

ceptions, to Secretary of Agriculture by 1953 Reorg. Plan No. 2, §1, eff. June 4, 1953, 18 F.R. 3219, 67 Stat. 633, set out as a note under section 2201 of this title.

Functions, property, records, etc., of War Assets Administration transferred to Administrator of General Services and War Assets Administration abolished by act June 30, 1949, ch. 288, title I, §105, 63 Stat. 381.

#### ABOLITION OF RECONSTRUCTION FINANCE CORPORATION

Section 6(a) of 1957 Reorg. Plan No. 1, eff. June 30, 1957, 22 F.R. 4633, 71 Stat. 647, set out in the Appendix to Title 5, Government Organization and Employees.

#### SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 439a, 439b, 439c, 439e of this title.

### § 439a. Powers and duties of Secretary of Agriculture

In carrying out the purposes of sections 439 to 439e of this title the Secretary is authorized, upon such terms and conditions as he deems reasonable, and notwithstanding the provisions of any other law—

(a) to provide for the operation of such plants by lease or other arrangement;

(b) to operate such plants, where operation by others will not, in the judgment of the Secretary, accomplish the purpose of sections 439 to 439e of this title.

Such plants may be operated in the furtherance of any authorized activities of the Department of Agriculture, and any lease, or other arrangement may be upon such terms and conditions as to result in the plant being operated for such purposes.

(July 2, 1948, ch. 818, §2, 62 Stat. 1234.)

#### TRANSFER OF FUNCTIONS

Functions of all officers, agencies, and employees of Department of Agriculture transferred, with certain exceptions, to Secretary of Agriculture by 1953 Reorg. Plan No. 2, §1, eff. June 4, 1953, 18 F.R. 3219, 67 Stat. 633, set out as a note under section 2201 of this title.

#### SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 439b, 439c, 439e of this title.

### § 439b. Recommendations to Congress for discontinuance of plants

Whenever the Secretary finds that the operation of any plant or plants as provided in sections 439 to 439e of this title is no longer necessary or desirable, he shall report such fact to Congress with his recommendations for the disposition thereof.

(July 2, 1948, ch. 818, §3, 62 Stat. 1235.)

#### SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 439a, 439c, 439e of this title.

### § 439c. Construction of additional facilities; acquisition of property; incurrence of expenses; rules and regulations

For the purposes of sections 439 to 439e of this title, the Secretary of Agriculture is authorized (a) to construct and provide additional facilities and equipment necessary to the operation of such plants, and to maintain, repair, and alter

such plants; (b) to acquire property or rights or interest therein by purchase, lease, gift, transfer, condemnation, or otherwise; (c) to incur necessary administrative expenses, including personal services; and (d) to make such rules and regulations as may be necessary to carry out the purposes of said sections.

(July 2, 1948, ch. 818, §4, 62 Stat. 1235.)

#### SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 439a, 439b, 439e of this title.

### § 439d. Assumption of obligations of Reconstruction Finance Corporation covering Muscatine, Iowa, plant

The Secretary of Agriculture shall assume all obligations of the Reconstruction Finance Corporation covering operations of the Muscatine, Iowa, plant, equipment, facilities, and appurtenant property outstanding at the date of transfer.

(July 2, 1948, ch. 818, §5, 62 Stat. 1235.)

#### ABOLITION OF RECONSTRUCTION FINANCE CORPORATION

Section 6(a) of 1957 Reorg. Plan No. 1, eff. June 30, 1957, 22 F.R. 4633, 71 Stat. 647, set out in the Appendix to Title 5, Government Organization and Employees, abolished Reconstruction Finance Corporation.

#### SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 439a, 439b, 439c, 439e of this title.

### § 439e. Authorization of appropriations; availability of other appropriations

There are authorized to be appropriated for the purposes of sections 439 to 439e of this title such sums as the Congress may from time to time determine to be necessary. Also, the Secretary is authorized to use such sums from other appropriations or funds available to the bureaus, corporations, or agencies of the Department of Agriculture as he may deem necessary for expenses in connection with maintaining these plants in standby condition while not under lease.

(July 2, 1948, ch. 818, §6, 62 Stat. 1235.)

#### SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 439a, 439b, 439c, 439d of this title.

### § 440. Reimbursement of appropriations available for classing or grading agriculture commodities without charge

On and after June 29, 1949, appropriations available for classing or grading any agricultural commodity without charge to the producers thereof may be reimbursed from nonadministrative funds of the Commodity Credit Corporation for the cost of classing or grading any such commodity for producers who obtain Commodity Credit Corporation price support.

(June 29, 1949, ch. 280, title I, 63 Stat. 344.)

