

Editorial Notes

CODIFICATION

Section was formerly classified to section 543a 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.

Statutory Notes and Related Subsidiaries

REPEAL

Insofar as the provisions of this section relating to subsistence may conflict with those of sections 821 to 823, and 827 to 833 of former Title 5, which are now covered by sections 102, 105, 2105, 2106, 5701, 5705, 5707 and 5708 of Title 5, Government Organization and Employees, they were repealed by section 829 of former Title 5, which is now covered by section 5708 of Title 5.

Executive Documents

ADMISSION OF ALASKA AS STATE

Admission of Alaska into the Union was accomplished Jan. 3, 1959, on issuance of Proc. No. 3269, Jan. 3, 1959, 24 F.R. 81, 73 Stat. c16, as required by sections 1 and 8(c) of Pub. L. 85-508, July 7, 1958, 72 Stat. 339, set out as notes preceding section 21 of Title 48, Territories and Insular Possessions.

§ 2231. Official expenses of employees stationed abroad

Employees of the Department of Agriculture stationed abroad may, with the approval of the Secretary of Agriculture, enter into leases for official quarters, for periods not exceeding one year, and may pay rent, telephone, subscriptions to publications, and other charges incident to the conduct of their offices and the discharge of their duties, in advance, in any foreign country where custom or practice requires payment in advance.

(Sept. 21, 1944, ch. 412, title VII, §705(c), 58 Stat. 742.)

Editorial Notes

CODIFICATION

This section was enacted as part of the Department of Agriculture Organic Act of 1944.

Section was formerly classified to section 543b 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.

PRIOR PROVISIONS

Provisions similar to those in this section were contained in the following Department of Agriculture Appropriation Acts:

June 28, 1944, ch. 296, 58 Stat. 426.
 July 12, 1943, ch. 215, 57 Stat. 393.
 July 22, 1942, ch. 516, 56 Stat. 665.
 July 1, 1941, ch. 267, 55 Stat. 409.
 June 25, 1940, ch. 421, 54 Stat. 532.
 June 30, 1939, ch. 253, title I, 53 Stat. 940.
 June 16, 1938, ch. 464, title I, 52 Stat. 711.
 June 29, 1937, ch. 404, 50 Stat. 395.

§ 2231a. Reimbursement of employees for costs of State licenses and certification fees

On and after October 28, 1991, notwithstanding any other provision of law, any appropriations or funds available to the agencies of the Department of Agriculture may be used to reimburse employees for the cost of State licenses and cer-

tification fees pursuant to their Department of Agriculture position and that are necessary to comply with State laws, regulations, and requirements.

(Pub. L. 102-142, title VII, §738, Oct. 28, 1991, 105 Stat. 915.)

§ 2231b. First amendment rights of employees of the United States Department of Agriculture

Notwithstanding any other provision of law, no employee of the United States Department of Agriculture shall be peremptorily removed, on or after February 15, 1994, from the position of the employee without an opportunity for a public or nonpublic hearing, at the option of the employee, because of remarks made during personal time in opposition to policies, or proposed policies, of the Department, including policies or proposed policies regarding homosexuals. Any employee removed on or after February 15, 1994, without the opportunity for such a hearing shall be reinstated to the position of the employee pending such a hearing.

(Pub. L. 103-354, title III, §302, Oct. 13, 1994, 108 Stat. 3239.)

§ 2232. Stenographic reporting service

The Department of Agriculture is authorized to contract for stenographic reporting services.

(Sept. 21, 1944, ch. 412, title VII, §705(b), 58 Stat. 742.)

Editorial Notes

CODIFICATION

This section was enacted as part of the Department of Agriculture Organic Act of 1944.

Section was formerly classified to section 520a 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.

PRIOR PROVISIONS

Provisions similar to those in this section were contained in the following Department of Agriculture Appropriation Acts, and were repealed by Pub. L. 89-554, §8(a), Sept 6, 1966, 80 Stat. 632:

June 28, 1944, ch. 296, 58 Stat. 426.
 July 12, 1943, ch. 215, 57 Stat. 392.
 July 22, 1942, ch. 516, 56 Stat. 665.
 July 1, 1941, ch. 267, 55 Stat. 408.
 June 25, 1940, ch. 421, 54 Stat. 532.
 June 30, 1939, ch. 253, title I, 53 Stat. 940.
 June 16, 1938, ch. 464, title I, 52 Stat. 711.
 June 29, 1937, ch. 404, 50 Stat. 395.
 June 4, 1936, ch. 489, 49 Stat. 1421.
 May 17, 1935, ch. 131, title I, §1, 49 Stat. 248.
 Mar. 26, 1934, ch. 89, 48 Stat. 468.
 Mar. 3, 1933, ch. 203, 47 Stat. 1432.
 July 7, 1932, ch. 443, 47 Stat. 610.
 Feb. 23, 1931, ch. 278, 46 Stat. 1243.
 May 27, 1930, ch. 341, 46 Stat. 393.
 Feb. 16, 1929, ch. 227, 45 Stat. 1190.
 May 16, 1928, ch. 572, 45 Stat. 540.
 Jan. 18, 1927, ch. 39, 44 Stat. 977.
 May 11, 1926, ch. 286, 44 Stat. 500.

