

AMENDING THE REVISED ORGANIC ACT OF THE
VIRGIN ISLANDS

DECEMBER 8, 1969.—Ordered to be printed

Mr. Moss, from the Committee on Interior and Insular Affairs,
submitted the following

REPORT

[To accompany S. 1148]

The Committee on Interior and Insular Affairs, to which was referred the bill (S. 1148) to amend the Revised Organic Act of the Virgin Islands, having considered the same, reports favorably thereon with amendments and recommends that the bill as amended do pass.

The amendments are as follows:

Strike all after the enacting clause and insert the following substitute:

SECTION 1. The College of the Virgin Islands and the University of Guam shall after the effective date of this Act be considered land-grant colleges established for the benefit of agriculture and mechanic arts in accordance with the provisions of the Act of July 2, 1862, as amended (12 Stat. 503; 7 U.S.C. 301-305, 307, 308).

SEC. 2. In lieu of extending to the Virgin Islands and Guam those provisions of the Act of July 2, 1862, as amended, *supra*, relating to donations of public land or land script for the endowment and maintenance of colleges for the benefit of agriculture and the mechanic arts, there is authorized to be appropriated to both the Virgin Islands and Guam the sum of \$3,000,000 each. Amounts appropriated under this section shall be held and considered to have been granted to the Virgin Islands and Guam subject to the provisions of that Act applicable to the proceeds from the sale of land or land script.

SEC. 3. The Act of August 30, 1890, as amended (26 Stat. 417; 7 U.S.C. 322-326), is further amended—

(1) by striking the words “and Territory” wherever they appear and substituting in lieu thereof the words “, Puerto Rico, the Virgin Islands, and Guam”;

(2) by striking the words “and Territories” wherever they appear and substituting in lieu thereof the words “, Puerto Rico, the Virgin Islands, and Guam”;

(3) by striking the words “or Territory” wherever they appear and substituting in lieu thereof the words “, Puerto Rico, the Virgin Islands, or Guam”;

(4) by striking the words "or Territories" wherever they appear and substituting in lieu thereof the words " , Puerto Rico, the Virgin Islands, or Guam"; and

(5) by striking the words "or Territorial" where they appear.

SEC. 4. Section 22 of the Act of June 29, 1935, as amended (49 Stat. 439; 7 U.S.C. 329), is further amended—

(1) by striking the words "and Puerto Rico" wherever they appear and substituting in lieu thereof the words " , Puerto Rico, the Virgin Islands, and Guam";

(2) by striking the figure "\$7,800,000" and substituting in lieu thereof the figure "\$8,100,000"; and

(3) by striking the figure "\$4,320,000" and substituting in lieu thereof the figure "\$4,360,000".

SEC. 5. The Act of March 4, 1940 (54 Stat. 39; 7 U.S.C. 331) is amended—

(1) by striking the words "and Territories" wherever they appear and substituting in lieu thereof the words " , Puerto Rico, the Virgin Islands, and Guam";

(2) by striking the words "or Territories" wherever they appear and substituting in lieu thereof the words " , Puerto Rico, the Virgin Islands, or Guam"; and

(3) by striking the word "State" wherever it appears in the third proviso of that Act and substituting in lieu thereof the words "State, Puerto Rico, the Virgin Islands, or Guam".

SEC. 6. Section 207 of the Agricultural Marketing Act of 1946, (60 Stat. 1091; 7 U.S.C. 1626), is amended by striking the period at the end of the section and adding the following words: " , and the term 'State' when used in this chapter shall include the Virgin Islands and Guam."

SEC. 7. Section 3 of the Act of May 8, 1914, as amended (38 Stat. 373; 7 U.S.C. 343), is further amended by redesignating subsection (b) as paragraph (1) of subsection (b) and adding a new paragraph (2) to subsection (b) to read as follows:

"(2) There is authorized to be appropriated out of money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1971, and for each fiscal year thereafter, for payment to the Virgin Islands and Guam, \$100,000 each, which sums shall be in addition to the sums appropriated for the several States of the United States and Puerto Rico under the provisions of this section. The amount paid by the Federal government to the Virgin Islands and Guam pursuant to this paragraph shall not exceed during any fiscal year, except the fiscal years ending June 30, 1971, and June 30, 1972, when such amount may be used to pay the total cost of providing services pursuant to this Act, the amount available and budgeted for expenditure by the Virgin Islands and Guam for the purposes of this Act."

SEC. 8. Section 10 of the Act of May 8, 1914, as amended (supra), as added by the Act of October 5, 1962 (76 Stat. 745; 7 U.S.C. 349), is amended by striking the words "and Puerto Rico" and inserting in lieu thereof the words " , Puerto Rico, the Virgin Islands, and Guam".

SEC. 9. Section 4 of the Act of October 10, 1962 (76 Stat. 806; 16 U.S.C. 582a-3), is amended by striking the period at the end of the first sentence thereof and adding the following language: " , 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."

SEC. 10. Section 8 of the Act of October 10, 1962, (76 Stat. 807; 16 U.S.C. 582a-7), is amended by striking the period at the end thereof and adding the words " , the Virgin Islands and Guam."

SEC. 11. Section 1 of the Act of August 11, 1955 (7 U.S.C. 361a-361i), is amended by striking the period after the second sentence and adding the words "Guam and Virgin Islands." and deleting "and" between the words "Hawaii and Puerto Rico".

SEC. 12. Section 3 of the Act of August 11, 1955 (7 U.S.C. 361a-361i), is amended by redesignating subsections (b) as paragraph (1) of subsection (b) and adding a new paragraph (2) as subsection (b) to read as follows:

"(2) There is authorized to be appropriated out of money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1971, and for each fiscal year thereafter, for payment to the Virgin Islands and Guam, \$100,000 each, which sums shall be in addition to the sums appropriated for

the several States of the United States and Puerto Rico under the provisions of this section. The amount paid by the Federal Government to the Virgin Islands and Guam pursuant to this paragraph shall not exceed during any fiscal year, except the fiscal years ending June 30, 1971, and June 30, 1972, when such amount may be used to pay the total cost of providing services pursuant to this Act, the amount available and budgeted for expenditure by the Virgin Islands and Guam for the purposes of this Act."

SEC. 13. With respect to the Virgin Islands and Guam, the enactment of this Act shall be deemed to satisfy any requirement of State consent contained in laws or provisions of law referred to in this Act.

Amend the title so as to read:

A bill to constitute the College of the Virgin Islands and the University of Guam land-grant colleges, and for other purposes.

PURPOSE

The purpose of S. 1148 as introduced is to amend the Revised Organic Act of the Virgin Islands to constitute the College of the Virgin Islands a land-grant college. A similar bill, S. 1149, amending the Organic Act of Guam to give land-grant status to the University of Guam is also before the committee. Both S. 1148 and S. 1149 were the subject of hearings on October 1, 1969, at which time the administration recommended a substitute bill that would constitute these two institutions land-grant colleges by amending existing statutes containing the benefits of land-grant status rather than the Organic Acts of the two territories.

Under the provisions of S. 1148, as amended, the College of the Virgin Islands and the University of Guam would—

(1) Be considered land-grant colleges established for the benefit of agriculture and mechanic arts in accordance with the Act of July 2, 1862, the first Morrill Act.

(2) Receive an appropriation of \$3 million each as an endowment, in lieu of public land, to be used for the maintenance of the colleges in accordance with the provisions of the first Morrill Act. The sum of \$3 million approximates, on a ratio basis, the amount provided the State of Hawaii when the University of Hawaii was accorded land-grant status.

(3) Qualify under the Morrill Act of 1890 for annual grants to be used for instruction in agriculture, mechanic arts, and related subjects.