#### EXCEPTIONS FROM TRANSFER OF FUNCTIONS

Functions of Corporations of Department of Agriculture, boards of directors and officers of such corporations; Advisory Board of Commodity Credit Cor-

poration; and Farm Credit Administration or any agency, officer or entity of, under, or subject to supervision of the said Administration excepted from functions of officers, agencies, and employees transferred to Secretary of Agriculture by 1953 Reorg. Plan No. 2, §1, eff. June 4, 1953, 18 F.R. 3219, 67 Stat. 633, set out as a note under section 2201 of this title.

**§ 441. Repealed. Pub. L. 85-36, title I, § 111, May 23, 1957, 71 Stat. 35**

Section, act Sept. 22, 1951, ch. 409, 65 Stat. 335, related to prevention of entry of mollusks. See chapter 7B of this title.

**§ 442. Availability of grain to prevent waterfowl depredations; payment of packaging, transporting, handling, and other charges**

For the purpose of preventing crop damage by migratory waterfowl, the Commodity Credit Corporation shall make available to the Secretary of the Interior such wheat, corn, or other grains, acquired through price support operations and certified by the Commodity Credit Corporation to be available for purposes of sections 442 to 445 of this title or in such condition through spoilage or deterioration as not to be desirable for human consumption, as the Secretary of the Interior shall requisition pursuant to section 443 of this title. With respect to any grain thus made available, the Commodity Credit Corporation may pay packaging, transporting, handling, and other charges up to the time of delivery to one or more designated locations in each State.

(July 3, 1956, ch. 512, § 1, 70 Stat. 492.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 444, 445 of this title.

**§ 443. Requisition of grain to prevent crop depredation by migratory waterfowl**

Upon a finding by the Secretary of the Interior that any area in the United States is threatened with damage to farmers' crops by migratory waterfowl, whether or not during the open season for such migratory waterfowl, the Secretary of the Interior is authorized and directed to requisition from the Commodity Credit Corporation and to make available to Federal, State, or local governmental bodies or officials, or to private organizations or persons, such grain acquired by the Commodity Credit Corporation through price-support operations in such quantities and subject to such regulations as the Secretary determines will most effectively lure migratory waterfowl away from crop depredations and at the same time not expose such migratory waterfowl to shooting over areas to which the waterfowl have been lured by such feeding programs.

(July 3, 1956, ch. 512, § 2, 70 Stat. 492.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 442, 444, 445 of this title.

**§ 444. Reimbursement of packaging and transporting expenses**

With respect to all grain made available pursuant to section 443 of this title, the Commodity

Credit Corporation shall be reimbursed by the Secretary of the Interior for its expenses in packaging and transporting such grain for purposes of sections 442 to 445 of this title.

(July 3, 1956, ch. 512, § 3, 70 Stat. 492.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 442, 445 of this title.

**§ 445. Authorization of appropriations for mitigating losses caused by waterfowl depredation**

There are authorized to be appropriated such sums as may be necessary to reimburse the Commodity Credit Corporation for its investment in the grain transferred pursuant to sections 442 to 445 of this title.

(July 3, 1956, ch. 512, § 4, 70 Stat. 492.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 442, 444 of this title.

**§ 446. Repealed. Pub. L. 86-133, Aug. 4, 1959, 73 Stat. 279**

Section, act July 3, 1956, ch. 512, § 5, 70 Stat. 492, prescribed three years following July 3, 1956, as expiration date for availability of grain under sections 442 to 446 of this title.

**§ 447. Requisition of surplus grain; prevention of starvation of resident game birds and other resident wildlife; utilization by State agencies; reimbursement for packaging and transporting**

For the purpose of meeting emergency situations caused by adverse weather conditions or other factors destructive of important wildlife resources, the States are authorized, upon the request of the State fish and game authority or other State agency having similar authority and a finding by the Secretary of the Interior that any area of the United States is threatened with serious damage or loss to resident game birds and other resident wildlife from starvation, to requisition from the Commodity Credit Corporation grain acquired by the Corporation through price support operations. Such grain may thereafter be furnished to the particular State for direct and sole utilization by the appropriate State agencies for purposes of sections 447 to 449 of this title in such quantities as mutually agreed upon by the State and the Commodity Credit Corporation and subject to such regulations as may be considered desirable by the Corporation. The Corporation shall be reimbursed by the particular State in each instance for the expense of the Corporation in packaging and transporting such grain for purposes of sections 447 to 449 of this title.

(Pub. L. 87-152, § 1, Aug. 17, 1961, 75 Stat. 389.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 448, 449 of this title.

**§ 448. Requisition and use of grain for prevention of starvation of migratory birds; reimbursement for packaging and transporting**

Upon a finding by the Secretary of the Interior that migratory birds are threatened with starva-