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DISTRIBUTION OF HATCH ACT AND SMITH-LEVER
ACT FUNDS TO BLACK LAND-GRANT INSTITUTIONS
-- COOPERATIVE STATE RESEARCH SERVICE AND
FEDERAL EXTENSION SERVICE, DEPARTMENT OF
AGRICULTURE

B-170667
11/10/70

RELEASED

RESTRICTED

This report was made in accordance with a request of Congresswoman Shirley Chisholm that we provide certain specific information regarding the Department of Agriculture's distribution of Federal funds for agricultural experiment work pursuant to the Hatch Act (7 U.S.C. 361a-361i) and for extension work pursuant to the Smith-Lever Act (7 U.S.C. 341). Congresswoman Chisholm was concerned that the distribution of such funds to land grant colleges was racially discriminatory.

We provided the Congresswoman with (1) general background information on how land-grant colleges originated and the functions of State agricultural experiment stations and extension services and (2) information on the distribution of Hatch Act and Smith-Lever Act funds to State institutions, including a statement of the Department of Agriculture's position concerning the legislative provisions which restrict the distribution of such funds to those institutions designated by the individual State legislatures.

Department of Agriculture officials advised us that under the existing legislation the Department does not have any legal authority to distribute Hatch Act and Smith-Lever Act funds to any State institutions unless the legislatures in the States in which the institutions

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are located designate the institutions to receive such funds. Since none of the 16 predominantly black colleges having land-grant status have been designated by their States to receive Hatch Act or Smith-Lever Act funds, none of these funds were being distributed to them. We provided the Congresswoman with a listing of State institutions receiving Hatch Act and Smith-Lever Act funds in fiscal year 1969.



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Dear Mrs. Chisholm:

Reference is made to your letter of August 17, 1970, in which you stated that Mr. William Payne in an article published in the spring 1970 "Civil Rights Digest" conclusively showed that the distribution of Federal and State money to land-grant colleges is racially discriminatory. To facilitate your investigation of this matter, you asked us to provide the following information on the Department of Agriculture's distribution of Federal funds pursuant to the Hatch Act and the Smith-Lever Act:

- The most recent compilation of salary rosters identifying agricultural experiment station and extension service employees by title and position.
- The amounts and/or percentages of the salary costs of the agricultural experiment stations and extension services that are financed from Federal and non-Federal funds.
- The amounts and/or percentages of the cost of all projects engaged in by experiment station personnel that are financed from Federal and non-Federal funds.

For your information we are providing (1) general background information on how land-grant colleges originated and the functions of State agricultural experiment stations and extension services and (2) information on the distribution of Hatch Act and Smith-Lever Act funds to State institutions, including a statement of the Department of Agriculture's position concerning the legislative provisions which restrict the distribution of such funds to those institutions designated by the individual State legislatures.

BACKGROUND

Land-grant colleges were established as a result of the First Morrill Act of July 2, 1862 (7 U.S.C. 301). This act authorized the donation of public lands to States and territories. The act also provided that the moneys from sales of the public lands were to be invested, with the interest thereon to be applied to the endowment, support, and

maintenance in each State of at least one college which is devoted primarily to education in agriculture and the mechanical arts.

The Second Morrill Act of August 30, 1890 (7 U.S.C. 321) provided for a more complete endowment and support of land-grant colleges than the First Morrill Act by authorizing an additional annual appropriation to be administered by the Department of Health, Education, and Welfare. The act also extended land-grant status for the purposes of the act to institutions aided from State funds and devoted to the education of black students in agriculture and the mechanic arts.

The Hatch Act of March 2, 1887, as amended (7 U.S.C. 361a-361i) authorized the distribution of funds to assist in financing activities of State agricultural experiment stations (including Puerto Rico) which have been established as part of a land-grant college or under separate State authority. The agricultural experiment stations conduct research, investigations, and experiments to promote permanent and efficient agricultural industry and improvements in the rural home and community and, in all but two instances, are associated with land-grant colleges.

The Smith-Lever Act of May 8, 1914, as amended (7 U.S.C. 341) authorizes the distribution of funds to those land-grant colleges designated by State legislatures for assistance in financing operations of the State extension services. The basic purpose of a State extension service, which is associated with a designated land-grant college, is to help people identify and solve their farm, home, and community problems. A State extension service employs county agents, home economic agents, 4-H club agents, and others who conduct joint educational programs adapted to local problems and conditions.

Generally both agricultural experiment stations and State extension services are headed by directors who are responsible for the administration of all phases of agricultural research and extension service activities within a State. These directors are responsible to the head of the land-grant college and/or to the appropriate governing body within the State.

DISTRIBUTION OF HATCH ACT
AND SMITH-LEVER ACT FUNDS

The Department of Agriculture distributes Hatch Act funds, through its Cooperative State Research Service, to 53 State agricultural experiment stations (including the University of Puerto Rico) and distributes Smith-Lever Act funds, through its Federal Extension Service, to 51 State

land-grant colleges (also including the University of Puerto Rico). Enclosed is a listing of Hatch Act and Smith-Lever Act funds distributed to State institutions during fiscal year 1969 for agricultural research and extension service activities. We obtained this information from Department records.

