

**§ 328. Power to amend, repeal, etc., reserved**

Congress may at any time amend, suspend, or repeal any or all of the provisions of this subchapter.

(Aug. 30, 1890, ch. 841, § 6, 26 Stat. 419.)

**§ 329. Additional appropriation for agricultural colleges**

In order to provide for the more complete endowment and support of the colleges in the several States, Puerto Rico, the Virgin Islands, Guam, and the Northern Mariana Islands entitled to the benefits of this subchapter and subchapter I of this title, there are authorized to be appropriated annually, out of any money in the Treasury not otherwise appropriated, the following amounts:

(a) For the first fiscal year beginning after the date of enactment of this Act, and for each fiscal year thereafter, \$8,250,000; and

(b) For the first fiscal year beginning after the date of enactment of this Act, and for each fiscal year thereafter, \$4,380,000.

The sums appropriated in pursuance of paragraph (a) shall be paid annually to the several States, Puerto Rico, the Virgin Islands, Guam, and the Northern Mariana Islands in equal shares. The sums appropriated in pursuance of paragraph (b) shall be in addition to sums appropriated in pursuance of paragraph (a) and shall be allotted and paid annually to each of the several States, Puerto Rico, the Virgin Islands, Guam, and the Northern Mariana Islands in the proportion to which the total population of each State, Puerto Rico, the Virgin Islands, Guam, and the Northern Mariana Islands bears to the total population of all the States, Puerto Rico, the Virgin Islands, Guam, and the Northern Mariana Islands as determined by the last preceding decennial census. Sums appropriated in pursuance of this section shall be in addition to sums appropriated or authorized under this subchapter and subchapter I of this title, and shall be applied only for the purposes of the colleges defined in such subchapters. The provisions of law applicable to the use and payment of sums under this subchapter shall apply to the use and payment of sums appropriated in pursuance of this section.

(June 29, 1935, ch. 338, title II, § 22, 49 Stat. 439; June 12, 1952, ch. 419, §§ 1-4, 66 Stat. 135, 136; Pub. L. 86-658, July 14, 1960, 74 Stat. 525; Pub. L. 89-791, title I, § 108(a), Nov. 7, 1966, as added Pub. L. 90-354, § 1, June 20, 1968, 82 Stat. 241; Pub. L. 92-318, title V, § 506(d), June 23, 1972, 86 Stat. 350; Pub. L. 99-396, § 9(d), Aug. 27, 1986, 100 Stat. 840.)

## REFERENCES IN TEXT

The words "date of enactment of this Act" appear in par. (a) of section 22 of act June 29, 1935, which was approved on June 29, 1935, and also in pars. (a) and (b) of section 22 of act June 29, 1935, as amended by Pub. L. 86-658, which was approved on July 14, 1960.

## CODIFICATION

Section was not enacted as part of the act Aug. 30, 1890, which comprises this subchapter.

Section was formerly classified to section 343d of this title.

## AMENDMENTS

1986—Pub. L. 99-396 substituted "Guam, and the Northern Mariana Islands" for "and Guam" in five places, "\$8,250,000" for "\$8,100,000", and "\$4,380,000" for "\$4,360,000".

1972—Pub. L. 92-318 inserted references to Virgin Islands and Guam, and substituted "\$8,100,000" and "\$4,360,000" for "\$7,800,000" and "\$4,320,000", respectively.

1968—Pub. L. 89-791, as added by Pub. L. 90-354, increased authorization for annual appropriations for Federal grants to States for support of resident teaching in land-grant colleges and universities from an authorization of \$7,650,000 to \$7,800,000, allocated equally among the States, and from an authorization of \$4,300,000, allotted on basis of relative State population, to \$4,320,000.

1960—Pub. L. 86-658 increased authorization for annual appropriations for Federal grants to States for support of resident teaching in land-grant colleges and universities from an authorization of \$1,000,000, allocated equally among the States, to \$7,650,000, and from an authorization of \$1,501,500, allotted on basis of relative State population, to \$4,300,000, struck out references to Territories of Alaska and Hawaii as now included in term "States" and included Puerto Rico in provisions of section.

1952—Opening par. Act June 12, 1952, § 1, made section applicable to Alaska.

Par. (a). Act June 12, 1952, § 2, increased allotment from \$980,000 to \$1,000,000.

Par. (b). Act June 12, 1952, §§ 3, 4, increased additional allotment of \$1,500,000 to \$1,501,500, and made said par. applicable to Alaska.

## 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.

## EFFECTIVE DATE OF 1952 AMENDMENT

Act June 12, 1952, ch. 419, § 5, 66 Stat. 136, provided that: "The amendments made by this Act [amending this section] shall take effect on the first day of the first fiscal year beginning on or after the date of enactment of this Act [June 12, 1952]."