(4) Participate under the Bankhead-Jones Act of 1935 with the 50 States and Puerto Rico in further grants made available for the support of land-grant colleges. The colleges would receive an equal share of an annual national grant of \$8,100,000, or \$150,000 each, for teaching purposes, and an additional \$20,000 annually for the respective institutions.

(5) Participate in the grants for research and service work in the distribution and marketing of agricultural commodities authorized by the Agricultural Marketing Act of 1946.

(6) Participate under the Smith-Lever Act in the Federal Extension Service program administered by the Department of Agriculture for cooperative agricultural extension work. An appropriation of \$100,000 is authorized for each territory annually beginning in fiscal year 1971.

(7) Qualify for inclusion under the provisions of the Hatch Act of August 11, 1955.

NEED

The territories of the Virgin Islands and Guam are the last remaining areas in our Nation without the services of a land-grant college. This legislation would provide educational opportunities for citizens of the territories to study for careers in community services and to receive the benefits from cooperative extension programs.

The population of Guam is approximately 100,000, and about 65,000 in the Virgin Islands. Yet the people of the territories do not have their own land-grant colleges as do the 50 States and Puerto Rico. Young people looking toward careers in programs usually associated with land-grant colleges have had to apply for admission to States with land-grant universities. This has not been a satisfactory arrangement due to stringent student enrollment policies in the States and out-of-State tuition at land-grant colleges which are beyond the means of many potential college students in the territories.

In addition, the citizens of the territories have been denied cooperative extension programs that are connected with land-grant universities. Over the years, the Cooperative Extension Service has been increasing its services in home living, community improvement, and youth development.

It has become increasingly clear that the problems of providing educational opportunities for young people in certain disciplines associated with extension service, community services, environmental services, dietetics, home economics, as well as the problem of providing citizens of the territories with cooperative extension service calls for the establishment of a land-grant college in the territories.

The committee feels that the territories of Guam and the Virgin Islands, faced with all of the problems and demands shared by the States, should be granted equitable means of resolution in the development of their land-grant colleges.

Funds to be made available are limited to instruction and instructional equipment and supplies in agriculture, mechanic arts, English, mathematics, natural and physical sciences, economic sciences, and special preparation of teachers (the funds may not be used for the purchase or preservation of buildings or the purchase of land). Fields of instruction which have particular importance in the evolving needs of the citizens of the territories would be added to the college curriculum.

In the Smith-Lever Act of 1914, Congress established the Extension Service which has been truly a cooperative organization in its mutually beneficial relationship with the States, the land-grant universities, and the public. It would be difficult to overstate the spirit that has been fostered in the rural portions of America by services provided and stimulated by the Department of Agriculture with the voluntary participation of farmers and their families.

The College of the Virgin Islands began operation in 1962, the University of Guam in 1952. The committee urges early enactment of legislation to grant the College of the Virgin Islands and the University of Guam land-grant status. Such recognition will enable these fledgling institutions to provide educational opportunities to the citizens of the Virgin Islands and Guam—who are citizens of the United States—in fields of special significance to them. Colleges in the several States, the

District of Columbia, and Puerto Rico now enjoy the benefits afforded land-grant colleges. It would be less than fair, if not patently discriminatory, to withhold these advantages from our citizens, resident in the Virgin Islands and Guam.

AMENDMENTS

The committee had adopted the substitute legislation recommended by the Department of the Interior, the Department of Agriculture, and the Department of Health, Education, and Welfare. An explanation of the amendment is set forth in full in the report of the Department of the Interior which is included and made a part of this report.

COSTS

Aside from the initial \$3 million authorized for appropriation to Guam and the Virgin Islands, there are authorized additional appropriations to the two territories that will provide funds (equivalent to those made available to all other land-grant colleges) to carry out the purposes and programs of the statutes applicable to land-grant institutions.

DEPARTMENTAL REPORTS

The reports of the Department of the Interior, the Department of Agriculture, the Department of Health, Education, and Welfare, the Bureau of the Budget, together with the supplemental letter from the Department of the Interior dated December 2, 1969, are set forth below:

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., September 26, 1969.

Hon. HENRY M. JACKSON
*Chairman, Committee on Interior and Insular Affairs,
U.S. Senate, Washington, D.C.*

DEAR MR. CHAIRMAN: This is in response to your request for the views of this Department on S. 1148, a bill to amend the Revised Organic Act of the Virgin Islands, and S. 1149, a bill to amend the Organic Act of Guam.

We recommend against the enactment of S. 1148 and S. 1149 and recommend the enactment of a substitute draft bill, a copy of which is attached to this report.

These bills amend the organic acts of the territories of the Virgin Islands and Guam to enable the institutions of higher learning in each of those territories to receive benefits afforded land-grant colleges in the United States and Puerto Rico. While we strongly support this aim, we believe that this purpose could be better accomplished by amending the basic acts that provide for such benefits rather than providing for the changes by amending the organic acts of the territories of the Virgin Islands and Guam. Our substitute bill extends to the institutions of higher learning in the Virgin Islands and Guam the benefits afforded land-grant colleges but does it by amending the basic acts that provide for such benefits.

Section 1 of the substitute bill provides that after the effective date of this act the College of the Virgin Islands and the University of

Guam shall be considered land-grant colleges established for the benefit of agriculture and mechanic arts in accordance with the Act of July 2, 1862, known as the first Morrill Act.

Section 2 of the substitute bill provides the authorization for the appropriation of \$3 million each to the College of the Virgin Islands and the University of Guam. The first Morrill Act provided for the donation of public land or land script to each State to be used for the endowment and maintenance of colleges for the benefit of agriculture and the mechanic arts. Since there is no public land or land script available for this purpose, the \$3 million provided for in the substitute bill will provide for an endowment for these institutions in place of such land or land script donations. The substitute bill provides that such sums are to be used for the endowment and maintenance of the College of the Virgin Islands and the University of Guam in accordance with the provisions of the first Morrill Act.

Section 3 of the substitute bill amends the various sections of the act of August 30, 1890, known as the second Morrill Act to include the Virgin Islands and Guam. These amendments include the College of the Virgin Islands and the University of Guam in the land-grant colleges that receive direct annual grants for instruction in agriculture, mechanical arts, and related subjects, as well as providing funds to allow these institutions to provide courses for teaching the elements of agriculture and the mechanical arts.

Section 4 of the substitute bill amends the act of June 20, 1935, known as the Bankhead-Jones Act to include the Virgin Islands and Guam within its provisions and at the same time increase the authorization provided in the act for land-grant colleges for teaching purposes by \$300,000 annually so as to provide \$150,000 annually for each of the two territories. This amendment to the Bankhead-Jones Act also increases the authorization for additional payments to land-grant colleges for such purpose based on population by \$40,000 annually so that each of the territories may receive \$20,000 annually for its institution of higher learning.

Section 5 of the substitute bill amends the act of March 4, 1940, which act provides for the withholding of Federal funds as employer contributions for the retirement of land-grant college employees, to include the Virgin Islands and Guam within its provisions.

Section 6 of the substitute bill amends the Agricultural Marketing Act of 1946, which provides for grants for research and service work in the distribution and marketing of agricultural commodities, to include the Virgin Islands and Guam within the definition of State as it is used in the act.

