

Sec.		Sec.	
2230.	Employees in Alaska; subsistence, equipment, and supplies.	2255b.	Department of Agriculture conference transparency.
2231.	Official expenses of employees stationed abroad.	2256.	Inspections, analyses, and tests for other Government departments and agencies; reimbursement.
2231a.	Reimbursement of employees for costs of State licenses and certification fees.	2257.	Interchangeability of funds for miscellaneous expenses and general expenses.
2231b.	First amendment rights of employees of the United States Department of Agriculture.	2258.	Purchase of newspapers.
2232.	Stenographic reporting service.	2259.	Market-inspection certificates as prima facie evidence.
2233.	Funds available for expenses of advisory committees.	2260, 2260a.	Repealed.
2234.	Purchases for bureaus from appropriations for contingent expenses.	2261.	Credit of donations and proceeds from exhibitions to appropriations concerned with foreign market development programs.
2235.	Working capital fund established; use of central services by bureaus, etc., of the Department.	2262.	Employee liability insurance on motor vehicles in foreign countries.
2235a.	Deposit and retention of credit card refunds or rebates.	2262a.	Overseas tort claims.
2236.	Working capital fund for Agricultural Research Center; establishment.	2263.	Transfer of funds.
2237.	Use of field work funds for employment of men with equipment, etc.	2264.	National Agricultural Library; acceptance of gifts, bequests, or devises; conditional gifts.
2238.	Use of field work funds for purchase of arms and ammunition.	2265.	Deposit of money accepted for benefit of National Agricultural Library; disbursement.
2239.	Funds for printing, binding, and scientific and technical article reprint purchases.	2266.	Congressional reaffirmation of policy to foster and encourage family farms.
2240.	Reimbursement of appropriation for salaries and compensation of employees in mechanical shops.	2267.	Repealed.
2241.	Sale or exchange of animals or animal products.	2268.	Public lands; relinquishment.
2241a.	Exchange or sale authority.	2269.	Gifts of property; acceptance and administration by Secretary of Agriculture; Federal tax law consideration; separate fund in Treasury; regulations.
2242.	Repealed.	2270.	Authority of Office of Inspector General.
2242a.	User fees for reports, publications, and software.	2270a.	Office of Inspector General; transfer of forfeiture funds for law enforcement activities.
2242b.	Translation of publications into foreign languages.	2270b.	Department of Agriculture Inspector General investigation of Forest Service firefighter deaths.
2243.	Sale of photographic prints and maps.	2270c.	Submission of results.
2244.	Repealed.	2271.	Marketing education programs for small and medium size family farm operations.
2245.	Sale of prints and lantern slides.	2271a.	Advanced marketing training for farmers and ranchers.
2246.	Loan, rental, or sale of films.	2272.	Volunteers for Department of Agriculture programs.
2247.	Sale of samples of pure sugars.	2272a.	Funds for incidental expenses and promotional items relating to volunteers.
2248.	Statistics relating to turpentine and rosin.	2273.	Local search and rescue operations.
2249.	Amount and character of cooperation.	2274.	Firearm authority of employees engaged in animal quarantine enforcement.
2250.	Construction and repair of buildings and public improvements.	2274a.	Firearm authority of employees conducting field work in remote locations.
2250a.	Erection of buildings and other structures on non-Federal lands; duration of use of such lands; removal of structures after termination of use; availability of funds for expenses of acquiring long-term leases or other agreements.	2275.	Repealed.
2251.	Reimbursement of Production and Marketing Administration appropriations for expenses of maintaining registers of indebtedness and making set-offs.	2276.	Confidentiality of information.
2252.	Reimbursement of Production and Marketing Administration appropriations for costs of procuring agricultural commodities for nongovernmental agencies or foreign governments.	2277.	Contracts by Animal and Plant Health Inspection Service for services to be performed abroad.
2253.	Adjustment by Secretary of titles to lands acquired by Government and subject to his control.	2278.	Consistency with international obligations of United States.
2254.	Operation, maintenance and purchase of aircraft by Agricultural Research Service; construction and repair of buildings.	2279.	Outreach and assistance for socially disadvantaged farmers and ranchers.
2254a.	Availability of funds appropriated for Agricultural Research Service for research related to tobacco or tobacco products.	2279-1.	Transparency and accountability for socially disadvantaged farmers and ranchers.
2254b.	Availability of funds appropriated for Agricultural Research Service for research related to tobacco or tobacco products; exception.	2279-2.	Report of civil rights complaints, resolutions, and actions.
2255.	Membership in International Wheat Advisory Committee, International Sugar Council, etc.	2279a.	Fair and equitable treatment of socially disadvantaged producers.
2255a.	Financial assistance to national and international conferences.	2279b.	Department of Agriculture educational, training, and professional development activities.
		2279c.	Student internship programs.
		2279d.	Compensatory damages in claims under Rehabilitation Act of 1973.
		2279e.	Civil penalty.
		2279f.	Subpoena authority.
		2279g.	Marketing services; cooperative agreements.
		2279h.	Cross-servicing activities of National Finance Center.

