred to in subsec. (a), 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

Section was enacted as part of the Agriculture and Food Act of 1981, and not as part of the National Agricultural Research Extension and Teaching Policy Act of 1977 which comprises this chapter.

AMENDMENTS

1985—Subsec. (a). Pub. L. 99-198, §1432(a), inserted “, including agricultural libraries,” after “equipment”.

Subsec. (b). Pub. L. 99-198, §1432(b), authorized appropriations for fiscal year ending Sept. 30, 1987.

EFFECTIVE DATE

Section effective Dec. 22, 1981, see section 1801 of Pub. L. 97-98, set out as a note under section 4301 of this title.

§ 3224. Grants to upgrade 1890 land-grant college extension facilities

(a) Congressional declaration of intent

It is the intent of Congress to assist institutions eligible to receive funds under the Act of August 30, 1890 (26 Stat. 417, chapter 841; 7 U.S.C. 321 et seq.), including Tuskegee Institute (hereafter in this section referred to as “eligible institutions”), in the acquisition and improvement of extension facilities and equipment so that eligible institutions may participate fully with the State cooperative extension services in a balanced way in meeting the extension needs of the people of their respective States.

(b) Authorization of appropriations

There are authorized to be appropriated for the purpose of carrying out this section \$10,000,000 for each of the fiscal years 1991 and

1992, such sums to remain available until expended.

(c) Administration of grants program; provision of facilities for extension work

Four percent of the sums appropriated under this section shall be available to the Secretary of Agriculture for administration of the grants program under this section. The remaining funds shall be made available for grants to the eligible institutions for the purpose of assisting the institutions in the purchase of equipment and land, and the planning, construction, alteration, or renovation of buildings, to provide adequate facilities to conduct extension work in their respective States.

(d) Authority of Secretary of Agriculture

Grants awarded under this section shall be made in such amounts and under such terms and conditions as the Secretary of Agriculture shall determine necessary for carrying out this section.

(e) Overhead costs

Federal funds provided under this section may not be used for the payment of any overhead costs of the eligible institutions.

(f) Rules and regulations

The Secretary of Agriculture may promulgate such rules and regulations as the Secretary considers necessary to carry out this section.

(Pub. L. 99-198, title XIV, §1416, Dec. 23, 1985, 99 Stat. 1549; Pub. L. 101-624, title XVI, §1601(d)(1), Nov. 28, 1990, 104 Stat. 3704.)

REFERENCES IN TEXT

Act of August 30, 1890, referred to in subsec. (a), 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

Section was enacted as part of the Food Security Act of 1985, and not as part of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 which comprises this chapter.

AMENDMENTS

1990—Subsec. (b). Pub. L. 101-624 substituted “1991 and 1992” for “ending September 30, 1986, through September 30, 1990”.

SUBCHAPTER VII—SOLAR ENERGY RESEARCH AND DEVELOPMENT

PART A—COMPETITIVE GRANT PROGRAM

§ 3241. Repealed. Pub. L. 101-624, title XVI, § 1601(f)(1)(D), Nov. 28, 1990, 104 Stat. 3704

Section, Pub. L. 95-113, title XIV, §1449, Sept. 29, 1977, 91 Stat. 1012, related to farm and forest uses of solar energy and nonrenewable fuel and petrochemical substitutes.

PART B—INFORMATION SYSTEM AND ADVISORY
COMMITTEE

**§§ 3251, 3252. Repealed. Pub. L. 101-624, title XVI,
§ 1601(f)(1)(D), Nov. 28, 1990, 104 Stat. 3704**

Section 3251, Pub. L. 95-113, title XIV, §1450, Sept. 20, 1977, 91 Stat. 1012, provided for a solar energy research information system.

Section 3252, Pub. L. 95-113, title XIV, §1451, Sept. 29, 1977, 91 Stat. 1013, provided for assistance from an advisory committee respecting functions of Secretary on model farms and demonstration projects.

PART C—MODEL FARMS AND DEMONSTRATION
PROJECTS

**§§ 3261 to 3263. Repealed. Pub. L. 101-624, title XVI,
§ 1601(f)(1)(D), Nov. 28, 1990, 104 Stat. 3704**

Section 3261, Pub. L. 95-113, title XIV, §1452, Sept. 29, 1977, 91 Stat. 1013, provided for model farms.

Section 3262, Pub. L. 95-113, title XIV, §1453, Sept. 29, 1977, 91 Stat. 1014, provided for demonstration projects.

Section 3263, Pub. L. 95-113, title XIV, §1454, Sept. 29, 1977, 91 Stat. 1015; Pub. L. 97-98, title XIV, §1434, Dec. 22, 1981, 95 Stat. 1312, authorized appropriation of funds.

PART D—REGIONAL SOLAR ENERGY RESEARCH
AND DEVELOPMENT CENTERS

**§ 3271. Repealed. Pub. L. 101-624, title XVI,
§ 1601(f)(1)(D), Nov. 28, 1990, 104 Stat. 3704**

Section, Pub. L. 95-113, title XIV, §1455, Sept. 29, 1977, 91 Stat. 1015, provided for establishment of regional solar energy research, development, and demonstration centers.

PART E—APPROPRIATIONS AND DEFINITIONS

**§§ 3281, 3282. Repealed. Pub. L. 101-624, title XVI,
§ 1601(f)(1)(D), Nov. 28, 1990, 104 Stat. 3704**

Section 3281, Pub. L. 95-113, title XIV, §1456, Sept. 29, 1977, 91 Stat. 1015, authorized appropriation of funds.

Section 3282, Pub. L. 95-113, title XIV, §1457, Sept. 29, 1977, 91 Stat. 1015; Pub. L. 97-98, title XIV, §1435, Dec. 22, 1981, 95 Stat. 1313, defined "solar energy".

SUBCHAPTER VIII—INTERNATIONAL AGRI-
CULTURAL RESEARCH AND EXTENSION

**§ 3291. International agricultural research and
extension**

(a) Authority of Secretary

To carry out the policy of this subchapter, the Secretary (in consultation with the Agency for International Development and subject to such coordination with other Federal officials, Departments, and agencies as the President may direct) may—

(1) expand the operational coordination of the Department of Agriculture with institutions and other persons throughout the world performing agricultural and related research and extension activities by—

(A) exchanging research materials and results with the institutions or persons; and

(B) conducting with the institutions or persons joint or coordinated research and extension on problems of significance to food and agriculture in the United States;

(2) enter into cooperative arrangements with Departments and Ministries of Agriculture in

other nations to conduct research, extension, and education activities in support of the development of a viable and sustainable global agricultural system, including efforts to establish a global system for plant genetic resources conservation;

(3) enter into agreements with land-grant colleges and universities, the Agency for International Development, and international organizations (such as the United Nations, World Bank, regional development banks, the International Agricultural Research Center), or other organizations, institutions or individuals with comparable goals, to promote and support the development of a viable and sustainable global agricultural system;

(4) further develop within the Department highly qualified and experienced scientists and experts who specialize in international programs, to be available to carry out the activities described in this section;

(5) work with transitional and more advanced countries in food, agricultural, and related research, development, and extension (including providing technical assistance, training, and advice to persons from the countries engaged in the activities and the stationing of scientists and other specialists at national and international institutions in the countries);

(6) expand collaboration and coordination with the Agency for International Development regarding food and agricultural research, extension, and education programs in developing countries;

(7) assist colleges and universities in strengthening their capabilities for food, agricultural, and related research and extension that is relevant to agricultural development activities in other countries through—

(A) the provision of support to State universities and land-grant colleges and universities to do collaborative research with other countries on issues relevant to United States agricultural competitiveness;

(B) the provision of support for cooperative extension education in global agriculture and to promote the application of new technology developed in foreign countries to United States agriculture; and

(C) the provision of support for the internationalization of resident instruction programs of the universities and colleges described in subparagraph (A); and

(8) establish, in cooperation with the Secretary of State, a program, to be coordinated through the International Arid Land Consortium, to enhance collaboration and cooperation between institutions possessing research capabilities applied to the development, management, and reclamation of arid lands.

