

EFFECTIVE DATE

Section effective Oct. 1, 1977, see section 1901 of Pub. L. 95-113, set out as an Effective Date of 1977 Amendment note under section 1307 of this title.

§ 3127. Support for Advisory Board**(a) Appointment of staff**

To assist the Advisory Board in the performance of its duties, the Secretary may appoint, after consultation with the chairperson of the Advisory Board—

(1) a full-time executive director who shall perform such duties as the chairperson of the Advisory Board may direct and who shall receive compensation at a rate not to exceed the rate payable for GS-18 of the General Schedule established in section 5332 of title 5; and

(2) a professional staff of not more than five full-time employees qualified in the food and agricultural sciences, of which one shall serve as the executive secretary to the Advisory Board.

(b) Additional clerical assistance and staff personnel

The Secretary shall provide such additional clerical assistance and staff personnel as may be required to assist the Advisory Board in carrying out its duties.

(c) Assistance of outside personnel

In formulating its recommendations to the Secretary, the Advisory Board may obtain the assistance of Department of Agriculture employees, and, to the maximum extent practicable, the assistance of employees of other Federal departments and agencies conducting related programs of agricultural research, extension, and teaching and of appropriate representatives of colleges and universities, including State agricultural experiment stations, cooperative extension services, and other non-Federal organizations conducting significant programs in the food and agricultural sciences.

(Pub. L. 95-113, title XIV, § 1412, Sept. 29, 1977, 91 Stat. 991; Pub. L. 97-98, title XIV, § 1413, Dec. 22, 1981, 95 Stat. 1302; Pub. L. 101-624, title XVI, § 1605(b)(1), Nov. 28, 1990, 104 Stat. 3713; Pub. L. 102-237, title IV, § 402(5), Dec. 13, 1991, 105 Stat. 1863; Pub. L. 104-127, title VIII, §§ 852(b)(3), 853(b)(4), Apr. 4, 1996, 110 Stat. 1171, 1172; Pub. L. 105-185, title VI, § 606(c)(1), June 23, 1998, 112 Stat. 603.)

AMENDMENTS

1998—Subsecs. (a), (b). Pub. L. 105-185, § 606(c)(1)(A), substituted “its duties” for “their duties”.

Subsec. (c). Pub. L. 105-185, § 606(c)(1)(B), substituted “its recommendations” for “their recommendations”.

1996—Pub. L. 104-127, §§ 852(b)(3)(A), 853(b)(4)(A), in section catchline, substituted “Advisory Board” for “Joint Council, Advisory Board, and Technology Board”.

Subsec. (a). Pub. L. 104-127, §§ 852(b)(3)(B)(i), (ii), 853(b)(4)(B)(i), in introductory provisions, substituted “To assist the Advisory Board in” for “To assist the Joint Council, the Advisory Board, and the Technology Board in” and “with the chairperson of the Advisory Board” for “with the cochairpersons of the Joint Council and the chairperson of the Advisory Board and the Technology Board”.

Subsec. (a)(1). Pub. L. 104-127, §§ 852(b)(3)(B)(ii), 853(b)(4)(B)(i), substituted “the chairperson of the Advi-

sory Board” for “the cochairpersons of the Joint Council and the chairperson of the Advisory Board and the Technology Board”.

Subsec. (a)(2). Pub. L. 104-127, §§ 852(b)(3)(B)(iii), 853(b)(4)(B)(ii), substituted “one shall serve as the executive secretary to the Advisory Board” for “one shall serve as the executive secretary to the Joint Council, one shall serve as the executive secretary to the Advisory Board, and one shall serve as the executive secretary to the Technology Board”.

Subsecs. (b), (c). Pub. L. 104-127, §§ 852(b)(3)(C), 853(b)(4)(C), substituted “Advisory Board” for “Joint Council, Advisory Board, and Technology Board”.

1991—Subsecs. (b), (c). Pub. L. 102-237 substituted “, Advisory Board, and Technology Board” for “and Advisory Board”.

1990—Pub. L. 101-624, § 1605(b)(1)(A), amended section catchline generally.

