

this subchapter. Plans for work shall be jointly developed in each State by the land-grant colleges and universities eligible to receive funds under the Act of July 2, 1862 (7 U.S.C. 301 et seq.), and the Act of August 30, 1890 (7 U.S.C. 321 et seq.), including Tuskegee Institute. In States in which there is no land-grant institution eligible to receive funds under the Act of August 30, 1890, the land-grant institution eligible to receive funds under the Act of July 2, 1862, shall be responsible for developing plans of work and budgets. In the development of the plans of work and budgets, consideration shall be given to involvement of the resources and expertise of the colleges and universities serving the region in which the plans and budgets are to be applied.

(f) Availability; budgets and accounts

Funds shall be available for use by each State in the fiscal year for which appropriated and the next fiscal year following the fiscal year for which appropriated. Funds shall be budgeted and accounted for on such forms and at such times as the Secretary shall prescribe.

(g) Financing of programs at other than cooperating institutions

Funds provided to each State under this subchapter may be used to finance programs through or at private and publicly supported colleges and universities other than the institutions responsible for administering the programs, as provided under section 2664 of this title.

(Pub. L. 92-419, title V, § 503, as added Pub. L. 97-98, title XIV, § 1444(a), Dec. 22, 1981, 95 Stat. 1324; amended Pub. L. 99-198, title XIV, § 1440(b), Dec. 23, 1985, 99 Stat. 1560; Pub. L. 101-624, title XXIII, §§ 2389(c)(2), 2390(b)(2), Nov. 28, 1990, 104 Stat. 4055, 4056; Pub. L. 102-237, title IV, § 403(b), Dec. 13, 1991, 105 Stat. 1863; Pub. L. 104-127, title VII, § 792(b)(2), Apr. 4, 1996, 110 Stat. 1152.)

REFERENCES IN TEXT

Act of July 2, 1862, referred to in subsec. (e), is act July 2, 1862, ch. 130, 12 Stat. 503, popularly known as the "Morrill Act" and also as the "First Morrill Act", which is classified generally to subchapter I (§ 301 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 301 of this title and Tables.

Act of August 30, 1890, referred to in subsec. (e), is act Aug. 30, 1890, ch. 841, 26 Stat. 417, as amended, popularly known as the Agricultural College Act of 1890 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.

PRIOR PROVISIONS

A prior section 2663, Pub. L. 92-419, title V, § 503, Aug. 30, 1972, 86 Stat. 672; Pub. L. 94-259, § 1, Apr. 5, 1976, 90 Stat. 314; Pub. L. 95-113, title XIV, § 1441, Sept. 29, 1977, 91 Stat. 1006; Pub. L. 96-355, § 4(1)-(3), Sept. 24, 1980, 94 Stat. 1173, 1174, related to program moneys, prior to repeal by Pub. L. 97-98, title XIV, § 1444(a), Dec. 22, 1981, 95 Stat. 1326.

AMENDMENTS

1996—Subsec. (c). Pub. L. 104-127, § 792(b)(2)(A)(ii), (iii), which directed substitution of "subsections (e), (h), and (i) of section 2662 of this title shall be distributed" for "section 2662(e)" and all that follows through

"shall be distributed" and "objectives of subsections (e), (h), and (i) of section 2662 of this title" for "objectives of" and all that follows through "title", could not be executed because of prior amendment by Pub. L. 102-237, which substituted "subsections (e) and (i) of section 2662 of this title shall be distributed" for "the provisions of section 2662(e) of this title shall be distributed" and "objectives of those subsections" for "objectives of section 2662(e) of this title". See 1991 Amendment note below.

Pub. L. 104-127, § 792(b)(2)(A)(i), (B), struck out "(1)" before "Such sums" and struck out par. (2) which read as follows: "The Secretary shall distribute the amounts appropriated to carry out section 2662(f) of this title to colleges and universities in accordance with the requirements of such subsection."

1991—Subsec. (c)(1). Pub. L. 102-237 substituted "subsections (e) and (i) of section 2662 of this title" for "the provisions of section 2662(e) of this title" and "objectives of those subsections" for "objectives of section 2662(e) of this title".

1990—Subsec. (c). Pub. L. 101-624, § 2390(b)(2), which directed substitution of "section 2662(f) of this title, and section 2662(h) of this title" for "and section 2662(f) of this title", could not be executed because of prior amendment by Pub. L. 101-624, § 2389(c)(2)(B), which struck out "and section 2662(f)" wherever appearing in par. (1). See below.

Pub. L. 101-624, § 2389(c)(2), inserted heading, designated existing provisions as par. (1), struck out "and section 2662(f)" before "of this title" in two places, and added par. (2).

1985—Subsec. (c). Pub. L. 99-198 inserted references to section 2662(f) of this title.

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.

§ 2664. Cooperating colleges and universities

(a) Program administration

To ensure national coordination with other federally supported agricultural research and extension programs, administration of each State program shall be the responsibility of the colleges and universities eligible to receive funds under the Act of July 2, 1862 [7 U.S.C. 301 et seq.], and the Act of August 30, 1890 [7 U.S.C. 321 et seq.], including Tuskegee Institute. In States that contain more than one such institution, such administration shall be the responsibility of the institution designated by mutual agreement of all such institutions, subject to approval by the Secretary of Agriculture. The Secretary shall pay funds available to each State to such institution or university. Such administration shall be coordinated with other federally supported agricultural research and extension programs conducted in the State.