(b) Enhancing linkages

The Secretary shall draw upon and enhance the resources of the land-grant colleges and universities, and other colleges and universities, for developing linkages among these institutions, the Federal Government, international research centers, and counterpart agencies and institutions in both the developed and less-developed countries to serve the purposes of agriculture

and the economy of the United States and to make a substantial contribution to the cause of improved food and agricultural progress throughout the world.

(c) Provision of specialized or technical services

The Secretary may provide specialized or technical services, on an advance of funds or a reimbursable basis, to United States colleges and universities and other nongovernmental organizations carrying out international food, agricultural, and related research, extension, and teaching development projects and activities. All funds received in payment for furnishing such specialized or technical services shall be deposited to the credit of the appropriation from which the cost of providing such services has been paid or is to be charged.

(Pub. L. 95-113, title XIV, §1458, Sept. 29, 1977, 91 Stat. 1015; Pub. L. 97-98, title XIV, §1436, Dec. 22, 1981, 95 Stat. 1313; Pub. L. 99-198, title XIV, §1418, Dec. 23, 1985, 99 Stat. 1550; Pub. L. 101-624, title XVI, §1613(a), (b), (d)(1), Nov. 28, 1990, 104 Stat. 3724, 3726; Pub. L. 102-237, title IV, §402(1), Dec. 13, 1991, 105 Stat. 1863.)

AMENDMENTS

1991—Subsec. (a)(3). Pub. L. 102-237 substituted a semicolon for period at end.

1990—Pub. L. 101-624, §1613(d)(1)(A), inserted section catchline.

Subsec. (a). Pub. L. 101-624, §1613(a), amended subsec. (a) generally. Prior to amendment, subsec. (a) read as follows: "The Secretary, subject to such coordination with other Federal officials, departments, and agencies as the President may direct, is authorized to—

"(1) expand the operational coordination of the Department of Agriculture with institutions and other persons throughout the world performing agricultural and related research and extension activities by exchanging research materials and results with such institutions or persons and by conducting with such institutions or persons joint or coordinated research and extension on problems of significance to food and agriculture in the United States;

"(2) assist the Agency for International Development with food, agricultural, research and extension programs in developing countries;

"(3) work with developed and transitional countries on food, agricultural and related research and extension, including providing technical assistance, training, and advice to persons from such countries engaged in such activities and the stationing of scientists at national and international institutions in such countries;

"(4) assist United States colleges and universities in strengthening their capabilities for food, agricultural, and related research and extension relevant to agricultural development activities in other countries through the development of highly qualified scientists with specialization in international development; and

"(5) further develop within the Department of Agriculture highly qualified and experienced scientists who specialize in international programs, to be available for the activities described in this section."

Subsec. (b). Pub. L. 101-624, §1613(d)(1)(B), inserted heading.

Subsec. (c). Pub. L. 101-624, §1613(b), (d)(1)(C), inserted heading and "and other nongovernmental organizations" after "universities".

1985—Subsec. (a)(3). Pub. L. 99-198 substituted "providing technical assistance, training, and advice to" for "the training of".

Subsec. (a)(4). Pub. L. 99-198 inserted "through the development of highly qualified scientists with spe-

cialization in international development" after "countries".

1981—Pub. L. 97-98 designated existing provisions as subsec. (a), inserted provisions authorizing Secretary to work with transitional countries as well as developed countries on agricultural research and extension and establishing that agricultural research includes food, agricultural, and related research, and added subsecs. (b) and (c).

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

Subchapter 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.

§ 3292. Grants to States for international trade development centers

(a) Grant program

The Secretary shall establish and carry out a program to make grants to States (or regional groupings of States) for the establishment and operation of international trade development centers, or the expansion of existing international trade development centers, in the United States to enhance the exportation of agricultural products and related products. Such grants shall be based on a matching formula of 50 per centum Federal and 50 per centum State or regional funding (including funds received by the State or region from private sources and from units of local government).

(b) Location and funding of certain centers

The Secretary shall make determinations regarding the location and funding of international trade development centers established after November 28, 1990, based on a national plan for agricultural export promotion through international trade development centers. Grants under this section shall be made available on a competitive basis in accordance with such plan.

(c) Preferences

In making grants under subsection (a) of this section, the Secretary shall, consistent with the plan developed under subsection (b) of this section, give preference to States (or regional groupings of States) that intend to use, as sites for international trade development centers, land-grant colleges and universities (as defined in section 3103(10) of this title) that—

(1) operate agricultural programs;

(2) have existing international trade programs that use an interdisciplinary approach and are operated jointly with State and Federal agencies to address international trade problems; and

(3) have an effective and progressive communications system that might be linked on an international basis to conduct conferences or trade negotiations.

(d) Activities of centers

Such centers may—

(1) through research, establish a permanent data base to address the problems faced by potential exporters, including language barriers, interaction with representatives of foreign

governments, transportation of goods and products, insurance and financing within foreign countries, and collecting international marketing data;

(2) be used to house permanent or temporary exhibits that will stimulate and educate trade delegations from foreign nations with respect to agricultural products and related products produced in the United States and be made available for use by State and regional entities for exhibits, trade seminars, and negotiations involving such products; and

(3) carry out such other activities relating to the exportation of agricultural products and related products as the Secretary may approve.

(e) Authorization of appropriations

There are hereby authorized to be appropriated such sums as are necessary to carry out the provisions of this section.

(Pub. L. 95-113, title XIV, §1458A, as added Pub. L. 99-198, title XIV, §1419(a), Dec. 23, 1985, 99 Stat. 1550; amended Pub. L. 101-624, title XVI, §1613(c), (d)(2), Nov. 28, 1990, 104 Stat. 3726.)

AMENDMENTS

1990—Pub. L. 101-624, §1613(d)(2)(A), made technical amendment to section catchline which required no change in text.

Subsec. (a). Pub. L. 101-624, §1613(c)(1), inserted heading and substituted “grants to States (or regional groupings of States)” for “grants to States”, “State or regional funding” for “State funding”, and “State or region from” for “State from”.

Subsec. (b). Pub. L. 101-624, §1613(c)(2), (3), added subsec. (b) and redesignated former subsec. (b) as (c).

