

§ 2265. Deposit of money accepted for benefit of National Agricultural Library; disbursement

Any gift of money accepted pursuant to the authority granted in section 2264 of this title, or the net proceeds from the liquidation of any other property so accepted, or the proceeds of any insurance on any gift property not used for its restoration shall be deposited in the Treasury of the United States for credit to a separate account and shall be disbursed upon order of the Secretary of Agriculture.

(Pub. L. 91–591, §3, Dec. 28, 1970, 84 Stat. 1588.)

§ 2266. Congressional reaffirmation of policy to foster and encourage family farms

(a) Congress reaffirms the historical policy of the United States to foster and encourage the family farm system of agriculture in this country. Congress believes that the maintenance of the family farm system of agriculture is essential to the social well-being of the Nation and the competitive production of adequate supplies of food and fiber. Congress further believes that any significant expansion of nonfamily owned large-scale corporate farming enterprises will be detrimental to the national welfare. It is neither the policy nor the intent of Congress that agricultural and agriculture-related programs be administered exclusively for family farm operations, but it is the policy and the express intent of Congress that no such program be administered in a manner that will place the family farm operation at an unfair economic disadvantage.

(b) Omitted

(Pub. L. 95–113, title I, §102, Sept. 29, 1977, 91 Stat. 918; Pub. L. 97–98, title XVI, §1608, Dec. 22, 1981, 95 Stat. 1347; Pub. L. 99–198, title XIV, §1441, Dec. 23, 1985, 99 Stat. 1560.)

CODIFICATION

Subsection (b), which required the Secretary of Agriculture to submit an annual report to Congress on trends in family farm operations and comprehensive national and State-by-State data on nonfamily farm operations in the United States, terminated, effective May 15, 2000, pursuant to section 3003 of Pub. L. 104–66, as amended, set out as a note under section 1113 of Title 31, Money and Finance. See, also, page 44 of House Document No. 103–7.

AMENDMENTS

1985—Subsec. (b). Pub. L. 99–198 designated first and second sentences as pars. (1) and (2), respectively, and amended par. (2), as so designated, generally. Prior to redesignation and amendment, second sentence read as follows: “The Secretary shall also include in each such report (1) information on how existing agricultural and agriculture-related programs are being administered to enhance and strengthen the family farm system of agriculture in the United States, (2) an assessment of how tax, credit, and other Federal laws may encourage the growth of nonfamily farm operations and investment in agriculture by nonfamily farm interests, both foreign and domestic, and (3) such other information as the Secretary deems appropriate or determines would aid Congress in protecting, preserving, and strengthening the family farm system of agriculture in the United States.”

1981—Pub. L. 97–98 substantially reenacted existing provisions, and inserted reference to tax and credit laws, and investment in agriculture by nonfamily farm interests, foreign and domestic.

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.

STUDY OF IMPACT OF PROHIBITIONS ON PAYMENTS TO CERTAIN CORPORATIONS UNDER WHEAT, FEED GRAINS, COTTON, AND RICE PROGRAMS; REPORT BY JANUARY 1, 1979

Pub. L. 95–113, title I, §103, Sept. 29, 1977, 91 Stat. 919, provided that in furtherance of the policy stated in section 102 of this Act [this section], the Secretary of Agriculture was to conduct a study and report to Congress no later than January 1, 1979, on the impact on participation in the wheat, feed grain, cotton, and rice programs and the production of such commodities in carrying out a statutory provision such as that included in the Food and Agriculture Act of 1977, as passed by the Senate on May 24, 1977 [see Short Title of 1977 Amendment note set out under section 1281 of this title], prohibiting the making of payments to certain corporations and other entities under such programs, which study was to assess the impact of extending the prohibition against making commodity program payments to tenants on land owned by such corporations and other entities which would be excluded from payments under such a provision, and was to utilize the information on commodity program payments compiled by the Agricultural Stabilization and Conservation Service in determining payment eligibility under section 101 of the Agricultural Act of 1970, as amended [section 1307 of this title], and section 101 of this Act [section 1308 of this title]. The Secretary was authorized to collect such other information as necessary to determine the impact of such a statutory provision and to identify the number and characteristics of producers that would be affected by such a provision.

§ 2266a. Century Farms program

The Secretary shall establish a program under which the Secretary recognizes any farm that—

(1) a State department of agriculture or similar statewide agricultural organization recognizes as a Century Farm; or

(2)(A) is defined as a farm or ranch under section 4284.902 of title 7, Code of Federal Regulations (as in effect on December 20, 2018);

(B) has been in continuous operation for at least 100 years; and

(C) has been owned by the same family for at least 100 consecutive years, as verified through deeds, wills, abstracts, tax statements, or other similar legal documents considered appropriate by the Secretary.

(Pub. L. 115–334, title XII, §12508, Dec. 20, 2018, 132 Stat. 4990.)

DEFINITION OF “SECRETARY”

“Secretary” means the Secretary of Agriculture, see section 2 of Pub. L. 115–334, set out as a note under section 9001 of this title.

