

gency Management Agency, and others,” for “Federal Preparedness Agency, and others”, and inserted “Department of State.”.

#### TRANSFER OF FUNCTIONS

For transfer of all functions, personnel, assets, components, authorities, grant programs, and liabilities of the Federal Emergency Management Agency, including the functions of the Under Secretary for Federal Emergency Management relating thereto, to the Federal Emergency Management Agency, see section 315(a)(1) of Title 6, Domestic Security.

For transfer of functions, personnel, assets, and liabilities of the Federal Emergency Management Agency, including the functions of the Director of the Federal Emergency Management Agency relating thereto, to the Secretary of Homeland Security, and for treatment of related references, see former section 313(1) and sections 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.

#### § 178j. Laws governing inventions under this subchapter

Relative to the definitions of, title to, and licensing of inventions made or conceived in the course of or under any contract or grant pursuant to this subchapter, and notwithstanding any other provisions of law, the provisions of sections 5908 and 5909 of title 42 shall govern.

(Pub. L. 95-592, § 12, Nov. 4, 1978, 92 Stat. 2533.)

#### § 178k. Disposition of byproducts and strategic and industrially important products

The Secretaries may dispose of any latex, resin, wax, pulp, and any other byproducts, as well as products, other than rubber, developed from agricultural crops which are of strategic and industrial importance, resulting from operations under this subchapter. Dispositions under this section may include sales of the materials involved to other Federal departments and agencies for testing purposes. All moneys received from dispositions under this section shall be paid into the Treasury as miscellaneous receipts.

(Pub. L. 95-592, § 13, Nov. 4, 1978, 92 Stat. 2533; Pub. L. 98-284, § 12, May 16, 1984, 98 Stat. 184.)

#### AMENDMENTS

1984—Pub. L. 98-284, substituted “The Secretaries” for “The Secretary of Agriculture and the Secretary of Commerce”, and inserted “, as well as products, other than rubber, developed from agricultural crops which are of strategic and industrial importance,” and “Dispositions under this section may include sales of the materials involved to other Federal departments and agencies for testing purposes.”

#### § 178l. Rules and regulations

The Secretaries may issue rules and regulations necessary to effectuate the purposes of this subchapter.

(Pub. L. 95-592, § 14, Nov. 4, 1978, 92 Stat. 2533; Pub. L. 98-284, § 13, May 16, 1984, 98 Stat. 184.)

#### AMENDMENTS

1984—Pub. L. 98-284 substituted “The Secretaries” for “The Secretary of Agriculture and the Secretary of Commerce”.

#### § 178m. Report to President and Congress

The Secretaries shall submit to the President and the Congress, no later than December 31, 1980, and each year thereafter through 1987, a report on the status of the research, development, and other work underway under this subchapter. Such report shall (1) recommend specific directions for further research, development and other work, and (2) recommend funding levels for various elements of the overall project.

(Pub. L. 95-592, § 15, Nov. 4, 1978, 92 Stat. 2533; Pub. L. 98-284, § 14, May 16, 1984, 98 Stat. 184.)

#### AMENDMENTS

1984—Pub. L. 98-284 substituted “The Secretaries” for “The Secretary of Agriculture and the Secretary of Commerce” and “1987” for “1982”.

#### § 178n. Administration and funding

##### (a) Authorization of appropriations to Secretary of Agriculture

There are authorized to be appropriated to the Secretary of Agriculture such sums as are necessary to carry out this subchapter in each of the fiscal years 1991 through 2012.

##### (b) Administration and management

No more than 3 per centum of funds authorized under subsection (a) of this section shall be available for administration and management of the program.

##### (c) Contract authority as limited by amounts provided in appropriations acts

Notwithstanding any other provision of this subchapter the authority to enter into contracts shall be effective for any fiscal year only to such extent or in such amounts as are provided in appropriations Acts.

##### (d) Activities limited to critical materials other than native latex after fiscal 1988

Notwithstanding any other provision of this subchapter, the Secretaries and the Joint Commission shall limit their activities under this subchapter to critical agricultural materials other than native latex after the close of the fiscal year ending September 30, 1988.

(Pub. L. 95-592, § 16, Nov. 4, 1978, 92 Stat. 2534; Pub. L. 98-284, § 15, May 16, 1984, 98 Stat. 184; Pub. L. 101-624, title XVI, § 1601(e), Nov. 28, 1990, 104 Stat. 3704; Pub. L. 104-127, title VIII, § 881(b), Apr. 4, 1996, 110 Stat. 1175; Pub. L. 105-185, title III, § 301(c), June 23, 1998, 112 Stat. 563; Pub. L. 107-171, title VII, § 7138, May 13, 2002, 116 Stat. 436; Pub. L. 110-234, title VII, § 7401, May 22, 2008, 122 Stat. 1245; Pub. L. 110-246, § 4(a), title VII, § 7401, June 18, 2008, 122 Stat. 1664, 2007.)

#### CODIFICATION

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

#### AMENDMENTS

2008—Subsec. (a). Pub. L. 110-246, § 7401, substituted “2012” for “2007”.

2002—Subsec. (a). Pub. L. 107-171 substituted “2007” for “2002”.

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

1996—Subsec. (a). Pub. L. 104-127 substituted “1997” for “1995”.

1990—Subsec. (a). Pub. L. 101-624, §1601(e)(1), added subsec. (a) and struck out former subsec. (a) which read as follows: “There is authorized to be appropriated to the Secretary of Agriculture \$2,500,000 for each of the fiscal years ending September 30, 1980, and September 30, 1981, \$5,000,000 for each of the fiscal years ending September 30, 1982, and September 30, 1983, \$5,000,000 for the fiscal year ending September 30, 1984, \$5,500,000 for the fiscal year ending September 30, 1985, \$6,500,000 for the fiscal year ending September 30, 1986, \$7,500,000 for the fiscal year ending September 30, 1987, and \$8,000,000 for the fiscal year ending September 30, 1988, to carry out the purposes of this subchapter. Funds appropriated under this paragraph shall be available for obligation until the last day of the fiscal year after the year for which such funds are authorized.”