Subsec. (c). Pub. L. 101-624, §1613(c)(2), (4), redesignated subsec. (b) as (c), inserted heading, inserted “, consistent with the plan developed under subsection (b) of this section,” after “shall”, and substituted “States (or regional groupings of States)” for “States”. Former subsec. (c) redesignated (d).

Subsec. (d). Pub. L. 101-624, §1613(c)(2), (d)(2)(B), redesignated subsec. (c) as (d) and inserted heading. Former subsec. (d) redesignated (e).

Subsec. (e). Pub. L. 101-624, §1613(c)(2), (d)(2)(C), redesignated subsec. (d) as (e) and inserted heading.

EFFECTIVE DATE

Section 1419(a) of Pub. L. 99-198 provided in part that this section is effective Oct. 1, 1985.

§ 3293. Agricultural fellowship program for middle income countries and emerging democracies

(a) Establishment

The Secretary of Agriculture shall establish a fellowship program for,¹ to be known as the “Cochran Fellowship Program”, to provide fellowships to individuals from eligible countries (as determined under subsection (b) of this section) who specialize in agriculture for study in the United States.

(b) Eligible countries

Countries described in any of the following paragraphs shall be eligible to participate in the program established under this section:

(1) Middle-income country

A country that has developed economically to the point where it no longer qualifies for bi-

lateral foreign aid assistance from the United States because its per capita income level exceeds the eligibility requirements of such assistance programs (hereafter referred to in this section as a “middle-income” country).

(2) Ongoing relationship

A middle-income country that has never qualified for bilateral foreign aid assistance from the United States, but with respect to which an ongoing relationship with the United States, including technical assistance and training, would provide mutual benefits to such country and the United States.

(3) Type of government

A country that has recently begun the transformation of its system of government from a non-representative type of government to a representative democracy and that is encouraging democratic institution building, and the cultural values, institutions, and organizations of democratic pluralism.

(4) Independent states of the former Soviet Union

A country that is an independent state of the former Soviet Union (as defined in section 5602(8) of this title), to the extent that the Secretary of Agriculture determines that such country should be eligible to participate in the program established under this section.

(c) Purpose of fellowships

Fellowships under this section shall be provided to permit the recipients to gain knowledge and skills that will—

(1) assist eligible countries to develop agricultural systems necessary to meet the food needs of their domestic populations; and

(2) strengthen and enhance trade linkages between eligible countries and agricultural interests in the United States.

(d) Individuals who may receive fellowships

The Secretary shall utilize the expertise of United States agricultural counselors, trade officers, and commodity trade promotion groups working in participating countries to help identify program candidates for fellowships under this section from both the public and private sectors of those countries. The Secretary may provide fellowships under the program authorized by this section to private agricultural producers from eligible countries.

(e) Program implementation

The Secretary shall consult with other United States Government agencies, United States universities, and the private agribusiness sector, as appropriate, to design and administer training programs to accomplish the objectives of the program established under this section.

(f) Authorization of appropriations

There are authorized to be appropriated without fiscal year limitation such sums as may be necessary to carry out the program established under this section, except that the amount of such funds in any fiscal year shall not exceed—

(1) for eligible countries that meet the requirements of subsection (b)(1) of this section, \$3,000,000;

¹ So in original. The word “for” probably should not appear.

(2) for eligible countries that meet the requirements of subsection (b)(2) of this section, \$2,000,000; and

(3) for eligible countries that meet the requirements of subsection (b)(3) of this section, \$5,000,000.

(g) Complementary funds

If the Secretary of Agriculture determines that it is advisable in furtherance of the purposes of the program established under this section, the Secretary may accept money, funds, property, and services of every kind by gift, devise, bequest, grant, or otherwise, and may, in any manner, dispose of all such holdings and use the receipts generated from such disposition as general program funds under this section. All funds so designated for the program established under this section shall remain available until expended.

(Pub. L. 101-624, title XV, §1543, Nov. 28, 1990, 104 Stat. 3694; Pub. L. 102-237, title X, §1002, Dec. 13, 1991, 105 Stat. 1894; Pub. L. 102-511, title VII, §705, Oct. 24, 1992, 106 Stat. 3349.)

CODIFICATION

Section was enacted as part of the Agricultural Development and Trade Act of 1990, and also as part of the Food, Agriculture, Conservation, and Trade Act of 1990, and not as part of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 which comprises this chapter.

AMENDMENTS

1992—Subsec. (a). Pub. L. 102-511, §705(a)(1), struck out “middle income countries and emerging democracies” after “fellowship program for” and inserted “(as determined under subsection (b) of this section)” after “eligible countries”.

Subsec. (b). Pub. L. 102-511, §705(a)(2), substituted “described in any of the following paragraphs” for “that meet the following requirements” in introductory provisions and added par. (4).

Subsec. (d). Pub. L. 102-511, §705(b), inserted at end “The Secretary may provide fellowships under the program authorized by this section to private agricultural producers from eligible countries.”

1991—Subsec. (e). Pub. L. 102-237 substituted “program” for “Program”.

§ 3294. Center For North American Studies

(a) Establishment

The Secretary of Agriculture shall establish a center, to be known as the Center For North American Studies, whose primary purpose shall be to promote better agricultural relationships among Canada, Mexico, and the United States through cooperative study, training, and research.

(b) Location

The Institute shall be located at an institution of higher education or at a consortium of such institutions.

(c) Authorization of appropriations

To carry out this section, there are authorized to be appropriated \$10,000,000 for fiscal year 1994 and such sums as may be necessary for each of fiscal years 1995 and 1996.

(Pub. L. 102-532, §4, Oct. 27, 1992, 106 Stat. 3512.)

CODIFICATION

Section was enacted as part of the Enterprise for the Americas Initiative Act of 1992, and not as part of the

National Agricultural Research, Extension, and Teaching Policy Act of 1977 which comprises this chapter.

SUBCHAPTER IX—STUDIES

§§ 3301 to 3304. Repealed. Pub. L. 99-198, title XIV, § 1421, Dec. 23, 1985, 99 Stat. 1552

Section 3301, Pub. L. 95-113, title XIV, §1459, Sept. 29, 1977, 91 Stat. 1016, required Secretary of Agriculture to transmit to Congress, not later than March 31, 1979, an evaluation of economic and social consequences of programs of Extension Service and cooperative extension services.

Section 3302, Pub. L. 95-113, title XIV, §1460, Sept. 29, 1977, 91 Stat. 1016, required Secretary to conduct a comprehensive study of effects of changing climate and weather on crop and livestock productivity and submit a report, with recommendations, to President and Congress within twelve months after Sept. 29, 1977.

Section 3303, Pub. L. 95-113, title XIV, §1461, Sept. 29, 1977, 91 Stat. 1016, required Secretary to conduct, and, within twelve months after September 29, 1977, submit to President and Congress a report containing results of and Secretary's recommendations concerning an investigation and analysis of practicability, desirability, and feasibility of collecting organic waste materials.

