

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-

priated 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.

§ 2208a. Loan levels provided to Department of Agriculture

On and after November 10, 2005, loan levels provided in this or any other Appropriations Act

to the Department of Agriculture shall be considered estimates, not limitations.

(Pub. L. 109-97, title VII, §710, Nov. 10, 2005, 119 Stat. 2150.)

PRIOR PROVISIONS

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

Pub. L. 108-447, div. A, title VII, §711, Dec. 8, 2004, 118 Stat. 2839.

Pub. L. 108-199, div. A, title VII, §711, Jan. 23, 2004, 118 Stat. 32.

Pub. L. 108-7, div. A, title VII, §711, Feb. 20, 2003, 117 Stat. 39.

Pub. L. 107-76, title VII, §711, Nov. 28, 2001, 115 Stat. 733.

Pub. L. 106-387, §1(a) [title VII, §711], Oct. 28, 2000, 114 Stat. 1549, 1549A-29.

Pub. L. 106-78, title VII, §712, Oct. 22, 1999, 113 Stat. 1162.

Pub. L. 105-277, div. A, §101(a) [title VII, §712], Oct. 21, 1998, 112 Stat. 2681-26.

Pub. L. 105-86, title VII, §713, Nov. 18, 1997, 111 Stat. 2106.

Pub. L. 104-180, title VII, §713, Aug. 6, 1996, 110 Stat. 1598.

Pub. L. 104-37, title VII, §713, Oct. 21, 1995, 109 Stat. 330.

Pub. L. 103-330, title VII, §713, Sept. 30, 1994, 108 Stat. 2468.

Pub. L. 103-111, title VII, §721, Oct. 21, 1993, 107 Stat. 1080.

§ 2209. Additional statement of expenditures

The Secretary of Agriculture shall furnish proper vouchers and accounts for the sums appropriated for the Department of Agriculture to the Government Accountability 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; Pub. L. 108-271, §8(b), July 7, 2004, 118 Stat. 814.)

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.

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

“Government Accountability Office” substituted in text for “General Accounting Office” pursuant to section 8(b) of Pub. L. 108-271, set out as a note under section 702 of Title 31, Money and Finance, which redesignated the General Accounting Office and any references thereto as the Government Accountability Office. Previously, “General Accounting Office” substituted in text for “accounting officers of the Treasury” pursuant to act June 10, 1921, which transferred powers and duties of Comptroller, six auditors, and certain other employees of the Treasury to General Accounting Office. See section 701 et seq. of Title 31.

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: Public Law 480 [7 U.S.C. 1691 et seq.]; Mutual and Self-Help Housing; Watershed and Flood Prevention Operations; Resource Conservation and Development; Colorado River Basin Salinity Control Program; Animal and Plant Health Inspection Service, the contingency fund to meet emergency conditions, Integrated Systems Acquisition Project, the reserve fund for the Grasshopper and Mormon Cricket Control Programs, and buildings and facilities; Agricultural Stabilization and Conservation Service, salaries and expenses funds made available to county committees; the Federal Crop Insurance Corporation Fund; Agricultural Research Service, buildings and facilities; Cooperative State Research Service, buildings and facilities; Office of International Cooperation and Development, Middle-Income Country Training Program; Dairy Indemnity Program; higher education graduate fellowships grants under section 3152(b)(6) of this title; capacity building grants to colleges eligible to receive funds under the Act of August 30, 1890 [7 U.S.C. 321 et seq.], including Tuskegee University; and buildings and facilities, Food and Drug Administration: *Provided*, That, on and after October 28, 1991, such appropriations are authorized to remain available until expended.

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

REFERENCES IN TEXT

This Act, referred to in text, is Pub. L. 102-142, Oct. 28, 1991, 105 Stat. 878, known as the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 1992. For complete classification of this Act to the Code, see Tables.

Public Law 480, referred to in text, is act July 10, 1954, ch. 469, 68 Stat. 454, known as the Agricultural Trade Development and Assistance Act of 1954, which is classified generally to chapter 41 (§1691 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 1691 of this title and Tables.

Act of August 30, 1890, referred to in text, is act Aug. 30, 1890, ch. 841, 26 Stat. 417, as amended, popularly known as the Agricultural College Act of 1890 and also as the Second Morrill Act, which is classified generally to subchapter II (§321 et seq.) of chapter 13 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 321 of this title and Tables.

SIMILAR PROVISIONS

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

Pub. L. 110-161, div. A, title VII, §702, Dec. 26, 2007, 121 Stat. 1874.

Pub. L. 109-289, div. B, title II, §20113, as added Pub. L. 110-5, §2, Feb. 15, 2007, 121 Stat. 15.