

and also as the Second Morrill Act, which is classified generally to subchapter II (§321 et seq.) of chapter 13 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 321 of this title and Tables.

Act of June 29, 1935, referred to in subsec. (a)(3)(C), is act June 29, 1935, ch. 338, 49 Stat. 436, popularly known as the Bankhead-Jones Act and as the Agricultural Research Act, which was classified principally to sections 329 and 427 to 427j of this title, and was repealed by act Aug. 11, 1966, ch. 790, § 2, 69 Stat. 674, except for sections 1, 10, and 22 of the Act, which are classified to sections 427, 427i, and 329, respectively, of this title. For complete classification of this Act to the Code, see Short Title note under section 427 of this title and Tables.

The Foreign Assistance Act of 1961, referred to in subsec. (a)(4), is Pub. L. 87-195, Sept. 4, 1961, 75 Stat. 424, as amended. Title XII of the Foreign Assistance Act of 1961 probably means title XII of chapter 2 of part I of the Act, which is classified generally to subpart XII (§2220a et seq.) of part II of subchapter I of chapter 32 of Title 22, Foreign Relations and Intercourse. For complete classification of this Act to the Code, see Short Title note set out under section 2151 of Title 22 and Tables.

The Federal Advisory Committee Act, referred to in subsec. (e)(2), is Pub. L. 92-463, Oct. 6, 1972, 86 Stat. 770, as amended, which is set out in the Appendix to Title 5, Government Organization and Employees.

Title XVIII of this Act, referred to in subsec. (e)(2), is title XVIII of the Food and Agriculture Act of 1977, Pub. L. 95-113, Sept. 29, 1977, 91 Stat. 1041, as amended, which is classified generally to chapter 55A (§2281 et seq.) of this title. For complete classification of this Act to the Code, see Short Title of 1977 Amendment note set out under section 1281 of this title and Tables.

AMENDMENTS

1996—Subsec. (e). Pub. L. 104-127 added subsec. (e).

1990—Subsecs. (c) to (e). Pub. L. 101-624 redesignated subsecs. (d) and (e) as (c) and (d), respectively, and struck out former subsec. (c) which read as follows: “In order to meet the increasing needs of consumers and to promote the health and welfare of people, the Secretary shall ensure that the cooperative research, extension, and teaching programs of the various States adequately address the challenges described in paragraph (10) of section 3101 of this title. The Secretary may implement new cooperative initiatives in home economics and related disciplines to address such challenges.”

1985—Subsec. (a)(4). Pub. L. 99-198, §1407(a), added par. (4).

Subsecs. (d), (e). Pub. L. 99-198, §1407(b), added subsecs. (d) and (e).

EFFECTIVE DATE

Section effective Dec. 22, 1981, see section 1801 of Pub. L. 97-98, set out as a note under section 4301 of this title.

§ 3125. Annual report of Secretary of Agriculture to President and Congress

The Secretary shall submit to the President and Congress by January 1 of each year a report on the Nation’s agricultural research, extension, and teaching activities, and such report shall include—

(1) a review covering the following three categories of activities of the Department of Agriculture with respect to agricultural research, extension, and teaching activities and the relationship of these activities to similar activities of other departments and agencies of the Federal Government, the States, colleges and universities, and the private sector—

(A) a current inventory of such activities organized by statutory authorization and budget outlay;

(B) a current inventory of such activities organized by field of basic and applied science; and

(C) a current inventory of such activities organized by commodity and product category;

(2) any recommendations of the Advisory Board; and

(3) in the second and succeeding years, a five-year projection of national priorities with respect to agricultural research, extension, and teaching, taking into account both domestic and international needs.

(Pub. L. 95-113, title XIV, §1410, Sept. 29, 1977, 91 Stat. 989; Pub. L. 97-98, title XIV, §1411, Dec. 22, 1981, 95 Stat. 1302; Pub. L. 99-198, title XIV, §1408, Dec. 23, 1985, 99 Stat. 1546; Pub. L. 101-624, title XVI, §1605(b)(4), Nov. 28, 1990, 104 Stat. 3714; Pub. L. 104-127, title VIII, §§802(b)(2), 852(b)(2), 853(b)(3), Apr. 4, 1996, 110 Stat. 1159, 1171, 1172.)

