

(b) Acceptance, holding, and administration of gifts, donations, and bequests; use and investment of gifts, proceeds, etc.; funding requirements

In implementing this subchapter, the Secretary is authorized to accept, hold, and administer gifts, donations, and bequests of money, real property, or personal property from any source not otherwise prohibited by law and to use such gifts, donations, and bequests to (1) establish or operate any forest and rangeland research facility within the United States, or (2) perform any forest and rangeland renewable resource research activity authorized by this subchapter. Such gifts, donations, and bequests, or the proceeds thereof, and money appropriated for these purposes shall be deposited in the Treasury in a special fund. At the request of the Secretary, the Secretary of the Treasury may invest or reinvest any money in the fund that in the opinion of the Secretary is not needed for current operations. Such investments shall be in public debt securities with maturities suitable for the needs of the fund and bearing interest at prevailing market rates. There are hereby authorized to be expended from such fund such amounts as may be specified in annual appropriation Acts, which shall remain available until expended.

(c) Cooperation with international, Federal, State, and other governmental agencies, public and private agencies, etc.; funding requirements for contributions from cooperators

In implementing this subchapter, the Secretary may cooperate with international, Federal, State, and other governmental agencies, with public or private agencies, institutions, universities, and organizations, and with businesses and individuals in the United States and in other countries. The Secretary may receive money and other contributions from cooperators under such conditions as the Secretary may prescribe. Any money contributions received under this subsection shall be credited to the applicable appropriation or fund to be used for the same purposes and shall remain available until expended as the Secretary may direct for use in conducting research activities authorized by this subchapter and in making refunds to contributors.

(Pub. L. 95-307, §4(a)-(c), June 30, 1978, 92 Stat. 354, 355; Pub. L. 101-513, title VI, §611(a)(2), formerly §607(a)(2), Nov. 5, 1990, 104 Stat. 2072, renumbered §611(a)(2), Pub. L. 102-574, §2(a)(1), Oct. 29, 1992, 106 Stat. 4593.)

Editorial Notes

AMENDMENTS

1990—Subsec. (c). Pub. L. 101-513, which directed amendment of “the first section of” this subsection by inserting “international,” before “Federal”, was executed by making the insertion in the first sentence of this subsection to reflect the probable intent of Congress.

§ 1644. Forestry and rangeland competitive research grants

(a) Competitive grant authority

In addition to any grants made under other laws, the Secretary is authorized to make competitive grants that will further research activities authorized by this subchapter to Federal, State, and other governmental agencies, public or private agencies, institutions, universities, and organizations, and businesses and individuals in the United States. In making these grants, the Secretary shall emphasize basic and applied research activities that are important to achieving the purposes of this subchapter, and shall obtain, through review by qualified scientists and other methods, participation in research activities by scientists throughout the United States who have expertise in matters related to forest and rangeland renewable resources. Grants under this section shall be made at the discretion of the Secretary under whatever conditions the Secretary may prescribe, after publicly soliciting research proposals, allowing sufficient time for submission of the proposals, and considering qualitative, quantitative, financial, administrative, and other factors that the Secretary deems important in judging, comparing, and accepting the proposals. The Secretary may reject any or all proposals received under this section if the Secretary determines that it is in the public interest to do so.

(b) Emphasis on certain high priority forestry research

The Secretary may use up to 5 percent of the amounts made available for research under section 1642 of this title to make competitive grants regarding forestry research in the high priority research areas identified under section 1642(d) of this title.

(c) Emphasis on certain high priority rangeland research

The Secretary may use up to 5 percent of the amounts made available for research under section 1642 of this title to make competitive grants regarding rangeland research in the high priority research areas identified under section 1642(d) of this title.

(d) Priorities

In making grants under subsections (b) and (c), the Secretary shall give priority to research proposals under which—

(1) the proposed research will be collaborative research organized through a center of scientific excellence;

(2) the applicant agrees to provide matching funds (in the form of direct funding or in-kind support) in an amount equal to not less than 50 percent of the grant amount; and

(3) the proposed research will be conducted as part of an existing private and public partnership or cooperative research effort and involves several interested research partners.

(Pub. L. 95-307, §5, June 30, 1978, 92 Stat. 355; Pub. L. 105-185, title II, §253(d), June 23, 1998, 112 Stat. 561.)