Subsec. (b). Pub. L. 101-624, §1601(e)(2)–(4), redesignated subsec. (c) as (b) and substituted “subsection (a)” for “subsections (a) and (b)”, and struck out former subsec. (b) which read as follows: “There is authorized to be appropriated to the Secretary of Commerce \$2,500,000 for each of the fiscal years ending September 30, 1980, and September 30, 1981, \$5,000,000 for each of the fiscal years ending September 30, 1982, and September 30, 1983, \$2,500,000 for the fiscal year ending September 30, 1984, \$3,000,000 for the fiscal year ending September 30, 1985, \$3,500,000 for the fiscal year ending September 30, 1986, \$4,000,000 for the fiscal year ending September 30, 1987, and \$4,500,000 for the fiscal year ending September 30, 1988, to carry out the purposes of this subchapter. Funds appropriated under this paragraph shall be available for obligation until the last day of the fiscal year after the year for which such funds are authorized.”

Subsecs. (c) to (e). Pub. L. 101-624, §1601(e)(4), redesignated subsecs. (c) to (e) as (b) to (d), respectively.

1984—Subsec. (a). Pub. L. 98-284, §15(a), inserted “\$5,000,000 for the fiscal year ending September 30, 1984, \$5,500,000 for the fiscal year ending September 30, 1985, \$6,500,000 for the fiscal year ending September 30, 1986, \$7,500,000 for the fiscal year ending September 30, 1987, and \$8,000,000 for the fiscal year ending September 30, 1988.” and struck out “and” after “1981.”

Subsec. (b). Pub. L. 98-284, §15(b), inserted “\$2,500,000 for the fiscal year ending September 30, 1984, \$3,000,000 for the fiscal year ending September 30, 1985, \$3,500,000 for the fiscal year ending September 30, 1986, \$4,000,000 for the fiscal year ending September 30, 1987, and \$4,500,000 for the fiscal year ending September 30, 1988,” and struck out “and” after “1981.”

Subsec. (e). Pub. L. 98-284, §15(c), added subsec. (e).

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.

CHAPTER 9—PACKERS AND STOCKYARDS

SUBCHAPTER I—GENERAL DEFINITIONS

- Sec.
- 181. Short title.
- 182. Definitions.
- 183. When transaction deemed in commerce; “State” defined.

SUBCHAPTER II—PACKERS GENERALLY

PART A—GENERAL PROVISIONS

- 191. “Packer” defined.
- 192. Unlawful practices enumerated.
- 193. Procedure before Secretary for violations.
- 194. Conclusiveness of order; appeal and review.
- 195. Punishment for violation of order.
- 196. Statutory trust established; livestock.
- 197. Statutory trust established; poultry.

- Sec.
- 197a. Production contracts.
- 197b. Choice of law and venue.
- 197c. Arbitration.

PART B—SWINE PACKER MARKETING CONTRACTS

- 198. Definitions.
- 198a. Swine packer marketing contracts offered to producers.
- 198b. Report on the Secretary’s jurisdiction, power, duties, and authorities.

SUBCHAPTER III—STOCKYARDS AND STOCKYARD DEALERS

- 201. “Stockyard owner”; “stockyard services”; “market agency”; “dealer”; defined.
- 202. “Stockyard” defined; determination by Secretary as to particular yard.
- 203. Activity as stockyard dealer or market agency; benefits to business and welfare of stockyard; registration; penalty for failure to register.
- 204. Bond and suspension of registrants.
- 205. General duty as to services; revocation of registration.
- 206. Rates and charges generally; discrimination.
- 207. Schedule of rates.
- 208. Unreasonable or discriminatory practices generally; rights of stockyard owner of management and regulation.
- 209. Liability to individuals for violations; enforcement generally.
- 210. Proceedings before Secretary for violations.
- 211. Order of Secretary as to charges or practices; prescribing rates and practices generally.
- 212. Prescribing rates and practices to prevent discrimination between intrastate and interstate commerce.
- 213. Prevention of unfair, discriminatory, or deceptive practices.
- 214. Effective date of orders.
- 215. Failure to obey orders; punishment.
- 216. Proceedings to enforce orders; injunction.
- 217. Proceedings for suspension of orders.
- 217a. Fees for inspection of brands or marks.

SUBCHAPTER IV—LIVE POULTRY DEALERS AND HANDLERS

218 to 218d. Repealed.

SUBCHAPTER V—GENERAL PROVISIONS

- 221. Accounts and records of business; punishment for failure to keep.
- 222. Federal Trade Commission powers adopted for enforcement of chapter.
- 223. Responsibility of principal for act or omission of agent.
- 224. Attorney General to institute court proceedings for enforcement.
- 225. Laws unaffected.
- 226. Powers of Interstate Commerce Commission unaffected.
- 227. Powers of Federal Trade Commission and Secretary of Agriculture.
- 228. Authority of Secretary.
- 228a. Authority of Secretary to request temporary injunction or restraining order.
- 228b. Prompt payment for purchase of livestock.
- 228b-1. Final date for making payment to cash seller or poultry grower.
- 228b-2. Violations by live poultry dealers.
- 228b-3. Judicial review of order regarding live poultry dealer.
- 228b-4. Violation of final order by live poultry dealer; penalty.
- 228c. Federal preemption of State and local requirements.
- 228d. Annual assessment of cattle and hog industries.
- 229. Annual report.