(b) Eligibility for participation

All private and publicly supported colleges and universities in a State shall be eligible to participate in programs authorized under this subchapter. Officials at universities or colleges other than those responsible for administering the programs that wish to participate in these programs shall submit program proposals to the college or university officials responsible for administering the programs who shall consider such proposals in the process of developing the budgets and plans of work.

(c) Designation of official for program coordination

The institution of each State responsible for administering the programs authorized under this subchapter shall designate an official who shall be responsible for the overall coordination of the programs.

(d) Appointment of advisory council for program administration; eligibility, membership, etc.

The institution in each State responsible for administering the programs authorized under this subchapter shall name an advisory council to review and approve budgets and plans of work conducted under this subchapter and to advise the chief administrative officer of the institution administering the programs on matters pertaining to the programs. An existing State rural development committee or council may be named to perform this function, or a new council may be appointed by the chief administrative officer or officers. The committee or council named or appointed shall consist of at least twelve members and shall include persons representing farmers, business, labor, banking, local government, multicounty planning and development districts, public and private colleges and universities in the State, and Federal and State agencies involved in rural development.

(Pub. L. 92-419, title V, §504, as added Pub. L. 97-98, title XIV, §1444(a), Dec. 22, 1981, 95 Stat. 1325.)

REFERENCES IN TEXT

Act of July 2, 1862, referred to in subsec. (a), is act July 2, 1862, ch. 130, 12 Stat. 503, popularly known as the "Morrill Act" and also as the "First Morrill Act", which is classified generally to subchapter I (§301 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 301 of this title and Tables.

Act of August 30, 1890, referred to in subsec. (a), is act Aug. 30, 1890, ch. 841, 26 Stat. 417, as amended, popularly known as the Agricultural College Act of 1890 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.

PRIOR PROVISIONS

A prior section 2664, Pub. L. 92-419, title V, §504, Aug. 30, 1972, 86 Stat. 673, related to conducting of programs authorized by this subchapter, by cooperating colleges and universities, prior to repeal by Pub. L. 97-98, title XIV, §1444(a), Dec. 22, 1981, 95 Stat. 1326.

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.

§ 2665. Withholding funds

If the Secretary of Agriculture determines that a State is not eligible to receive part or all of the funds to which it is otherwise entitled for programs under section 2662(a) and (b) of this title because of a failure to comply with regulations issued by the Secretary under this subchapter, the facts and reasons therefor shall be reported to the President, and the amount involved shall be kept separate in the Treasury until the expiration of the Congress next suc-

ceeding the session of the legislature of the State from which funds have been withheld in order that the State may, if it should so desire, appeal to Congress from the determination of the Secretary. If the next Congress shall not direct such sum to be paid, it shall be covered into the Treasury. If any portion of the moneys that are received by the designated officers of any State for the support and maintenance of programs authorized under this subchapter shall by any action or contingency be diminished or lost, or be misapplied, it shall be replaced by the State.

(Pub. L. 92-419, title V, §505, as added Pub. L. 97-98, title XIV, §1444(a), Dec. 22, 1981, 95 Stat. 1326.)

PRIOR PROVISIONS

A prior section 2665, Pub. L. 92-419, title V, §505, Aug. 30, 1972, 86 Stat. 673, related to agreements and plans, prior to repeal by Pub. L. 97-98, title XIV, §1444(a), Dec. 22, 1981, 95 Stat. 1326.

Provisions similar to those comprising this section were contained in former section 2666 of this title, prior to its repeal by Pub. L. 97-98.

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.

§ 2666. Definitions

For the purposes of this subchapter—

(a) "rural development" means the planning, financing, and development of facilities and services in rural areas that contribute to making those areas desirable places in which to live and make private and business investments; the planning, development, and expansion of business and industry in rural areas to provide increased employment and income; the planning, development, conservation, and use of land, water, and other natural resources of rural areas to maintain or improve the quality of the environment for people and business in rural areas; and the building or improvement of institutional, organizational, and leadership capacities of rural citizens and leaders to define and resolve their own community problems;

(b) "State" means the several States, the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands of the United States, and the Commonwealth of the Northern Mariana Islands; and

(c) "small farm" means any farm (1) producing family net income from all sources (farm and nonfarm) below the median nonmetropolitan income of the State; (2) operated by a family dependent on farming for a significant though not necessarily a majority of its income; and (3) on which family members provide most of the labor and management.

(Pub. L. 92-419, title V, §506, as added Pub. L. 97-98, title XIV, §1444(a), Dec. 22, 1981, 95 Stat. 1326.)

PRIOR PROVISIONS

A prior section 2666, Pub. L. 92-419, title V, §506, Aug. 30, 1972, 86 Stat. 674, related to withholding of funds, the keeping of a separate account in the Treasury, ap-