§ 2201. Establishment of Department

There shall be at the seat of government a Department of Agriculture, the general design and

duties of which shall be to acquire and to diffuse among the people of the United States useful information on subjects connected with agriculture, rural development, aquaculture, and human nutrition, in the most general and comprehensive sense of those terms, and to procure, propagate, and distribute among the people new and valuable seeds and plants.

(R.S. § 520; Pub. L. 92-419, title VI, § 603(a), Aug. 30, 1972, 86 Stat. 675; Pub. L. 95-113, title XV, § 1502(a), Sept. 29, 1977, 91 Stat. 1021.)

CODIFICATION

R.S. § 520 derived from act May 15, 1862, ch. 72, § 1, 12 Stat. 387.

Section was formerly classified to section 511 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

1977—Pub. L. 95-113 inserted references to aquaculture and human nutrition.

1972—Pub. L. 92-419 substituted "agriculture and rural development" and "those terms" for "agriculture" and "that word", respectively.

EFFECTIVE DATE OF 1977 AMENDMENT

Amendment by Pub. L. 95-113 effective Oct. 1, 1977, see section 1901 of Pub. L. 95-113, set out as a note under section 1307 of this title.

SHORT TITLE OF 1997 AMENDMENT

Pub. L. 105-113, § 1, Nov. 21, 1997, 111 Stat. 2274, provided that: "This Act [enacting section 2204g of this title, amending sections 1991 and 2276 of this title and section 9 of Title 13, Census, repealing section 142 of Title 13, and enacting provisions set out as a note under section 1991 of this title] may be cited as the 'Census of Agriculture Act of 1997'."

SHORT TITLE OF 1980 AMENDMENT

Pub. L. 96-355, § 1, Sept. 24, 1980, 94 Stat. 1171, provided that: "This Act [enacting sections 2204b and 2211b of this title, amending sections 1926, 2204, 2204a, 2663, and 2667 of this title, section 5314 of Title 5, Government Organization and Employees, and section 3122 of Title 42, The Public Health and Welfare, and enacting provisions set out as a note under section 2204b of this title] may be cited as the 'Rural Development Policy Act of 1980'."

SHORT TITLE OF 1956 AMENDMENT

Act Aug. 3, 1956, § 1, provided that: "This Act [enacting sections 428a, 1040, 2228, 2229 and 2333 of this title, and sections 579b and 590h-4 of Title 16, Conservation, and amending sections 1004, 1392, 1516, and 1766 of this title, sections 590k and 590n of Title 16, and sections 114a and 114c of Title 21, Food and Drugs] may be cited as the 'Department of Agriculture Organic Act of 1956'."

SHORT TITLE

This section popularly known as the "Department of Agriculture Organic Act".

ESTABLISHMENT OF PERSONNEL CEILING FOR FISCAL YEARS 1982, 1983, AND 1984

Pub. L. 97-35, title I, § 125, Aug. 13, 1981, 95 Stat. 369, provided that: "Notwithstanding any other provision of law, the total full-time equivalent staff year personnel ceiling for the United States Department of Agriculture shall not exceed one hundred and seventeen thousand staff years (including overtime) for each of the fiscal years ending September 30, 1982, September 30, 1983, and September 30, 1984."

TRANSFER OF FUNCTIONS FROM SECRETARY OF INTERIOR TO SECRETARY OF AGRICULTURE

Pub. L. 86-509, June 11, 1960, 74 Stat. 205, which enacted provisions of Reorganization Plan Numbered 1 of 1959, provided: "That, except as otherwise provided in section 2 hereof, the following functions are hereby transferred to the Secretary of Agriculture:

"(a) The functions of the Secretary of the Interior under the Act of March 20, 1922, 42 Stat. 465, as amended (16 U.S.C. 485, 486), with respect to exchanges of non-Federal lands for national forest lands or timber.

"(b) The functions of the Secretary of the Interior under the Act of February 2, 1922 (42 Stat. 362), with respect to exchanges of lands in private ownership within or within six miles of the Deschutes National Forest for national forest lands, or for timber from any national forest, in the State of Oregon.

"(c) The functions of the Secretary of the Interior under the Act of June 7, 1924 (43 Stat. 643), except section 2 thereof, with respect to exchanges of privately owned lands for national forest timber in New Mexico.