Section 7 of the substitute bill amends the act of May 8, 1914, known as the Smith-Lever Act, which provides for grants to land-grant colleges for cooperative agricultural extension work consisting of the giving of instruction and practical demonstration in agriculture and home economics and the subjects related thereto. The amendment adds a new paragraph to subsection (b) of section 3 of the act and authorizes an appropriation of \$100,000 annually to the territories of the Virgin Islands and Guam beginning in fiscal year 1971, such sums to be in addition to those now provided for the other States and Puerto Rico so as not to reduce payments now made to those States and Puerto Rico under the provisions of the Smith-Lever

Act. The amendment also provides that the \$100,000 grant is to be matched by funds provided by the territories of the Virgin Islands and Guam except that the Federal funds may be used to pay the entire cost of the extension Service program during the first 2 fiscal years of its operation. This exception for the beginning 2-year period will allow the territories to make budget allocations for this program.

Section 8 of the substitute bill also amends the Smith-Lever Act. Specifically, it amends the definition of State in section 10 of the act to include the Virgin Islands and Guam in the definition of State as it applies to that act.

Section 9 of the substitute bill amends the act of October 10, 1962, which provides for grants for forestry research, adds language to the first section of the act to exempt the Virgin Islands and Guam from the matching requirement made by the act for the 1971 and 1972 fiscal years and allows for the Federal funds to be used to pay the full cost of the program for the first 2 years. This 2-year exemption, as in the case of the Smith-Lever Act amendments, allows the territories to make budget allocations for this program.

Section 10 of the substitute bill also amends the act of October 10, 1962. This amendment adds the Virgin Islands and Guam to the definition of State as it is used in this act.

Section 11 of the substitute bill provides that any requirement that any of the acts amended by this act might have for consent by the State covered by its provisions shall be deemed satisfied by the passage of this act.

We believe that the extension of land-grant status to the College of the Virgin Islands and the University of Guam will help these fledgling institutions of higher learning develop as institutions that can make a meaningful contribution to the territories that have created them. It will also contribute to the financial strength of these institutions. The extension of land-grant status to institutions of higher learning in both Alaska and Hawaii while they were still Territories is, we believe, a strong precedent for extending this status to these two schools and urge the Congress to do so.

The Bureau of the Budget has advised that there is no objection to the presentation of this report from the standpoint of the administration's program.

Sincerely yours,

RUSSELL E. TRAIN,
Under Secretary of the Interior.

A BILL To constitute the College of the Virgin Islands and the University of Guam land-grant colleges, and for other purposes

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

SECTION 1. The College of the Virgin Islands and the University of Guam shall after the effective date of this Act be considered land-grant colleges established for the benefit of agriculture and mechanic arts in accordance with the provisions of the Act of July 2, 1862, as amended (12 Stat. 503; 7 U.S.C. 301-305, 307, 308).

SEC. 2. In lieu of extending to the Virgin Islands and Guam those provisions of the Act of July 2, 1862, as amended, *supra*, relating

to donations of public land or land script for the endowment and maintenance of colleges for the benefit of agriculture and the mechanic arts, there is authorized to be appropriated to both the Virgin Islands and Guam the sum of \$3,000,000 each. Amounts appropriated under this section shall be held and considered to have been granted to the Virgin Islands and Guam subject to the provisions of that Act applicable to the proceeds from the sale of land or land script.

SEC. 3. The Act of August 30, 1890, as amended (26 Stat. 417; 7 U.S.C. 322-326), is further amended—

(1) by striking the words “and Territory” wherever they appear and substituting in lieu thereof the words “, the Virgin Islands, and Guam”;

(2) by striking the words “and Territories” wherever they appear and substituting in lieu thereof the words “, the Virgin Islands, and Guam”;

(3) by striking the words “or Territory” wherever they appear and substituting in lieu thereof the words “, the Virgin Islands, or Guam”;

(4) by striking the words “or Territories” wherever they appear and substituting in lieu thereof the words “, the Virgin Islands, or Guam”;

(5) by striking the words “or Territorial” where they appear; and

(6) by striking the word “State” wherever it appears in the second proviso of section 1 of the Act and substituting in lieu thereof the words “State, the Virgin Islands, or Guam”.

SEC. 4. Section 22 of the Act of June 29, 1935, as amended (49 Stat. 439; 7 U.S.C. 329), is further amended—

(1) by striking the words “and Puerto Rico” wherever they appear and substituting in lieu thereof the words “, Puerto Rico, the Virgin Islands, and Guam”;

(2) by striking the figure “\$7,800,000” and substituting in lieu thereof the figure “\$8,100,000”; and

(3) by striking the figure “\$4,320,000” and substituting in lieu thereof the figure “\$4,360,000”.

SEC. 5. The Act of March 4, 1940 (54 Stat. 39; 7 U.S.C. 331), is amended—

(1) by striking the words “and Territories” wherever they appear and substituting in lieu thereof the words “, the Virgin Islands, and Guam”;

(2) by striking the words “or Territories” wherever they appear and substituting in lieu thereof the words “, the Virgin Islands, or Guam”; and

(3) by striking the word “State” wherever it appears in the third proviso of that Act and substituting in lieu thereof the words “State, the Virgin Islands, or Guam”.

SEC. 6. Section 207 of the Agricultural Marketing Act of 1946 (60 Stat. 1091; 7 U.S.C. 1626), is amended by striking the period at the end of the section and adding the following words: “, and the term ‘State’ when used in this chapter shall include the Virgin Islands and Guam.”.

SEC. 7. Section 3 of the Act of May 8, 1914, as amended (38 Stat. 373; 7 U.S.C. 343), is further amended by redesignating subsection (b)

as paragraph (1) of subsection (b) and adding a new paragraph (2) to subsection (b) to read as follows:

“(2) There is authorized to be appropriated out of money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1971, and for each fiscal year thereafter, for payment of the Virgin Islands and Guam, \$100,000 each, which sums shall be in addition to the sums appropriated for the several States of the United States and Puerto Rico under the provisions of this section. The amount paid by the Federal government to the Virgin Islands and Guam pursuant to this paragraph shall not exceed during any fiscal year, except the fiscal years ending June 30, 1971, and June 30, 1972, when such amount may be used to pay the total cost of providing services pursuant to this Act, the amount available and budgeted for expenditure by the Virgin Islands and Guam for the purposes of this Act.”

SEC. 8. Section 10 of the Act of May 8, 1914, as amended (*supra*), as added by the Act of October 5, 1962 (76 Stat. 745; 7 U.S.C. 349), is amended by striking the words “and Puerto Rico” and inserting in lieu thereof the words “, Puerto Rico, the Virgin Islands, and Guam.”

SEC. 9. Section 4 of the Act of October 10, 1962 (76 Stat. 806; 16 U.S.C. 582a-3), is amended by striking the period at the end of the first sentence thereof and adding the following language: “, 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.”

SEC. 10. Section 8 of the Act of October 10, 1962 (76 Stat. 807, 16 U.S.C. 582a-7), is amended by striking the period at the end thereof and adding the words “, the Virgin Islands and Guam.”

SEC. 11. With respect to the Virgin Islands and Guam, the enactment of this Act shall be deemed to satisfy any requirement of State consent contained in laws or provisions of law referred to in this Act.

DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY,
Washington, D.C., October 1, 1969.

HON. HENRY M. JACKSON
*Chairman, Committee on Interior and Insular Affairs,
U.S. Senate.*

DEAR MR. CHAIRMAN: This is in reply to our letter of March 3, 1969, asking for a report on S. 1148, a bill to amend the Revised Organic Act of the Virgin Islands.

The proposed bill would establish the College of the Virgin Islands as a land-grant institution in accordance with the provisions of the Morrill Act of July 2, 1862. The acts administered by this Department referred to in the bill are the Smith-Lever Act of May 8, 1914 (7 U.S.C. 341-346, 347a, 348 and 349) and the Agricultural Marketing Act of 1946 (7 U.S.C. 1621-1629).