§ 2233. Funds available for expenses of advisory committees

Funds available for carrying out the activities of the Department of Agriculture shall be available for expenses of advisory committees, in-

cluding travel expenses in accordance with the provisions of section 5703 of title 5.

(Aug. 3, 1956, ch. 950, § 4, 70 Stat. 1033.)

Editorial Notes

CODIFICATION

“Section 5703 of title 5” substituted in text for “section 5 of the Administrative Expenses Act of 1946, as amended” on authority of Pub. L. 89-554, § 7(b), Sept. 6, 1966, 80 Stat. 631, the first section of which enacted Title 5, Government Organization and Employees.

Section was formerly classified to section 541c 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.

§ 2234. Purchases for bureaus from appropriations for contingent expenses

The Secretary of Agriculture may purchase stationery, supplies, furniture, and miscellaneous materials from this appropriation for contingent expenses and transfer the same at actual cost to the various bureaus, divisions, and offices of the Department of Agriculture in the city of Washington, reimbursement therefor to be made to such appropriation by said bureaus, divisions, and offices from their lump-fund appropriations by transfer settlements through the Treasury Department.

(Aug. 10, 1912, ch. 284, 37 Stat. 296.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 542 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.

§ 2235. Working capital fund established; use of central services by bureaus, etc., of the Department

A working capital fund of \$400,000 is established without fiscal year limitation, for the payment of salaries and other expenses necessary to the maintenance and operation of (1) central duplicating, photographic, and tabulating services, (2) a central motor-transport service for the maintenance, repair, and operation of motor-transport vehicles and other equipment, (3) a central supply service for the purchase, storage, handling, issuance, packing, or shipping of stationery, supplies, equipment, blank forms, and miscellaneous materials, for which stocks thereof, not to exceed \$200,000 in value (except for the value of blank forms) at the close of any fiscal year, may be maintained sufficient to meet, in whole or in part, requirements of the bureaus and offices of the Department in the city of Washington and elsewhere, and (4) such other services as the Secretary, with the approval of the Director of the Office of Management and Budget, determines may be performed more advantageously as central services; said fund to be credited with advances or reimbursements from applicable funds of bureaus, offices, and agencies for which services are performed on the basis of rates which shall include estimated or actual charges for personal services, materials, equipment (including main-

tenance, repairs, and depreciation) and other expenses: *Provided*, That such advances shall not be available for any period beyond that provided by the Act appropriating the funds: *Provided further*, That such central services shall, to the fullest extent practicable, be used to make unnecessary the maintenance of separate like services in the bureaus, offices, and agencies of the department.

(July 12, 1943, ch. 215, 57 Stat. 393; Pub. L. 89-106, § 7, Aug. 4, 1965, 79 Stat. 432; 1970 Reorg. Plan No. 2, § 102, eff. July 1, 1970, 35 F.R. 7959, 84 Stat. 2085.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 542-1 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

1965—Pub. L. 89-106 substituted “credited with advances or reimbursements” for “reimbursed” and inserted “That such advances shall not be available for any period beyond that provided by the Act appropriating the funds: *Provided further*,”.

Executive Documents

TRANSFER OF FUNCTIONS

Functions vested by law (including reorganization plan) in Bureau of the Budget or Director of Bureau of the Budget transferred to President by section 101 of 1970 Reorg. Plan No. 2. Section 102 of 1970 Reorg. Plan No. 2, redesignated Bureau of the Budget as Office of Management and Budget and offices of Director, Deputy Director, and Assistant Directors of Bureau of the Budget as Director, Deputy Director, and Assistant Directors of Office of Management and Budget, respectively. Section 103 of 1970 Reorg. Plan No. 2, transferred records, property, personnel and funds of Bureau of the Budget to Office of Management and Budget. See Part I of Reorganization Plan No. 2 of 1970, set out in the Appendix to Title 5, Government Organization and Employees.

§ 2235a. Deposit and retention of credit card refunds or rebates

On and after November 28, 2001, refunds or rebates received on an on-going basis from a credit card services provider under the Department of Agriculture’s charge card programs may be deposited to and retained without fiscal year limitation in the Department’s Working Capital Fund established under section 2235 of this title and used to fund management initiatives of general benefit to the Department of Agriculture bureaus and offices as determined by the Secretary of Agriculture or the Secretary’s designee.

(Pub. L. 107-76, title VII, § 729, Nov. 28, 2001, 115 Stat. 736.)

Editorial Notes

PRIOR PROVISIONS

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

Pub. L. 106-387, § 1(a) [title I, § 757], Oct. 28, 2000, 114 Stat. 1549, 1549A-43.