

AMENDMENTS

1954—Act Aug. 30, 1954, struck out provision in first sentence which required that the annual report should contain an account of all moneys received and expended by the Secretary.

1928—Act May 29, 1928, struck out requirement that there be included a statement of expenditures from contingent appropriations.

CHANGE OF NAME

“Secretary of Agriculture” substituted in text for “Commissioner of Agriculture” pursuant to sections 1 and 4 of act Feb. 9, 1889, which are classified to section 2202 of this title. See, also, section 2205 of this title.

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.

UNAVAILABILITY OF DEPARTMENT FUNDS TO PRODUCE
PART 2 OF ANNUAL REPORT

Pub. L. 103-111, title I, Oct. 21, 1993, 107 Stat. 1048, provided in part: “That hereafter, none of the funds available to the Department of Agriculture may be used to produce part 2 of the annual report of the Secretary (known as the Yearbook of Agriculture).”

§ 2207a. Reports to Congress on obligation and expenditure

(a) Not later than 20 days after the end of each fiscal year, the Secretary of Agriculture shall submit to Congress a report on the amounts obligated and expended by the Department during that fiscal year for the procurement of advisory and assistance services.

(b) Each report submitted under subsection (a) of this section shall include a list with the following information:

(1) All contracts awarded for the procurement of advisory and assistance services during the fiscal year and the amount of each contract.

(2) The purpose of each contract.

(3) The justification for the award of each contract and the reason the work cannot be performed by civil servants.

(Pub. L. 101-161, title VI, §641, Nov. 21, 1989, 103 Stat. 986; Pub. L. 104-316, title I, §104(b), Oct. 19, 1996, 110 Stat. 3829.)

AMENDMENTS

1996—Pub. L. 104-316, in subsec. (a), struck out par. (1) designation before “Not later than”, struck out subpar. (A) designation before “submit to Congress”, struck out “, and (B) transmit a copy of such report to the Comptroller General of the United States” after “and assistance services”, redesignated par. (2) as subsec. (b) and in introductory provisions substituted “subsection (a) of this section shall” for “paragraph (1) shall”, redesignated subpars. (A) to (C) as pars. (1) to (3), respectively, and struck out former subsec. (b) which read as follows: “The Comptroller General of the United States shall review the reports submitted under subsection (a) of this section and transmit to Congress any comments and recommendations the Comptroller General considers appropriate regarding the matter contained in such reports.”

§ 2208. Expenditure of appropriations; accounting

The Secretary of Agriculture shall direct and superintend the expenditure of all money appro-

riated to the Department and render accounts thereof.

(R.S. §3677; Feb. 9, 1889, ch. 122, §§1, 4, 25 Stat. 659.)

CODIFICATION

R.S. §3677 derived act May 15, 1882, ch. 72, §3, 12 Stat. 388.

Section was formerly classified to section 557a of Title 5 prior to the general revision and enactment of Title 5, Government Organization and Employees, by Pub. L. 89-554, §1, Sept. 6, 1966, 80 Stat. 378.

CHANGE OF NAME

“Secretary of Agriculture” substituted in text for “Commissioner of Agriculture” pursuant to sections 1 and 4 of act Feb. 9, 1889, which are classified to section 2202 of this title. See, also, section 2205 of this title.

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.

COMPLIANCE WITH BUY AMERICAN ACT

Pub. L. 105-86, title VII, §716, Nov. 18, 1997, 111 Stat. 2106, provided that:

“HEREAFTER: (a) COMPLIANCE WITH BUY AMERICAN ACT.—None of the funds made available in this Act [see Tables for classification] may be expended by an entity unless the entity agrees that in expending the funds the entity will comply with sections 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a-10c; popularly known as the ‘Buy American Act’).

“(b) SENSE OF CONGRESS; REQUIREMENT REGARDING NOTICE.—

“(1) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—In the case of any equipment or product that may be authorized to be purchased with financial assistance provided using funds made available in this Act, it is the sense of the Congress that entities receiving the assistance should, in expending the assistance, purchase only American-made equipment and products.

“(2) NOTICE TO RECIPIENTS OF ASSISTANCE.—In providing financial assistance using funds made available in this Act, the head of each Federal agency shall provide to each recipient of the assistance a notice describing the statement made in paragraph (1) by the Congress.

“(c) PROHIBITION OF CONTRACTS WITH PERSONS FALSELY LABELING PRODUCTS AS MADE IN AMERICA.—If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a ‘Made in America’ inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, the person shall be ineligible to receive any contract or subcontract made with funds made available in this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.”

Similar provisions were contained in the following prior appropriation acts:

Pub. L. 104-180, title VII, §716, Aug. 6, 1996, 110 Stat. 1598.

Pub. L. 104-37, title VII, §716, Oct. 21, 1995, 109 Stat. 330.

Pub. L. 103-330, title VII, §719, Sept. 30, 1994, 108 Stat. 2468.

Pub. L. 103-111, title VII, §727, Oct. 21, 1993, 107 Stat. 1080.

§ 2209. Additional statement of expenditures

The Secretary of Agriculture shall furnish proper vouchers and accounts for the sums ap-

propriated for the Department of Agriculture to the General Accounting Office.

(Mar. 3, 1885, ch. 338, § 2, 23 Stat. 356; Aug. 11, 1916, ch. 313, 39 Stat. 492; June 10, 1921, ch. 18 § 301, 42 Stat. 23; May 29, 1928, ch. 901, § 1(88), 45 Stat. 992.)

CODIFICATION

Section was formerly classified to section 558 of Title 5 prior to the general revision and enactment of Title 5, Government Organization and Employees, by Pub. L. 89-554, § 1, Sept. 6, 1966, 80 Stat. 378.

“General Accounting Office” substituted in text for “accounting officers of the Treasury” on authority of act June 10, 1921.

