

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.

§ 3103. Definitions

When used in this chapter:

(1) The term “Advisory Board” means the National Agricultural Research, Extension, Education, and Economics 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, ornamental fish, or aquatic plant, in controlled or selected environments.

(4) COLLEGE AND UNIVERSITY.—

(A) IN GENERAL.—The terms “college” and “university” mean an educational institution in any State which (i) 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, (ii) is legally authorized within such State to provide a program of education beyond secondary education, (iii) provides an educational program for which a bachelor’s degree or any other higher degree is awarded, (iv) is a public or other nonprofit institution, and (v) is accredited by a nationally recognized accrediting agency or association.

(B) INCLUSIONS.—The terms “college” and “university” include a research foundation maintained by a college or university described in subparagraph (A).

(5) 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.

(6) 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 sec-

tion 209(b) of the Act of October 26, 1974 (88 Stat. 1428, as amended; D.C. Code, sec. 31-1719(b)).

(7) The term “Department of Agriculture” means the United States Department of Agriculture.

(8) The term “extension” means the informal education programs conducted in the States in cooperation with the Department of Agriculture.

(9) FOOD AND AGRICULTURAL SCIENCES.—The term “food and agricultural sciences” means basic, applied, and developmental research, extension, and teaching activities in food and fiber, agricultural, renewable energy and natural resources, forestry, and physical and social sciences, including activities relating to the following:

(A) Animal health, production, and well-being.

(B) Plant health and production.

(C) Animal and plant germ plasm collection and preservation.

(D) Aquaculture.

(E) Food safety.

(F) Soil, water, and related resource conservation and improvement.

(G) Forestry, horticulture, and range management.

(H) Nutritional sciences and promotion.

(I) Farm enhancement, including financial management, input efficiency, and profitability.

(J) Home economics.

(K) Rural human ecology.

(L) Youth development and agricultural education, including 4-H clubs.

(M) Expansion of domestic and international markets for agricultural commodities and products, including agricultural trade barrier identification and analysis.

(N) Information management and technology transfer related to agriculture.

(O) Biotechnology related to agriculture.

(P) The processing, distributing, marketing, and utilization of food and agricultural products.

(10) HISPANIC-SERVING AGRICULTURAL COLLEGES AND UNIVERSITIES.—

(A) IN GENERAL.—The term “Hispanic-serving agricultural colleges and universities” means colleges or universities that—

(i) qualify as Hispanic-serving institutions; and

(ii) offer associate, bachelors, or other accredited degree programs in agriculture-related fields.

(B) EXCEPTION.—The term “Hispanic-serving agricultural colleges and universities” does not include 1862 institutions (as defined in section 7601 of this title).

(11) HISPANIC-SERVING INSTITUTION.—The term “Hispanic-serving institution” has the meaning given the term in section 1101a of title 20.

(12) INSULAR AREA.—The term “insular area” means—

(A) the Commonwealth of Puerto Rico;

(B) Guam;

(C) American Samoa;

- (D) the Commonwealth of the Northern Mariana Islands;
- (E) the Federated States of Micronesia;
- (F) the Republic of the Marshall Islands;
- (G) the Republic of Palau; and
- (H) the Virgin Islands of the United States.

(13) 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 Tuskegee University.

(14) NLGCA INSTITUTION; NON-LAND-GRANT COLLEGE OF AGRICULTURE.—

(A) IN GENERAL.—The terms “NLGCA Institution” and “non-land-grant college of agriculture” mean a public college or university offering a baccalaureate or higher degree in the study of agriculture or forestry.

(B) EXCLUSIONS.—The terms “NLGCA Institution” and “non-land-grant college of agriculture” do not include—

(i) Hispanic-serving agricultural colleges and universities; or

(ii) any institution designated under—

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

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

(III) the Equity in Educational Land-Grant Status Act of 1994 (Public Law 103–382; 7 U.S.C. 301 note); or

(IV) Public Law 87–788 (commonly known as the “McIntire-Stennis Cooperative Forestry Act”) (16 U.S.C. 582a et seq.).

(15) The term “Secretary” means the Secretary of Agriculture of the United States.

(16) STATE.—The term “State” means—

(A) a State;

(B) the District of Columbia; and

(C) any insular area.

(17) 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).

(18) 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 Tuskegee University;

(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.

(19) 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.

(20) TEACHING AND EDUCATION.—The terms “teaching” and “education” mean 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.

(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; Pub. L. 104–127, title VIII, §§802(b)(1), 815(b), 820(a), 853(b)(1), Apr. 4, 1996, 110 Stat. 1159, 1167, 1168, 1172; Pub. L. 105–185, title II, §§221, 226(c)(1), June 23, 1998, 112 Stat. 537, 543; Pub. L. 107–171, title VII, §7502(a), May 13, 2002, 116 Stat. 463; Pub. L. 110–234, title VII, §7101(a), May 22, 2008, 122 Stat. 1212; Pub. L. 110–246, §4(a), title VII, §7101(a), June 18, 2008, 122 Stat. 1664, 1973.)

REFERENCES IN TEXT

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

Act of October 10, 1962, or Public Law 87–788, referred to in pars. (5), (14)(B)(ii)(IV), and (18)(E), is Pub. L. 87–788, Oct. 10, 1962, 76 Stat. 806, popularly known as the “McIntire-Stennis Act of 1962” and also as the “McIntire-Stennis Cooperative Forestry Act”, 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 Short Title note set out under section 582a of Title 16 and Tables.