Editorial Notes

AMENDMENTS

1998—Pub. L. 105-185 substituted section catchline for former section catchline, designated existing provisions as subsec. (a) and inserted heading, and added subsecs. (b) to (d).

§ 1645. General provisions**(a) Availability of funds to cooperators and grantees**

The Secretary may make funds available to cooperators and grantees under this subchapter without regard to the provisions of section 3324(a) and (b) of title 31, which prohibits advances of public money.

(b) Coordination of cooperative aid and grants with other aid and grant authorities

To avoid duplication, the Secretary shall coordinate cooperative aid and grants under this subchapter with cooperative aid and grants the Secretary makes under any other authority.

(c) Dissemination of knowledge and technology developed from research activities; cooperation with specified entities

The Secretary shall use the authorities and means available to the Secretary to disseminate the knowledge and technology developed from research activities conducted under or supported by this subchapter. In meeting this responsibility, the Secretary shall cooperate, as the Secretary deems appropriate, with the entities identified in subsection (d)(3) of this section and with others.

(d) Additional implementative authorities

In implementing this subchapter, the Secretary, as the Secretary deems appropriate and practical, shall—

- (1) use, and encourage cooperators and grantees to use, the best available scientific skills from a variety of disciplines within and outside the fields of agriculture and forestry;
- (2) seek, and encourage cooperators and grantees to seek, a proper mixture of short-term and long-term research and a proper mixture of basic and applied research;
- (3) avoid unnecessary duplication and coordinate activities under this section among agencies of the Department of Agriculture and with other affected Federal departments and agencies, State agricultural experiment stations, State extension services, State foresters or equivalent State officials, forestry schools, and private research organizations; and
- (4) encourage the development, employment, retention, and exchange of qualified scientists and other specialists through postgraduate, postdoctoral, and other training, national and international exchange of scientists, and other incentives and programs to improve the quality of forest and rangeland renewable resources research.

(e) Construction of statutory provisions

This subchapter shall be construed as supplementing all other laws relating to the Department of Agriculture and shall not be construed as limiting or repealing any existing law or authority of the Secretary except as specifically cited in this subchapter.

(f) Definitions

For the purposes of this subchapter, the terms “United States” and “State” shall include each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands of the United States, the Commonwealth of the Northern Mariana Islands, the Trust Territory of the Pacific Islands, and the territories and possessions of the United States.

(Pub. L. 95-307, § 6, June 30, 1978, 92 Stat. 355.)

Editorial Notes

CODIFICATION

In subsec. (a), “section 3324(a) and (b) of title 31” substituted for “section 3648 of the Revised Statutes (31 U.S.C. 529)” on authority of Pub. L. 97-258, § 4(b), Sept. 13, 1982, 96 Stat. 1067, the first section of which enacted Title 31, Money and Finance.

Executive Documents

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.

§ 1646. Authorization of appropriations

There are authorized to be appropriated annually such sums as may be needed to implement this subchapter. Funds appropriated under this subchapter shall remain available until expended.

(Pub. L. 95-307, § 7, June 30, 1978, 92 Stat. 356.)

§ 1647. Other Federal programs**(a) Repeal of statutory authorities relating to investigation, experiments, and tests in reforestation and forest products**

The Act of May 22, 1928, known as the McSweeney-McNary Act (45 Stat. 699-702, as amended; 16 U.S.C. 581, 581a, 581b-581i), is hereby repealed.

(b) Force and effect of cooperative and other agreements under repealed statutory authorities relating to investigation, etc., in reforestation and forest products

Contracts and cooperative and other agreements under the McSweeney-McNary Act shall remain in effect until revoked or amended by their own terms or under other provisions of law.

(c) Issuance of rules and regulations for implementation of provisions and coordination with agricultural research, extension, and teaching provisions

The Secretary is authorized to issue such rules and regulations as the Secretary deems necessary to implement the provisions of this subchapter and to coordinate this subchapter with title XIV of the Food and Agriculture Act of 1977 [7 U.S.C. 3101 et seq.].

(d) Availability of funds appropriated under repealed statutory authorities relating to investigation, etc., in reforestation and forest products

Funds appropriated under the authority of the McSweeney-McNary Act shall be available for