"(d) The functions of the Secretary of the Interior under the Act of January 12, 1925 (43 Stat. 739), except section 2 thereof, with respect to exchanges of privately owned lands for national forest timber in New Mexico.

"(e) The functions of the Secretary of the Interior under the Act of April 21, 1926 (44 Stat. 303), except section 2 thereof, with respect to exchanges of privately owned lands for national forest lands or timber in New Mexico and Arizona.

"(f) The functions of the Secretary of the Interior under section 2 of the Act of May 26, 1926 (44 Stat. 655; 16 U.S.C. 38), with respect to exchanges of lands held in private or State ownership for national forest lands or timber in Montana.

"(g) The functions of the Secretary of the Interior under the Act of June 15, 1926 (44 Stat. 746), with respect to exchanges of State lands for national forest lands in New Mexico.

"(h) The functions of the Secretary of the Interior under the Act of December 7, 1942 (56 Stat. 1042), with respect to exchange transactions in which lands under the jurisdiction of the Secretary of Agriculture are exchanged for State lands in Minnesota which are to be under the jurisdiction of the Secretary of Agriculture after their acquisition by the United States.

"(i) The function of the Secretary of the Interior (originally vested in the Commissioner of the General Land Office) under section 6 of the Act of April 28, 1930 (46 Stat. 257; 43 U.S.C. 872), with respect to execution of quitclaim deeds for lands conveyed to the United States in connection with exchange transactions involving lands under the jurisdiction of the Secretary of Agriculture.

"(j) The functions of the Secretary of the Interior under section 2(b) of the Joint Resolution of August 8, 1947 (61 Stat. 921), with respect to appraisals and sales of certain lands within the Tongass National Forest.

"(k) The functions of the Secretary of the Interior under section 10 of the Act of March 1, 1911 (36 Stat. 962; 16 U.S.C. 519), with respect to sales of small tracts of acquired national forest lands found chiefly valuable for agriculture.

"(l) The functions of the Secretary of the Interior under section 402 of Reorganization Plan Numbered 3 of 1946 (60 Stat. 1099), section 3 of the Act of September 1, 1949 (63 Stat. 683; 30 U.S.C. 192c), the Act of June 30, 1950 (64 Stat. 311; 16 U.S.C. 508b), section 3 of the Act of June 28, 1952 (66 Stat. 285), or otherwise, with respect to the use and disposal from lands under the jurisdiction of the Secretary of Agriculture of those mineral materials which the Secretary of Agriculture is authorized to dispose of from other lands under his jurisdiction under the Act of July 31, 1947 (61 Stat. 681), as amended by the Act of July 23, 1955 (69 Stat. 367; 30 U.S.C. 601 and the following).

"SEC. 2(a). In no case covered by subsections (a), (b), (e), (g), and (h) of section 1 hereof shall the exchange

provide for the patenting of land by the United States without a reservation of minerals (1) unless the Secretary of Agriculture has obtained the advice of the Secretary of the Interior that the land is nonmineral in character, or (2) unless the Secretary of the Interior approves of the valuation and disposition of the minerals in the lands to be patented. A sale of land covered by subsection (j) of section 1 hereof shall be made by the Secretary of Agriculture without a reservation of minerals only after consultation with, and the approval of, the Secretary of the Interior as to the valuation and disposition of the minerals. No lands of the United States shall be exchanged in any case covered by subsection (f) of section 1 hereof unless the Secretary of Agriculture has obtained the advice of the Secretary of the Interior that such lands are nonmineral in character.

“(b) Nothing in this Act shall be construed to authorize the Secretary of Agriculture to determine or adjudicate the validity or invalidity of any mining claim or part thereof.

“(c) Nothing in subsection (1) of section 1 hereof shall be construed to authorize the Secretary of Agriculture to dispose of coal, phosphate, sodium, potassium, oil, oil shale, gas, or sulfur, or to dispose of any minerals which would be subject to disposal under the mining laws if said laws were applicable to the lands in which the minerals are situated.

“(d) Upon approval by the Secretary of Agriculture pursuant to the provisions of this Act of any exchange or sale, respectively, of national forest lands under the provisions of law referred to in subsections (a), (b), (e), (f), (g), and (j) of section 1, hereof, the Secretary of the Interior, upon the recommendation of the Secretary of Agriculture, shall issue the patent therefor.

“(e) All conveyances under the Act referred to in subsection (h) of section 1 hereof of national forest lands reserved from the public domain shall, upon recommendation of the Secretary of Agriculture, be made by the Secretary of the Interior.”

