

[CHAPTER 337.]

AN ACT

June 29, 1935.
[H. R. 6504.]
[Public, No. 181.]

To amend an Act entitled "An Act for the grading and classification of clerks in the Foreign Service of the United States of America, and providing compensation therefor."

Foreign Service.
Vol. 46, p. 1208,
amended.
U. S. C., p. 942.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 11 of the Act entitled "An Act for the grading and classification of clerks in the Foreign Service of the United States of America and providing compensation therefor", approved February 23, 1931, be, and it is hereby, amended to read as follows:

Appointments and promotions; power of President to make.

"SEC. 11. That all appointments and promotions of Foreign Service officers shall be made by the President by and with the advice and consent of the Senate and such officers may be commissioned as diplomatic or consular officers or both: *Provided*, That Foreign Service officers now or hereafter appointed or promoted during a recess of the Senate shall be paid the compensation of the position to which appointed or promoted from the date of such appointment or promotion until the end of the next session of the Senate if they have not theretofore been confirmed by the Senate, or until their rejection by the Senate before the end of its next session: *Provided further*, That if the Senate should reject or fail to confirm the promotion of a Foreign Service officer during the session following the date of such promotion, the Foreign Service officer shall automatically be reinstated in the position from which he was promoted, such reinstatement to be effective, in the event of rejection of the nomination, from the date of rejection; and in the event of failure of the Senate to act on the nomination during the session following a promotion, from the termination of that session: *And provided further*, That all official acts of such officers while serving under diplomatic or consular commissions in the Foreign Service shall be performed under their respective commissions as secretaries or as consular officers."

Proviso.
Appointments, etc., during Senate recess.
Pay provisions.

Reinstatement in former position; when.

Effective date.

Official acts under respective commissions.

Approved, June 29, 1935.

[CHAPTER 338.]

AN ACT

June 29, 1935.
[H. R. 7160.]
[Public, No. 182.]

To provide for research into basic laws and principles relating to agriculture and to provide for the further development of cooperative agricultural extension work and the more complete endowment and support of land-grant colleges.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I

Agricultural extension work and land grant colleges.
Agriculture.
Research into basic laws and principles.
Post, p. 582.

Agencies to be established.

SECTION 1. The Secretary of Agriculture is authorized and directed to conduct research into laws and principles underlying basic problems of agriculture in its broadest aspects; research relating to the improvement of the quality of, and the development of new and improved methods of production of, distribution of, and new and extended uses and markets for, agricultural commodities and byproducts and manufactures thereof; and research relating to the conservation, development, and use of land and water resources for agricultural purposes. Research authorized under this section shall be in addition to research provided for under existing law (but both activities shall be coordinated so far as practicable) and shall be conducted by such agencies of the Department of Agriculture as the Secretary may designate or establish.

SEC. 2. The Secretary is also authorized and directed to encourage research similar to that authorized under section 1 to be conducted by agricultural experiment stations established or which may hereafter be established in pursuance of the Act of March 2, 1887, providing for experiment stations, as amended and supplemented, by the allotment and payment as provided in section 5 to Puerto Rico and the States and Territories for the use of such experiment stations of sums appropriated therefor pursuant to this title.

Agricultural experiment stations.
Prosecution of work by.
Vol. 24, p. 440; U. S. C., p. 138.
Puerto Rico.
Vol. 46, p. 1520; U. S. C., p. 141.

SEC. 3. For the purposes of this title there is authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$1,000,000 for the fiscal year beginning after the date of the enactment of this title, and for each of the four fiscal years thereafter \$1,000,000 more than the amount authorized for the preceding fiscal year, and \$5,000,000 for each fiscal year thereafter. Moneys appropriated in pursuance of this title shall also be available for the purchase and rental of land and the construction of buildings necessary for conducting research provided for in this title, for the equipment and maintenance of such buildings, and for printing and disseminating the results of research. Sums appropriated in pursuance of this title shall be in addition to, and not in substitution for, appropriations for research or other activities of the Department of Agriculture and sums appropriated or otherwise made available for agricultural experiment stations.

Sums authorized for first fiscal year and each year thereafter.
Post, pp. 582, 1424.