Section 3304, Pub. L. 95-113, title XIV, §1462, Sept. 29, 1977, 91 Stat. 1017, required Secretary to conduct a comprehensive study of status and future needs of agricultural research facilities and, within fourteen months after September 29, 1977, submit to President and Congress a report on this study, with recommendations.

SUBCHAPTER X—FUNDING AND MISCELLANEOUS PROVISIONS

§ 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 390 to 390j, 3152, 3154, and 2669 of this title, and the competitive grants program provided for in section 450i of this title, 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, \$850,000,000 for each of the fiscal years 1991 through 1995.

(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), \$310,000,000 for each of the fiscal years 1991 through 1995.

(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-

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); the animal health research program provided for under sections 3195 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.)

REFERENCES IN TEXT

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

Sections 390 to 390j, referred to in subsec. (a), was in the original "section 1416", meaning section 1416 of Pub. L. 95-113, which enacted sections 390c to 390j of this title, amended sections 390, 390a, and 390b of this title, and repealed section 390k of this title.

Act of March 2, 1887, referred to in text, is act Mar. 2, 1887, ch. 314, 24 Stat. 440, as amended, 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, as amended, known as the McIntire-Stennis Act of 1962, 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 Tables.

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, as amended, 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.

AMENDMENTS

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).

EFFECTIVE DATE OF 1985 AMENDMENT

Section 1422(a) and (b) of Pub. L. 99-198 provided that the amendments made by that section 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

Subchapter 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 \$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.

(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.)

AMENDMENTS

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.

EFFECTIVE DATE OF 1985 AMENDMENT

Section 1423 of Pub. L. 99-198 provided that the amendment made by that section 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.

§ 3313. Payment of funds

Except as provided elsewhere in this Act or any other Act of Congress, funds available for allotment under this chapter shall be paid to each eligible institution or State at such time and in such amounts as shall be determined by the Secretary.

(Pub. L. 95-113, title XIV, §1467, Sept. 29, 1977, 91 Stat. 1018.)

REFERENCES IN TEXT

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

§ 3314. Withholding of funds

Except as provided elsewhere in this Act or any other Act of Congress, if the Secretary determines that an institution or State is not entitled to receive its allotment of an annual appropriation under any provision of this chapter because of a failure to satisfy requirements of this chapter or regulations issued under it, the Secretary shall withhold such amounts, the facts and reasons concerning the determination and withholding shall be reported to the President, and the amount involved shall be depos-

ited in the miscellaneous receipts of the Treasury.

(Pub. L. 95-113, title XIV, §1468, Sept. 29, 1977, 91 Stat. 1018.)

REFERENCES IN TEXT

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

§ 3315. Auditing, reporting, bookkeeping, and administrative requirements

Except as provided elsewhere in this Act or any other Act of Congress—

(1) assistance provided under this chapter shall be subject to the provisions of sections 450i(e), 450i(f), and 450i(h)¹ of this title;

(2) the Secretary shall provide that each recipient of assistance under this chapter shall submit an annual report, at such times and on such forms as the Secretary shall prescribe, stating the accomplishments of projects (on a project-by-project basis) for which such assistance was used and accounting for the use of all such assistance. If the Secretary determines that any portion of funds made available under this chapter has been lost or applied in a manner inconsistent with the provisions of this chapter or regulations issued thereunder the recipient of such funds shall reimburse the Federal Government for the funds lost or so applied, and the Secretary shall not make available to such recipient any additional funds under this Act until the recipient has so reimbursed the Federal Government;

(3) three per centum of the appropriations shall be retained by the Secretary for the administration of the programs authorized under this chapter; and

(4) the Secretary shall establish appropriate criteria for grant and assistance approval and necessary regulations pertaining thereto.

(Pub. L. 95-113, title XIV, §1469, Sept. 29, 1977, 91 Stat. 1019.)

REFERENCES IN TEXT

This Act, referred to in provision preceding par. (1) and in par. (2), is Pub. L. 95-113, Sept. 29, 1977, 91 Stat. 913, as amended, known as the Food and Agriculture Act of 1977. For complete classification of this Act to the Code, see Short Title of 1977 Amendment note set out under section 1281 of this title and Tables.

For definition of “this chapter”, referred to in pars. (1) to (3), see note set out under section 3102 of this title.

Sections 450i(e), 450i(f), and 450i(h) of this title, referred to in par. (1), were redesignated as sections 450i(f), 450i(g), and 450i(i), respectively, by Pub. L. 101-624, title XIV, §1497(1), Nov. 28, 1990, 104 Stat. 3630.

§ 3316. Rules and regulations

The Secretary is authorized to issue such rules and regulations as the Secretary deems necessary to carry out the provisions of this chapter.

(Pub. L. 95-113, title XIV, §1470, Sept. 29, 1977, 91 Stat. 1019.)

REFERENCES IN TEXT

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

¹ See References in Text note below.

§ 3317. Program evaluation studies

(a) The Secretary shall regularly conduct program evaluations to meet the purposes of this chapter and the responsibilities assigned to the Secretary and the Department of Agriculture in this chapter. Such evaluations shall be designed to provide information that may be used to improve the administration and effectiveness of agricultural research, extension, and teaching programs in achieving their stated objectives.

(b) The Secretary is authorized to encourage and foster the regular evaluation of agricultural research, extension, and teaching programs within the State agricultural experiment stations, cooperative extension services, and colleges and universities, through the development and support of cooperative evaluation programs and program evaluation centers and institutes.

(Pub. L. 95-113, title XIV, §1471, as added Pub. L. 97-98, title XIV, §1439(a), Dec. 22, 1981, 95 Stat. 1314.)

REFERENCES IN TEXT

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

EFFECTIVE DATE

Section effective Dec. 22, 1981, see section 1801 of Pub. L. 97-98, set out as a note under section 4301 of this title.

§ 3318. Contract, grant, and cooperative agreement authorities**(a) Purposes, nature and construction**

The purpose of this section is to confer upon the Secretary general authority to enter into contracts, grants, and cooperative agreements to further the research, extension, or teaching programs in the food and agricultural sciences of the Department of Agriculture. This authority supplements all other laws relating to the Department of Agriculture and is not to be construed as limiting or repealing any existing authorities.

(b) Authority of Secretary; legal effect of agreement; participation by other Federal agencies

(1) Notwithstanding chapter 63 of title 31, the Secretary may use a cooperative agreement as the legal instrument reflecting a relationship between the Secretary and a State cooperative institution, State department of agriculture, college, university, other research or educational institution or organization, Federal or private agency or organization, individual, or any other party, if the Secretary determines that—

(A) the objectives of the agreement will serve a mutual interest of the parties to the agreement in agricultural research, extension, and teaching activities, including statistical reporting; and

(B) all parties will contribute resources to the accomplishment of those objectives.

(2) Notwithstanding any other provision of law, any Federal agency may participate in any such cooperative agreement by contributing funds through the appropriate agency of the Department of Agriculture or otherwise if it is mu-

tually agreed that the objectives of the agreement will further the authorized programs of the contributing agency.

(c) Duration and eligibility

The Secretary may enter into contracts, grants, or cooperative agreements, for periods not to exceed five years, with State agricultural experiment stations, State cooperative extension services, all colleges and universities, other research or education institutions and organizations, Federal and private agencies and organizations, individuals, and any other contractor or recipient, either foreign or domestic, to further research, extension, or teaching programs in the food and agricultural sciences of the Department of Agriculture.