§ 2266b. Eligibility for operators on heirs property land to obtain a farm number

(a) Definitions

In this section:

(1) Eligible documentation

The term “eligible documentation”, with respect to land for which a farm operator seeks

assignment of a farm number under subsection (b)(1), includes—

(A) in States that have adopted a statute consisting of an enactment or adoption of the Uniform Partition of Heirs Property Act, as approved and recommended for enactment in all States by the National Conference of Commissioners on Uniform State Laws in 2010—

(i) a court order verifying the land meets the definition of heirs property (as defined in that Act); or

(ii) a certification from the local recorder of deeds that the recorded owner of the land is deceased and not less than 1 heir of the recorded owner of the land has initiated a procedure to retitle the land in the name of the rightful heir;

(B) a fully executed, unrecorded tenancy-in-common agreement that sets out ownership rights and responsibilities among all of the owners of the land that—

(i) has been approved by a majority of the ownership interests in that property;

(ii) has given a particular owner the right to manage and control any portion or all of the land for purposes of operating a farm or ranch; and

(iii) was validly entered into under the authority of the jurisdiction in which the land is located;

(C) the tax return of a farm operator farming a property with undivided interests for each of the 5 years preceding the date on which the farm operator submits the tax returns as eligible documentation under subsection (b);

(D) self-certification that the farm operator has control of the land for purposes of operating a farm or ranch; and

(E) any other documentation identified by the Secretary under subsection (c).

(2) Farm number

The term “farm number” has the meaning given the term in section 718.2 of title 7, Code of Federal Regulations (as in effect on December 20, 2018).

(b) Farm number

(1) In general

The Secretary shall provide for the assignment of a farm number to any farm operator who provides any form of eligible documentation for purposes of demonstrating that the farm operator has control of the land for purposes of defining that land as a farm.

(2) Eligibility

Any farm number provided under paragraph (1) shall be sufficient to satisfy any requirement of the Secretary to have a farm number to participate in a program of the Secretary.

(c) Eligible documentation

The Secretary shall identify alternative forms of eligible documentation that a farm operator may provide in seeking the assignment of a farm number under subsection (b)(1).

(Pub. L. 115-334, title XII, §12615, Dec. 20, 2018, 132 Stat. 5014.)

DEFINITION OF “SECRETARY”

“Secretary” means the Secretary of Agriculture, see section 2 of Pub. L. 115-334, set out as a note under section 9001 of this title.

§ 2267. Repealed. Pub. L. 100-387, title I, § 101(b)(1), Aug. 11, 1988, 102 Stat. 931

Section, Pub. L. 95-113, title XI, §1105, Sept. 29, 1977, 91 Stat. 955; Pub. L. 97-98, title XI, §1111(b), Dec. 22, 1981, 95 Stat. 1267; Pub. L. 99-198, title XVII, §1763(a), Dec. 23, 1985, 99 Stat. 1651, related to an emergency feed program. See section 1471 et seq. of this title.

EFFECTIVE DATE OF REPEAL

Repeal effective 15 days after Aug. 11, 1988, see section 101(c)(1) of Pub. L. 100-387, set out as an Effective and Termination Dates of 1988 Amendment note under section 1427 of this title.

§ 2268. Public lands; relinquishment

Notwithstanding any other provision of law, the Secretary of Agriculture may, whenever he considers it desirable, relinquish to a State all or part of the legislative jurisdiction of the United States over lands or interests under his control in that State. Relinquishment of legislative jurisdiction under this section may be accomplished (1) by filing with the Governor of the State concerned a notice of relinquishment to take effect upon acceptance thereof, or (2) as the laws of the State may otherwise provide.

(Pub. L. 95-441, Oct. 10, 1978, 92 Stat. 1064.)

§ 2268a. Acquisition of land; options

(a) The Department of Agriculture is authorized to acquire land, or interest therein, by purchase, exchange or otherwise, as may be necessary to carry out its authorized work: *Provided*, That no acquisition shall be made under this authority unless provision is made therefor in the applicable appropriation or other law.

(b) Appropriations for the Department of Agriculture which are available for the purchase of land may be expended for options to purchase land: *Provided*, That not to exceed \$1 may be expended for each option to purchase any particular tract or tracts of land unless otherwise provided in appropriation or other law.

(Aug. 3, 1956, ch. 950, § 11, 70 Stat. 1034.)

CODIFICATION

Section was formerly classified to section 428a of this title prior to editorial reclassification and renumbering as this section.

§ 2269. Gifts of property; acceptance and administration by Secretary of Agriculture; Federal tax law consideration; separate fund in Treasury; regulations

Notwithstanding any other provision of law, the Secretary of Agriculture is authorized to accept, receive, hold, utilize, and administer on behalf of the United States gifts, bequests, or devises of real and personal property made for the benefit of the United States Department of Agriculture or for the carrying out of any of its functions. For the purposes of the Federal income, estate, and gift tax laws, property accepted under the authority of this section shall be considered as a gift, bequest, or devise to the United