AMENDMENTS

1996—Par. (2). Pub. L. 104-127 substituted “any recommendations of the Advisory Board” for “the recommendations of the Joint Council developed under section 3122(f) of this title, the recommendations of the Advisory Board developed under section 3123(g) of this title, and the recommendations of the Technology Board developed under section 3123a(d) of this title”.

1990—Par. (2). Pub. L. 101-624 amended par. (2) generally. Prior to amendment, par. (2) read as follows: “the statements of recommendations of the Joint Council developed pursuant to the provisions of section 3122(d)(2)(G) of this title and the statement of recommendations of the Advisory Board developed pursuant to the provisions of section 3123(f)(2)(E) of this title; and”.

1985—Par. (4). Pub. L. 99-198 struck out par. (4) which provided for inclusion “in the report of January 1, 1984, the Secretary’s needs assessment developed pursuant to the provisions of section 3121(11) of this title”.

1981—Pub. L. 97-98 substituted in provision preceding par. (1) “January 1” for “February 1” and added par. (4).

EFFECTIVE DATE OF 1981 AMENDMENT

Amendment by Pub. L. 97-98 effective Dec. 22, 1981, see section 1801 of Pub. L. 97-98, set out as an Effective Date note under section 4301 of this title.

TERMINATION OF REPORTING REQUIREMENTS

For termination, effective May 15, 2000, of provisions of this section relating to submittal to Congress of annual report on agricultural research, extension, and teaching activities, see section 3003 of Pub. L. 104-66, as amended, set out as a note under section 1113 of Title 31, Money and Finance, and page 44 of House Document No. 103-7.

§ 3125a. National Agricultural Library

(a) Purpose

The purpose of this section is to consolidate and expand the statutory authority for the operation of the library of the Department of Agriculture established pursuant to section 2201 of this title as the primary agricultural information resource of the United States.

(b) Establishment

There is established in the Department of Agriculture the National Agricultural Library to serve as the primary agricultural information resource of the United States.

(c) Director

The Secretary shall appoint a Director for the National Agricultural Library who shall be subject to the direction of the Secretary.

(d) Functions of Director

The Director may—

(1) acquire, preserve, and manage information and information products and services in all phases of agriculture and allied sciences;

(2) organize agricultural information and information products and services by cataloging, indexing, bibliographical listing, and other appropriate techniques;

(3) provide agricultural information and information products and services to agencies of the Department of Agriculture and the Federal Government, public and private organizations, and individuals, within the United States and internationally;

(4) plan for, coordinate, and evaluate information and library needs related to agricultural research and education;

(5) cooperate with and coordinate efforts among agricultural college and university libraries, in conjunction with private industry and other agricultural library and information centers, toward the development of a comprehensive agricultural library and information network; and

(6) coordinate the development of specialized subject information services among the agricultural and library information communities.

(e) Library products and services

The Director may—

(1) make copies of the bibliographies prepared by the National Agricultural Library;

(2) make microforms and other reproductions of books and other library materials in the Department;

(3) provide any other library and information products and services; and

(4) sell those products and services at such prices (not less than the estimated total cost of disseminating the products and services) as the Secretary may determine appropriate.

(f) Receipts

Funds received from sales under subsection (e) of this section shall be deposited in the Treasury of the United States to the credit of the applicable appropriation and shall remain available until expended.

(g) Agreements**(1) In general**

The Director may enter into agreement with, and receive funds from any State, and other political subdivision, organization, business, or individual for the purpose of conducting activities to carry out this section.

(2) Funds

Funds received under this subsection for payments for library products and services or other activities shall be deposited to the miscellaneous contributed fund account, and shall remain available until expended.

(h) Authorization of appropriations

There are authorized to be appropriated for each fiscal year such sums as may be necessary to carry out this section.

(Pub. L. 95-113, title XIV, §1410A, as added Pub. L. 101-624, title XVI, §1606(a), Nov. 28, 1990, 104 Stat. 3714.)