(d) Vesting of title

The Secretary may vest title to expendable and nonexpendable equipment and supplies and other tangible personal property in the contractor or recipient when the contractor or recipient purchases such equipment, supplies, and property with contract, grant, or cooperative agreement funds and the Secretary deems such vesting of title a furtherance of the agricultural research, extension, or teaching objectives of the Department of Agriculture.

(e) Applicable requirements

Unless otherwise provided in this chapter, the Secretary may enter into contracts, grants, or cooperative agreements, as authorized by this section, without regard to any requirements for competition, the provisions of section 5 of title 41, and the provisions of section 3324(a) and (b) of title 31.

(Pub. L. 95-113, title XIV, §1472, as added Pub. L. 97-98, title XIV, §1439(a), Dec. 22, 1981, 95 Stat. 1315; amended Pub. L. 99-198, title XIV, §1424, Dec. 23, 1985, 99 Stat. 1552.)

REFERENCES IN TEXT

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

CODIFICATION

In subsec. (e), "section 3324(a) and (b) of title 31" substituted for reference to section 3648 of the Revised Statutes (31 U.S.C. 529) on authority of Pub. L. 97-258, §4(b), Sept. 13, 1982, 96 Stat. 1067, the first section of which enacted Title 31, Money and Finance.

AMENDMENTS

1985—Subsecs. (b) to (e). Pub. L. 99-198 added subsec. (b) and redesignated former subsecs. (b) to (d) as (c) to (e), respectively.

EFFECTIVE DATE

Section effective Dec. 22, 1981, see section 1801 of Pub. L. 97-98, set out as a note under section 4301 of this title.

§ 3319. Restriction on treatment of indirect costs and tuition remission

Funds made available by the Secretary under established Federal-State partnership arrangements to State cooperative institutions under the Acts referred to in section 3103(16) of this title and funds made available under subsection (c)(1)(B) and subsection (d) of section 450i of this title shall not be subject to reduction for indi-

rect costs or for tuition remission. No indirect costs or tuition remission shall be charged against funds in connection with cooperative agreements between the Department of Agriculture and State cooperative institutions if the cooperative program or project involved is of mutual interest to all the parties and if all the parties contribute to the cooperative agreement involved. The prohibition on the use of such funds for the reimbursement of indirect costs shall not apply to funds for international agricultural programs conducted by a State cooperative institution and administered by the Secretary or to funds provided by a Federal agency for such cooperative program or project through a fund transfer, advance, or reimbursement. The Secretary shall limit the amount of such reimbursement to an amount necessary to carry out such program or agreement.

(Pub. L. 95-113, title XIV, §1473, as added Pub. L. 97-98, title XIV, §1439(a), Dec. 22, 1981, 95 Stat. 1315; amended Pub. L. 99-198, title XIV, §1425, Dec. 23, 1985, 99 Stat. 1553; Pub. L. 102-237, title IV, §402(13), Dec. 13, 1991, 105 Stat. 1863.)

REFERENCES IN TEXT

See notes set out under section 3103 of this title for Acts enumerated in par. (16) of that section.

AMENDMENTS

1991—Pub. L. 102-237 substituted “subsection (c)(1)(B)” for “subsection (c)(2)”.

1985—Pub. L. 99-198 inserted provisions making prohibition on use of funds for reimbursement of indirect costs inapplicable to funds for international agricultural programs but required the Secretary to limit the reimbursement to amounts necessary to carry out the programs.

EFFECTIVE DATE

Section effective Dec. 22, 1981, see section 1801 of Pub. L. 97-98, set out as a note under section 4301 of this title.

§ 3319a. Cost-reimbursable agreements

Notwithstanding any other provision of law, the Secretary of Agriculture may enter into cost-reimbursable agreements with State cooperative institutions without regard to any requirement for competition, for the acquisition of goods or services, including personal services, to carry out agricultural research, extension, or teaching activities of mutual interest. Reimbursable costs under such agreements shall include the actual direct costs of performance, as mutually agreed on by the parties, and the indirect costs of performance, not exceeding 10 percent of the direct cost.

(Pub. L. 95-113, title XIV, §1473A, as added Pub. L. 99-198, title XIV, §1426, Dec. 23, 1985, 99 Stat. 1553.)

§ 3319b, 3319c. Repealed. Pub. L. 101-624, title XVI, §1601(f)(1)(E), (F), Nov. 28, 1990, 104 Stat. 3704

Section 3319b, Pub. L. 95-113, title XIV, §1473B, as added Pub. L. 99-198, title XIV, §1427, Dec. 23, 1985, 99 Stat. 1553, provided for technology development for small- and medium-sized farming operations.

Section 3319c, Pub. L. 95-113, title XIV, §1473C, as added Pub. L. 99-198, title XIV, §1427, Dec. 23, 1985, 99

Stat. 1554, provided for a special technology development research program.

§ 3319d. Supplemental and alternative crops

(a) Research and pilot project program

Notwithstanding any other provision of law, during the period beginning October 1, 1986, and ending September 30, 1995, the Secretary shall develop and implement a research and pilot project program for the development of supplemental and alternative crops, using such funds as are appropriated to the Secretary each fiscal year under this chapter.

(b) Importance to producers

The development of supplemental and alternative crops is of critical importance to producers of agricultural commodities whose livelihood is threatened by the decline in demand experienced with respect to certain of their crops due to changes in consumption patterns or other related causes.

(c) Research funding, special or competitive grants, etc.; program requirements; agreements, grants and other arrangements

(1) The Secretary shall use such research funding, special or competitive grants, or other means, as the Secretary determines, to further the purposes of this section in the implementation of a comprehensive and integrated program.

(2) The program developed and implemented by the Secretary shall include—

(A) an examination of the adaptation of supplemental and alternative crops;

(B) the establishment and extension of various methods of planting, cultivating, harvesting, and processing supplemental and alternative crops at pilot sites in areas adversely affected by declining demand for crops grown in the area;

(C) the transfer of such applied research from pilot sites to on-farm practice as soon as practicable;

(D) the establishment through grants, cooperative agreements, or other means of such processing, storage, and transportation facilities near such pilot sites for supplemental and alternative crops as the Secretary determines will facilitate the achievement of a successful pilot program; and

(E) the application of such other resources and expertise as the Secretary considers appropriate to support the program.

(3) The pilot program may include, but shall not be limited to, agreements, grants, and other arrangements—

(A) to conduct comprehensive resource and infrastructure assessments;

(B) to develop and introduce supplemental and alternative income-producing crops;

(C) to develop and expand domestic and export markets for such crops; and

(D) to provide technical assistance to farm owners and operators, marketing cooperatives, and others.

(d) Use of expertise and resources of other Federal agencies and land-grant colleges and universities

The Secretary shall use the expertise and resources of the Agricultural Research Service,

the Cooperative State Research Service, the Extension Service, and the land-grant colleges and universities for the purpose of carrying out this section.