This Department supports the objectives of S. 1148 but recommends in lieu thereof the attached draft bill prepared in the Depart-

ment of the Interior with certain other additions. We believe the Department of the Interior's bill will be more effective than H.R. 105 in providing funds for undergirding the institutional growth of the College of the Virgin Islands and the economic development of the Virgin Islands. This position is based on more than 100 years of experience of the Department with research and extension support of the land-grant universities through the Smith-Lever Act and the Hatch Act. We believe the continuing institutional support provided by the provisions of these acts has been of great importance to the successful agricultural development of the 50 States and Puerto Rico, and the growth of the land-grant universities as centers of higher learning which have maintained relevance to the needs of the States in which they are located.

Two additional sections would extend to the Colleges of the Virgin Islands and Guam, the provisions of the Hatch Act (7 U.S.C. 361a-361i). These sections would be numbered section 11 and 12, and the present section 11 in the attached draft would become section 13. The provisions follow:

"SEC. 11. Section 1 of the Act of August 11, 1955 (7 U.S.C. 361a-361i), is amended by striking the period after the second sentence and adding the words "Guam and Virgin Islands." and deleting "and" between the words "Hawaii and Puerto Rico".

"SEC. 12. Section 3 of the Act of August 11, 1955 (7 U.S.C. 361a-361i), is amended by redesignating subsections (b) as paragraph (1) of subsection (b) and adding a new paragraph (2) as subsection (b) to read as follows:

(2) There is authorized to be appropriated out of money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1971, and for each fiscal year thereafter, for payment to the Virgin Islands and Guam, \$100,000 each, which sums shall be in addition to the sums appropriated for the several States of the United States and Puerto Rico under the provisions of this section. The amount paid by the Federal Government to the Virgin Islands and Guam pursuant to this paragraph shall not exceed during any fiscal year, except the fiscal years ending June 30, 1971, and June 30, 1972, when such amount may be used to pay the total cost of providing services pursuant to this Act, the amount available and budgeted for expenditure by the Virgin Islands and Guam for the purposes of this Act."

The Bureau of the Budget advises that there is no objection to the presentation of this report from the standpoint of the administration's program.

Sincerely,

J. PHIL CAMPBELL,
Under Secretary.

A BILL To constitute the College of the Virgin Islands and the University of Guam land-grant colleges, and for other purposes

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

SECTION 1. The College of the Virgin Islands and the University of Guam shall after the effective date of this Act be considered land-grant colleges established for the benefit of agriculture and mechanic arts in accordance with the provisions of the Act of July 2, 1862, as amended (12 Stat. 503; 7 U.S.C. 301-305, 307, 308).

SEC. 2. In lieu of extending to the Virgin Islands and Guam those provisions of the Act of July 2, 1862, as amended, *supra*, relating to donations of public land or land script for the endowment and maintenance of colleges for the benefit of agriculture and the mechanic arts, there is authorized to be appropriated to both the Virgin Islands and Guam the sum of \$3,000,000 each. Amounts appropriated under this section shall be held and considered to have been granted to the Virgin Islands and Guam subject to the provisions of that Act applicable to the proceeds from the sale of land or land script.

SEC. 3. The Act of August 30, 1890, as amended (26 Stat. 417; 7 U.S.C. 322-326), is further amended—

(1) by striking the words “and Territory” wherever they appear and substituting in lieu thereof the words “, the Virgin Islands, and Guam”;

(2) by striking the words “and Territories” wherever they appear and substituting in lieu thereof the words “, the Virgin Islands, and Guam”;

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(4) by striking the words “or Territories” wherever they appear and substituting in lieu thereof the words “, the Virgin Islands, or Guam”;

(5) by striking the words “or Territorial” where they appear; and

(6) by striking the word “State” wherever it appears in the second proviso of section 1 of the Act and substituting in lieu thereof the words “State, the Virgin Islands, or Guam”.

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(1) by striking the words “and Puerto Rico” wherever they appear and substituting in lieu thereof the words “, Puerto Rico, the Virgin Islands, and Guam”;

(2) by striking the figure “\$7,800,000” and substituting in lieu thereof the figure “\$8,100,000”; and

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(1) by striking the words “and Territories” wherever they appear and substituting in lieu thereof the words “, the Virgin Islands, and Guam”;

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"(2) There is authorized to be appropriated out of money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1971, and for each fiscal year thereafter, for payment to the Virgin Islands and Guam, \$100,000 each, which sums shall be in addition to the sums appropriated for the several States of the United States and Puerto Rico under the provisions of this section. The amount paid by the Federal Government to the Virgin Islands and Guam pursuant to this paragraph shall not exceed during any fiscal year, except the fiscal years ending June 30, 1971, and June 30, 1972, when such amount may be used to pay the total cost of providing services pursuant to this act, the amount available and budgeted for expenditure by the Virgin Islands and Guam for the purposes of this act."

SEC. 8. Section 10 of the Act of May 8, 1914, as amended (*supra*), as added by the Act of October 5, 1962 (76 Stat. 745; 7 U.S.C. 349), is amended by striking the words "and Puerto Rico" and inserting in lieu thereof the words ", Puerto Rico, the Virgin Islands, and Guam."

SEC. 9. Section 4 of the Act of October 10, 1962 (76 Stat. 806; 16 U.S.C. 582a-3), is amended by striking the period at the end of the first sentence thereof and adding the following language: ", 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."

SEC. 10. Section 8 of the Act of October 10, 1962, (76 Stat. 807; 16 U.S.C. 582a-7), is amended by striking the period at the end thereof and adding the words ", the Virgin Islands and Guam."

SEC. 11. With respect to the Virgin Islands and Guam, the enactment of this Act shall be deemed to satisfy any requirement of State consent contained in laws or provisions of law referred to in this Act.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE,

October 3, 1969.

HON. HENRY M. JACKSON,
Chairman, Committee on Interior and Insular Affairs,
U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: This is in response to your requests for reports on S. 1148, a bill to amend the Revised Organic Act of the Virgin Islands and S. 1149, a bill to amend the Organic Act of Guam.

Under these bills, the College of the Virgin Islands and the College of Guam, respectively, would be deemed to be land-grant colleges (within the meaning of the First Morrill Act), and the two territories would be deemed "States," for the purpose of the administration of the Second Morrill Act as modified by the Nelson amendment of March 4, 1907, and for the purposes of section 22 of the Bankhead-Jones Act, as well as certain acts administered by the Department of Agriculture.

Under each of these bills the appropriation ceilings for formula grants under section 22 of the Bankhead-Jones Act would be correspondingly increased so as to avoid a reduction of grants to the States and Puerto Rico as a result of the extension of section 22 to these territories. It should be noted in this connection that each of these bills would increase the two appropriation ceilings in Section 22 by the same amounts, i.e., the first ceiling from \$7,800,000 to \$7,950,000 and the second ceiling from \$4,320,000 to \$4,340,000. If, as suggested below the two bills are combined into a single measure, the increase in the present ceilings of Section 22 made by the bills should be revised so as to increase the first authorization to \$8,100,000 and the second to \$4,360,000.

Finally, an appropriation of \$3 million each to the Virgin Islands and to Guam would be authorized by these bills as a capital grant in lieu of grants of land or land scrip provided the States under the First Morrill Act. Amounts appropriated under this provision would be held and considered to have been granted subject to provisions of the First Morrill Act applicable to the proceeds from the sale of land or land scrip.

We believe that these two bills should be considered together, not only because this is technically necessary in view of the fact that they would amend the same appropriation ceilings in section 22 of the Bankhead-Jones Act, but also because the matter of equity as between different territories in the extension of the Morrill Acts and acts related thereto is involved. We are therefore presenting our views on these bills in a single report.

We endorse the principle of extension of the benefits of the land-grant concept, which has proved so successful in this country, to the last remaining substantial group of U.S. citizens living in territories of the United States.

