

experimental and demonstration purposes within such area.

(Apr. 16, 1928, ch. 377, §1, 45 Stat. 430.)

#### TRANSFER OF FUNCTIONS

Functions of all officers, agencies, and employees of Department of Agriculture transferred, with certain exceptions, to Secretary of Agriculture by 1953 Reorg. Plan No. 2, §1, eff. June 4, 1953, 18 F.R. 3219, 67 Stat. 633, set out as a note under section 2201 of this title.

### § 388a. Authorization of appropriations

There is authorized to be appropriated each fiscal year necessary appropriations to enable the Secretary of Agriculture to carry on the experiments contemplated by section 388 of this title.

(Apr. 16, 1928, ch. 377, §3, 45 Stat. 431.)

### § 389. Transfer of certain dry land and irrigation field stations to States

The Secretary of Agriculture is authorized, at such times as he deems appropriate, to convey by appropriate conveyances, without consideration, the interest of the United States in the lands, including water rights, buildings, and improvements presently comprising or appurtenant to the following dry land and irrigation field stations, to the States in which such stations are located, when, in the opinion of the Secretary of Agriculture, the transfer of any such station will result in establishing a more effective program in the cooperative agricultural experimental work of the Department of Agriculture and the respective State and the furtherance of agricultural experimental work on a national or regional basis will be better served by such transfer: Huntley, Montana; Mitchell, Nebraska; Fallon, Nevada; Tucumcari, New Mexico; Hermiston, Oregon; Sheridan, Wyoming: *Provided*, That when any or all of the land, including water rights, comprising any such station is public-domain land, only the Secretary of the Interior may by patent or other appropriate conveyance transfer such lands to the respective States: *Provided further*, That when any easement necessary to a station conveyed or patented hereunder is on public-domain lands, only the Secretary of the Interior may grant such easements to the State to which the station has been conveyed.

(Sept. 23, 1950, ch. 1005, §1, 64 Stat. 981.)

#### TRANSFER OF FUNCTIONS

Functions of all officers, agencies, and employees of Department of Agriculture transferred, with certain exceptions, to Secretary of Agriculture by 1953 Reorg. Plan No. 2, §1, eff. June 4, 1953, 18 F.R. 3219, 67 Stat. 633, set out as a note under section 2201 of this title.

### § 389a. Conditions of transfer of dry land and irrigation field stations; reservation of mineral rights

Conveyances or patents under this section and section 389 of this title shall be upon such conditions as in the opinion of the Secretary of Agriculture will assure the use of such station in the cooperative agricultural experimental work of the Department of Agriculture and the respective State. Any such conveyances of the land

shall contain a reservation to the United States of all the minerals in the land together with the right to prospect for, mine, and remove the same under such regulations as the Secretary of the Interior may prescribe.

(Sept. 23, 1950, ch. 1005, §2, 64 Stat. 982.)

#### TRANSFER OF FUNCTIONS

Functions of all officers, agencies, and employees of Department of Agriculture transferred, with certain exceptions, to Secretary of Agriculture by 1953 Reorg. Plan No. 2, §1, eff. June 4, 1953, 18 F.R. 3219, 67 Stat. 633, set out as a note under section 2201 of this title.

## SUBCHAPTER III—RESEARCH FACILITIES

### § 390. Definitions

In this subchapter:

#### (1) Agricultural research facility

The term “agricultural research facility” means a proposed facility for research in food and agricultural sciences for which Federal funds are requested by an entity eligible to receive funds under a capacity and infrastructure program (as defined in section 6971(f)(1)(C) of this title) to assist in the construction, alteration, acquisition, modernization, renovation, or remodeling of the facility.

#### (2) Congressional agriculture committees

The term “congressional agriculture committees” means the Committee on Appropriations and the Committee on Agriculture of the House of Representatives and the Committee on Appropriations and the Committee on Agriculture, Nutrition, and Forestry of the Senate.

#### (3) Food and agricultural sciences

The term “food and agricultural sciences” has the meaning given that term in section 3103 of this title.

#### (4) Secretary

The term “Secretary” means the Secretary of Agriculture.

(Pub. L. 88-74, §2, as added Pub. L. 104-127, title VIII, §884(a), Apr. 4, 1996, 110 Stat. 1176; amended Pub. L. 107-171, title VII, §§7214, 7308(b), May 13, 2002, 116 Stat. 448, 455; Pub. L. 110-234, title VII, §7101(b)(1), May 22, 2008, 122 Stat. 1213; Pub. L. 110-246, §4(a), title VII, §7101(b)(1), June 18, 2008, 122 Stat. 1664, 1974; Pub. L. 115-334, title VII, §7503(a)(1), Dec. 20, 2018, 132 Stat. 4821.)

#### 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.

#### PRIOR PROVISIONS

A prior section 390, Pub. L. 88-74, §1, July 22, 1963, 77 Stat. 90; Pub. L. 95-113, title XIV, §1416(3), Sept. 29, 1977, 91 Stat. 996; Pub. L. 99-198, title XIV, §1411(a), Dec. 23, 1985, 99 Stat. 1547, related to congressional declaration of policy, prior to the general amendment of this subchapter by Pub. L. 104-127.

A prior section 2 of Pub. L. 88-74 was classified to section 390a of this title prior to the general amendment of this subchapter by Pub. L. 104-127.

#### AMENDMENTS

2018—Par. (1). Pub. L. 115-334 substituted “an entity eligible to receive funds under a capacity and infra-