Subsec. (a). Pub. L. 101-624, § 1605(b)(1)(B), in introductory provision, substituted “, the Advisory Board, and the Technology Board” for “and the Advisory Board” and inserted “and the Technology Board” before the dash, in par. (1), inserted “and the Technology Board” before “may direct”, and in par. (2), substituted “Council,” for “Council and” and inserted before period at end “, and one shall serve as the executive secretary to the Technology Board”.

Subsecs. (b), (c). Pub. L. 101-624, § 1605(b)(1)(C), (D), which directed the substitution of “, the Advisory Board, and the Technology Board” for “and the Advisory Board”, could not be executed because the phrase “and the Advisory Board” did not appear in text.

1981—Subsec. (a). Pub. L. 97-98 inserted in provision preceding par. (1) provision requiring consultation with the cochairpersons of the Joint Council and the chairperson of the Advisory Board, redesignated former par. (2) as (1) and substituted provision that a full-time executive director perform such duties as the cochairpersons of the Joint Council and chairperson of the Advisory Board direct for provision that an executive director perform such duties as the chairman of the Joint Council and the chairman of the Advisory Board direct, and redesignated former par. (1) as (2) and inserted provision that one of the full-time staff serve as the executive secretary to the Joint Council and one serve as executive secretary to the Advisory Board.

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.

EFFECTIVE DATE

Section effective Oct. 1, 1977, see section 1901 of Pub. L. 95-113, set out as an Effective Date of 1977 Amendment note under section 1307 of this title.

REFERENCES IN OTHER LAWS TO GS-16, 17, OR 18 PAY RATES

References in laws to the rates of pay for GS-16, 17, or 18, or to maximum rates of pay under the General Schedule, to be considered references to rates payable under specified sections of Title 5, Government Organization and Employees, see section 529 [title I, § 101(c)(1)] of Pub. L. 101-509, set out in a note under section 5376 of Title 5.

§ 3128. General provisions**(a) Vacancies in Advisory Board**

Any vacancy in the Advisory Board shall not affect its duties under this title and shall be filled in the same manner as the original position.

(b) Compensation and expenses of members of Advisory Board

Members of the Advisory Board shall serve without compensation, if not otherwise officers

or employees of the United States, except that they shall, while away from their homes or regular places of business in the performance of services under this chapter, be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in the Government service are allowed expenses under sections 5701 through 5707 of title 5.

(c) Authorization of appropriations

There are authorized to be appropriated annually such sums as Congress may determine necessary to carry out the provisions of section 3127 of this title and subsection (b) of this section.

(Pub. L. 95-113, title XIV, §1413, Sept. 29, 1977, 91 Stat. 991; Pub. L. 97-98, title XIV, §1414(a), Dec. 22, 1981, 95 Stat. 1303; Pub. L. 101-624, title XVI, §1605(b)(2), Nov. 28, 1990, 104 Stat. 3713; Pub. L. 103-354, title II, §218(e)(7), Oct. 13, 1994, 108 Stat. 3213; Pub. L. 104-127, title VIII, §§852(b)(4), 853(b)(5), Apr. 4, 1996, 110 Stat. 1171, 1172; Pub. L. 105-185, title VI, §606(b), (c)(2), June 23, 1998, 112 Stat. 603, 604.)

REFERENCES IN TEXT

For definition of “this chapter”, referred to in subsec. (b), see note set out under section 3102 of this title.

AMENDMENTS

1998—Subsec. (a). Pub. L. 105-185, §606(c)(2), substituted “its duties” for “their powers”.

Subsec. (b). Pub. L. 105-185, §606(b), substituted “Advisory Board” for “Joint Council, the Advisory Board,”.

1996—Subsec. (a). Pub. L. 104-127, §§852(b)(4)(A), 853(b)(5)(A), substituted “the Advisory Board” for “the Joint Council, the Advisory Board, or the Technology Board”.

Subsec. (b). Pub. L. 104-127, §853(b)(5)(B), struck out “and the Technology Board” before “shall serve without”.

Pub. L. 104-127, §852(b)(4)(B), which directed substitution of “Advisory Board” for “Joint Council, Advisory Board,” could not be executed because those words did not appear in text.