The approach of these bills in the application of the acts involved to these two territories is the same as the approach taken by the Congress in Public Law 90-354 in extending the land-grant concept to the District of Columbia. In this connection however, we believe that the proposed authorization of a \$3 million lump-sum payment each to Guam and to the Virgin Islands should be reconsidered in the light of prior lump-sum authorizations of payments to other jurisdictions for a like purpose. When Hawaii became a State, it was granted a lump-sum of \$6 million in lieu of land or scrip grants under the First Morrill Act. In Public Law 90-354, following the precedent set for Hawaii, the amount authorized to be appropriated to the District of Columbia in lieu of extending to the District the provisions of the First Morrill Act was \$7,241,706, which bore to the \$6 million authorized for Hawaii the same ratio as the population of the District bore to the population of Hawaii. This method of computation was evidently not used in fixing upon the amount of \$3 million for Guam and the Virgin Islands, respectively, in the present bills, and we are not aware of the basis upon which the sum of \$3 million was determined. We would, therefore, suggest that the proposed lump-sum amount for the two territories be reconsidered in that light.

Finally, we note that the bills would "take effect with respect to fiscal years beginning after June 30, 1968." Not only has the fiscal year 1969 expired, but we would also recommend against making the proposed legislation effective upon enactment, both because much of

the fiscal year 1970 will have elapsed by the time this bill can be enacted and also because of the budgetary stringency in this fiscal year. We would therefore suggest that the legislation be made effective with respect to appropriations for fiscal years beginning after the date of enactment.

Subject to the above-suggested modifications, we recommend favorable consideration of this legislation insofar as it applies to the laws with respect to which this Department has responsibility. We defer to the views of the Department of Agriculture with respect to those laws that are administered by that Department.

We are advised by the Bureau of the Budget that there is no objection to the presentation of this report from the standpoint of the administration's program.

Sincerely,

ROBERT H. FINCH,
Secretary.

EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D.C., September 30, 1969.

HON. HENRY M. JACKSON,
Chairman, Committee on Interior and Insular Affairs,
U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: Reference is made to your request for the views of the Bureau of the Budget on S. 1148, a bill to amend the Revised Organic Act of the Virgin Islands and S. 1149, a bill to amend the Organic Act of Guam.

The report of the Department of Health, Education, and Welfare recommends favorable consideration of the bills but offers certain amendments.

The Bureau of the Budget would have no objection to the enactment of S. 1148 and S. 1149, subject to consideration of HEW's suggestions.

Sincerely yours,

WILFRED H. ROMMEL,
Assistant Director for Legislative Reference.

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., December 2, 1969.

HON. HENRY M. JACKSON,
Chairman, Committee on Interior and Insular Affairs,
U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: This is in response to your request for a supplemental report on the views of this Department on S. 1148, a bill to amend the Revised Organic Act of the Virgin Islands, and S. 1149, a bill to amend the Organic Act of Guam.

While we have no objection to the enactment of S. 1148 and S. 1149, we strongly recommend the enactment of the substitute bill submitted with our report of September 26 because we believe that the provisions of our substitute bill, while accomplishing the objective of S. 1148 and S. 1149, are more beneficial to the institutions of higher learning in each of the territories.

As stated in our original report on these bills, we believe that our substitute bill better accomplishes the legislative purpose of S. 1148 and S. 1149 because it extends land-grant status to the College of the Virgin Islands and the University of Guam by amending the basic acts that provide for such benefits rather than by amending the organic acts of the territories of the Virgin Islands and Guam. The amendment process advocated in our substitute bill was followed in extending land-grant status to the institutions of higher learning in Alaska and Hawaii, when they were territories, and to Puerto Rico.

Additionally, our amendment process would make it clear to anyone reading or researching the basic acts that provide land-grant benefits that the Virgin Islands and Guam have institutions of higher learning that are part of the land-grant system, while the amendments made by S. 1148 and S. 1149 would appear only in the organic acts of the two territories involved. Most researches would not look in the organic acts of the two territories to find whether or not land-grant status had been extended to the territorial institutions of higher learning.

Further, our substitute bill would include the territories of the Virgin Islands and Guam in any amendments to the basic acts and would also include them automatically in any increases in appropriations made for the land-grant colleges. The amending process followed in S. 1148 and S. 1149 would not automatically include the Virgin Islands and Guam in any amendments to the basic acts, nor would it include them in increases in appropriations for land-grant colleges.

Section 1 of S. 1148 and S. 1149 adds several new sections to the organic acts of the Virgin Islands and Guam. The first new sections so added provide that in the administration of the second Morrill Act, the Bankhead-Jones Act, the Act of March 4, 1940, and the Agricultural Marketing Act of 1946, the College of the Virgin Islands and the University of Guam shall be considered to be land-grant colleges and shall receive the benefits of those acts.

The second set of sections added by section 1 of S. 1148 and S. 1149 to the two organic acts provides for an authorization of an appropriation of \$3 million as an endowment for each of the two colleges in lieu of land or land script given land-grant schools as an endowment by the first Morrill Act.

The third set of sections added to the organic acts by section 1 of S. 1148 and S. 1149 makes the institutions of higher education in the Virgin Islands and Guam eligible for the benefits extended by the Smith-Lever Act, except that it excludes the territories from inclusion in the provisions of section 3 of that act. That section makes appropriations for the colleges covered by the act. S. 1148 and S. 1149 make the colleges in the territories eligible for an appropriation of such sums as may be necessary to carry out the extension work in the territories. They would not, however, require the territories to match the Federal funds during fiscal years 1970 and 1971. In addition, they would provide for a 4 percent set aside to be allotted to the Federal Extension Service of the Department of Agriculture for administrative, technical, and other services.

The final two sections added by section 1 of the bills provide for any consent that may be required by the territories involved.

Section 2 of the bills makes technical amendments to the organic acts of the Virgin Islands and Guam.

Section 3 of the bills provides for amendments to the act of June 29, 1935, that increase the amount of money appropriated by that act so as to provide funds for the institutions of higher learning in the Virgin Islands and Guam.

Section 4 of S. 1148 and S. 1149 sets the effective date for the various provisions of the bills.

Section 1 of the substitute bill provides that after the effective date of the Act the College of the Virgin Islands and the University of Guam shall be considered land-grant colleges established for the benefit of agriculture and mechanic arts in accordance with the first Morrill Act. This provision makes it clear that the colleges are land-grant colleges and are covered by the first Morrill Act. This section, along with section 2 of the substitute bill which authorizes the appropriation of \$3 million for each of the colleges parallels the first part of section 1 of S. 1148 and S. 1149 and the second set of sections added by section 1 of the bills.

Section 3 of the substitute bill amends the proper sections of the second Morrill Act, as amended, to include in those sections the phrase "the Virgin Islands and Guam" to make it clear that the two territories are included in the provisions of the act. The second Morrill Act, as amended, provides direct annual grants for instruction in agriculture, mechanic arts, and related subjects, as well as providing for courses in reaching these subjects. This approach taken by the amending process of the substitute bill is one that will make the institutions of higher learning in the territories a part of the provisions of the second Morrill Act, as amended, so that whenever changes are made in the act, including increases in the amount of money made available under that act, will flow to these institutions, automatically, and without the need for additional legislative action, a result which we believe would not be the case under the provisions of S. 1148 and S. 1149. Rather, these territories would be required to ask Congress, annually, for funds, a burden not imposed upon the several States and Puerto Rico.