Department officials have advised us that the Department does not have any legal authority to distribute Hatch Act and Smith-Lever Act funds to any State institutions unless the legislatures in the States in which the institutions are located designate the institutions to receive such funds. Since none of the 16 predominantly black colleges--extended land-grant status pursuant to the Second Morrill Act--have been designated by their States to receive Hatch Act or Smith-Lever Act funds, none of these funds have been distributed to them. Pertinent sections of the Hatch Act and the Smith-Lever Act on which the Department's position is based follow.

Hatch Act of March 2, 1887, as amended

"It is the policy of Congress to continue the agricultural research at State agricultural experiment stations***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 sections 301-305, 307, and 308 [First Morrill Act] of this title; or such other substantially equivalent arrangements as any State shall determine."

* * * * *

"*** in any State in which more than one such college, university, or agricultural experiment station has been established the appropriations made pursuant to sections 361a-361i of this title for such State shall be divided between such institutions as the legislature of such State shall direct." (Underscoring supplied.)

Smith-Lever Act of May 8, 1914, as amended

"In order to aid in diffusing among the people of the United States useful and practical information on subjects relating to agriculture and home economics, and to encourage the application of the same, there may be continued or inaugurated in connection with the college or colleges in

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each State, Territory, or possession, now receiving, or which may hereafter receive, the benefits of sections 301-305, 307, 308 [First Morrill Act], 321-326, and 328 [Second Morrill Act] of this title, agricultural extension work which shall be carried on in cooperation with the United States Department of Agriculture: Provided, That in any State, Territory, or possession in which two or more such colleges have been or hereafter may be established, the appropriations hereinafter made to such State, Territory, or possession shall be administered by such college or colleges as the legislature of such State, Territory, or possession may direct." (Underscoring supplied.)

As agreed with your staff, because Department records indicate that Hatch Act and Smith-Lever Act Funds are not being distributed to predominately black Land-Grant Colleges, we need not provide the detailed information that you requested on salary and project costs of the State Agricultural Experiment Station and Extension Services or the amounts and/or percentages of salary and project costs that are financed from Federal and non-Federal funds.

We plan to make no further distribution of this report unless copies are specifically requested, and then we shall make distribution only after your agreement has been obtained or public announcement has been made by you concerning the contents of the report.

We trust the information provided will serve the purposes of your inquiry.

Sincerely yours,


Comptroller General
of the United States

Enclosure

The Honorable Shirley Chisholm
House of Representatives

HATCH ACT AND SMITH-LEVER ACT FUNDS
DISTRIBUTED TO STATE INSTITUTIONS FOR
AGRICULTURAL RESEARCH AND EXTENSION SERVICE ACTIVITIES
DURING FISCAL YEAR 1969

	Hatch Act funds (note a)			Smith-Lever Act funds	Total Hatch Act and Smith-Lever Act funds
	Regular	Regional	Total		
<u>State institutions</u>					
Alabama:					
Auburn University	1,132,298	210,510	1,342,808	2,676,761	4,019,569
Alaska:					
University of Alaska	303,756	29,976	333,732	231,836	565,568
Arizona:					
University of Arizona	401,768	234,242	636,010	556,283	1,192,293
Arkansas:					
University of Arkansas	940,776	178,275	1,119,051	2,163,809	3,282,860
California:					
University of California	1,127,090	373,684	1,500,774	2,114,049	3,614,823
Colorado:					
Colorado State University	504,665	283,186	787,851	849,801	1,637,652
Connecticut:					
University of Connecticut	215,865	108,213	324,078	488,035	812,113
Connecticut Agricultural Experiment Station (New Haven) (note b)	215,866	30,355	246,221		246,221
Delaware:					
University of Delaware	325,005	109,964	434,969	258,953	693,922

State institutions	Hatch Act funds (note a)			Smith-Lever Act funds	Total Hatch Act and Smith-Lever Act funds
	Regular	Regional	Total		
Florida: University of Florida	669,218	121,180	790,398	1,050,429	1,840,827
Georgia: University of Georgia	1,192,655	343,689	1,536,344	2,783,394	4,319,738
Hawaii: University of Hawaii	352,313	109,103	461,416	380,597	842,013
Idaho: University of Idaho	458,905	168,511	627,416	687,155	1,314,571
Illinois: University of Illinois	1,216,686	285,598	1,502,284	2,512,140	4,014,424
Indiana: Purdue University	1,077,208	242,235	1,319,443	2,136,846	3,456,289
Iowa: Iowa State University	1,097,747	320,039	1,417,786	2,274,500	3,692,286
Kansas: Kansas State University	758,961	207,671	966,632	1,504,782	2,471,414
Kentucky: University of Kentucky	1,228,451	222,070	1,450,521	2,746,106	4,196,627
Louisiana: Louisiana State University	843,416	158,091	1,001,507	1,758,178	2,759,685
Maine: University of Maine	449,421	149,291	598,712	573,510	1,172,222