(Pub. L. 95-113, title XIV, §1473D, as added Pub. L. 99-198, title XIV, §1428, Dec. 23, 1985, 99 Stat. 1554; amended Pub. L. 101-624, title XVI, §1601(b)(5), Nov. 28, 1990, 104 Stat. 3703.)

REFERENCES IN TEXT

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

AMENDMENTS

1990—Subsec. (a). Pub. L. 101-624 substituted “1995” for “1990”.

§ 3319e. Repealed. Pub. L. 102-237, title IV, § 402(14), Dec. 13, 1991, 105 Stat. 1863

Section, Pub. L. 95-113, title XIV, §1473E, as added Pub. L. 101-220, §5, Dec. 12, 1989, 103 Stat. 1878, related to research into new commercial products from natural plant materials.

SUBCHAPTER XI—AQUACULTURE

SUBCHAPTER REFERRED TO IN OTHER SECTIONS

This subchapter is referred to in section 3103 of this title.

§ 3321. Statement of purpose

It is the purpose of this subchapter to promote research and extension activities of the institutions hereinafter referred to in section 3322(b) of this title, and to coordinate their efforts as an integral part in the implementation of the National Aquaculture Act of 1980 (16 U.S.C. 2801 et seq.) by encouraging landowners, individuals, and commercial institutions to develop aquaculture production and facilities and sound aquacultural practices that will, through research and technology transfer programs, provide for the increased production and marketing of aquacultural food products.

(Pub. L. 95-113, title XIV, §1474, as added Pub. L. 97-98, title XIV, §1440(a), Dec. 22, 1981, 95 Stat. 1316.)

REFERENCES IN TEXT

The National Aquaculture Act of 1980, referred to in text, is Pub. L. 96-362, Sept. 26, 1980, 94 Stat. 1198, which is classified generally to chapter 48 (§2801 et seq.) of Title 16, Conservation. For complete classification of this Act to the Code, see Short Title note set out under section 2801 of Title 16 and Tables.

EFFECTIVE DATE

Subchapter effective Dec. 22, 1981, see section 1801 of Pub. L. 97-98, set out as a note under section 4301 of this title.

§ 3322. Assistance programs

(a) Research and extension program

The Secretary may develop and implement a cooperative research and extension program to encourage the development, management, and production of important aquatic food species within the several States and territories of the United States and to enhance further the safety of food products derived from the aquaculture industry, in accordance with the national aqua-

culture development plan, and revisions thereto, developed under the National Aquaculture Act of 1980 [16 U.S.C. 2801 et seq.].

(b) Grants

The Secretary may make grants to—

- (1) land-grant and sea grant colleges and universities;
- (2) State agricultural experiment stations;
- (3) colleges, universities, and Federal laboratories having a demonstrable capacity to conduct aquacultural research, as determined by the Secretary; and
- (4) nonprofit private research institutions;

for research and extension to facilitate or expand promising advances in the production and marketing of aquacultural food species and products and to enhance further the safety and wholesomeness of those species and products, including the development of reliable supplies of seed stock and therapeutic compounds. Except in the case of Federal laboratories, no grant may be made under this subsection unless the State in which the grant recipient is located makes a matching grant (of which amount an in-kind contribution may not exceed 50 percent) to such recipient equal to the amount of the grant to be made under this subsection, and unless the grant is in implementation of the national aquaculture development plan, and revisions thereto, developed under the National Aquaculture Act of 1980 [16 U.S.C. 2801 et seq.].

(c) Aquaculture development plans

The Secretary may assist States to formulate aquaculture development plans for the enhancement of the production and marketing of aquacultural species and products from such States and may make grants to States on a matching basis, as determined by the Secretary. The aggregate amount of the grants made to any one State under this subsection may not exceed \$50,000. The plans shall be consistent with the national aquaculture development plan, and revisions thereto, developed under the National Aquaculture Act of 1980 [16 U.S.C. 2801 et seq.].

(d) Aquacultural centers

To provide for aquacultural research, development, and demonstration projects having a national or regional application, the Secretary may establish in existing Federal facilities or in cooperation with any of the non-Federal entities specified in subsection (b) of this section up to five aquacultural research, development, and demonstration centers in the United States for the performance of aquacultural research, extension work, and demonstration projects. Funds made available for the operation of such regional centers may be used for the rehabilitation of existing buildings or facilities to house such centers, but may not be used for the construction or acquisition of new buildings or facilities. To the extent practicable, the aquaculture research, development, and demonstration centers established under this subsection shall be geographically located so that they are representative of the regional aquaculture opportunities in the United States. To the extent practicable, the Secretary shall ensure that equitable efforts are made at these centers in addressing the research needs of those segments

of the domestic aquaculture industry located within that region.

(e) Reports

Not later than March 1 of each year, the Secretary shall submit a report to the President, the House Committee on Agriculture, the House Committee on Merchant Marine and Fisheries, the House Committee on Appropriations, the Senate Committee on Agriculture, Nutrition, and Forestry, and the Senate Committee on Appropriations, containing a summary outlining the progress of the Department of Agriculture in meeting the purposes of the programs established under this subchapter.

(f) Listing of laws on aquaculture

The interagency aquaculture coordinating group established under section 6(a) of the National Aquaculture Act of 1980 (16 U.S.C. 2805(a)) shall, in consultation with appropriate Federal and State agencies, compile a listing of Federal and State laws, rules, and regulations materially affecting the production, processing, marketing, and transportation of aquaculturally produced commodities and the products thereof. The interagency aquaculture coordinating group shall make such listing available to the public not later than January 1, 1992, and shall update and revise such listing not later than January 1, 1996, to show such laws, rules, and regulations as in effect on that date.

(g) Fish disease program

The Secretary shall implement, in consultation with the Joint Subcommittee on Aquaculture referred to in section 6 of the National Aquaculture Act of 1980 (16 U.S.C. 2805), a fish disease program to include the development of new diagnostic procedures for fish diseases, the determination of the effect of water environment on the development of the fish immune system, and the development of therapeutic, synthetic, or natural systems, for the control of fish diseases.

(Pub. L. 95-113, title XIV, § 1475, as added Pub. L. 97-98, title XIV, § 1440(a), Dec. 22, 1981, 95 Stat. 1316; amended Pub. L. 99-198, title XIV, § 1429(a), Dec. 23, 1985, 99 Stat. 1555; Pub. L. 101-624, title XVI, § 1614(a), Nov. 28, 1990, 104 Stat. 3727; Pub. L. 104-66, title I, § 1011(u), Dec. 21, 1995, 109 Stat. 711.)

REFERENCES IN TEXT

The National Aquaculture Act of 1980, referred to in subsecs. (a), (b), and (c), is Pub. L. 96-362, Sept. 26, 1980, 94 Stat. 1198, which is classified generally to chapter 48 (§ 2801 et seq.) of Title 16, Conservation. For complete classification of this Act to the Code, see Short Title note set out under section 2801 of Title 16 and Tables.

AMENDMENTS

1995—Subsec. (e). Pub. L. 104-66 struck out “(1)” before “Not later than” and struck out par. (2) which required Secretary to conduct a study assessing economic impact of animal damage to the United States aquaculture industry.