ENHANCED USE LEASE AUTHORITY PILOT PROGRAM

Pub. L. 103-354, title III, §308, as added by Pub. L. 110-234, title VII, §7409, May 22, 2008, 122 Stat. 1252, and Pub. L. 110-246, §4(a), title VII, §7409, June 18, 2008, 122 Stat. 1664, 2014, provided that:

“(a) **ESTABLISHMENT.**—To enhance the use of real property administered by agencies of the Department, the Secretary may establish a pilot program, in accordance with this section, at the Beltsville Agricultural Research Center of the Agricultural Research Service and the National Agricultural Library to lease non-excess property of the Center or the Library to any individual or entity, including agencies or instrumentalities of State or local governments.

“(b) REQUIREMENTS.—

“(1) **IN GENERAL.**—Notwithstanding chapter 5 of subtitle I of title 40, United States Code, the Secretary may lease real property at the Beltsville Agricultural Research Center or the National Agricultural Library in accordance with such terms and conditions as the Secretary may prescribe, if the Secretary determines that the lease—

“(A) is consistent with, and will not adversely affect, the mission of the Department agency administering the property;

“(B) will enhance the use of the property;

“(C) will not permit any portion of Department agency property or any facility of the Department to be used for the public retail or wholesale sale of merchandise or residential development;

“(D) will not permit the construction or modification of facilities financed by non-Federal sources to be used by an agency, except for incidental use; and

“(E) will not include any property or facility required for any Department agency purpose without prior consideration of the needs of the agency.

“(2) **TERM.**—The term of a lease under this section shall not exceed 30 years.

“(3) CONSIDERATION.—

“(A) **IN GENERAL.**—Consideration provided for a lease under this section shall be—

“(i) in an amount equal to fair market value, as determined by the Secretary; and

“(ii) in the form of cash.

“(B) USE OF FUNDS.—

“(i) **IN GENERAL.**—Consideration provided for a lease under this section shall be—

“(I) deposited in a capital asset account to be established by the Secretary; and

“(II) available until expended, without further appropriation, for maintenance, capital revitalization, and improvements of the Department properties and facilities at the Beltsville Agricultural Research Center and National Agricultural Library.

“(ii) **BUDGETARY TREATMENT.**—For purposes of the budget, the amounts described in clause (i) shall not be treated as a receipt of any Department agency or any other agency leasing property under this section.

“(4) **COSTS.**—The lessee shall cover all costs associated with a lease under this section, including the cost of—

“(A) the project to be carried out on property or at a facility covered by the lease;

“(B) provision and administration of the lease;

“(C) construction of any needed facilities;

“(D) provision of applicable utilities; and

“(E) any other facility cost normally associated with the operation of a leased facility.

“(5) **PROHIBITION OF USE OF APPROPRIATIONS.**—The Secretary shall not use any funds made available to the Secretary in an appropriations Act for the construction or operating costs of any space covered by a lease under this section.

“(6) TERMINATION OF AUTHORITY.—This section and the authority provided by this section terminate—

“(A) on the date that is 5 years after the date of enactment of this section [June 18, 2008]; or

“(B) with respect to any particular leased property, on the date of termination of the lease.

“(c) EFFECT OF OTHER LAWS.—

“(1) UTILIZATION.—Property that is leased pursuant to this section shall not be considered to be unutilized or underutilized for purposes of section 501 of the Stewart B. McKinney Homeless Assistance Act [now the McKinney-Vento Homeless Assistance Act] (42 U.S.C. 11411).

“(2) DISPOSAL.—Property at the Beltsville Agricultural Research Center or the National Agricultural Library that is leased pursuant to this section shall not be considered to be disposed of by sale, lease, rental, excessing, or surplus for purposes of section 523 of Public Law 100-202 (101 Stat. 1329-417).

“(d) ADMINISTRATION.—

“(1) IN GENERAL.—Not later than 90 days after the date of enactment of this section [June 18, 2008], the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes detailed management objectives and performance measurements by which the Secretary intends to evaluate the success of the program under this section.

“(2) REPORTS.—Not later than 1, 3, and 5 years after the date of enactment of this section [June 18, 2008], the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report describing the implementation of the program under this section, including—

“(A) a copy of each lease entered into pursuant to this section; and

“(B) an assessment by the Secretary of the success of the program using the management objectives and performance measurements developed by the Secretary.”

