

be used to make production or other payments to a person, persons, or corporations upon a final finding by court of competent jurisdiction that such party is guilty of growing, cultivating, harvesting, processing or storing marijuana, or other such prohibited drug-producing plants on any part of lands owned or controlled by such persons or corporations.

(Pub. L. 103-111, title VII, § 704, Oct. 21, 1993, 107 Stat. 1078.)

Editorial Notes

PRIOR PROVISIONS

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

Pub. L. 102-341, title VII, § 704, Aug. 14, 1992, 106 Stat. 907.

Pub. L. 102-142, title VII, § 705, Oct. 28, 1991, 105 Stat. 911.

Pub. L. 101-506, title VI, § 605, Nov. 5, 1990, 104 Stat. 1346.

Pub. L. 101-161, title VI, § 605, Nov. 21, 1989, 103 Stat. 982.

Pub. L. 100-460, title VI, § 605, Oct. 1, 1988, 102 Stat. 2259.

Pub. L. 100-202, § 101(k) [title VI, § 605], Dec. 22, 1987, 101 Stat. 1329-322, 1329-353.

§ 2209f. Restriction on commodity purchase program payments

On and after October 28, 2000, none of the funds made available to the Department of Agriculture shall be used to carry out any commodity purchase program that would prohibit eligibility or participation by farmer-owned cooperatives.

(Pub. L. 106-387, § 1(a) [title VII, § 725], Oct. 28, 2000, 114 Stat. 1549, 1549A-32.)

§ 2209g. Availability of funds for uniforms or allowances

On and after November 10, 2005, funds appropriated by this or any other Appropriations Act to the Department of Agriculture (excluding the Forest Service) shall be available for uniforms or allowances as authorized by law (5 U.S.C. 5901-5902).

(Pub. L. 109-97, title VII, § 702, Nov. 10, 2005, 119 Stat. 2149.)

Editorial Notes

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, § 702, Dec. 8, 2004, 118 Stat. 2838.

Pub. L. 108-199, div. A, title VII, § 702, Jan. 23, 2004, 118 Stat. 31.

Pub. L. 108-7, div. A, title VII, § 702, Feb. 20, 2003, 117 Stat. 38.

Pub. L. 107-76, title VII, § 702, Nov. 28, 2001, 115 Stat. 731.

Pub. L. 106-387, § 1(a) [title VII, § 702], Oct. 28, 2000, 114 Stat. 1549, 1549A-28.

Pub. L. 106-78, title VII, § 702, Nov. 28, 2001, 113 Stat. 1160.

Pub. L. 105-277, div. A, § 101(a) [title VII, § 702], Oct. 21, 1998, 112 Stat. 2681-25.

Pub. L. 105-86, title VII, § 702, Nov. 18, 1997, 111 Stat. 2104.

Pub. L. 104-180, title VII, § 702, Aug. 6, 1996, 110 Stat. 1596.

Pub. L. 104-37, title VII, § 702, Oct. 21, 1995, 109 Stat. 329.

Pub. L. 103-330, title VII, § 702, Sept. 30, 1994, 108 Stat. 2466.

Pub. L. 103-111, title VII, § 702, Oct. 21, 1993, 107 Stat. 1078.

Pub. L. 102-341, title VII, § 702, Aug. 14, 1992, 106 Stat. 906.

Pub. L. 102-142, title VII, § 703, Oct. 28, 1991, 105 Stat. 911.

Pub. L. 101-506, title VI, § 603, Nov. 5, 1990, 104 Stat. 1346.

Pub. L. 101-161, title VI, § 603, Nov. 21, 1989, 103 Stat. 982.

Pub. L. 100-460, title VI, § 603, Oct. 1, 1988, 102 Stat. 2259.

Pub. L. 100-202, § 101(k) [title VI, § 603], Dec. 22, 1987, 101 Stat. 1329, 1329-353.

Pub. L. 99-500, § 101(a) [title VI, § 603], Oct. 18, 1986, 100 Stat. 1783, 1783-27, and Pub. L. 99-591, § 101(a) [title VI, § 603], Oct. 30, 1986, 100 Stat. 3341, 3341-27.