Section 4 of the substitute bill parallels section 3 of S. 1148 and S. 1149 to the extent that it increases the amount of money available under the appropriation made by the act of June 29, 1935. However, it goes further and directly amends the Act to include the Virgin Islands and Guam for all purposes. The effect of this is to include them in the sharing of any additional money that might be made available for the program, which result is not accomplished by S. 1148 and S. 1149.

Section 5 of the substitute bill parallels that portion of section 1 of S. 1148 and S. 1149 that amends the organic acts to provide coverage of the act of March 4, 1940, but directly amends the act.

Section 6 of the substitute bill amends the Agricultural Marketing Act of 1946 directly and parallels that portion of section 1 of S. 1148 and S. 1149 that amends that act. The basic difference between the pending bills and the substitute bill is that the pending bills simply recite that the territories are to be included in the provisions of that act and the substitute bill amends section 207 of that act to include the Virgin Islands and Guam in the definition of the term "State" as it is used in that act.

Section 7 of the substitute bill parallels that portion of section 1 of S. 1148 and S. 1149 that amends the Smith-Lever Act to provide cooperative agricultural extension service to the territories through

the land-grant colleges established there. The main difference between the pending bills and the substitute bill is that the substitute bill directly amends the Smith-Lever Act and provides for an authorization of an appropriation of a definite sum, \$100,000 annually, for each of the institutions of higher learning rather than leaving the amount indefinite as would be the case under the terms of S. 1148 and S. 1149. The \$100,000 provided approximates the amount given to each of the 50-State land-grant colleges and the Puerto Rico land-grant college. This definite amount will not require the territories to have to justify an amount each year in the appropriation process, which process makes uncertain the amount to be received and making planning difficult, if not impossible. The substitute also provides that during fiscal years 1971 and 1972, the institutions will not be required to match the Federal grant, but will have to in all future years.

Section 8 of the substitute bill further amends the act of May 8, 1914, by amending section 10 which was added by the act of October 5, 1962, by providing that the term "State" as used in the Smith-Lever Act will include the Virgin Islands and Guam and parallels the first part of section 1 of S. 1148 and S. 1149. This amendment will make the two territories eligible for all the benefits extended to the States under the provisions of the Smith-Lever Act.

Section 9 and section 10 of the substitute bill have no parallel in S. 1148 and S. 1149. The sections amend the McIntire-Stennis Act. The sections were added because of our belief that the forestry research program provided by the McIntire-Stennis Act would be beneficial to the territories and the program is one that is normally conducted by the land-grant colleges.

Section 11 of the bill parallels that portion of section 1 of S. 1148 and S. 1149 that grant consent of the territories for inclusion in the land-grant programs, where such consent is needed.

We strongly endorse the amendment offered by the Department of Agriculture that would make the College of the Virgin Islands and the University of Guam eligible for the benefits provided by the Hatch Act. The experimental farm operations provided by that act will be beneficial to the two territories.

Discussions with the Department of Health, Education, and Welfare have pointed out that the term "Territories" as used in the Second Morrill Act and the Retirement Act of March 4, 1940, has been administratively interpreted to include Puerto Rico. This fact makes it necessary to revise our substitute bill to clearly include Puerto Rico in the provisions of the Second Morrill Act and the Retirement Act of March 4, 1940. We can make this change by amending sections 3 and 5 of our substitute bill as follows:

"SEC. 3. The Act of August 30, 1890, as amended (26 Stat. 417; 7 U.S.C. 322-326), is further amended—

(1) by striking the words 'and Territory' wherever they appear and substituting in lieu thereof the words ', Puerto Rico, the Virgin Islands, and Guam';

(2) by striking the words 'and Territories' wherever they appear and substituting in lieu thereof the words ', Puerto Rico, the Virgin Islands, and Guam';

(3) by striking the words 'or Territory' wherever they appear and substituting the words ', Puerto Rico, the Virgin Islands, or Guam';

(4) by striking the words 'or Territories' wherever they appear and substituting in lieu thereof the words 'Puerto Rico, the Virgin Islands, and Guam'; and,

(5) by striking the words 'or Territorial' where they appear".

Subsection (6) of our substitute bill is deleted because it is not needed because it amends the so-called "separate but equal" provisions of the Second Morrill Act, which recent court decisions under the Constitution (as well as title IV of the Civil Rights Act of 1964), have made no longer applicable.

"SEC. 5. The Act of March 4, 1940 (54 Stat. 39, 7 U.S.C. 331) is amended—

(1) by striking the words 'and Territories' wherever they appear and substituting in lieu thereof the words ', Puerto Rico, the Virgin Islands, and Guam';

(2) by striking the words 'or Territories' wherever they appear and substituting in lieu thereof the words ', Puerto Rico, the Virgin Islands, or Guam'; and

(3) by striking the word 'State' wherever it appears in the third proviso of that Act and substituting in lieu thereof the words 'State, Puerto Rico, the Virgin Islands, or Guam'."

These amendments will solve most of the problems that the Department of Health, Education, and Welfare has with our substitute bill.

The Bureau of the Budget has advised that there is no objection to the presentation of this report from the standpoint of the administration's program.

Sincerely yours,

RUSSELL E. TRAIN,
Under Secretary of the Interior.

CHANGES IN EXISTING LAW

In compliance with subsection (4) of rule XXIX of the Standing Rules of the Senate, changes in existing law made by the bill (S. 1148) as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets; new matter is printed in italic; existing law in which no change is proposed is shown in roman).

Act of August 30, 1890

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be, and hereby is, annually appropriated, out of any money in the Treasury not otherwise appropriated, arising from the sales of public lands, to be paid as hereinafter provided, to each State [and Territory], *Puerto Rico, the Virgin Islands, and Guam* for the more complete endowment and maintenance of colleges for the benefit of agriculture and the mechanic arts now established, or, which may be hereafter established, in accordance with an Act of Congress approved July second, eighteen hundred and sixty-two, the sum of fifteen thousand dollars for the year ending June thirtieth, eighteen hundred and ninety, and an annual increase of the amount of such appropriation thereafter for ten years by an additional sum of one thousand dollars over the preceding year, and the annual amount to be paid thereafter to each

State [and Territory], *Puerto Rico, the Virgin Islands, and Guam* shall be twenty-five thousand dollars to be applied only to instruction in agriculture, the mechanic arts, the English language and the various branches of mathematical, physical, natural and economic science, with special reference to their applications in the industries of life, and to the facilities for such instruction: *Provided*, That no money shall be paid out under this Act to any State [or Territory], *Puerto Rico, the Virgin Islands, or Guam* for the support and maintenance of a college where a distinction of race or color is made in the admission of students, but the establishment and maintenance of such colleges separately for white and colored students shall be held to be a compliance with the provisions of this Act if the funds received in such State [or Territory], *Puerto Rico, the Virgin Islands, or Guam* be equitably divided as hereinafter set forth: *Provided*, That in any State in which there has been one college established in pursuance of the Act of July second, eighteen hundred and sixty-two, and also in which an educational institution of like character has been established, or may be hereafter established, and is now aided by such State from its own revenue, for the education of colored students in agriculture and the mechanic arts, however named or styled, or whether or not it has received money heretofore under the Act to which this Act is an amendment, the legislature of such State may propose and report to the Secretary of the Interior a just and equitable division of the fund to be received under this Act between one college for white students and one institution for colored students established as aforesaid, which shall be divided into two parts and paid accordingly, and thereupon such institution for colored students shall be entitled to the benefits of this Act and subject to its provisions, as much as it would have been if it had been included under the Act of eighteen hundred and sixty-two, and the fulfillment of the foregoing provisions shall be taken as a compliance with the provisions in reference to separate colleges for white and colored students.