The Smith-Lever Act of May 8, 1914, referred to in pars. (6) and (18)(D), is act May 8, 1914, ch. 79, 38 Stat. 372, 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. (13), (14)(B)(ii)(I), and (18)(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 section 301 of this title and Tables.

Act of August 30, 1890, 26 Stat. 417, referred to in pars. (13), (14)(B)(ii)(II), and (18)(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.

The Equity in Educational Land-Grant Status Act of 1994, referred to in par. (14)(B)(ii)(III), is Pub. L. 103-382, title V, part C, Oct. 20, 1994, 108 Stat. 4048, which is set out as a note under section 301 of this title. For complete classification of this Act to the Code, see Tables.

Act of March 2, 1887, referred to in pars. (17) and (18)(C), is act Mar. 2, 1887, ch. 314, 24 Stat. 440, 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.

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—Par. (4). Pub. L. 110-246, § 7101(a)(1), inserted par. heading, designated existing provisions as subpar. (A), inserted subpar. heading, redesignated former subpars. (A) to (E) as cls. (i) to (v), respectively, of subpar. (A), and added subpar. (B).

Pars. (5) to (8). Pub. L. 110-246, § 7101(a)(2), designated pars. (16) and (5) to (7) as (5) to (8), respectively. Former par. (8) redesignated (9).

Par. (9). Pub. L. 110-246, § 7101(a)(2), (3), redesignated par. (8) as (9), substituted “renewable energy and natural resources” for “renewable natural resources” in introductory provisions, added subpar. (F), and struck out former subpar. (F) which read as follows: “Soil and water conservation and improvement.” Former par. (9) redesignated (11).

Par. (10). Pub. L. 110-246, § 7101(a)(4), added par. (10). Former par. (10) redesignated (12).

Par. (11). Pub. L. 110-246, § 7101(a)(5), added par. (11) and struck out former par. (11) which read as follows: “The term ‘Hispanic-serving institution’ has the meaning given the term by section 1059c(b)(1) of title 20.”

Pub. L. 110-246, § 7101(a)(2), redesignated par. (9) as (11). Former par. (11) redesignated (13).

Pars. (12), (13). Pub. L. 110-246, § 7101(a)(2), redesignated pars. (10) and (11) as (12) and (13), respectively. Former pars. (12) and (13) redesignated (15) and (16), respectively.

Par. (14). Pub. L. 110-246, § 7101(a)(6), added par. (14). Former par. (14) redesignated (17).

Pars. (15) to (20). Pub. L. 110-246, § 7101(a)(2), redesignated pars. (12) to (14), (17), (18), and (15) as (15) to (20), respectively. Former par. (16) redesignated (5).

2002—Pars. (10) to (12). Pub. L. 107-171, § 7502(a)(1), (2), redesignated pars. (10) and (11) as (11) and (12), respectively, and added par. (10). Former par. (12) redesignated (13).

Par. (13). Pub. L. 107-171, § 7502(a)(3), added par. (13) and struck out former par. (13) which read as follows: “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.”

Pub. L. 107-171, § 7502(a)(1), redesignated par. (12) as (13). Former par. (13) redesignated (14).

Pars. (14) to (18). Pub. L. 107-171, § 7502(a)(1), redesignated pars. (13) to (17) as (14) to (18), respectively.

1998—Pub. L. 105-185, § 221(c)(1), substituted “chapter:” for “chapter—” in introductory provisions.

Pars. (1) to (3). Pub. L. 105-185, § 221(c)(2), (5), substituted “The term” for “the term” and period for semicolon at end.

Par. (4). Pub. L. 105-185, § 221(c)(3), (5), substituted “The terms” for “the terms” and period for semicolon at end.

Pars. (5) to (7). Pub. L. 105-185, § 221(c)(2), (5), substituted “The term” for “the term” and period for semicolon at end.

Par. (8). Pub. L. 105-185, § 221(a), added par. (8) and struck out former par. (8) which defined term “food and agricultural sciences” in broadest sense of terms, including but not limited to activities relating to agriculture, food processing, forestry, aquaculture, home economics, rural community welfare, youth development, market expansion, improvement of productivity, and international food and agricultural issues.

Par. (9). Pub. L. 105-185, § 221(c)(4), (5), substituted “The term” for “the term” after “(9)” and substituted period for semicolon at end.

Par. (10). Pub. L. 105-185, §§ 221(c)(2), (5), 226(c)(1), substituted “The term” for “the term”, “Tuskegee University” for “the Tuskegee Institute”, and period for semicolon at end.

Pars. (11) to (13). Pub. L. 105-185, § 221(c)(2), (5), substituted “The term” for “the term” and period for semicolon at end.

Par. (14). Pub. L. 105-185, § 221(b), (c)(5), inserted par. heading, substituted “The terms ‘teaching’ and ‘education’ mean” for “the term ‘teaching’ means”, and substituted period for semicolon at end.

Par. (15). Pub. L. 105-185, § 221(c)(2), (5), substituted “The term” for “the term” and period for semicolon at end.

Par. (16). Pub. L. 105-185, § 221(c)(2), substituted “The term” for “the term” in introductory provisions.

Par. (16)(B). Pub. L. 105-185, § 226(c)(1), substituted “Tuskegee University” for “the Tuskegee Institute”.

Par. (16)(F). Pub. L. 105-185, § 221(c)(6), substituted period for “; and” at end.

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).

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.

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.

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.”

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 fi-

nanced 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 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 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 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,