Pub. L. 97-370, title VI, § 603, Dec. 18, 1982, 96 Stat. 1810.

Pub. L. 97-103, title VI, § 603, Dec. 23, 1981, 95 Stat. 1487.

Pub. L. 96-108, title VI, § 602, Nov. 9, 1979, 93 Stat. 840.

Pub. L. 95-448, title VI, § 602, Oct. 11, 1978, 92 Stat. 1092.

Pub. L. 94-351, title VI, § 602, July 12, 1976, 90 Stat. 868.

Pub. L. 94-122, title VI, § 602, Oct. 21, 1975, 89 Stat. 666.

Pub. L. 93-563, title V, § 502, Dec. 31, 1974, 88 Stat. 1842.

Pub. L. 93-135, title V, § 503, Oct. 24, 1973, 87 Stat. 489.

Pub. L. 92-399, title V, § 503, Aug. 22, 1972, 86 Stat. 611.

Pub. L. 92-73, title V, § 503, Aug. 10, 1971, 85 Stat. 201.

Pub. L. 91-566, title V, § 503, Dec. 22, 1970, 84 Stat. 1496.

Pub. L. 91-127, title V, § 503, Nov. 26, 1969, 83 Stat. 260.

Pub. L. 90-463, title V, § 503, Aug. 8, 1968, 82 Stat. 653.

Pub. L. 90-113, title V, § 503, Oct. 24, 1967, 81 Stat. 334.

Pub. L. 89-556, title V, § 503, Sept. 7, 1966, 80 Stat. 703.

Pub. L. 89-316, title V, § 503, Nov. 2, 1965, 79 Stat. 1179.

Pub. L. 88-574, title V, § 503, Sept. 2, 1964, 78 Stat. 876.

Pub. L. 88-250, title VI, § 603, Dec. 30, 1963, 77 Stat. 833.

Pub. L. 87-879, title VI, § 603, Oct. 24, 1962, 76 Stat. 1215.

Pub. L. 87-112, title V, § 503, July 26, 1961, 75 Stat. 240.

Pub. L. 86-532, title IV, § 403, June 29, 1960, 74 Stat. 244.

Pub. L. 86-80, title IV, § 403, July 8, 1959, 73 Stat. 179.

Pub. L. 85-459, title IV, § 403, June 13, 1958, 72 Stat. 199.

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.)

Editorial Notes

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.)

Editorial Notes

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.)

Editorial Notes

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.

Statutory Notes and Related Subsidiaries

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.

§ 2209k. Prohibition on payments to fossil fuel refiners and importers

(a) IN GENERAL.—The Secretary of Agriculture may not use any funds, facilities, or authorities of the Commodity Credit Corporation or the Department of Agriculture—

(1) to provide a payment to a refiner or importer (as those terms are defined in section 80.2 of title 40, Code of Federal Regulations (or successor regulations)); or

(2) to otherwise support, directly or indirectly, a refiner or importer (as so defined) in meeting any requirements under—

(A) the renewable fuel program under section 7545(o) of title 42; or

(B) any other provision of law that requires the blending of fossil fuel with renewable fuel.

(b) The exclusion in (a) shall not apply to any payments or support to producers, refiners, or importers of biofuel (as defined in section 8101 of this title).

(c) MORATORIUM ON AUTHORITIES RELATING TO EXCHANGES OF AGRICULTURAL PRODUCTS FOR PETROLEUM PRODUCTS.—The authorities under the ninth and tenth sentences of section 714b(h) of title 15 (relating to the availability of agricultural products for the Secretary of Energy to exchange for petroleum products and the terms and conditions of those exchanges, respectively) shall not be used during the 180-day period beginning on October 1, 2020.

(Pub. L. 116-159, div. D, title VI, §4604, Oct. 1, 2020, 134 Stat. 747.)

Editorial Notes

REFERENCES IN TEXT

Section 8101 of this title, referred to in subsec. (b), was in the original “7 U.S.C. 8101” but probably should have been a reference to section 9001 of the Farm Security and Rural Investment Act of 2002, Pub. L. 107-171, which is classified to section 8101 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.)

Editorial Notes

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”.