AMENDMENTS

1928—Act May 29, 1928, struck out requirement that Secretary of Agriculture present to Congress a detailed statement of the expenditure of all appropriations for the Department for the preceding fiscal year.

1916—Act Aug. 11, 1916, amended section generally.

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.

§ 2209a. Advances to chiefs of field parties

On and after October 28, 1991, advances of money to chiefs of field parties from any appropriation for the Department of Agriculture may be made by authority of the Secretary of Agriculture.

(Pub. L. 102-142, title VII, § 706, Oct. 28, 1991, 105 Stat. 911.)

§ 2209b. Availability of appropriations

New obligational authority provided for the following appropriation items in this Act shall remain available until expended: Animal and Plant Health Inspection Service, the contingency fund to meet emergency conditions, fruit fly program, integrated systems acquisition project, boll weevil program, up to 25 percent of the screwworm program, and up to \$2,000,000 for costs associated with colocating regional offices; Food Safety and Inspection Service, field automation and information management project; funds appropriated for rental payments; Cooperative State Research, Education, and Extension Service, funds for competitive research grants (7 U.S.C. 450i(b)), funds for the Research, Education and Economics Information System (REEIS), and funds for the Native American Institutions Endowment Fund; Farm Service Agency, salaries and expenses funds made available to county committees; Foreign Agricultural Service, middle-income country training program and up to \$2,000,000 of the Foreign Agricultural Service appropriation solely for the purpose of offsetting fluctuations in international currency exchange rates, subject to documentation by the Foreign Agricultural Service.

(Pub. L. 106-387, § 1(a) [title VII, § 705], Oct. 28, 2000, 114 Stat. 1549, 1549A-28.)

REFERENCES IN TEXT

This Act, referred to in text, is H.R. 5426, as enacted by Pub. L. 106-387, § 1(a), Oct. 28, 2000, 114 Stat. 1549,

known as the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001. For complete classification of this Act to the Code, see Tables.

CODIFICATION

Section is from the appropriation act cited as the credit to this section.

PRIOR PROVISIONS

Provisions similar to those in this section were contained in the following prior appropriation acts:

Pub. L. 106-78, title VII, § 705, Oct. 22, 1999, 113 Stat. 1161.

Pub. L. 105-277, div. A, § 101(a) [title VII, § 705], Oct. 21, 1998, 112 Stat. 2681, 2681-25.

Pub. L. 105-86, title VII, § 705, Nov. 18, 1997, 111 Stat. 2104.

Pub. L. 104-180, title VII, § 705, Aug. 6, 1996, 110 Stat. 1596.

Pub. L. 104-37, title VII, § 705, Oct. 21, 1995, 109 Stat. 329.

Pub. L. 103-330, title VII, § 705, Sept. 30, 1994, 108 Stat. 2466.

Pub. L. 103-111, title VII, § 706, Oct. 21, 1993, 107 Stat. 1078.

Pub. L. 102-341, title VII, § 706, Aug. 14, 1992, 106 Stat. 907.

Pub. L. 102-142, title VII, § 708, Oct. 28, 1991, 105 Stat. 911.

Pub. L. 101-506, title VI, § 608, Nov. 5, 1990, 104 Stat. 1346.

Pub. L. 101-161, title VI, § 608, Nov. 21, 1989, 103 Stat. 982.

Pub. L. 100-460, title VI, § 608, Oct. 1, 1988, 102 Stat. 2260.

Pub. L. 100-202, § 101(k) [title VI, § 608], Dec. 22, 1987, 101 Stat. 1329-322, 1329-354.

Pub. L. 99-500, § 101(a) [title VI, § 608], Oct. 18, 1986, 100 Stat. 1783, 1783-27, and Pub. L. 99-591, § 101(a) [title VI, § 608], Oct. 30, 1986, 100 Stat. 3341, 3341-27.

Pub. L. 99-190, § 101(a) [H.R. 3037, title VI, § 608], Dec. 19, 1985, 99 Stat. 1185.

Pub. L. 98-473, title I, § 101(a) [H.R. 5743, title VI, § 608], Oct. 12, 1984, 98 Stat. 1837.

Pub. L. 98-151, § 101(d) [H.R. 3223, title VI, § 608], Nov. 14, 1983, 97 Stat. 972.

Pub. L. 97-370, title VI, § 608, Dec. 18, 1982, 96 Stat. 1810.

Pub. L. 97-103, title VI, § 608, Dec. 23, 1981, 95 Stat. 1488.

Pub. L. 96-528, title VI, § 608, Dec. 15, 1980, 94 Stat. 3116.

Pub. L. 96-108, title VI, § 607, Nov. 9, 1979, 93 Stat. 841.

Pub. L. 95-448, title VI, § 607, Oct. 11, 1978, 92 Stat. 1092.

Pub. L. 95-97, title VI, § 608, Aug. 12, 1977, 91 Stat. 828.

Pub. L. 94-351, title VI, § 608, July 12, 1976, 90 Stat. 868.

Pub. L. 94-122, title VI, § 611, Oct. 21, 1975, 89 Stat. 667.

Pub. L. 94-122, title VI, § 611, Oct. 21, 1975, 89 Stat. 667.

On and after October 28, 1991, funds appropriated to the Department of Agriculture and the Food and Drug Administration may be used for one-year contracts which are to be performed in two fiscal years so long as the total amount for such contracts is obligated in the year for which the funds are appropriated.

§ 2209c. Use of funds for one-year contracts to be performed in two fiscal years

(Pub. L. 102-142, title VII, § 725, Oct. 28, 1991, 105 Stat. 913.)

§ 2209d. Statement of percentage and dollar amount of Federal funding

On and after October 28, 1991, the Department of Agriculture, when issuing statements, press