

Office Department and transferred its functions to United States Postal Service.

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.

§ 7761. Repealed. Pub. L. 113–79, title X, § 10007(c), Feb. 7, 2014, 128 Stat. 947

Section, Pub. L. 110–234, title X, § 10202, May 22, 2008, 122 Stat. 1342; Pub. L. 110–246, § 4(a), title X, § 10202, June 18, 2008, 122 Stat. 1664, 2104; Pub. L. 112–240, title VII, § 701(g)(2), Jan. 2, 2013, 126 Stat. 2366, related to the National Clean Plant Network. See section 7721(e) of this title.

SUBCHAPTER IV—AUTHORIZATION OF APPROPRIATIONS

§ 7771. Authorization of appropriations

There are authorized to be appropriated such amounts as may be necessary to carry out this chapter. Except as specifically authorized by law, no part of the money appropriated under this section shall be used to pay indemnities for property injured or destroyed by or at the direction of the Secretary.

(Pub. L. 106–224, title IV, § 441, June 20, 2000, 114 Stat. 455.)

Editorial Notes

REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this title”, meaning title IV of Pub. L. 106–224, June 20, 2000, 114 Stat. 438, known as the Plant Protection Act, which is classified principally to this chapter. For complete classification of title IV to the Code, see Short Title note set out under section 7701 of this title and Tables.

Statutory Notes and Related Subsidiaries

TRANSFER OF FUNCTIONS

For transfer of functions of the Secretary of Agriculture relating to agricultural import and entry inspection activities under this chapter to the Secretary of Homeland Security, and for treatment of related references, see sections 231, 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.

§ 7772. Transfer authority

(a) Authority to transfer certain funds

In connection with an emergency in which a plant pest or noxious weed threatens any segment of the agricultural production of the United States, the Secretary may transfer from other appropriations or funds available to the agencies or corporations of the Department of Agriculture such amounts as the Secretary considers necessary to be available in the emergency for the arrest, control, eradication, and prevention of the spread of the plant pest or noxious weed and for related expenses.

(b) Availability

Any funds transferred under this section shall remain available for such purposes without fiscal year limitation.

(c) Secretarial discretion

The action of any officer, employee, or agent of the Secretary in carrying out this Act, in-

cluding determining the amount of and making any payment authorized to be made under this chapter, shall not be subject to a review by any officer or employee of the Federal Government other than the Secretary or the designee of the Secretary.

(Pub. L. 106–224, title IV, § 442, June 20, 2000, 114 Stat. 455; Pub. L. 107–171, title VII, § 7504(b), May 13, 2002, 116 Stat. 466; Pub. L. 110–234, title X, § 10203(b), May 22, 2008, 122 Stat. 1342; Pub. L. 110–246, § 4(a), title X, § 10203(b), June 18, 2008, 122 Stat. 1664, 2104.)

Editorial Notes

REFERENCES IN TEXT

This Act, referred to in subsec. (c), is Pub. L. 106–224, June 20, 2000, 114 Stat. 358, known as the Agricultural Risk Protection Act of 2000. For complete classification of this Act to the Code, see Short Title of 2000 Amendment note set out under section 1501 of this title and Tables.

This chapter, referred to in subsec. (c), was in the original “this title”, meaning title IV of Pub. L. 106–224, June 20, 2000, 114 Stat. 438, known as the Plant Protection Act, which is classified principally to this chapter. For complete classification of title IV to the Code, see Short Title note set out under section 7701 of this title and Tables.

CODIFICATION

Pub. L. 110–234 and Pub. L. 110–246 made identical amendments to this section. The amendments by Pub. L. 110–234 were repealed by section 4(a) of Pub. L. 110–246.

Similar provisions relating to authority to transfer funds for emergency arrest of animal, poultry, or plant diseases or pests were contained in section 129 of Title 21, Food and Drugs, prior to its omission from the Code, and similar provisions relating to authority to transfer funds for emergency arrest of animal or poultry diseases were contained in section 129a of Title 21, prior to repeal by Pub. L. 107–171, title X, § 10418(a)(1), May 13, 2002, 116 Stat. 507.

AMENDMENTS

2008—Subsec. (c). Pub. L. 110–246, § 10203(b), struck out “of longer than 60 days” after “review”.

2002—Subsec. (c). Pub. L. 107–171 added subsec. (c).

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2008 AMENDMENT

Amendment 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 an Effective Date note under section 8701 of this title.

TRANSFER OF FUNCTIONS

For transfer of functions of the Secretary of Agriculture relating to agricultural import and entry inspection activities under this chapter to the Secretary of Homeland Security, and for treatment of related references, see sections 231, 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.

SUBCHAPTER V—NOXIOUS WEED CONTROL AND ERADICATION

§ 7781. Definitions

In this subchapter:

(1) Indian tribe

The term “Indian Tribe” has the meaning given that term in section 5304 of title 25.