[Pub. L. 110-234 and Pub. L. 110-246 enacted identical provisions. Pub. L. 110-234 was repealed by section 4(a) of Pub. L. 110-246, set out as a note under section 8701 of this title.]

§ 3125b. National Rural Information Center Clearinghouse

(a) Establishment

The Secretary shall establish, within the National Agricultural Library, in coordination with the National Institute of Food and Agriculture, a National Rural Information Center Clearinghouse (in this section referred to as the “Clearinghouse”) to perform the functions specified in subsection (b) of this section.

(b) Functions

The Clearinghouse shall provide and distribute information and data to any industry, organization, or Federal, State, or local government entity, on request, about programs and services provided by Federal, State, and local agencies and private nonprofit organizations and institutions under which individuals residing in, or organizations and State and local government entities operating in, a rural area may be eligible for any kind of assistance, including job training, education, health care, and economic development assistance, and emotional and financial counseling. To the extent possible, the National Agricultural Library shall use telecommunications technology to disseminate information to rural areas.

(c) Federal agencies

On request of the Secretary, the head of a Federal agency shall provide to the Clearinghouse such information as the Secretary may request to enable the Clearinghouse to carry out subsection (b) of this section.

(d) State and local agencies and nonprofit organizations

The Secretary shall request State and local governments and private nonprofit organizations and institutions to provide to the Clearinghouse such information as such agencies and organizations may have about any program or service of such agencies, organizations, and institutions under which individuals residing in a rural area may be eligible for any kind of assistance, including job training, educational, health care, and economic development assistance, and emotional and financial counseling.

(e) Limitation on authorization of appropriations

To carry out this section, there are authorized to be appropriated \$500,000 for each of the fiscal years 1991 through 2012.

(Pub. L. 101-624, title XXIII, § 2381, Nov. 28, 1990, 104 Stat. 4049; Pub. L. 104-127, title VIII, § 842, Apr. 4, 1996, 110 Stat. 1170; Pub. L. 105-185, title III, § 301(b)(3), June 23, 1998, 112 Stat. 563; Pub. L. 107-171, title VII, § 7101, May 13, 2002, 116 Stat. 431; Pub. L. 110-234, title VII, §§ 7212, 7511(c)(9), May 22, 2008, 122 Stat. 1242, 1268; Pub. L. 110-246, § 4(a), title VII, §§ 7212, 7511(c)(9), June 18, 2008, 122 Stat. 1664, 2003, 2029.)

CODIFICATION

Pub. L. 110-234 and Pub. L. 110-246 made identical amendments to this section. The amendments by Pub. L. 110-234 were repealed by section 4(a) of Pub. L. 110-246.

Section was enacted as part of the Rural Economic Development Act of 1990, and also as part of the Food, Agriculture, Conservation, and Trade Act of 1990, and not as part of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 which comprises this chapter.

AMENDMENTS

2008—Subsec. (a). Pub. L. 110-246, § 7511(c)(9), substituted “National Institute of Food and Agriculture” for “Extension Service”.

Subsec. (e). Pub. L. 110-246, § 7212, substituted “2012” for “2007”.

2002—Subsec. (e). Pub. L. 107-171 substituted “2007” for “2002”.

1998—Subsec. (e). Pub. L. 105-185 substituted “2002” for “1997”.

1996—Subsec. (e). Pub. L. 104-127 substituted “1997” for “1995”.

EFFECTIVE DATE OF 2008 AMENDMENT

Amendment of this section and repeal of Pub. L. 110-234 by Pub. L. 110-246 effective May 22, 2008, the date of enactment of Pub. L. 110-234, except as otherwise provided, see section 4 of Pub. L. 110-246, set out as an Effective Date note under section 8701 of this title.

Amendment by section 7511(c)(9) of Pub. L. 110-246 effective Oct. 1, 2009, see section 7511(c) of Pub. L. 110-246, set out as a note under section 1522 of this title.

§ 3125c. Repealed. Pub. L. 104-127, title VIII, § 859(a), Apr. 4, 1996, 110 Stat. 1173

Section, Pub. L. 101-624, title XIV, § 1499A, as added Pub. L. 102-237, title II, § 201(h)(1), Dec. 13, 1991, 105 Stat.