

AMENDMENTS

1984—Subsec. (a)(1). Pub. L. 98-284, §2(1), redesignated existing provisions of subsec. (a) as par. (1).

Subsec. (a)(2) to (4). Pub. L. 98-284, §2(2), redesignated subsecs. (b), (c), and (d) as pars. (2), (3), and (4), respectively, of subsec. (a).

Subsec. (a)(5). Pub. L. 98-284, §2(2), (3), redesignated subsec. (e) as par. (5) of subsec. (a), and in par. (5), as so redesignated, substituted “development and commercialization of native latex has been conducted by the Department of Agriculture, the Department of Commerce, the National Science Foundation, and other public as well as private and industrial research groups,” for “commercialization of native latex has been conducted by the Department of Agriculture and by the Department of Commerce through the regional commissions”.

Subsec. (b). Pub. L. 98-284, §2(4), added subsec. (b). Former subsec. (b) redesignated (a)(2).

Subsec. (c). Pub. L. 98-284, §2(4), added subsec. (c). Former subsec. (c) redesignated (a)(3).

Subsecs. (d) and (e). Pub. L. 98-284, §2(2), redesignated subsecs. (d) and (e) as (a)(4) and (a)(5), respectively.

Subsec. (f). Pub. L. 98-284, §2(4), struck out subsec. (f) which provided: “It is the policy of the Congress, therefore, to provide for the development and demonstration of economically feasible means of culturing and manufacturing Parthenium and other hydrocarbon-containing plants for the extraction of natural rubber and other products to benefit the Nation and promote economic development”. See subsec. (c).

SHORT TITLE

Pub. L. 95-592, §1, Nov. 4, 1978, 92 Stat. 2529, as amended by Pub. L. 98-284, §1, May 16, 1984, 98 Stat. 181, provided: “That this Act [enacting this subchapter and amending section 1314f of this title] may be cited as the ‘Critical Agricultural Materials Act’.” As originally enacted Pub. L. 95-592 had been cited as the “Native Latex Commercialization and Economic Development Act of 1978”.

§ 178a. Definitions

As used in this subchapter—

(a) The term “State” means each of the fifty States, the District of Columbia, and the Commonwealth of Puerto Rico.

(b) The term “Secretaries” means the Secretary of Agriculture and/or the Secretary of Commerce acting each separately or jointly.

(c) The term “commercialization” means the stage in the development or advancement of a technology at which point private enterprise is willing to invest in a full-scale production facility.

(d) The term “native” means hydrocarbon-containing plants and other agricultural crops of strategic and industrial importance which may be cultured in North America, especially plants which are members of the genus *Parthenium* known as Guayule.

(Pub. L. 95-592, §3, Nov. 4, 1978, 92 Stat. 2529; Pub. L. 98-284, §3, May 16, 1984, 98 Stat. 181.)

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1984—Subsec. (d). Pub. L. 98-284, §3(a), inserted “and other agricultural crops of strategic and industrial importance” and “plants which are”.

Subsec. (e). Pub. L. 98-284, §3(b), struck out subsec. (e) which defined “Regional Commissions” as the Regional Action Planning Commissions established pursuant to title V of the Public Works and Economic Development Act of 1965.

§ 178b. Joint Commission on Research and Development of Critical Agricultural Materials

(a) Establishment; function

There is established a Joint Commission on Research and Development of Critical Agricultural Materials, hereinafter referred to as the Joint Commission. The function of the Joint Commission shall be to assist the Secretaries in carrying out the purposes of this subchapter.

(b) Membership

The Joint Commission shall consist of the following members: Three individuals designated by the Secretary of Agriculture from among the staff of the Department of Agriculture; three individuals designated by the Secretary of Commerce from among the staff of the Department of Commerce; a representative of the Bureau of Indian Affairs of the Department of the Interior; a representative of the National Science Foundation; a representative of the Department of State; a representative of the Department of Defense; and a representative of the Federal Emergency Management Agency. Each of the members of the Joint Commission shall be an individual who, on behalf of the Department or agency which such individual represents, is engaged in the support of research, development, demonstration, and commercialization activities involving native latex and the production of other critical agricultural materials from native agricultural crops.

(c) Chairman

The Joint Commission shall be headed by a Chairman who shall be selected by the Secretary of Agriculture from among the three individuals designated by the Secretary as members under subsection (b).

(d) Delegation of responsibilities to Joint Commission; transfer and use of appropriated funds

The Secretaries may delegate to the Joint Commission one or more of their responsibilities under this subchapter, and transfer to the Joint Commission funds appropriated to carry out the purposes of this subchapter as they deem appropriate to achieve the purposes of this subchapter, and the Joint Commission is authorized to carry out such functions and expend such funds to achieve the purposes of the subchapter.