SEC. 4. Forty per centum of the sums appropriated for any fiscal year under section 3 shall be available for the purposes of section 1: *Provided*, That not to exceed 2 per centum of the sums appropriated may be used for the administration of section 5 of this title. The sums available for the purposes of section 1 shall be designated as the "Special research fund, Department of Agriculture", and no part of such special fund shall be used for the prosecution of research heretofore instituted or for the prosecution of any new research project except upon approval in writing by the Secretary. One-half of such special research fund shall be used by the Secretary for the establishment and maintenance of research laboratories and facilities in the major agricultural regions at places selected by him and for the prosecution, in accordance with section 1, of research at such laboratories.

Availability of funds.

To be additional to existing appropriations.

Allotments.

Proviso.
Administration expenses.
"Special research fund, Department of Agriculture," created; restriction on use.
Post, p. 1425.

Research laboratories and facilities; establishment.

SEC. 5. (a) Sixty per centum of the sums appropriated for any fiscal year under section 3 shall be available for the purposes of section 2. The Secretary shall allot, for each fiscal year for which an appropriation is made, to Puerto Rico and each State and Territory an amount which bears the same ratio to the total amount to be allotted as the rural population of Puerto Rico or the State or Territory bears to the rural population of Puerto Rico and all the States and Territories as determined by the last preceding decennial census. No allotment and no payment under any allotment shall be made for any fiscal year in excess of the amount which Puerto Rico or the State or Territory makes available for such fiscal year out of its own funds for research and for the establishment and maintenance of necessary facilities for the prosecution of such research. If Puerto Rico or any State or Territory fails to make available for such purposes for any fiscal year a sum equal to the total amount to which it may be entitled for such year, the remainder of such amount shall be withheld by the Secretary. The total amount so withheld may be allotted by the Secretary of Agriculture to Puerto Rico and the States and Territories which make available for such year an amount equal to that part of the total amount withheld which may be allotted to them by the Secretary of Agriculture, but

Portion for agricultural stations.

State, etc., allocations.

Allotment limited to amount advanced by State.

Withholding allotment.

Allocation of withheld allotment.

- no such additional allotment to Puerto Rico or any State or Territory shall exceed the original allotment to Puerto Rico or such State or Territory for that year by more than 20 per centum thereof.
- Disbursement of allotments.** (b) The sums authorized to be allotted to Puerto Rico and the States and Territories shall be paid annually in quarterly payments on July 1, October 1, January 1, and April 1. Such sums shall be paid by the Secretary of the Treasury upon warrant of the Secretary of Agriculture in the same manner and subject to the same administrative procedure set forth in the Act of March 2, 1887, as amended June 7, 1888.
- "Territory" defined.** SEC. 6. As used in this title the term "Territory" means Alaska and Hawaii.
- Rules and regulations.** SEC. 7. The Secretary of Agriculture is authorized and directed to prescribe such rules and regulations as may be necessary to carry out this Act.
- Amendment.** SEC. 8. The right to alter, amend, or repeal this Act is hereby expressly reserved.

