

7 USC Ch. 55A: DEPARTMENT OF AGRICULTURE ADVISORY COMMITTEES

From Title 7—AGRICULTURE

CHAPTER 55A—DEPARTMENT OF AGRICULTURE ADVISORY COMMITTEES

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§2281. Congressional declaration of purpose

The purposes of this chapter are to—

- (1) require strict financial and program accounting by advisory committees of the Department of Agriculture;
- (2) assure balance and objectivity in the membership of such advisory committees; and
- (3) prevent the formation or continuation of unnecessary advisory committees by the Department of Agriculture.

(Pub. L. 95–113, title XVIII, §1801, Sept. 29, 1977, 91 Stat. 1041; Pub. L. 97–98, title XI, §1116(a), Dec. 22, 1981, 95 Stat. 1270.)

AMENDMENTS

1981—Pub. L. 97–98 reenacted section without change.

EFFECTIVE DATE OF 1981 AMENDMENT

Amendment by Pub. L. 97–98 effective Dec. 22, 1981, see section 1801 of Pub. L. 97–98, set out as an Effective Date note under section 4301 of this title.

EFFECTIVE DATE

Section effective Oct. 1, 1977, see section 1901 of Pub. L. 95–113, set out as an Effective Date of 1977 Amendment note under section 1307 of this title.

SOYBEAN RESEARCH ADVISORY INSTITUTE

Pub. L. 97–98, title XIV, §1446, Dec. 22, 1981, 95 Stat. 1327, provided for the establishment of a Soybean Research Advisory Institute for the purpose of preparing and submitting to Senate Committee on Agriculture, Nutrition, and Forestry and House Committee on Agriculture, not later than Mar. 1, 1983, a comprehensive report, with appropriate recommendations, on the findings of the Institute regarding research on soybean production and utilization, prior to repeal by Pub. L. 99–198, title XIV, §1434, Dec. 23, 1985, 99 Stat. 1557.

§2282. Definitions

When used in this chapter—

- (1) the term "Secretary" means the Secretary of Agriculture of the United States;
- (2) the term "Department of Agriculture" means the United States Department of Agriculture; and
- (3) the term "advisory committee" means any committee, board, commission, council, conference, panel, task force, or other similar group, or any subcommittee or other subgroup thereof that is established or utilized by the Department of Agriculture in the interest of obtaining advice or recommendations for the President or the Department of Agriculture, except that such term excludes any committee which (A) is composed wholly of full-time officers or employees of the Federal Government, (B) is established by statute or reorganization plan, or (C) is established by the President.

(Pub. L. 95–113, title XVIII, §1802, Sept. 29, 1977, 91 Stat. 1041; Pub. L. 97–98, title XI, §1116(a), Dec. 22, 1981, 95 Stat. 1270.)

AMENDMENTS

1981—Pub. L. 97–98 reenacted section without change.

EFFECTIVE DATE OF 1981 AMENDMENT

Amendment by Pub. L. 97–98 effective Dec. 22, 1981, see section 1801 of Pub. L. 97–98, set out as an Effective Date note under section 4301 of this title.

EFFECTIVE DATE

Section effective Oct. 1, 1977, see section 1901 of Pub. L. 95–113, set out as an Effective Date of 1977 Amendment note under section 1307 of this title.

§2283. Membership on advisory committees

(a) Simultaneous service

No person other than an officer or employee of the Department of Agriculture may serve simultaneously on more than one advisory committee, unless authorized by the Secretary.

(b) Service by more than one officer or employee of corporation or non-Federal entity

Not more than one officer or employee of any corporation or other non-Federal entity, including all subsidiaries and affiliates thereof, may serve on the same advisory committee at any one time, unless authorized by the Secretary.

(c) Maximum length

No person other than an officer or employee of the Department of Agriculture may serve for more than six consecutive years on an advisory committee, unless authorized by the Secretary.

(Pub. L. 95–113, title XVIII, §1803, Sept. 29, 1977, 91 Stat. 1041; Pub. L. 97–98, title XI, §1116(a), Dec. 22, 1981, 95 Stat. 1270.)

AMENDMENTS

1981—Pub. L. 97–98 substituted provision relating to membership on advisory committees for provision relating to establishment of advisory committees.