1990—Subsec. (a). Pub. L. 101-624, § 1614(a)(1), inserted heading and substituted “United States and to enhance further the safety of food products derived from the aquaculture industry,” for “United States.”

Subsec. (b). Pub. L. 101-624, § 1614(a)(2), inserted heading, inserted “and sea grant” after “land-grant” in par.

(1), and inserted before period at end “and to enhance further the safety and wholesomeness of those species and products, including the development of reliable supplies of seed stock and therapeutic compounds”.

Subsec. (c). Pub. L. 101-624, § 1614(a)(3), inserted heading.

Subsec. (d). Pub. L. 101-624, § 1614(a)(4), inserted heading, substituted “five aquacultural” for “four aquacultural”, and inserted at end “To the extent practicable, the Secretary shall ensure that equitable efforts are made at these centers in addressing the research needs of those segments of the domestic aquaculture industry located within that region.”

Subsec. (e). Pub. L. 101-624, § 1614(a)(5), inserted heading, designated existing provisions as par. (1), substituted “Not later than March 1 of each year,” for “Not later than one year after the effective date of this subchapter and not later than March 1 of each subsequent year,” and added par. (2).

Subsecs. (f), (g). Pub. L. 101-624, § 1614(a)(6), added subsecs. (f) and (g).

1985—Subsec. (b). Pub. L. 99-198, § 1429(a)(1), (2), added par. (4) and inserted “(of which amount an in-kind contribution may not exceed 50 percent)” after “matching grant”.

Subsec. (d). Pub. L. 99-198, § 1429(a)(3), (4), substituted in first sentence “any of the non-Federal entities specified in subsection (b) of this section” for “State agencies (including State departments of agriculture), and land-grant colleges and universities,” and inserted provision respecting geographic location of aquaculture research, development, and demonstration centers.

Subsec. (e). Pub. L. 99-198, § 1429(a)(5), inserted “the House Committee on Merchant Marine and Fisheries.”

ABOLITION OF HOUSE COMMITTEE ON MERCHANT MARINE AND FISHERIES

Committee on Merchant Marine and Fisheries of House of Representatives abolished and its jurisdiction transferred by House Resolution No. 6, One Hundred Fourth Congress, Jan. 4, 1995. Committee on Merchant Marine and Fisheries of House of Representatives treated as referring to Committee on Science of House of Representatives in case of provisions relating to marine research by section 1(b)(3) of Pub. L. 104-14, set out as a note preceding section 21 of Title 2, The Congress.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 3321 of this title.

§ 3323. Aquaculture research facilities

(a) Grant authorized

In order to gain further knowledge of intensive water recirculating aquaculture systems, the Secretary may make grants for the purpose of further developing and expanding aquaculture research facilities at Illinois State University in Normal, Illinois, and Virginia Polytechnic Institute and State University in Blacksburg, Virginia, and to conduct such programs as are necessary to do basic and applied research for intensive water recirculating aquaculture systems.

(b) Authorization of appropriations

There are authorized, in the event the Secretary decides to take action under subsection (a) of this section, to be appropriated \$500,000 for each of the two facilities for fiscal years 1991 through 1995 to carry out this section.

(Pub. L. 95-113, title XIV, § 1476, as added Pub. L. 101-624, title XVI, § 1614(b)(1), Nov. 28, 1990, 104 Stat. 3728.)

PRIOR PROVISIONS

A prior section 3323, Pub. L. 95-113, title XIV, § 1476, as added Pub. L. 97-98, title XIV, § 1440(a), Dec. 22, 1981,

95 Stat. 1317, related to establishment, duration, and meetings of Aquaculture Advisory Board, and appointment and compensation of Board members, prior to repeal by Pub. L. 99-198, title XIV, §1429(b), Dec. 23, 1985, 99 Stat. 1556.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 3324 of this title.

§ 3324. Authorization of appropriations

There is authorized to be appropriated \$7,500,000 for each of the fiscal years 1991 through 1995. Funds appropriated under this section or section 3323 of this title may not be used to acquire or construct a building.

(Pub. L. 95-113, title XIV, §1477, as added Pub. L. 97-98, title XIV, §1440(a), Dec. 22, 1981, 95 Stat. 1318; amended Pub. L. 99-198, title XIV, §1429(c), Dec. 23, 1985, 99 Stat. 1556; Pub. L. 101-624, title XVI, §1614(c), Nov. 28, 1990, 104 Stat. 3728.)

AMENDMENTS

1990—Pub. L. 101-624 substituted “each of the fiscal years 1991 through 1995” for “each fiscal year beginning after the effective date of this subchapter, and ending with the fiscal year ending September 30, 1990” and inserted at end “Funds appropriated under this section or section 3323 of this title may not be used to acquire or construct a building.”

1985—Pub. L. 99-198 in amending section generally, struck out subsec. (a) designation, substituted “fiscal year ending September 30, 1990” for “fiscal year ending September 30, 1985, and not in excess of such sums as may after December 22, 1981, be authorized by law for any subsequent fiscal year”, and struck out subsec. (b) relating to allocation of funds and consultations by Secretary with Board in development of plans for use of funds.

SUBCHAPTER XII—RANGELAND RESEARCH

SECTION REFERRED TO IN OTHER SECTIONS

This subchapter is referred to in section 3103 of this title.

§ 3331. Congressional statement of purpose

It is the purpose of this subchapter to promote the general welfare through improved productivity of the Nation's rangelands, which comprise 60 per centum of the land area of the United States. Most of these rangelands are unsuited for cultivation, but produce a great volume of forage that is inedible by humans but readily converted, through an energy efficient process, to high quality food protein by grazing animals. These native grazing lands are located throughout the United States and are important resources for major segments of the Nation's livestock industry. In addition to the many livestock producers directly dependent on rangelands, other segments of agriculture are indirectly dependent on range-fed livestock and on range-produced forage that can be substituted for grain in times of grain scarcity. Recent resource assessments indicate that forage production of rangeland can be increased at least 100 per centum through development and application of improved range management practices while simultaneously enhancing wildlife, watershed, recreational, and aesthetic values and reducing hazards of erosion and flooding.

(Pub. L. 95-113, title XIV, §1478, as added Pub. L. 97-98, title XIV, §1440(a), Dec. 22, 1981, 95 Stat. 1318.)

EFFECTIVE DATE

Subchapter effective Dec. 22, 1981, see section 1801 of Pub. L. 97-98, set out as a note under section 4301 of this title.

§ 3332. Program; development, purposes, scope, etc.

The Secretary may develop and implement a cooperative rangeland research program in coordination with the program carried out under the Renewable Resources Extension Act of 1978 [16 U.S.C. 1671 et seq.], to improve the production and quality of desirable native forages or introduced forages which are managed in a similar manner to native forages for livestock and wildlife. The program shall include studies of: (1) management of rangelands and agricultural land as integrated systems for more efficient utilization of crops and waste products in the production of food and fiber; (2) methods of managing rangeland watersheds to maximize efficient use of water and improve water yield, water quality, and water conservation, to protect against onsite and offsite damage of rangeland resources from floods, erosion, and other detrimental influences, and to remedy unsatisfactory and unstable rangeland conditions; (3) revegetation and rehabilitation of rangelands including the control of undesirable species of plants; and (4) such other matters as the Secretary considers appropriate.

