

Pub. L. 85-119, title V, §503, Aug. 2, 1957, 71 Stat. 340.

§ 2209h. Reimbursement of Office of the General Counsel

On and after November 10, 2005, agencies and offices of the Department of Agriculture may utilize any unobligated salaries and expenses funds to reimburse the Office of the General Counsel for salaries and expenses of personnel, and for other related expenses, incurred in representing such agencies and offices in the resolution of complaints by employees or applicants for employment, and in cases and other matters pending before the Equal Employment Opportunity Commission, the Federal Labor Relations Authority, or the Merit Systems Protection Board with the prior approval of the Committees on Appropriations of both Houses of Congress.

(Pub. L. 109-97, title VII, §732, Nov. 10, 2005, 119 Stat. 2154.)

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, §736, Dec. 8, 2004, 118 Stat. 2844.

Pub. L. 108-199, div. A, title VII, §732, Jan. 23, 2004, 118 Stat. 35.

Pub. L. 108-7, div. A, title VII, §739, Feb. 20, 2003, 117 Stat. 43.

§ 2209i. Funding for preparation of final agency decisions regarding discrimination complaints

On and after November 10, 2005, agencies and offices of the Department of Agriculture may utilize any available discretionary funds to cover the costs of preparing, or contracting for the preparation of, final agency decisions regarding complaints of discrimination in employment or program activities arising within such agencies and offices.

(Pub. L. 109-97, title VII, §751, Nov. 10, 2005, 119 Stat. 2156.)

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, §763, Dec. 8, 2004, 118 Stat. 2847.

Pub. L. 108-199, div. A, title VII, §762, Jan. 23, 2004, 118 Stat. 39.

§ 2209j. Permanent debarment from participation in Department of Agriculture programs for fraud

(a) In general

Subject to subsection (b), the Secretary of Agriculture shall permanently debar an individual, organization, corporation, or other entity convicted of a felony for knowingly defrauding the United States in connection with any program administered by the Department of Agriculture from any subsequent participation in Department of Agriculture programs.

(b) Exceptions

(1) Secretary determination

The Secretary may reduce a debarment under subsection (a) to a period of not less

than 10 years if the Secretary considers it appropriate.

(2) Food assistance

A debarment under subsection (a) shall not apply with respect to participation in domestic food assistance programs (as defined by the Secretary).

(Pub. L. 110-234, title XIV, §14211, May 22, 2008, 122 Stat. 1464; Pub. L. 110-246, §4(a), title XIV, §14211, June 18, 2008, 122 Stat. 1664, 2226.)

CODIFICATION

Pub. L. 110-234 and Pub. L. 110-246 enacted identical sections. Pub. L. 110-234 was repealed by section 4(a) of Pub. L. 110-246.

EFFECTIVE DATE

Enactment 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 a note under section 8701 of this title.

§ 2210. Deputy Secretary of Agriculture; appointment

There is established in the Department of Agriculture the position of Deputy Secretary of Agriculture, to be appointed by the President, by and with the advice and consent of the Senate.

(Mar. 26, 1934, ch. 89, title I, 48 Stat. 467; Pub. L. 94-561, §1(c)(1), Oct. 19, 1976, 90 Stat. 2643.)

CODIFICATION

Provisions of this section which prescribed the basic compensation of the Under Secretary were omitted to conform to the provisions of act July 31, 1956. See section 5314 of Title 5, Government Organization and Employees.

Section was formerly classified to section 514a 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

1976—Pub. L. 94-561 substituted “Deputy Secretary of Agriculture” for “Under Secretary of Agriculture”.

EFFECTIVE DATE OF 1976 AMENDMENT

Amendment by Pub. L. 94-561 effective Oct. 19, 1976, see section 5 of Pub. L. 94-561, set out as a note under section 5313 of Title 5, Government Organization and Employees.

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.

STATUS OF INCUMBENT UNDER SECRETARY OF AGRICULTURE

Pub. L. 94-561, §1(d), Oct. 19, 1976, 90 Stat. 2643, provided that: “The officer occupying the position of Under Secretary of Agriculture, on the date of enactment of this Act [Oct. 19, 1976], may assume the duties of the Deputy Secretary of Agriculture. The individual assuming such duties shall not be required to be reappointed by reason of the enactment of this Act.”

§ 2211. Powers and duties of Deputy Secretary of Agriculture

The Deputy Secretary of Agriculture is authorized to exercise the functions and perform