

(b) of this section for like purpose shall be designated as the "Regional research fund, State agricultural experiment stations";

Pub. L. 105-185, §104(a)(1)(A), redesignated par. 3 as (3).

Subsec. (c)(4), (5). Pub. L. 105-185, §104(a)(1)(A), redesignated par. 5 as (4).

Subsec. (d). Pub. L. 105-185, §203(a), added subsec. (d) and struck out former subsec. (d) which read as follows: "Of any amount in excess of \$90,000 available under sections 361a to 361i of this title for allotment to any State, exclusive of the regional research fund, State agricultural experiment stations, no allotment and no payments thereof shall be made in excess of the amount which the State makes available out of its own funds for research and for the establishment and maintenance of facilities necessary for the prosecution of such research: *And provided further*, That if any State fails to make available for such research purposes for any fiscal year a sum equal to the amount in excess of \$90,000 to which it may be entitled for such year, the remainder of such amount shall be withheld by the Secretary of Agriculture and reapportioned among the States."

Subsec. (d)(1). Pub. L. 105-277, §101(a) [title VII, §753(d)(1)], substituted "Except as provided in paragraph (4), no" for "No".

Subsec. (d)(4). Pub. L. 105-277, §101(a) [title VII, §753(d)(2)], added par. (4).

Subsec. (e). Pub. L. 105-185, §104(b)(2), substituted "subsection (c)(3)" for "subsection (c)3".

Subsec. (h). Pub. L. 105-185, §104(a)(2), added subsec. (h).

Subsec. (i). Pub. L. 105-185, §204(a), added subsec. (i). 1996—Subsec. (c)(3). Pub. L. 104-127 struck out " and shall be used only for such cooperative regional projects as are recommended by a committee of nine persons elected by and representing the directors of the State agricultural experiment stations, and approved by the Secretary of Agriculture. The necessary travel expenses of the committee of nine persons in performance of their duties may be paid from the fund established by this paragraph" before semicolon at end.

1990—Subsec. (d). Pub. L. 101-624 inserted before period at end "and reapportioned among the States".

1981—Subsec. (g). Pub. L. 97-98 added subsec. (g).

1977—Subsec. (c)(4). Pub. L. 95-113, §1466(a), struck out par. (4) which provided that not less than 20 per centum of any sums appropriated pursuant to subsec. (c) for distribution to States be used for conducting marketing research projects approved by the Department of Agriculture.

Subsec. (c)(5). Pub. L. 95-113, §1466(b), inserted provision authorizing the use of administrative funds for the 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.

1972—Subsec. (b). Pub. L. 92-318 designated existing provisions as par. (1) and added par. (2).

1955—Act Aug. 11, 1955, amended section generally to authorize appropriations and to provide for allotment of grants. For provisions which related to advice and assistance by the Secretary of Agriculture, see section 361g of this title.

#### 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 1998 AMENDMENT

Amendment by Pub. L. 105-277 effective June 23, 1998, see section 101(a) [title VII, §753(f)] of Pub. L. 105-277, set out as a note under section 343 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 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.

#### EFFECTIVE DATE OF 1972 AMENDMENT

Amendment by Pub. L. 92-318 effective after June 30, 1970, see section 506(n) of Pub. L. 92-318, set out as an Effective Date note under section 326a of this title.

### § 361d. Use of funds

Moneys appropriated pursuant to sections 361a to 361i of this title shall also be available, in addition to meeting expenses for research and investigations conducted under authority of section 361b of this title, for printing and disseminating the results of such research, retirement of employees subject to the provisions of section 331 of this title, administrative planning and direction, and for the purchase and rental of land and the construction, acquisition, alteration, or repair of buildings necessary for conducting research. The State agricultural experiment stations are authorized to plan and conduct any research authorized under section 361b of this title in cooperation with each other and such other agencies and individuals as may contribute to the solution of the agricultural problems involved, and moneys appropriated pursuant to sections 361a to 361i of this title shall be available for paying the necessary expenses of planning, coordinating, and conducting such cooperative research.

(Mar. 2, 1887, ch. 314, §4, 24 Stat. 441; Aug. 11, 1955, ch. 790, §1, 69 Stat. 672.)

#### CODIFICATION

Section was formerly classified to section 365 of this title.

#### AMENDMENTS

1955—Act Aug. 11, 1955, amended section generally to provide for printing and disseminating the results of research, retirement of employees, administrative planning and direction, purchase and rental of land, and the construction, acquisition, alteration, or repair of buildings necessary for conducting research. Former provisions which related to issuance and free mailing of publications are now contained in section 361f of this title.

