

Par. (17). Pub. L. 105-185, §221(c)(2), substituted “The term” for “the term”.

1996—Par. (1). Pub. L. 104-127, §802(b)(1), substituted “National Agricultural Research, Extension, Education, and Economics Advisory Board” for “National Agricultural Research and Extension Users Advisory Board”.

Par. (3). Pub. L. 104-127, §820(a), inserted “ornamental fish,” after “reptile.”

Par. (9). Pub. L. 104-127, §815(b), amended par. (9) generally. Prior to amendment, par. (9) read as follows: “the term ‘Joint Council’ means the Joint Council on Food and Agricultural Sciences;”.

Pars. (16) to (18). Pub. L. 104-127, §853(b)(1), inserted “and” at end of par. (16), substituted a period for “; and” at end of par. (17), and struck out par. (18) which read as follows: “the term ‘Technology Board’ means the Agricultural Science and Technology Review Board established in section 3123a of this title.”

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).

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2008 AMENDMENT

Amendment of this section and repeal of Pub. L. 110-234 by Pub. L. 110-246 effective May 22, 2008, the date of enactment of Pub. L. 110-234, see section 4 of Pub. L. 110-246, set out as an Effective Date note under section 8701 of this title.

EFFECTIVE DATE OF 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.

CONSTRUCTION OF 2002 AMENDMENT

Pub. L. 107-171, title VII, §7502(b), May 13, 2002, 116 Stat. 463, provided that: “The amendments made by

subsection (a) [amending this section] shall not affect any basis for distribution of funds by formula (in effect on the date of enactment of this Act [May 13, 2002]) to—

“(1) the Federated States of Micronesia;

“(2) the Republic of the Marshall Islands; or

“(3) the Republic of Palau.”

DESIGNATION REVIEW

Pub. L. 115-334, title VII, §7102(b), Dec. 20, 2018, 132 Stat. 4781, provided that:

“(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act [Dec. 20, 2018], the Secretary [of Agriculture] shall establish a process to review each designated NLGCA Institution (as defined in section 1404(14)(A) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3103(14)(A))) to ensure compliance with such section, as amended by this subsection [probably means “as amended by this section”].

“(2) REVOCATION.—An NLGCA Institution that the Secretary determines under subparagraph (A) to be not in compliance shall have the designation of such institution revoked.”

Executive Documents

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.

§3104. Agriculture research; declaration of policy; duties of Secretary of Agriculture; use of existing facilities

It is declared to be the policy of the Congress to promote the efficient production and utilization of products of the soil as essential to the health and welfare of our people and to promote a sound and prosperous agriculture and rural life as indispensable to the maintenance of maximum employment and national prosperity. It is also the intent of Congress to assure agriculture a position in research equal to that of industry which will aid in maintaining an equitable balance between agriculture and other sections of our economy. For the attainment of these objectives, the Secretary of Agriculture is authorized and directed to conduct and to stimulate research into the laws and principles underlying the basic problems of agriculture in its broadest aspects, including but not limited to: Research relating to the improvement of the quality of, and the development of new and improved methods of the production, marketing, distribution, processing, and utilization of plant and animal commodities at all stages from the original producer through to the ultimate consumer; research into the problems of human nutrition and the nutritive value of agricultural commodities, with particular reference to their content of vitamins, minerals, amino and fatty acids, and all other constituents that may be found necessary for the health of the consumer and to the gains or losses in nutritive value that may take place at any stage in their production, distribution, processing, and preparation for use by the consumer; research relating to the development of present, new, and extended uses and markets for agricultural commodities and byproducts as food or in commerce, manufacture, or trade, both at home and abroad, with particular reference to those foods and fibers for which our

capacity to produce exceeds or may exceed existing economic demand; research to encourage the discovery, introduction, and breeding of new and useful agricultural crops, plants, and animals, both foreign and native, particularly for those crops and plants which may be adapted to utilization in chemical and manufacturing industries; research relating to new and more profitable uses for our resources of agricultural manpower, soils, plants, animals, and equipment than those to which they are now, or may hereafter be, devoted; research relating to the conservation, development, and use of land, forest, and water resources for agricultural purposes; research relating to the design, development, and the more efficient and satisfactory use of farm buildings, farm homes, farm machinery, including the application of electricity and other forms of power; research and development relating to uses of solar energy with respect to farm buildings, farm homes, and farm machinery (including equipment used to dry and cure crops and provide irrigation); applied research to develop agricultural, forestry, and rural energy conservation and biomass energy production and use; research relating to the diversification of farm enterprises, both as to the type of commodities produced, and as to the types of operations performed, on the individual farm; research relating to any other laws and principles that may contribute to the establishment and maintenance of a permanent and effective agricultural industry including such investigations as have for their purpose the development and improvement of the rural home and rural life, and the maximum contribution by agriculture to the welfare of the consumer and the maintenance of maximum employment and national prosperity; and such other researches or experiments bearing on the agricultural industry or on rural homes of the United States as may in each case be deemed¹ advisable, having due regard to the varying conditions and needs of Puerto Rico, the respective States, and Territories. In effectuating the purposes of this section, maximum use shall be made of existing research facilities owned or controlled by the Federal Government or by State agricultural experiment stations and of the facilities of the Federal and State extension services. Research authorized under this section shall be in addition to research provided for under existing law (but both activities shall be coordinated so far as practicable). For purposes of this title,² the term "solar energy" means energy derived from sources (other than fossil fuels) and technologies included in the Federal Non-Nuclear³ Energy Research and Development Act of 1974, as amended [42 U.S.C. 5901 et seq.].