TITLE II

- Cooperative State agricultural extension Act.** Vol. 38, p. 372; U. S. C., p. 137. SECTION 21. In order to further develop the cooperative extension system as inaugurated under the Act entitled "An Act to provide for cooperative agricultural extension work between the agricultural colleges in the several States receiving the benefits of the Act of Congress approved July 2, 1862, and all Acts supplementary thereto, and the United States Department of Agriculture", approved May 8, 1914 (U. S. C., title 7, secs. 341-348), there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, for the purpose of paying the expenses of cooperative extension work in agriculture and home economics and the necessary printing and distribution of information in connection with the same, the sum of \$8,000,000 for the fiscal year beginning after the date of the enactment of this title, and for the fiscal year following the first fiscal year for which an appropriation is made in pursuance of the foregoing authorization the additional sum of \$1,000,000, and for each succeeding fiscal year thereafter an additional sum of \$1,000,000 until the total appropriations authorized by this section shall amount to \$12,000,000 annually, the authorization to continue in that amount for each succeeding fiscal year. The sums appropriated in pursuance of this section shall be paid to the several States and the Territory of Hawaii in the same manner and subject to the same conditions and limitations as the additional sums appropriated under the Act of May 8, 1914, except that (1) \$980,000 shall be paid to the several States and the Territory of Hawaii in equal shares; (2) the remainder shall be paid to the several States and the Territory of Hawaii in the proportion that the farm population¹ of each bears to the total farm population of the several States and the Territory of Hawaii, as determined by the last preceding decennial census, and (3) the several States and the Territory of Hawaii shall not be required to offset the allotments authorized in this section. The sums appropriated pursuant to this section shall be in addition to, and not in substitution for, sums appropriated under such Act of May 8, 1914, as amended and supplemented, or sums otherwise appropriated for agricultural extension work. Allotments to any State or the Territory of Hawaii for any fiscal year from the appropriations herein authorized shall be available for payment to such State or the Territory of Hawaii only if such State or the Territory of Hawaii complies, for such fiscal year, with the provisions with reference to offset
- Annual appropriation authorized to each State, etc.** Post, pp. 582, 1426.
- Manner of payment, etc.**
- Allotments based on farm population.**
- Matching funds not required.**
- Additional to existing appropriations.**
- Condition imposed.**

¹ So in original.

of appropriations (other than appropriations under this section) for agricultural extension work.

SEC. 22. In order to provide for the more complete endowment and support of the colleges in the several States and the Territory of Hawaii entitled to the benefits of the Act entitled "An Act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts", approved July 2, 1862, as amended and supplemented (U. S. C., title 7, secs. 301-328; Supp. VII, sec. 304), there are hereby authorized to be appropriated annually, out of any money in the Treasury not otherwise appropriated, the following amounts:

(a) For the fiscal year beginning after the date of the enactment of this Act, and for each fiscal year thereafter, \$980,000; and

(b) For the fiscal year following the first fiscal year for which an appropriation is made in pursuance of paragraph (a) \$500,000, and for each of the two fiscal years thereafter \$500,000 more than the amount authorized to be appropriated for the preceding fiscal year, and for each fiscal year thereafter \$1,500,000. The sums appropriated in pursuance of paragraph (a) shall be paid annually to the several States and the Territory of Hawaii 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 and the Territory of Hawaii in the proportion which the total population of each such State and the Territory of Hawaii bears to the total population of all the States and the Territory of Hawaii, 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 such Act of July 2, 1862, as amended and supplemented, and shall be applied only for the purposes of the colleges defined in such Act, as amended and supplemented. The provisions of law applicable to the use and payment of sums under the Act entitled "An Act to apply a portion of the proceeds of the public lands to the more complete endowment and support of the colleges for the benefit of agriculture and the mechanic arts established under the provisions of an Act of Congress approved July second, eighteen hundred and sixty-two", approved August 30, 1890, as amended and supplemented, shall apply to the use and payment of sums appropriated in pursuance of this section.

Approved, June 29, 1935.

Agricultural and mechanic arts colleges. Vol. 12, p. 503; Vol. 44, p. 247. U. S. C., p. 135. Additional annual appropriations authorized. *Post*, pp. 585, 1797.

Equal division of funds.

Additions to present allotments.

Provisions for use and payments. Vol. 26, p. 417; Vol. 34, p. 1281. U. S. C., p. 136.

[CHAPTER 346.]

AN ACT

To authorize a preliminary examination of Rogue River and its tributaries in the State of Oregon with a view to the control of its floods.

July 1, 1935.
[H. R. 5774.]
(Public, No. 183.)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War is hereby authorized and directed to cause a preliminary examination to be made of the Rogue River and its tributaries in the State of Oregon, with a view to the control of its floods, in accordance with the provisions of section 3 of an Act entitled "An Act to provide for control of the floods of the Mississippi River and of the Sacramento River, California, and for other purposes", approved March 1, 1917, the cost thereof to be paid from appropriations heretofore or hereafter made for examinations, surveys, and contingencies of rivers and harbors.

Rogue River. Survey of, to be made for flood control.

Vol. 39, p. 950; U. S. C., p. 1487.

Approved, July 1, 1935.