### § 361e. Payment of allotments to State agricultural experiment stations; directors and treasurers or other officers; accounting; reports to Secretary; replacement by States of diminished, lost or misapplied allotments; subsequent allotments or payments contingent on such replacement

Sums available for allotment to the States under the terms of sections 361a to 361i of this title, excluding the Multistate Research Fund, State Agricultural Experiment Stations, shall be paid to each State agricultural experiment station in equal quarterly payments beginning on the first day of October of each fiscal year upon vouchers approved by the Secretary of Agriculture. Each such station authorized to receive allotted funds shall have a chief administrative officer known as a director, and a treasurer or other officer appointed by the governing board of the station. Such treasurer or other officer shall receive and account for all funds al-

lotted to the State under the provisions of sections 361a to 361i of this title and shall report, with the approval of the director, to the Secretary of Agriculture on or before the first day of December of each year a detailed statement of the amount received under provisions of said sections during the preceding fiscal year, and of its disbursement on schedules prescribed by the Secretary of Agriculture. If any portion of the allotted moneys received by the authorized receiving officer of any State agricultural experiment station shall by any action or contingency be diminished, lost, or misapplied, it shall be replaced by the State concerned and until so replaced no subsequent appropriation shall be allotted or paid to such State.

(Mar. 2, 1887, ch. 314, § 5, 24 Stat. 441; Aug. 11, 1955, ch. 790, § 1, 69 Stat. 673; Pub. L. 94-273, § 9(2), Apr. 21, 1976, 90 Stat. 378; Pub. L. 105-185, title II, § 203(c)(3), June 23, 1998, 112 Stat. 535.)

#### CODIFICATION

Section was formerly classified to section 368a of this title. See sections 361c and 361d of this title.

#### AMENDMENTS

1998—Pub. L. 105-185, § 203(c)(3), substituted “Multi-state Research Fund, State Agricultural Experiment Stations” for “regional research fund authorized by section 361c(c)(3) of this title” in first sentence.

1976—Pub. L. 94-273 substituted “October” for “July” and “December” for “September”.

1955—Act Aug. 11, 1955, amended section generally to provide for quarterly payment of allotments, to require annual report of allotments and disbursements, and to provide for replacement of funds diminished, lost, or misapplied. For provisions which authorized appropriations for investigations and experiments, see sections 361c and 361d of this title.

### § 361f. Publications of experiment stations; free mailing

Bulletins, reports, periodicals, reprints of articles, and other publications necessary for the dissemination of results of the researches and experiments, including lists of publications available for distribution by the experiment stations, shall be transmitted in the mails of the United States. Such publications may be mailed from the principal place of business of the station or from an established subunit of said station.

(Mar. 2, 1887, ch. 314, § 6, 24 Stat. 441; Aug. 11, 1955, ch. 790, § 1, 69 Stat. 673; Pub. L. 91-375, § 4(a), Aug. 12, 1970, 84 Stat. 773; Pub. L. 110-234, title VII, § 7404(b)(1), May 22, 2008, 122 Stat. 1247; Pub. L. 110-246, § 4(a), title VII, § 7404(b)(1), June 18, 2008, 122 Stat. 1664, 2008.)

#### CODIFICATION

Pub. L. 110-234 and Pub. L. 110-246 made identical amendments to this section. The amendments by Pub. L. 110-234 were repealed by section 4(a) of Pub. L. 110-246.

Section was formerly classified to section 377 of this title. See section 361g of this title.

#### AMENDMENTS

2008—Pub. L. 110-246, § 7404(b)(1), in first sentence, struck out before period at end “under penalty indicia: *Provided, however,* That each publication shall bear such indicia as are prescribed by the United States Postal Service and shall be mailed under such regula-

tions as the United States Postal Service may from time to time prescribe”.

1955—Act Aug. 11, 1955, amended section generally to authorize free mailing of publications by the agricultural experiment stations. For provisions which related to the unexpended balance of annual appropriation, see section 361g of this title.

#### 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.

#### TRANSFER OF FUNCTIONS

“United States Postal Service” substituted in text for “Postmaster General” pursuant to Pub. L. 91-375, § 4(a), Aug. 12, 1970, 84 Stat. 773, set out as a note under section 201 of Title 39, Postal Service, which abolished office of Postmaster General of Post Office Department and transferred its functions to United States Postal Service.

### § 361g. Duties of Secretary; ascertainment of entitlement of State to funds; plans of work

#### (a) Duties of Secretary

The Secretary of Agriculture is charged with the responsibility for the proper administration of sections 361a to 361i of this title, 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 said sections, including participation in coordination of research initiated under said sections by the State agricultural experiment stations, from time to time to indicate such lines of inquiry as to him seem most important, and to encourage and assist in the establishment and maintenance of cooperation by and between the several State agricultural experiment stations, and between the stations and the United States Department of Agriculture.

#### (b) Ascertainment of entitlement

On or before the first day of October in each year after the passage of sections 361a to 361i of this title, the Secretary of Agriculture shall ascertain as to each State whether it is entitled to receive its share of the annual appropriations for agricultural experiment stations under said sections and the amount which thereupon each is entitled, respectively, to receive.

#### (c) Carryover

##### (1) In general

The balance of any annual funds provided under sections 361a to 361i of this title to a State agricultural experiment station for a fiscal year that remains unexpended at the end of the fiscal year may be carried over for use during the following fiscal year.

##### (2) Failure to expend full allotment

###### (A) In general

If any unexpended balance carried over by a State is not expended by the end of the second fiscal year, an amount equal to the unexpended balance shall be deducted from the next succeeding annual allotment to the State.