(June 29, 1935, ch. 338, title I, § 1, 49 Stat. 436; Aug. 14, 1946, ch. 966, title I, § 101(1), 60 Stat. 1082; Pub. L. 95-113, title XIV, § 1446, Sept. 29, 1977, 91 Stat. 1011; Pub. L. 96-294, title II, § 253, June 30, 1980, 94 Stat. 707.)

¹ So in original. Probably should be "deemed".

² See References in Text note below.

³ So in original. Probably should be "Nonnuclear".

Editorial Notes

REFERENCES IN TEXT

This title, referred to in text, means title I of act June 29, 1935, ch. 338, 49 Stat. 436. For complete classification of this Act to the Code, see Short Title of 1935 Amendment note set out under section 3101 of this title and Tables.

The Federal Nonnuclear Energy Research and Development Act of 1974, as amended, referred to in text, is Pub. L. 93-577, Dec. 31, 1974, 88 Stat. 1878, which is classified generally to chapter 74 (§5901 et seq.) of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Short Title note set out under section 5901 of Title 42 and Tables.

CODIFICATION

Section was formerly classified to section 427 of this title prior to editorial reclassification and renumbering as this section.

Section was enacted as part of act June 29, 1935, ch. 338, popularly known as the "Agricultural Research Act" and also as the "Bankhead-Jones Act", and not as part of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 which comprises this chapter.

Another section 1446 of Pub. L. 95-113 is classified to section 3222a of this title.

AMENDMENTS

1980—Pub. L. 96-294 inserted provisions relating to applied research to develop agricultural, forestry, and rural energy conservation and biomass energy production and use.

1977—Pub. L. 95-113 inserted reference to research and development relating to uses of solar energy with respect to farm buildings, farm homes, and farm machinery (including equipment used to dry and cure crops and provide irrigation) and inserted definition of "solar energy".

1946—Act Aug. 14, 1946, amended section generally to provide for a greatly augmented research program in order to enable agriculture to attain a position in research comparable to that of other industries.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1977 AMENDMENT

Amendment by Pub. L. 95-113 effective Oct. 1, 1977, see section 1901 of Pub. L. 95-113, set out as a note under section 1307 of this title.

Executive Documents

TRANSFER OF FUNCTIONS

Functions of all officers, agencies, and employees of Department of Agriculture transferred, with certain exceptions, to Secretary of Agriculture by 1953 Reorg. Plan No. 2, § 1, eff. June 4, 1953, 18 F.R. 3219, 67 Stat. 633, set out as a note under section 2201 of this title.

EX. ORD. NO. 9310. TRANSFERRING NUTRITION FUNCTIONS OF OFFICE OF DEFENSE HEALTH AND WELFARE SERVICES TO DEPARTMENT OF AGRICULTURE

Ex. Ord. No. 9310, Mar. 6, 1943, 8 F.R. 2913, provided: By virtue of the authority vested in me by Title I of the First War Powers Act, 1941 [former sections 601 to 605 of the former Appendix to Title 50], as President of the United States, and in order to enable the Secretary of Agriculture more effectively to carry out his responsibilities with respect to the Nation's food program, it is hereby ordered:

1. The functions, powers, and duties, with respect to nutrition, (a) of the Office of Defense Health and Welfare Services in the Office for Emergency Management of the Executive Office of the President (including all functions, powers, and duties of the Nutrition Division of the Office of Defense Health and Welfare Services),

and (b) of the Director of the Office of Defense Health and Welfare Services, are transferred to the Department of Agriculture and shall be administered under the supervision and direction of the Secretary of Agriculture through such agency or agencies in the Department as the Secretary shall designate.