REORGANIZATION PLAN NO. 2 OF 1953

Eff. June 4, 1953, 18 F.R. 3219, 67 Stat. 633, as amended Oct. 15, 1982, Pub. L. 97-325, §8(d), 96 Stat. 1606; Oct. 13, 1994, Pub. L. 103-354, title II, §218(e)(1), 108 Stat. 3213

Prepared by the President and transmitted to the Senate and the House of Representatives in Congress assembled, March 25, 1953, pursuant to the provisions of the Reorganization Act of 1949, approved June 20, 1949, as amended [see 5 U.S.C. 901 et seq.].

DEPARTMENT OF AGRICULTURE

SECTION 1. TRANSFER OF FUNCTIONS TO THE SECRETARY

(a) Subject to the exceptions specified in subsection (b) of this section, there are hereby transferred to the Secretary of Agriculture all functions not now vested in him of all other officers, and of all agencies and employees, of the Department of Agriculture.

(b) This section shall not apply to the functions vested by the Administrative Procedure Act (5 U.S.C. 1001 et seq.) [5 U.S.C. 551 et seq. and 701 et seq.] in hearing examiners employed by the Department of Agriculture nor to the functions of (1) corporations of the Department of Agriculture, (2) the boards of directors and officers of such corporations, (3) the Advisory Board of the Commodity Credit Corporation, or (4) the Farm Credit Administration or any agency, officer, or entity of, under, or subject to the supervision of the said administration.

SEC. 2. ASSISTANT SECRETARIES OF AGRICULTURE

[Repealed. Pub. L. 103-354, title II, §218(e)(1), Oct. 13, 1994, 108 Stat. 3213. Section authorized the appointment of two additional Assistant Secretaries of Agriculture. See section 6918 of this title.]

SEC. 3. ADMINISTRATIVE ASSISTANT SECRETARY

[Repealed. Pub. L. 97-325, §8(d), Oct. 15, 1982, 96 Stat. 1606. Section authorized the appointment of an Administrative Assistant Secretary of Agriculture. See section 2212c of this title.]

SEC. 4. DELEGATION OF FUNCTIONS

(a) The Secretary of Agriculture may from time to time make such provisions as he shall deem appropriate authorizing the performance by any other officer, or by any agency or employee, of the Department of Agriculture of any function of the Secretary, including any function transferred to the Secretary by the provisions of this reorganization plan.

(b) To the extent that the carrying out of subsection (a) of this section involves the assignment of major functions or major groups of functions to major constituent organizational units of the Department of Agriculture, now or hereafter existing, or to the heads or other officers thereof, and to the extent deemed practicable by the Secretary, he shall give appropriate advance public notice of delegations of functions proposed to be made by him and shall afford appropriate opportunity for interested persons and groups to place before the Department of Agriculture their views with respect to such proposed delegations.

(c) In carrying out subsection (a) of this section the Secretary shall seek to simplify and make efficient the operation of the Department of Agriculture, to place the administration of farm programs close to the State and local levels, and to adapt the administration of the programs of the Department to regional, State, and local conditions.

SEC. 5. INCIDENTAL TRANSFERS

The Secretary of Agriculture may from time to time effect such transfers within the Department of Agriculture of any of the records, property, and personnel affected by this reorganization plan and such transfers of unexpended balances (available or to be made available for use in connection with any affected function or agency) of appropriations, allocations, and other funds of such Department, as he deems necessary to carry out the provisions of this reorganization plan; but such unexpended balances so transferred shall be used only for the purposes for which such appropriation was originally made.

§ 2202. Executive Department; Secretary

The Department of Agriculture shall be an executive department, under the supervision and control of a Secretary of Agriculture, who shall be appointed by the President, by and with the advice and consent of the Senate. The provisions of title 4 of the Revised Statutes, including all amendments thereto, shall be applicable to said department; and all laws and parts of laws relating to the Department of Agriculture in existence February 9, 1889, as far as the same are applicable and not in conflict with this section, and only so far, are continued in full force and effect.

(Feb. 9, 1889, ch. 122, §§1, 4, 25 Stat. 659.)

REFERENCES IN TEXT

Title 4 of the Revised Statutes, referred to in text, was entitled “Provisions Applicable to All Executive Departments, and consisted of R.S. §§158 to 198. For provisions of the Code derived from such title 4, see sections 101, 301, 303, 304, 503, 2952, 3101, 3106, 3341, 3345 to 3349, 5535, 5536 of Title 5, Government Organization and Employees; section 207 of Title 18, Crimes and Criminal Procedure; sections 514, 520 of Title 28, Judiciary and Judicial Procedure; section 3321 of Title 31, Money and Finance.