1994—Subsec. (d). Pub. L. 103-354 struck out subsec. (d) which read as follows: “The President shall appoint, by and with the advice and consent of the Senate, an Assistant Secretary of Agriculture who shall perform such duties as are necessary to carry out this chapter and who shall receive compensation at the rate now or hereafter prescribed by law for Assistant Secretaries of Agriculture.”

1990—Subsec. (a). Pub. L. 101-624, §1605(b)(2)(A), substituted “, the Advisory Board, or the Technology Board” for “or the Advisory Board”.

Subsec. (b). Pub. L. 101-624, §1605(b)(2)(B), substituted “, the Advisory Board, and the Technology Board” for “and Advisory Board”.

Subsecs. (d), (e). Pub. L. 101-624, §1605(b)(2)(C), redesignated subsec. (e) as (d) and struck out former subsec. (d) which read as follows: “The Subcommittee on Food, Agricultural, and Forestry Research, the Joint Council, and the Advisory Board shall improve communication and interaction among themselves and with others in the agricultural science and education system through such mechanisms as the exchange of reports, joint meetings, and the use of liaison representatives.”

1981—Subsecs. (c) to (e). Pub. L. 97-98 added subsecs. (c) to (e).

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.

EFFECTIVE DATE

Section effective Oct. 1, 1977, see section 1901 of Pub. L. 95-113, set out as an Effective Date of 1977 Amendment note under section 1307 of this title.

§ 3129. Accountability

(a) Review of information technology systems

The Secretary shall conduct a comprehensive review of state-of-the-art information technology systems that are available for use in developing the system required by subsection (b).

(b) Monitoring and evaluation system

The Secretary shall develop and carry out a system to monitor and evaluate agricultural research and extension activities conducted or supported by the Department of Agriculture that will enable the Secretary to measure the impact and effectiveness of research, extension, and education programs according to priorities, goals, and mandates established by law. In developing the system, the Secretary shall incorporate information transfer technologies to optimize public access to research information.

(c) Consistency with other requirements

The Secretary shall develop and implement the system in a manner consistent with the Government Performance and Results Act of 1993 (Public Law 103-62; 107 Stat. 285) and amendments made by the Act.

(d) Authorization of appropriations

There are authorized to be appropriated such sums as are necessary to carry out this section.

(Pub. L. 95-113, title XIV, §1413A, as added Pub. L. 104-127, title VIII, §804, Apr. 4, 1996, 110 Stat. 1160.)

REFERENCES IN TEXT

The Government Performance and Results Act of 1993, referred to in subsec. (c), is Pub. L. 103-62, Aug. 3, 1993, 107 Stat. 285, which enacted section 306 of Title 5, Government Organization and Employees, sections 1115 to 1119, 9703, and 9704 of Title 31, Money and Finance, and sections 2801 to 2805 of Title 39, Postal Service, amended section 1105 of Title 31, and enacted provisions set out as notes under sections 1101 and 1115 of Title 31. For complete classification of this Act to the Code, see Short Title of 1993 Amendment note set out under section 1101 of Title 31 and Tables.

PRIOR PROVISIONS

A prior section 3129, Pub. L. 95-113, title XIV, §1413A, as added Pub. L. 96-294, title II, §255(a), June 30, 1980, 94 Stat. 707, provided for biomass energy educational and technical assistance programs, prior to repeal by Pub. L. 101-624, title XVI, §1601(f)(1)(C), Nov. 28, 1990, 104 Stat. 3704.

§ 3129a. Federal Advisory Committee Act exemption for competitive research, extension, and education programs

The Federal Advisory Committee Act (5 U.S.C. App.) and title XVIII of this Act [7 U.S.C. 2281 et seq.] shall not apply to any committee, board, commission, panel, or task force, or similar entity, created solely for the purpose of reviewing applications or proposals requesting funding under any competitive research, extension, or education program carried out by the Secretary.

(Pub. L. 95-113, title XIV, §1413B, as added Pub. L. 104-127, title VIII, §804, Apr. 4, 1996, 110 Stat. 1160.)