(e) Duties

The Joint Commission shall—

(1) develop a plan establishing goals, timetables, and tasks to be undertaken in carrying out the purposes of this subchapter;

(2) establish broad policy for implementing the plan carrying out the purposes of this subchapter;

(3) establish criteria for evaluating and awarding contracts for research, development, and demonstration projects; and

(4) review and advise the Secretaries with respect to grants, contracts, and other project expenditures.

(f) Administrative support services

The Secretaries are authorized to provide without reimbursement such administrative support services, including the detail of staff

personnel not to exceed a total of five persons from each Department, as the Joint Commission may need to carry out its functions.

(g) Advice of scientific, engineering and business communities

To the maximum extent possible, the Secretaries and the Joint Commission shall seek the advice of the scientific, engineering and business communities with respect to the activities carried out under this subchapter. The Secretaries and the Commission shall specifically seek the advice of persons with expertise in appropriate fields of agricultural research in land grant colleges and other universities, in State agricultural experiment stations, and in other appropriate organizations; and, persons with expertise in manufacturing and commerce involving rubber and other critical agricultural materials in private enterprise and other appropriate organizations.

(Pub. L. 95-592, § 4, Nov. 4, 1978, 92 Stat. 2530; Pub. L. 98-284, § 4, May 16, 1984, 98 Stat. 181; Pub. L. 104-127, title VIII, § 881(a), Apr. 4, 1996, 110 Stat. 1175.)

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1996—Subsecs. (g), (h). Pub. L. 104-127 redesignated subsec. (h) as (g), and struck out former subsec. (g) which read as follows: “One year after November 4, 1978, and each year thereafter, the Joint Commission shall provide to the Congress a report on the implementation of the 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.”

1984—Subsec. (a). Pub. L. 98-284, § 4(a), substituted “Research and Development of Critical Agricultural Materials” for “Guayule Research and Commercialization”.

Subsec. (b). Pub. L. 98-284, § 4(b), struck out provision mandating that two of the designees of the Secretary of Commerce be Federal Cochairmen of Regional Commissions engaged in the support of native latex research, development, demonstration, or commercialization activities, inserted provisions for the appointment of a representative of the Department of State, a representative of the Department of Defense, and a representative of the Federal Emergency Management Agency, and inserted provisions that each of the members of the Joint Commission be an individual who, on behalf of the Department or agency which such individual represents, is engaged in the support of research, development, demonstration, and commercialization activities involving native latex and the production of other critical agricultural materials from native agricultural crops.

Subsec. (c). Pub. L. 98-284, § 4(c), substituted “The Joint Commission shall be headed by a Chairman who shall be selected by the Secretary of Agriculture from among the three individuals designated by the Secretary as members under subsection (b)” for “The Joint Commission shall be headed by a Chairman. The Secretary of Agriculture shall designate one of the two members from his Department to serve as Joint Commission Chairman during the first two-year period following November 4, 1978, and the Secretary of Commerce shall designate one of the two members from his Department as Joint Commission Chairman during the second two-year period following November 4, 1978. And the same process of designating Joint Commission Chairmen shall be followed in ensuing years”.

Subsec. (h). Pub. L. 98-284, § 4(d), substituted “manufacturing and commerce involving rubber and other critical agricultural materials” for “rubber manufacturing and commerce”.

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.

§ 178c. Research and development program by Secretary of Agriculture

(a) Designation of Department as lead agency

The Department of Agriculture shall be the lead agency in carrying out this subchapter.

(b) Scope of program

The Secretary of Agriculture shall conduct, sponsor, promote, and coordinate basic and applied research, technology development, and technology transfer leading to effective and economical methods for large-scale culturing of plantations and the extraction of latex from *Parthenium* or other hydrocarbon-containing plants, and for the development of other critical agricultural materials from native agricultural crops having strategic and industrial importance. Such research shall include, but not be limited to—

(1) carrying out extensive seed collections from wild plants in Texas, Mexico, and other areas and borrowing or purchasing seeds from other sources;

(2) developing a stockpile of *Parthenium* seeds, such stockpile to be appropriately classified and stored at a suitable facility;

(3) accelerating present plant breeding, genetics, and selection programs for the purpose of improving and increasing latex yields, expanding insect and disease resistance, broadening the ranges of drought and cold resistance of the *Parthenium* plant, and providing a system of regional research trials for enhancing and increasing the supply of foundation seed for certified seed production;

(4) establishing a system of large-scale experimental plantings (aggregating ten thousand acres or more) to provide shrub for feedstock to process in the developmental rubber processing facility described in paragraph (7);

(5) carrying out specific studies on the effects of irrigation on plant growth and latex yield and survival potential;

(6) developing equipment needed to carry out nursery operations, planting, cultivating, harvesting, transporting the crop, and other necessary agricultural activities;

(7) accelerating the refinement of present extraction and processing technologies and future extraction technologies, including the development and construction of a developmental rubber processing facility for the extraction and production of test quantities of guayule natural rubber;