## SUBCHAPTER III—RETIREMENT OF EMPLOYEES

**§ 331. Retirement of land-grant college employees**

Pursuant to the recognized obligations of governments to guarantee the social security of their employees and in order to provide for the retirement on an annuity, or otherwise, of all persons being paid salaries in whole or in part from grants of Federal funds to the several States, Puerto Rico, the Virgin Islands, and Guam pursuant to the terms of the Act approved July 2, 1862, for the endowment and support of colleges of agriculture and mechanic arts [7 U.S.C. 301 et seq.], and Acts supplementary thereto providing for instruction in agriculture and mechanic arts, for the establishment of agricultural experiment stations, and for cooperative extension work in agriculture and home economics, all States, Puerto Rico, the Virgin Islands, and Guam are after March 4, 1940, authorized, notwithstanding any contrary provisions in said Acts, to withhold from expenditure, from Federal funds advanced under the terms of said Acts, amounts designated as employer contributions to be made by the States, Puerto Rico, the Virgin Islands, or Guam to retirement systems established in accordance with the laws

of such States, Puerto Rico, the Virgin Islands, or Guam, or established by the governing boards of colleges of agriculture and mechanic arts in accordance with the authority vested in them, and to deposit such amounts to the credit of such retirement systems for subsequent disbursement in accordance with the terms of the retirement systems in effect in the respective States, Puerto Rico, the Virgin Islands, and Guam: *Provided*, That there shall not be deducted from Federal funds and deposited to the credit of retirement accounts as employer contributions, amounts in excess of 5 per centum of that portion of the salaries of employees paid from such Federal funds: *Provided further*, That, for the purpose of making deposits and contributions in retirement systems in favor of any employee, in no event shall the deductions from any Federal fund advanced pursuant to the foregoing Acts be in greater proportion to the total deductions for such employee than the salary received under such Federal funds bears to the total salary from Federal sources: *Provided further*, That the deposits and contributions from funds of Federal origin to any retirement system established by a State, Puerto Rico, the Virgin Islands, or Guam or a land-grant college must be at least equaled by the total contributions thereto on the part of the individuals concerned, the State, Puerto Rico, the Virgin Islands, or Guam, and the counties: *And provided further*, That no deductions for the foregoing purposes shall be made from Federal funds in support of employees appointed pursuant to the terms of the foregoing Acts, whose salaries are paid wholly by the States, Puerto Rico, the Virgin Islands, or Guam: *Provided further*, That the provisions of this section shall not apply to any employee paid in whole or in part from Federal funds who may be subject to subchapter III of chapter 83 of title 5.

(Mar. 4, 1940, ch. 38, 54 Stat. 39; Pub. L. 92-318, title V, § 506(e), June 23, 1972, 86 Stat. 351.)

#### REFERENCES IN TEXT

The Act approved July 2, 1862, referred to in text, is act July 2, 1862, ch. 130, 12 Stat. 503, as amended, known as the "Morrill Act" and also known as the "First Morrill Act", which is classified generally to subchapter I (§ 301 et seq.) of this chapter. "Acts supplementary thereto" include act Aug. 30, 1890, ch. 841, 26 Stat. 417, as amended, popularly known as the Agricultural College Act of 1890, and also known as the Second Morrill Act, which is classified generally to subchapter II (§ 321 et seq.) of this chapter. For complete classification of these Acts to the Code, see Short Title notes set out under sections 301 and 321 of this title and Tables.

#### CODIFICATION

"Subchapter III of chapter 83 of title 5" substituted in text for "United States Civil Service Retirement Act, as amended" on authority of Pub. L. 89-544, § 7(b), Sept. 6, 1966, 80 Stat. 631, 632, the first section of which enacted Title 5, Government Organization and Employees.

#### AMENDMENTS

1972—Pub. L. 92-318 substituted " , Puerto Rico, the Virgin Islands, and Guam" and " , Puerto Rico, the Virgin Islands, or Guam" for "and Territories" and "or Territories", respectively, wherever appearing and inserted in third proviso reference to Puerto Rico, Virgin Islands, and Guam.

#### 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.

#### SUBCHAPTER IV—AGRICULTURAL EXTENSION WORK APPROPRIATION

#### § 341. Cooperative extension work by colleges

In order to aid in diffusing among the people of the United States useful and practical information on subjects relating to agriculture, uses of solar energy with respect to agriculture, home economics, and rural energy, and to encourage the application of the same, there may be continued or inaugurated in connection with the college or colleges in each State, Territory, or possession, now receiving, or which may hereafter receive, the benefits of subchapters I and II of this chapter, agricultural extension work which shall be carried on in cooperation with the United States Department of Agriculture: *Provided*, That in any State, Territory, or possession in which two or more such colleges have been or hereafter may be established, the appropriations hereinafter made to such State, Territory, or possession shall be administered by such college or colleges as the legislature of such State, Territory, or possession may direct. For the purposes of this subchapter, the term "solar energy" means energy derived from sources (other than fossil fuels) and technologies included in the Federal Non-Nuclear<sup>1</sup> Energy Research and Development Act of 1974, as amended [42 U.S.C. 5901 et seq.].

(May 8, 1914, ch. 79, § 1, 38 Stat. 372; June 26, 1953, ch. 157, § 1, 67 Stat. 83; Pub. L. 95-113, title XIV, § 1447(1), (2), Sept. 29, 1977, 91 Stat. 1011; Pub. L. 96-294, title II, § 256(1), June 30, 1980, 94 Stat. 708.)

#### REFERENCES IN TEXT

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, as amended, 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

Another section 1447 of Pub. L. 95-113 is classified to section 3222b of this title.

#### AMENDMENTS

1980—Pub. L. 96-294 inserted reference to rural energy.

1977—Pub. L. 95-113 inserted reference to the uses of solar energy with respect to agriculture and inserted definition of "solar energy".

1953—Act June 26, 1953, inserted "continued or" before "inaugurated" near beginning of section, inserted references to "territory, or possession" after "State," wherever the latter term appeared, and struck out a second proviso which continued farm management work and farmers' cooperative demonstration work as conducted May 8, 1914, pending inauguration and development of cooperative extension work under sections 341-343 and 344-348 of this title.

<sup>1</sup> So in original. Probably should be "Nonnuclear".