

area plan, goals, purposes, policies, implementation activities, evaluations and reviews, and the opportunity for public participation in the actions.

**(9) Nonprofit organization**

The term “nonprofit organization” means any organization that is—

(A) described in section 501(c) of title 26; and

(B) exempt from taxation under section 501(a) of title 26.

**(10) Project**

The term “project” means a project that is carried out by a council to achieve any of the elements of an area plan.

**(11) Secretary**

The term “Secretary” means the Secretary of Agriculture.

**(12) State**

The term “State” means—

(A) any State;

(B) the District of Columbia; or

(C) any territory or possession of the United States.

**(13) Technical assistance**

The term “technical assistance” means any service provided by the Secretary or agent of the Secretary, including—

(A) inventorying, evaluating, planning, designing, supervising, laying out, and inspecting projects;

(B) providing maps, reports, and other documents associated with the services provided;

(C) providing assistance for the implementation of area plans and projects; and

(D) providing services that involve the resources of Department of Agriculture programs in a local community, as defined in the locally led planning process.

(Pub. L. 97-98, title XV, §1528, as added Pub. L. 107-171, title II, §2504, May 13, 2002, 116 Stat. 269; Pub. L. 110-234, title II, §2805(a), (b), May 22, 2008, 122 Stat. 1088; Pub. L. 110-246, §4(a), title II, §2805(a), (b), June 18, 2008, 122 Stat. 1664, 1816.)

**Editorial Notes**

**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 L. 110-234 were repealed by section 4(a) of Pub.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.

**PRIOR PROVISIONS**

A prior section 3451, Pub. L. 97-98, title XV, §1528, Dec. 22, 1981, 95 Stat. 1337, related to statement of purpose, prior to the general amendment of this subchapter by Pub. L. 107-171.

**AMENDMENTS**

2008—Par. (1). Pub. L. 110-246, §2805(a)(1), substituted “locally led planning process” for “planning process” in introductory provisions.

Pars. (8), (9). Pub. L. 110-246, §2805(a)(2), (3), redesignated pars. (9) and (8) as (8) and (9), respectively, and, in par. (8), substituted “Locally led planning process” for “Planning process” in heading and “locally led council” for “council” in text.

Par. (13)(C), (D). Pub. L. 110-246, §2805(b), added subpars. (C) and (D) and struck out former subpars. (C) and (D) which read as follows:

“(C) providing assistance for the long-term implementation of area plans; and

“(D) providing services of an agency of the Department of Agriculture to assist councils in developing and carrying out area plans.”

**Statutory Notes and Related Subsidiaries**

**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, see section 4 of Pub. L. 110-246, set out as an Effective Date note under section 8701 of Title 7, Agriculture.

**§ 3452. Resource conservation and development program**

The Secretary shall establish a resource conservation and development program under which the Secretary shall provide technical assistance and financial assistance to councils to develop and carry out area plans and projects in designated areas—

(1) to conserve and improve the use of land, develop natural resources, and improve and enhance the social, economic, and environmental conditions in primarily rural areas of the United States; and

(2) to encourage and improve the capability of State,<sup>1</sup> units of government, Indian tribes, nonprofit organizations, and councils to carry out the purposes described in paragraph (1).

(Pub. L. 97-98, title XV, §1529, as added Pub. L. 107-171, title II, §2504, May 13, 2002, 116 Stat. 272.)

**Editorial Notes**

**PRIOR PROVISIONS**

A prior section 3452, Pub. L. 97-98, title XV, §1529, Dec. 22, 1981, 95 Stat. 1337, related to definitions, prior to the general amendment of this subchapter by Pub. L. 107-171.

**§ 3453. Selection of designated areas**

The Secretary shall select designated areas for assistance under this subchapter on the basis of the elements of area plans.

(Pub. L. 97-98, title XV, §1530, as added Pub. L. 107-171, title II, §2504, May 13, 2002, 116 Stat. 272.)

**Editorial Notes**

**PRIOR PROVISIONS**

A prior section 3453, Pub. L. 97-98, title XV, §1530, Dec. 22, 1981, 95 Stat. 1339, related to the establishment and scope of resource conservation and development program, prior to the general amendment of this subchapter by Pub. L. 107-171.

**§ 3454. Powers of the Secretary**

**(a) In general**

In carrying out this subchapter, the Secretary may—

(1) provide technical assistance to any council to assist in developing and implementing an area plan for a designated area;

<sup>1</sup> So in original.