SEC. 2. That the sums hereby appropriated to the States [and Territories], *Puerto Rico, the Virgin Islands, and Guam* for the further endowment and support of colleges shall be annually paid on or before the thirty-first day of July of each year, by the Secretary of the Treasury, upon the warrant of the Secretary of the Interior, out of the Treasury of the United States, to the State [or Territorial] treasurer, or to such officer as shall be designated by the laws of such State [or Territory], *Puerto Rico, the Virgin Islands, or Guam* to receive the same, who shall, upon the order of the trustees of the college, or the institution for colored students, immediately pay over said sums to the treasurers of the respective colleges or other institutions entitled to receive the same, and such treasurers shall be required to report to the Secretary of Agriculture and to the Secretary of the Interior, on or before the first day of September of each year, a detailed statement of the amount so received and of its disbursement. The grants of moneys authorized by this Act are made subject to the legislative assent of the several States [and Territories], *Puerto Rico, the Virgin Islands, and Guam* to the purpose of said grants: *Provided*, That payments of such installations of the appropriation herein made as shall become due to any State before the adjournment of the regular session of legislature meeting next after the passage of this Act shall be made

upon the assent of the Governor thereof, duly certified to the Secretary of the Treasury.

SEC. 3. That if any portion of the moneys received by the designated officer of the State [or Territory], *Puerto Rico, the Virgin Islands or Guam* for the further and more complete endowment, support, and maintenance of colleges, or of institutions for colored students, as provided in this Act, shall, by any action or contingency, be diminished or lost, or be misapplied, it shall be replaced by the State [or Territory], *Puerto Rico, the Virgin Islands, or Guam* to which it belongs, and until so replaced no subsequent appropriation shall be apportioned or paid to such State [or Territory], *Puerto Rico, the Virgin Islands, or Guam*; and no portion of said moneys shall be applied, directly or indirectly, under pretense whatever, to the purchase, erection, preservation, or repair of any building or buildings. An annual report by the President of each of said colleges shall be made to the Secretary of Agriculture, as well as to the Secretary of the Interior, regarding the condition and progress of each college, including statistical information in relation to its receipts and expenditures, its library, the number of its students and professors, and also as to any improvements and experiments made under the direction of any experiment stations attached to such colleges, with their costs and results, and such other industrial and economical statistics as may be regarded as useful, one copy of which shall be transmitted by mail free to all other colleges further endowed under this Act.

SEC. 4. That on or before the first day of July in each year, after the passage of this Act, the Secretary of the Interior shall ascertain and certify to the Secretary of the Treasury as to each State [and Territory], *Puerto Rico, the Virgin Islands, and Guam* whether it is entitled to receive its share of the annual appropriation for colleges, or of institutions for colored students, under this Act, and the amount which thereupon each is entitled, respectively, to receive. If the Secretary of the Interior shall withhold a certificate from any State [or territory], *Puerto Rico, the Virgin Islands, or Guam* of its appropriation the facts and reasons therefor shall be reported to the President, and the amount involved shall be kept separate in the Treasury until the close of the next Congress, in order that the State [or Territory], *Puerto Rico, the Virgin Islands or Guam* may, if it should so desire, appeal to Congress from the determination of the Secretary of the Interior. If the next Congress shall not direct such sum to be paid it shall be covered into the Treasury. And the Secretary of the Interior is hereby charged with the proper administration of this law.

SEC. 5. That the Secretary of the Interior shall annually report to Congress the disbursements which have been made in all the States [and Territories], *Puerto Rico, the Virgin Islands, and Guam*, and also whether the appropriation of any State [or Territory], *Puerto Rico, the Virgin Islands, and Guam* has been withheld, add if so, the reasons therefor.

Act of May 8, 1914, As Amended

* * * * *

SEC. 3(a) There are hereby authorized to be appropriated for the purposes of this Act such sums as Congress may from time to time determine to be necessary.

(b)(1) Out of such sums, each State and the Federal Extension Service shall be entitled to receive annually a sum of money equal to

the sums available from Federal cooperative extension funds for the fiscal year 1962, and subject to the same requirements as to furnishing of equivalent sums by the State, except that amounts heretofore made available to the Secretary for allotment on the basis of special need shall continue available for use on the same basis.

(2) *There is authorized to be appropriated out of money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1971, and for each fiscal year thereafter, for payment to the Virgin Islands and Guam, \$100,000 each, which sums shall be in addition to the sums appropriated for the several States of the United States and Puerto Rico under the provisions of this section. The amount paid by the Federal government to the Virgin Islands and Guam pursuant to this paragraph shall not exceed during any fiscal year, except the fiscal years ending June 30, 1971, and June 30, 1972, when such amount may be used to pay the total cost of providing services to this Act, the amount available and budgeted for expenditure by the Virgin Islands and Guam for the purposes of this Act.*

(c) Any sums made available by the Congress for further development of cooperative extension work in addition to those referred to in subsection (b) hereof shall be distributed as follows:

(1) Four per centum of the sum so appropriated for each fiscal year shall be allotted to the Federal Extension Service for administrative, technical, and other services, and for coordinating the extension work of the Department and the several States, Territories, and possessions.

(2) Of the remainder so appropriated for each fiscal year 20 per centum shall be paid to the several States in equal proportions, 40 per centum shall be paid to the several States in the proportion that the rural population of each bears to the total rural population of the several States as determined by the census, and the balance shall be paid to the several States in the proportion that the farm population of each bears to the total farm population of the several States as determined by the census: *Provided*, That payments out of the additional appropriations for further development of extension work authorized herein may be made subject to the making available of such sums of public funds by the States from non-Federal funds for the maintenance of cooperative agricultural extension work provided for in this Act, as may be provided by the Congress at the time such additional appropriations are made: *Provided further*, That any appropriation made hereunder shall be allotted in the first and succeeding years on the basis of the decennial census current at the time such appropriation is first made, and as to any increase, on the basis of decennial census current at the time such increase is first appropriated.

(d) The Federal Extension Service shall receive such additional amounts as Congress shall determine for administration, technical, and other services and for coordinating the extension work of the Department and the several States, Territories, and possessions.

* * * * *

SEC. 10. The term "State" means the States of the Union [and Puerto Rico], *Puerto Rico, the Virgin Islands, and Guam.*

* * * * *

Act of June 29, 1935, As Amended

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SEC. 22. In order to provide for the more complete endowment and support of the colleges in the several States [and Puerto Rico], *Puerto Rico, the Virgin Islands, and Guam* 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 mechanic arts," approved July 2, 1862, as amended and supplemented (7 U.S.C. 301-328), there are hereby authorized to be appropriated annually, out of any money in the Treasury not otherwise appropriated, the following amounts:

(a) For the first fiscal year beginning after the date of enactment of this Act, and for each fiscal year thereafter, **[\$7,800,000]** \$8,100,000; and

(b) For the first fiscal year beginning after the date of enactment of this Act, and for each fiscal year thereafter **[\$4,320,000]** \$4,360,000.

The sums appropriated in pursuance of paragraph (a) shall be paid annually to the several States [and Puerto Rico], *Puerto Rico, the Virgin Islands and Guam* 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 Puerto Rico], *Puerto Rico, the Virgin Islands, and Guam* in the proportion to which the total population of each State [and Puerto Rico], *Puerto Rico, the Virgin Islands, and Guam* bears to the total population of all the States [and Puerto Rico], *Puerto Rico, the Virgin Islands, and Guam* 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 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 2, 1862," approved August 30, 1890, as amended and supplemented, shall apply to the use and payment of sums appropriated in pursuance to this section.

Agricultural Marketing Act of 1946

* * * * * *

SEC. 207. When used in this title, the term "agricultural products" includes agricultural, horticultural, viticultural, and dairy products, livestock and poultry, bees, forest products, fish and shellfish, and any products thereof, including processed and manufactured products and any and all products raised or produced on farms and any processed or manufactured product thereof[.], and the term "State" when used in this chapter shall include the *Virgin Islands and Guam*.

