

5, Government Organization and Employees, by Pub. L. 89-554, § 1, Sept. 6, 1966, 80 Stat. 378.

### § 2241a. Exchange or sale authority

#### (a) Definition of qualified item of personal property

In this section, the term “qualified item of personal property” means—

- (1) an animal;
- (2) an animal product;
- (3) a plant; or
- (4) a plant product.

#### (b) General authority

Except as provided in subsection (c), notwithstanding chapter 5 of subtitle I of title 40, the Secretary, acting through the Under Secretary for Research, Education, and Economics, in managing personal property for the purpose of carrying out the research functions of the Department, may exchange, sell, or otherwise dispose of any qualified item of personal property, including by way of public auction, and may retain and apply the sale or other proceeds, without further appropriation and without fiscal year limitation, in whole or in partial payment—

- (1) to acquire any qualified item of personal property; or
- (2) to offset costs related to the maintenance, care, or feeding of any qualified item of personal property.

#### (c) Exception

Subsection (b) does not apply to the free dissemination of new varieties of seeds and germplasm in accordance with section 2201 of this title.

(Pub. L. 103-354, title III, § 307, as added Pub. L. 110-234, title VII, § 7408, May 22, 2008, 122 Stat. 1252, and Pub. L. 110-246, § 4(a), title VII, § 7408, June 18, 2008, 122 Stat. 1664, 2013; amended Pub. L. 113-79, title VII, § 7605, Feb. 7, 2014, 128 Stat. 912.)

#### CODIFICATION

Pub. L. 110-234 and Pub. L. 110-246 enacted identical sections. Pub. L. 110-234 was repealed by section 4(a) of Pub. L. 110-246.

#### AMENDMENTS

2014—Pub. L. 113-79 made technical amendment to directory language of Pub. L. 110-246, § 7408, which enacted this section.

#### EFFECTIVE DATE

Enactment 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, see section 4 of Pub. L. 110-246, set out as a note under section 8701 of this title.

### § 2241b. Purchase of seeds and plants for distribution

Purchase and distribution of vegetable, field, and flower seeds, plants, shrubs, vines, bulbs, and cuttings shall be of the freshest and best obtainable varieties and adapted to general cultivation.

(R.S. § 527; Apr. 25, 1896, ch. 140, 29 Stat. 106.)

#### CODIFICATION

Section was formerly classified to section 415 of this title prior to editorial reclassification and renumbering as this section.

#### AMENDMENTS

1896—Act Apr. 25, 1896, struck out “by the Department of Agriculture” and “trees”, and inserted “vegetable, field, and flower seeds” and “bulbs”.

### § 2242. Repealed. Pub. L. 101-624, title XVI, § 1606(b)(1), (2), Nov. 28, 1990, 104 Stat. 3715

Section, acts May 23, 1908, ch. 192, 35 Stat. 264, 266; Mar. 4, 1915, ch. 144, 38 Stat. 1109, provided for sale of copies of card index of publications. See section 3125a of this title.

### § 2242a. User fees for reports, publications, and software

#### (a) Authority of Secretary

The Secretary of Agriculture may—

- (1) furnish, on request, copies of software programs, pamphlets, reports, or other publications, regardless of their form, including electronic publications, prepared in the Department of Agriculture in carrying out any of its missions or programs; and
- (2) charge such fees therefor as the Secretary determines are reasonable.

#### (b) Consistency of charges with provisions of section 9701 of title 31

The imposition of such charges shall be consistent with section 9701 of title 31.

#### (c) Use and disposition of moneys

All moneys received in payment for work or services performed, or for software programs, pamphlets, reports, or other publications provided, under this section—

- (1) shall be available until expended to pay directly the costs of such work, services, software programs, pamphlets, reports, or publications; and
- (2) may be credited to appropriations or funds that incur such costs.

#### (d) Investment

Any fees collected, late payment penalties, and interest earned shall be credited to the account referred to in this section and may be invested by the Secretary of Agriculture in insured or fully-collateralized interest-bearing accounts or, at the discretion of the Secretary of Agriculture, by the Secretary of the Treasury in United States Government debt instruments. Fees and charges, including late payment penalties and interest earned from the investment of such funds shall be credited to such account.

(Pub. L. 97-98, title XI, § 1121, Dec. 22, 1981, 95 Stat. 1273; Pub. L. 99-198, title XVII, § 1769, Dec. 23, 1985, 99 Stat. 1656; Pub. L. 101-624, title XXV, § 2510, Nov. 28, 1990, 104 Stat. 4073.)

#### AMENDMENTS

1990—Subsec. (d). Pub. L. 101-624 added subsec. (d).  
1985—Pub. L. 99-198, in amending section generally, divided existing provisions into subsecs. (a), (b), and (c) and inserted references to software programs and electronic publications.

#### 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.