<u>State institutions</u>	<u>Hatch Act funds (note a)</u>			<u>Smith-Lever Act funds</u>	<u>Total Hatch Act and Smith- Lever Act funds</u>
	<u>Regular</u>	<u>Regional</u>	<u>Total</u>		
Maryland:					
University of Maryland	571,957	176,293	748,250	835,961	1,584,211
Massachusetts:					
University of Massachusetts	519,452	177,687	697,139	671,559	1,368,698
Michigan:					
Michigan State University	1,153,574	206,448	1,360,022	2,309,910	3,669,932
Minnesota:					
University of Minnesota	1,050,871	224,953	1,275,824	2,172,912	3,448,736
Mississippi:					
Mississippi State University	1,182,478	215,579	1,398,057	2,809,707	4,207,764
Missouri:					
University of Missouri	1,116,073	217,207	1,333,280	2,450,919	3,784,199
Montana:					
Montana State University	439,716	225,368	665,084	678,576	1,343,660
Nebraska:					
University of Nebraska	682,773	237,635	920,408	1,298,493	2,218,901
Nevada:					
University of Nevada	299,990	108,094	408,084	291,126	699,210
New Hampshire:					
University of New Hampshire	357,776	110,976	468,752	335,037	803,789'
New Jersey:					
Rutgers--the State university	503,791	244,672	748,463	649,120	1,397,583

State institutions	Hatch Act funds (note a)			Smith-Lever Act funds	Total Hatch Act and Smith-Lever Act funds
	Regular	Regional	Total		
New Mexico:					
New Mexico State University	421,168	112,872	534,040	621,262	1,155,302
New York:					
New York State College of Agriculture at Cornell University	1,047,785	276,422	1,324,207	2,224,274	3,548,481
New York State Agriculture Experiment Station (Geneva) (note b)	116,420	130,409	246,829		246,829
North Carolina:					
North Carolina State University	1,684,157	295,218	1,979,375	3,815,686	5,795,061
North Dakota:					
North Dakota State University	538,829	173,981	712,810	944,819	1,657,629
Ohio:					
Ohio State University	1,363,346	226,030	1,589,376	2,835,485	4,424,861
Oklahoma:					
Oklahoma State University	802,819	151,848	954,667	1,778,805	2,733,472
Oregon:					
Oregon State University	572,619	278,408	851,027	899,906	1,750,933
Pennsylvania:					
Pennsylvania State University	1,446,770	323,248	1,770,018	2,849,461	4,619,479
Puerto Rico:					
University of Puerto Rico	1,207,782	206,364	1,414,146	2,546,459	3,960,605

State institutions	Hatch Act funds (note a)			Smith-Lever Act funds	Total Hatch Act and Smith-Lever Act funds
	Regular	Regional	Total		
Rhode Island: University of Rhode Island	309,941	117,214	427,155	211,184	638,339
South Carolina: Clemson University	965,967	175,130	1,141,097	2,018,791	3,159,888
South Dakota: South Dakota State University	537,109	176,897	714,006	908,490	1,622,496
Tennessee: University of Tennessee	1,252,942	222,022	1,474,964	2,781,162	4,256,126
Texas: Texas A & M University	1,620,679	295,651	1,916,330	4,240,054	6,156,384
Utah: Utah State University	376,872	205,999	582,871	499,913	1,082,784
Vermont: University of Vermont	378,512	90,863	469,375	430,497	899,872
Virginia: Virginia Polytechnic Institute	1,096,874	196,900	1,293,774	2,295,520	3,589,294
Washington: Washington State University	649,008	369,867	1,018,875	1,039,480	2,058,355
West Virginia: West Virginia University	769,697	143,103	912,800	1,416,328	2,329,128
Wisconsin: University of Wisconsin	1,064,982	258,067	1,323,049	2,163,965	3,487,014

<u>State institutions</u>	<u>Hatch Act funds (note a)</u>			<u>Smith-Lever Act funds</u>	<u>Total Hatch Act and Smith- Lever Act funds</u>
	<u>Regular</u>	<u>Regional</u>	<u>Total</u>		
Wyoming:					
University of Wyoming	<u>343,149</u>	<u>160,293</u>	<u>503,442</u>	<u>436,687</u>	<u>940,129</u>
 Total	<u>40,957,948</u>	<u>10,617,601</u>	<u>51,575,549^c</u>	<u>79,208,712^c</u>	<u>130,784,261</u>

NOTES:

- ^a Regular Hatch Act funds are distributed to State institutions, designated by the States, in accordance with a formula set forth in the law while regional Hatch Act funds are distributed to State institutions, designated by the States, when two or more State agricultural experiment stations are cooperating to solve problems that concern agriculture of more than one State.
- ^b The agricultural experiment stations at New Haven, Connecticut, and Geneva, New York, operate independently of the land-grant colleges.
- ^c Of the total Hatch Act and Smith-Lever Act funds distributed to State institutions in fiscal year 1969, 82 percent and 87 percent, respectively, were used for personal services.