(Pub. L. 95-113, title XIV, §1479, as added Pub. L. 97-98, title XIV, §1440(a), Dec. 22, 1981, 95 Stat. 1318.)

REFERENCES IN TEXT

The Renewable Resources Extension Act of 1978, referred to in text, is Pub. L. 95-306, June 30, 1978, 92 Stat. 349, which is classified generally to subchapter III (§1671 et seq.) of chapter 36 of Title 16, Conservation. For complete classification of this Act to the Code, see Short Title of 1978 Amendments note set out under section 1600 of Title 16 and Tables.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 3334 of this title.

§ 3333. Grants; eligible institutions; amounts

The Secretary may make grants to land-grant colleges and universities, State agricultural experiment stations, and to colleges, universities, and Federal laboratories having a demonstrable capacity in rangeland research, as determined by the Secretary, to carry out rangeland research. Except in the case of Federal laboratories, this grant program shall be based on a matching formula of 50 per centum Federal and 50 per centum non-Federal funding.

(Pub. L. 95-113, title XIV, §1480, as added Pub. L. 97-98, title XIV, §1440(a), Dec. 22, 1981, 95 Stat. 1319.)

§ 3334. Reporting requirements

Not later than one year after December, 22, 1981, and not later than March 1 of each successive year, the Secretary shall submit a report to the President, the House Committee on Agriculture, the House Committee on Appropriations, the Senate Committee on Agriculture, Nutrition, and Forestry, and the Senate Com-

mittee on Appropriations, outlining the progress of the Department of Agriculture in meeting the program requirements set forth in section 3332 of this title.

(Pub. L. 95-113, title XIV, § 1481, as added Pub. L. 97-98, title XIV, § 1440(a), Dec. 22, 1981, 95 Stat. 1319.)

§ 3335. Rangeland Research Advisory Board; establishment, duration, etc.

(a) The Secretary shall establish a board to be known as the Rangeland Research Advisory Board which shall have a term that expires September 30, 1995, and which shall be composed of the following twelve members appointed by the Secretary:

- (1) four representatives of agencies of the Department of Agriculture which have significant research, extension, or teaching responsibilities;
- (2) four representatives of the State agricultural experiment stations; and
- (3) four representatives of national rangeland and range livestock organizations.

The members shall serve without compensation, if not otherwise officers or employees of the United States, except that they shall, while away from their homes or regular places of business in the performance of services for the Board, be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in the Government service are allowed expenses under sections 5701 through 5707 of title 5.

(b) The Board shall meet at the call of the Secretary, but at least once annually, to consult with and advise the Secretary with respect to the implementation of this subchapter and to recommend priorities for the conduct of programs authorized under this subchapter, under such rules and procedures for conducting business as the Secretary shall prescribe.

(Pub. L. 95-113, title XIV, § 1482, as added Pub. L. 97-98, title XIV, § 1440(a), Dec. 22, 1981, 95 Stat. 1319; amended Pub. L. 99-198, title XIV, § 1430(a), Dec. 23, 1985, 99 Stat. 1556; Pub. L. 101-624, title XVI, § 1601(b)(6), Nov. 28, 1990, 104 Stat. 3703.)

AMENDMENTS

1990—Subsec. (a). Pub. L. 101-624 substituted “1995” for “1990”.

1985—Subsec. (a). Pub. L. 99-198 substituted “1990” for “1985”.

§ 3336. Authorization of appropriations; allocation of funds

(a) There are authorized to be appropriated, to implement the provisions of this subchapter, such sums not to exceed \$10,000,000 for each of the fiscal years 1991 through 1995.

(b) Funds appropriated under this section shall be allocated by the Secretary to eligible institutions for work to be done as mutually agreed upon between the Secretary and the eligible institution or institutions. The Secretary shall, whenever possible, consult with the Board in developing plans for the use of these funds.

(Pub. L. 95-113, title XIV, § 1483, as added Pub. L. 97-98, title XIV, § 1440(a), Dec. 22, 1981, 95 Stat.

1319; amended Pub. L. 99-198, title XIV, § 1430(b), Dec. 23, 1985, 99 Stat. 1556; Pub. L. 101-624, title XVI, § 1601(b)(7), Nov. 28, 1990, 104 Stat. 3703.)

AMENDMENTS

1990—Subsec. (a). Pub. L. 101-624 substituted “for each of the fiscal years 1991 through 1995” for “annually for the period beginning October 1, 1981, and ending September 30, 1990”.

1985—Subsec. (a). Pub. L. 99-198 substituted “1990” for “1985, and thereafter such sums as may after the date of enactment of this subchapter be authorized by law for any subsequent fiscal year”.

CHAPTER 65—WHEAT AND WHEAT FOODS RESEARCH AND NUTRITION EDUCATION

- | | |
|-------|--|
| Sec. | |
| 3401. | Congressional findings and declaration of policy. |
| 3402. | Definitions. |
| 3403. | Issuance of orders. <ol style="list-style-type: none"> (a) Notice and hearing. (b) Effectuation of Congressional policy. |
| 3404. | Permissive terms and conditions of orders. <ol style="list-style-type: none"> (a) Nutrition education plans. (b) Research and studies. (c) Records and reports; confidential information; penalties. (d) Assessment exemption. (e) Miscellaneous terms and conditions. |
| 3405. | Wheat Industry Council. <ol style="list-style-type: none"> (a) Establishment; powers. (b) Membership. (c) Research and nutrition education plans. (d) Budgets. (e) Processed wheat assessment; payment by end product manufacturers. (f) Maintenance of records. (g) Contracts. (h) Investment of assessment funds. (i) Lobbying restriction. (j) Reimbursement of expenses. |
| 3406. | Exemption for retail bakers. |
| 3407. | Referendum. |
| 3408. | Refund of processed wheat assessment. <ol style="list-style-type: none"> (a) Election of end product manufacturers to seek refunds. (b) Refund demand; rules and regulations. |
| 3409. | Petition and review. <ol style="list-style-type: none"> (a) Petition; hearing; ruling. (b) Judicial review; jurisdiction; process; remand. |
| 3410. | Enforcement of orders and regulations. <ol style="list-style-type: none"> (a) Jurisdiction; reference of civil actions to Attorney General. (b) Penalties. (c) Other remedies. |
| 3411. | Suspension and termination of orders. <ol style="list-style-type: none"> (a) Authority and responsibility of Secretary. (b) Referendum. (c) Suspension or termination of order not to be considered an order. |
| 3412. | Investigations; power to subpoena and take oaths and affirmations; aid of courts. |
| 3413. | Certification of organizations. |
| 3414. | Other programs relating to wheat or wheat food research or nutrition education. |
| 3415. | Regulations. |
| 3416. | Amendments to orders. |
| 3417. | Authorization of appropriations. |

§ 3401. Congressional findings and declaration of policy

(a) Wheat is basic to the American diet and the American economy. It is grown by thou-