

further recognized that forestry schools are especially vital in the training of research workers in forestry. It is also recognized that the provisions of this subchapter are essential to assist in providing the research background that undergirds the Forest and Rangeland Renewable Resources Planning Act of 1974 [16 U.S.C. 1600 et seq.], the Renewable Resources Extension Act of 1978,<sup>1</sup> and the Soil and Water Resources Conservation Act of 1977 [16 U.S.C. 2001 et seq.].

(Pub. L. 87-788, §1, Oct. 10, 1962, 76 Stat. 806; Pub. L. 97-98, title XIV, §1441(a), Dec. 22, 1981, 95 Stat. 1320.)

#### REFERENCES IN TEXT

The Forest and Rangeland Renewable Resources Planning Act of 1974, referred to in text, is Pub. L. 93-378, Aug. 17, 1974, 88 Stat. 476, as amended, which is classified generally to subchapter I (§1600 et seq.) of chapter 36 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 1600 of this title and Tables.

The Renewable Resources Extension Act of 1978, referred to in text, is Pub. L. 95-306, June 30, 1978, 92 Stat. 349, which was classified generally to subchapter III (§1671 et seq.) of chapter 36 of this title, and subsequently was omitted from the Code pursuant to section 8 of Pub. L. 95-306, set out as an Effective and Termination Dates note under section 1671 of this title.

The Soil and Water Resources Conservation Act of 1977, referred to in text, is Pub. L. 95-192, Nov. 18, 1977, 91 Stat. 1407, which is classified generally to chapter 40 (§2001 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 2001 of this title and Tables.

#### AMENDMENTS

1981—Pub. L. 97-98 inserted provision relating to recognition that provisions of this subchapter are essential to assist in providing the research background that undergirds the Forest and Rangeland Renewable Resources Planning Act of 1974, the Renewable Resources Extension Act of 1978, and the Soil and Water Resources Conservation Act of 1977.

#### 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 Title 7, Agriculture.

#### SHORT TITLE

Pub. L. 87-788, Oct. 10, 1962, 76 Stat. 806, as amended, which is classified generally to this subchapter, is popularly known as the “McIntire-Stennis Act of 1962” and also as the “McIntire-Stennis Cooperative Forestry Act”.

#### REAFFIRMATION OF MCINTIRE-STENNIS RESEARCH PROGRAM

Pub. L. 101-624, title XII, §1231, Nov. 28, 1990, 104 Stat. 3543, provided that: “It is the sense of Congress to reaffirm the importance of Public Law 87-788 (16 U.S.C. 582a et seq.) commonly known as the McIntire-Stennis Cooperative Forestry Act.”

### § 582a-1. Cooperation by Secretary of Agriculture with States; assistance: plans, eligible institutions and amount

In order to promote research in forestry, the Secretary of Agriculture is authorized to cooperate with the several States for the purpose of encouraging and assisting them in carrying out programs of forestry research.

<sup>1</sup> See References in Text note below.

Such assistance shall be in accordance with plans to be agreed upon in advance by the Secretary and (a) land-grant colleges or agricultural experiment stations established under the Morrill Act of July 2, 1862, as amended [7 U.S.C. 301 et seq.], and the Hatch Act of March 2, 1887, as amended [7 U.S.C. 361a et seq.], and 1890 Institutions (as defined in section 7601 of title 7), and (b) other State-supported colleges and universities offering graduate training in the sciences basic to forestry and having a forestry school; however, an appropriate State representative designated by the State’s Governor shall, in any agreement drawn up with the Secretary of Agriculture for the purposes of this subchapter, certify those eligible institutions of the State which will qualify for assistance and shall determine the proportionate amounts of assistance to be extended these certified institutions. If more than one institution within a State are certified as qualifying for assistance, then it shall be the responsibility of such institutions, in agreement with the Secretary, to develop complementary programs of forestry research for the State.

(Pub. L. 87-788, §2, Oct. 10, 1962, 76 Stat. 806; Pub. L. 97-98, title XIV, §1441(b), Dec. 22, 1981, 95 Stat. 1320; Pub. L. 110-234, title VII, §7412(a), May 22, 2008, 122 Stat. 1255; Pub. L. 110-246, §4(a), title VII, §7412(a), June 18, 2008, 122 Stat. 1664, 2017.)

#### REFERENCES IN TEXT

The Morrill Act of July 2, 1862, as amended, referred to in text, is act July 2, 1862, ch. 130, 12 Stat. 503, as amended, which is classified generally to subchapter I (§301 et seq.) of chapter 13 of Title 7, Agriculture. For complete classification of this Act to the Code, see Short Title note set out under section 301 of Title 7 and Tables.

The Hatch Act of March 2, 1887, as amended, referred to in text, is act Mar. 2, 1887, ch. 314, 24 Stat. 440, as amended, which is classified generally to sections 361a to 361i of Title 7. For complete classification of this Act to the Code, see Short Title note set out under section 361a of Title 7 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—Pub. L. 110-246, §7412(a), inserted “and 1890 Institutions (as defined in section 7601 of title 7),” before “and (b)”.

1981—Pub. L. 97-98 inserted provision that if more than one institution within a State are certified as qualifying for assistance, then it shall be the responsibility of such institutions, in agreement with the Secretary, to develop complimentary programs of forestry research for the State.