Act of March 4, 1940

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, pursuant to the recognized obligations of governments to guarantee the social security of their employees and in order to provide for the retirement on an annuity, or otherwise, of all persons being paid salaries in whole or in part from grants of Federal funds to the several States [and Territories], Puerto Rico, the Virgin Islands, and Guam pursuant to the terms of the Act approved July 2, 1862, for the endowment and support of colleges of agriculture and mechanic arts, and Acts supplementary thereto providing for instruction in agriculture and mechanic arts, for the establishment of agriculture experiment stations, and for cooperative extension work in agriculture and home economics, all States [and Territories], Puerto Rico, the Virgin Islands, and Guam are hereafter authorized, notwithstanding any contrary provisions in said Acts, to withhold from expenditure, from Federal funds advanced under the terms of said Acts, amounts designated as employer contributions to be made by the States [or Territories], Puerto Rico, the Virgin Islands, or Guam, to retirement systems established in accordance with the laws of such States [or Territories], Puerto Rico, the Virgin Islands, or Guam, or established by the governing boards of colleges of agriculture and mechanic arts in accordance with the authority vested in them, and to deposit such amounts to the credit of such retirement systems for subsequent disbursement in accordance with the terms of the retirement systems in effect in the respective States [and Territories], Puerto Rico, the Virgin Islands, and Guam: Provided, That there shall not be deducted from Federal funds and deposited to the credit of retirement accounts as employer contributions, amounts in excess of 5 per centum of that portion of the salaries of employees paid from such Federal funds: Provided further, That, for the purpose of making deposits and contributions in retirement systems in favor of any employee, in no event shall the deductions from any Federal fund advanced pursuant to the foregoing Acts be in greater proportion to the total deductions for such employee than the salary received under such Federal funds bears to the total salary from Federal sources: Provided further, That the deposits and contributions from funds of Federal origin to any retirement system established by a [State] State, Puerto Rico, the Virgin Islands, or Guam or a land-grant college must be at least equalled by the total contributions thereto on the part of the individuals concerned, the [State,] State, Puerto Rico, the Virgin Islands or Guam, and the counties: And provided further, That no deductions for the foregoing purposes shall be made from Federal funds in support of employees appointed pursuant to the terms of the foregoing Acts, whose salaries are paid wholly by the States [or Territories], Puerto Rico, the Virgin Islands, or Guam: Provided further, That the provisions of this Act shall not apply to any employee paid in whole or in part from Federal funds who may be subject to the United States Civil Service Retirement Act, as amended

Act of August 11, 1955

SECTION 1. It is the policy of Congress to continue the agricultural research at State agricultural experiment stations which has been encouraged and supported by the Hatch Act of 1887, the Adams Act of 1906, the Purnell Act of 1925, the Bankhead-Jones Act of 1935, and title 1, section 9, of that Act as added by the Act of August 14, 1946, and Acts amendatory and supplementary thereto, and to promote the efficiency of such research by a codification and simplification of such laws. As used in this Act, the terms "State" or "States" are defined to include the States, Alaska, Hawaii, [and] Puerto Rico [.] , the Virgin Islands, and Guam. As used in this Act, the term "State agricultural experiment station" means a department which shall have been established, under direction of the college or university or agricultural departments of the college or university in each State in accordance with an Act approved July 2, 1862 (12 Stat. 503), 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"; or such other substantially equivalent arrangements as any State shall determine.

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SEC. 3. (a) There are hereby authorized to be appropriated for the purposes of this Act such sums as Congress may from time to time determine to be necessary.

(b)(1) Out of such sums each State shall be entitled to receive annually a sum of money equal to and subject to the same requirement as to use for marketing research projects as the sums received from Federal appropriations for State agricultural experiment stations for the fiscal year 1955, except that amounts heretofore made available from the fund known as the "Regional research fund, Office of Experiment Stations" shall continue to be available for the support of cooperative regional projects as defined in subsection 3(c)(3), and the said fund shall be designated "Regional research fund, State agricultural experiment stations", and the Secretary of Agriculture shall be entitled to receive annually for the administration of this Act, a sum not less than that available for this purpose for the fiscal year ending June 30, 1955: *Provided*, That if the appropriations hereunder available for distribution in any fiscal year are less than those for the fiscal year 1955 the allotment to each State and the amounts of Federal administration and the regional research fund shall be reduced in proportion to the amount of such reduction.

(2) *There is authorized to be appropriated out of money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1971, and for each fiscal year thereafter, for payment to the Virgin Islands and Guam \$100,000 each, which sums shall be in addition to the sums appropriated for the several States and Puerto Rico under the provisions of this section. The amount paid by the Federal Government to the Virgin Islands and Guam pursuant to this paragraph shall not exceed during any fiscal year, except the fiscal years ending June 30, 1971, and June 30, 1972, when such amount may be used to pay the total cost of providing services pursuant to this Act, the amount available and budgeted for expenditure by the Virgin Islands and Guam for the purposes of this Act.*

(c) Any sums made available by the Congress in addition to those provided for in subsection (b) hereof for State agricultural experiment station work shall be distributed as follows:

- (1) Twenty per centum shall be allotted equally to each State;
- (2) Not less than 52 per centum of such sums shall be allotted to each State, as follows: One-half in an amount which bears the same ratio to the total amount to be allotted as the rural population of the State bears to the total rural population of all the States as determined by the last preceding decennial census current at the time each such additional sum is first appropriated; one-half in an amount which bears the same ratio to the total amount to be allotted as the farm population of the State bears to the total farm population of all the States as determined by the last preceding decennial census current at the time such additional sum is first appropriated;

(3) Not more than 25 per centum shall be allotted to the States for cooperative research in which two or more State agricultural experiment stations are cooperating to solve problems that concern the agriculture of more than one State. The funds available for such purposes, together with funds available pursuant to subsection (b) hereof for like purpose shall be designated as the "Regional research fund, State agricultural experiment stations", and shall be used only for such cooperative regional projects as are recommended by a committee of nine persons elected by and representing the directors of the State agricultural experiment stations, and approved by the Secretary of Agriculture. The necessary travel expenses of the committee of nine persons in the performance of their duties may be paid from the fund established by this paragraph.

4. Not less than 20 per centum of any sums appropriated pursuant to this subsection for distribution to States shall be used by State agricultural experiment stations for conducting marketing research projects approved by the Department of Agriculture.

5. Three per centum shall be available to the Secretary of Agriculture for administration of this Act.

(d) Of any amount in excess of \$90,000 available under this Act for allotment to any State, exclusive of the regional research fund, State agricultural experiment stations, no allotment and no payments thereof shall be made in excess of the amount which the State makes available out of its own funds for research and for the establishment and maintenance of facilities necessary for the prosecution of such research. *And provided further*, That if any State fails to make available for such research purposes for any fiscal year a sum equal to the amount in excess of \$90,000 to which it may be entitled for such year, the remainder of such amount shall be withheld by the Secretary of Agriculture.

(e) "Administration" as used in this section shall include participation in planning and coordinating cooperative regional research as defined in subsection 3(c)3.

(f) In making payments to States, the Secretary of Agriculture is authorized to adjust any such payment to the nearest dollar.

Act of October 10, 1962

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SEC. 4. The amount paid by the Federal Government to any State-certified institution eligible for assistance under this Act 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. 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 Act 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 Act, 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 therefore 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 **[.]**, *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.*

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SEC. 8. The term "State" as used in this Act shall include Puerto Rico **[.]**, the Virgin Islands, and Guam.

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