EFFECTIVE DATE OF 1981 AMENDMENT

Amendment by Pub. L. 97–98 effective Dec. 22, 1981, see section 1801 of Pub. L. 97–98, set out as an Effective Date note under section 4301 of this title.

EFFECTIVE DATE

Section effective Oct. 1, 1977, see section 1901 of Pub. L. 95–113, set out as an Effective Date of 1977 Amendment note under section 1307 of this title.

§2284. Repealed. Pub. L. 105–362, title I, §101(c), Nov. 10, 1998, 112 Stat. 3281

Section, Pub. L. 95–113, title XVIII, §1804, Sept. 29, 1977, 91 Stat. 1041; Pub. L. 97–98, title XI, §1116(a), Dec. 22, 1981, 95 Stat. 1270, required annual reports to Congress.

§2285. Budget prohibitions

No advisory committee may expend funds in excess of its estimated annual operating costs by more than 10 per centum or \$500, whichever is greater, until it provides the Secretary with an explanation of the need for the additional expenditure and the Secretary approves such additional expenditure.

(Pub. L. 95–113, title XVIII, §1805, Sept. 29, 1977, 91 Stat. 1042; Pub. L. 97–98, title XI, §1116(a), Dec. 22, 1981, 95 Stat. 1271.)

AMENDMENTS

1981—Pub. L. 97–98 substituted provision relating to budget prohibitions for provision relating to membership on advisory committees. See section 2283 of this title.

EFFECTIVE DATE OF 1981 AMENDMENT

Amendment by Pub. L. 97–98 effective Dec. 22, 1981, see section 1801 of Pub. L. 97–98, set out as an Effective Date note under section 4301 of this title.

EFFECTIVE DATE

Section effective Oct. 1, 1977, see section 1901 of Pub. L. 95–113, set out as an Effective Date of 1977 Amendment note under section 1307 of this title.

§2286. Termination of committees

The Secretary shall terminate any advisory committee upon a finding that any such advisory committee—

(1) has expended funds in excess of its estimated annual operating costs by more than 10 per centum or \$500, whichever is greater, without the prior approval of the Secretary pursuant to the provisions of section 2285 of this title;

(2) has failed to file all reports required under the provisions of the Federal Advisory Committee Act or this chapter;

(3) has failed to meet for two consecutive years;

(4) is responsible for functions that otherwise would be or should be performed by Federal employees; or

(5) does not serve or has ceased to serve an essential public function.

(Pub. L. 95–113, title XVIII, §1806, Sept. 29, 1977, 91 Stat. 1042; Pub. L. 97–98, title XI, §1116(a), Dec. 22, 1981, 95 Stat. 1271.)

REFERENCES IN TEXT

The Federal Advisory Committee Act, referred to in par. (2), is Pub. L. 92–463, Oct. 6, 1972, 86 Stat. 770, as amended, which is set out in the Appendix to Title 5, Government Organization and Employees.

AMENDMENTS

1981—Pub. L. 97–98 substituted provision relating to termination of advisory committees for provision relating to advisory committee charter requirements.

EFFECTIVE DATE OF 1981 AMENDMENT

Amendment by Pub. L. 97–98 effective Dec. 22, 1981, see section 1801 of Pub. L. 97–98, set out as an Effective Date note under section 4301 of this title.

EFFECTIVE DATE

Section effective Oct. 1, 1977, see section 1901 of Pub. L. 95–113, set out as an Effective Date of 1977 Amendment note under section 1307 of this title.

§§2287 to 2289. Omitted

Sections 2287 to 2289 of this title were omitted in the general amendment of this chapter by Pub. L. 97–98, title XI, §1116(a), Dec. 22, 1981, 95 Stat. 1270.

Section 2287, Pub. L. 95–113, title XVIII, §1807, Sept. 29, 1977, 91 Stat. 1043, related to transmission of an annual report. See section 2284 of this title.

Section 2288, Pub. L. 95–113, title XVIII, §1808, Sept. 29, 1977, 91 Stat. 1044, related to budget prohibitions. See section 2285 of this title.

Section 2289, Pub. L. 95–113, title XVIII, §1809, Sept. 29, 1977, 91 Stat. 1044, related to termination of advisory committees. See section 2286 of this title.