#### 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, except as otherwise provided, see section 4 of Pub. L. 110-246, set out as an Effective Date note under section 8701 of Title 7, Agriculture.

Pub. L. 110-234, title VII, §7412(b), May 22, 2008, 122 Stat. 1255, and Pub. L. 110-246, §4(a), title VII, §7412(b), June 18, 2008, 122 Stat. 1664, 2017, provided that: “The amendment made by subsection (a) [amending this section] takes effect on October 1, 2008.”

[Pub. L. 110-234 and Pub. L. 110-246 enacted identical provisions. Pub. L. 110-234 was repealed by section 4(a)

of Pub. L. 110-246, set out as a note under section 8701 of Title 7, Agriculture.]

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 Title 7, Agriculture.

**§ 582a-2. Authorization of appropriations; other allotments and grants**

To enable the Secretary to carry out the provisions of this subchapter there are authorized to be appropriated such sums as the Congress may from time to time determine to be necessary but not exceeding in any one fiscal year one-half the amount appropriated for Federal forestry research conducted directly by the Department of Agriculture for the fiscal year preceding the year in which the budget is presented for such appropriation. Funds appropriated and made available to the States under this subchapter shall be in addition to allotments or grants that may be made under other authorizations.

(Pub. L. 87-788, § 3, Oct. 10, 1962, 76 Stat. 806.)

**§ 582a-3. Matching funds; reapportionment to other qualifying institutions; reductions**

The amount paid by the Federal Government to any State-certified institutions eligible for assistance under this subchapter shall not exceed during any fiscal year the amount available to and budgeted for expenditure by such college or university during the same fiscal year for forestry research from non-Federal sources, except that for the fiscal years ending June 30, 1971, and June 30, 1972, the matching funds requirement hereof shall not be applicable to the Virgin Islands and Guam, and sums authorized for such years for the Virgin Islands and Guam may be used to pay the total cost of programs for forestry research. The Secretary is authorized to make such expenditures on the certificate of the appropriate official of the college or university having charge of the forestry research for which the expenditures as herein provided are to be made. If any or all of the colleges or universities certified for receipt of funds under this subchapter fails to make available and budget for expenditure for forestry research in any fiscal year sums at least as much as the amount for which it would be eligible for such year under this subchapter, the difference between the Federal funds available and the funds made available and budgeted for expenditure by the college or university shall be reapportioned by the Secretary to other eligible colleges or universities of the same State if there be any which qualify therefor and, if there be none, the Secretary shall reapportion such differences to the qualifying colleges and universities of other States participating in the forestry research program. If in any year the amount made available by a State from its own funds (including any revenue-sharing funds) to a State-certified institution eligible for assistance under this subchapter is reduced because of an increase in the allotment made available under this subchapter, the allotment of such State-certified institution from the next succeeding appropriation shall be re-

duced in an equivalent amount. The Secretary shall reapportion the amount of such reduction to other eligible colleges and universities of the same State if there be any that qualify therefor and, if there be none, the Secretary shall reapportion such amount to the qualifying colleges and universities of other States participating in the forestry research program.

(Pub. L. 87-788, § 4, Oct. 10, 1962, 76 Stat. 806; Pub. L. 92-318, title V, § 506(i), June 23, 1972, 86 Stat. 351; Pub. L. 97-98, title XIV, § 1442(b), Dec. 22, 1981, 95 Stat. 1321.)

AMENDMENTS

1981—Pub. L. 97-98 inserted provision that if, in any year, the amount made available by a State from its own funds (including any revenue-sharing funds) to a State-certified institution eligible for assistance is reduced because of an increase in the available allotment, the allotment of such State-certified institution from the next succeeding appropriation be reduced in an equivalent amount and that the Secretary reapportion the amount of such reduction to other eligible colleges and universities of the same State if there be any that qualify therefor and, if there be none, the Secretary reapportion such amount to the qualifying colleges and universities of other States participating in the forestry research program.

1972—Pub. L. 92-318 provided that for fiscal years ending June 30, 1971, and June 30, 1972, the matching funds requirement shall not be applicable to the Virgin Islands and Guam and sums authorized for such years for the Virgin Islands and Guam may be used to pay the total cost of programs for forestry 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 Title 7, Agriculture.

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 Title 7, Agriculture.

**§ 582a-4. Regulations; advice and assistance; appointment, membership, etc., of council**

**(a) Regulations and assistance**

The Secretary shall prescribe such regulations as may be necessary to carry out this subchapter and to furnish such advice and assistance through a cooperative State forestry research unit in the Department as will best promote the purposes of this subchapter.

**(b) Advisory council**

The Secretary shall appoint a council of not fewer than sixteen members which shall be constituted to give representation to Federal and State agencies concerned with developing and utilizing the Nation's forest resources, the forest industries, the forestry schools of the State-certified eligible institutions, State agricultural experiment stations, and volunteer public groups concerned with forests and related natural resources. The council shall meet at least annually and shall submit a report to the Secretary on regional and national planning and coordination of forestry research within the Federal and State agencies, forestry schools, and the forest industries, and shall advise the Secretary on the apportionment of funds. The Sec-