2. The personnel, property, and records used primarily in the administration of the functions, powers, and duties transferred by this Order are transferred to the Department of Agriculture. So much of the unexpended balances of appropriations, allocations, and other funds available for the use of the Office of Defense Health and Welfare Services in discharging the functions, powers, and duties transferred by this Order, as the Director of the Bureau of the Budget shall determine, shall be transferred to the Department of Agriculture for use in connection with the exercise of the functions, powers, and duties so transferred. In determining the amounts to be transferred hereunder, allowance shall be made for the liquidation of obligations previously incurred against such appropriations, allocations, or other funds.

FRANKLIN D. ROOSEVELT.

§ 3105. Agricultural research; authorization of additional appropriations; administrative expenses; availability of special research fund

(a) In order to carry out further research on utilization and associated problems in connection with the development and application of present, new, and extended uses of agricultural commodities and products thereof authorized by section 3104 of this title, and to disseminate information relative thereto, and in addition to all other appropriations authorized by this title,¹ there is authorized to be appropriated the following sums:

- (1) \$3,000,000 for the fiscal year ending June 30, 1947, and each subsequent fiscal year.
- (2) An additional \$3,000,000 for the fiscal year ending June 30, 1948, and each subsequent fiscal year.
- (3) An additional \$3,000,000 for the fiscal year ending June 30, 1949, and each subsequent fiscal year.
- (4) An additional \$3,000,000 for the fiscal year ending June 30, 1950, and each subsequent fiscal year.
- (5) An additional \$3,000,000 for the fiscal year ending June 30, 1951, and each subsequent fiscal year.
- (6) In addition to the foregoing, such additional funds beginning with the fiscal year ending June 30, 1952, and thereafter, as the Congress may deem necessary.

The Secretary of Agriculture, in accordance with such regulations as he deems necessary, and when in his judgment the work to be performed will be carried out more effectively, more rapidly, or at less cost than if performed by the Department of Agriculture, may enter into contracts with such public or private organizations or individuals as he may find qualified to carry on work under this section without regard to the provisions of section 6101 of title 41, and with respect to such contracts he may make advance progress or other payments without regard to the provisions of section 3324(a) and (b) of title 31. Contracts under this section may be made for work to continue not more than four

years from the date of any such contract. Notwithstanding the provisions of section 5 of the Act of June 20, 1874, as amended (31 U.S.C. 713),¹ any unexpended balances of appropriations properly obligated by contracting with an organization as provided in this subsection may remain upon the books of the Treasury for not more than five fiscal years before being carried to the surplus fund and covered into the Treasury. Research authorized under this subsection shall be conducted so far as practicable at laboratories of the Department of Agriculture. Projects conducted under contract with public and private agencies shall be supplemental to and coordinated with research of these laboratories. Any contracts made pursuant to this authority shall contain requirements making the results of research and investigations available to the public through dedication, assignment to the Government, or such other means as the Secretary shall determine.

(b) In order to carry out further the purposes of section 3104 of this title, other than research on utilization of agricultural commodities and the products thereof, and in addition to all other appropriations authorized by this title,¹ there is authorized to be appropriated for cooperative research with the State agricultural experiment stations and such other appropriate agencies as may be mutually agreeable to the Department of Agriculture and the experiment stations concerned, the following sums:

- (1) \$1,500,000 for the fiscal year ending June 30, 1947, and each subsequent fiscal year.
- (2) An additional \$1,500,000 for the fiscal year ending June 30, 1948, and each subsequent fiscal year.
- (3) An additional \$1,500,000 for the fiscal year ending June 30, 1949, and each subsequent fiscal year.
- (4) An additional \$1,500,000 for the fiscal year ending June 30, 1950, and each subsequent fiscal year.
- (5) In addition to the foregoing such additional funds beginning with the fiscal year ending June 30, 1951, and thereafter, as the Congress may deem necessary.

(c) The Secretary may incur necessary administrative expenses not to exceed 3 per centum of the amount appropriated in any fiscal year in carrying out this section, including the specific objects of expense enumerated in section 427b¹ of this title.

(d) The "Special research fund, Department of Agriculture," provided by section 427c¹ of this title, shall continue to be available solely for research into laws and principles underlying basic problems of agriculture in its broadest aspects; research relating to the improvement of the quality of, and the development of, new and improved methods of production of, distribution of, and new and extended uses and markets for, agricultural commodities and byproducts and manufactures thereof; and research relating to the conservation, development, and use of land and water resources for agricultural purposes. Such research shall be in addition to research provided for under other law (but both activities shall be coordinated so far as practicable) and shall be conducted by such agencies of the Department of Agriculture as the Secretary of Agriculture may designate or establish.

¹ See References in Text note below.