under any law administered by the Office of Personnel Management.

(Pub. L. 102–142, title VII, § 737, Oct. 28, 1991, 105 Stat. 915.)

Editorial Notes

PRIOR PROVISIONS

Provisions similar to those in this section were contained in the following prior appropriation act:
Pub. L. 101–506, title VI, § 641, Nov. 5, 1990, 104 Stat. 1350.

§ 2278. Consistency with international obligations of United States

(a) In general

Prior to the promulgation of, or amendment to, any order or plan under a research and promotion program relating to research and promotion of any agricultural commodity or product, after November 28, 1990, where such order or plan would provide for an assessment on imports, the Secretary of Agriculture shall consult with the United States Trade Representative regarding the consistency of the provisions of the order or plan with the international obligations of the United States.

(b) Compliance with U.S. international obligations

The Secretary of Agriculture shall take all steps necessary and appropriate to ensure that any order or plan or amendment to such order or plan, and the implementation and enforcement of any order or plan or amendment to such order or plan, or program as it relates to imports is nondiscriminatory and in compliance with the international obligations of the United States, as interpreted by the United States Trade Representative.

(c) Construction

Nothing in this section shall be construed as providing for a cause of action under this section.

(Pub. L. 101–624, title XIX, § 1999T, Nov. 28, 1990, 104 Stat. 3928.)

§ 2279. Farming opportunities training and outreach

(a) Definitions

In this section:

(1) Agricultural programs

The term ''agricultural programs'' are those established or authorized by—

(A) the Agricultural Act of 1949 [7 U.S.C. 1421 et seq.];

(B) the Consolidated Farm and Rural Development Act [7 U.S.C. 1921 et seq.];

(C) the Agricultural Adjustment Act of 1938 [7 U.S.C. 1281 et seq.];

(D) the Soil Conservation Act;

(E) the Domestic Allotment Assistance Act;

(F) the Food Security Act of 1985; and

(G) other such Acts as the Secretary deems appropriate.

(2) Beginning farmer or rancher

The term ''beginning farmer or rancher'' means a person that—

(A)(i) has not operated a farm or ranch; or

(ii) has operated a farm or ranch for not more than 10 years; and

(B) meets such other criteria as the Secretary may establish.

(3) Department

The term ''Department'' means the Department of Agriculture.

(4) Secretary

The term ''Secretary'' means the Secretary of Agriculture.

(5) Socially disadvantaged farmer or rancher

The term ''socially disadvantaged farmer or rancher'' means a farmer or rancher who is a member of a socially disadvantaged group.

(6) Socially disadvantaged group

The term ''socially disadvantaged group'' means a group whose members have been subjected to racial or ethnic prejudice because of their identity as members of a group without regard to their individual qualities.

(7) Veteran farmer or rancher

The term ''veteran farmer or rancher'' means a farmer or rancher who has served in the Armed Forces (as defined in section 101(10) of title 38) and who—

(A) has not operated a farm or ranch;

(B) has operated a farm or ranch for not more than 10 years; or

(C) is a veteran (as defined in section 101 of that title) who has first obtained status as a veteran (as so defined) during the most recent 10-year period.

(b) Farming opportunities training and outreach

The Secretary shall carry out this section to encourage and assist socially disadvantaged farmers and ranchers, veteran farmers and ranchers, and beginning farmers and ranchers in the ownership and operation of farms and ranches through—

(1) education and training; and

(2) equitable participation in all agricultural programs of the Department.

(c) Outreach and assistance for socially disadvantaged and veteran farmers and ranchers

(1) Eligible entity

In this subsection, the term ''eligible entity'' means any of the following:

(A) Any community-based organization, network, or coalition of community-based organizations that—

(i) has demonstrated experience in providing agricultural education or other agriculturally related services to socially disadvantaged farmers and ranchers and veteran farmers or ranchers;

(ii) has provided to the Secretary documentary evidence of work with, and on behalf of, socially disadvantaged farmers or ranchers and veteran farmers or ranchers during the 3-year period preceding the submission of an application for assistance under this subsection; and

(iii) does not engage in activities prohibited under section 501(c)(3) of title 26.

(B) An 1890 institution or 1994 institution (as defined in section 7601 of this title), including West Virginia State College.

(C) An Indian tribal community college or an Alaska Native cooperative college.

(D) An Hispanic-serving institution (as defined in section 3103 of this title).

(E) Any other institution of higher education (as defined in section 1001 of title 20) that has demonstrated experience in providing agriculture education or other agriculturally related services to socially disadvantaged farmers and ranchers in a region.

(F) An Indian tribe (as defined in section 5304 of title 25) or a national tribal organization that has demonstrated experience in providing agriculture education or other agriculturally related services to socially disadvantaged farmers and ranchers in a region.

(G) An organization or institution that received funding under subsection (a) before January 1, 1996, but only with respect to projects that the Secretary considers are similar to projects previously carried out by the organization or institution under such subsection.

(2) Program

Using funds made available under subsection (*l*), the Secretary of Agriculture shall, for the period of fiscal years 2019 through 2023, carry out an outreach and technical assistance program to encourage and assist socially disadvantaged farmers and ranchers and veteran farmers or ranchers—

(A) in owning and operating farms and ranches; and

(B) in participating equitably in the full range of agricultural, forestry, and related programs offered by the Department.

(3) Requirements

The outreach and technical assistance program under paragraph (2) shall be used exclusively—

(A) to enhance coordination of the outreach, technical assistance, and education efforts authorized under agriculture programs; and

(B) to assist the Secretary in—

(i) reaching current and prospective socially disadvantaged farmers or ranchers and veteran farmers or ranchers in a linguistically appropriate manner; and

(ii) improving the participation of those farmers and ranchers in Department programs, as reported under section 2279–1 of this title.

(4) Grants and contracts

(A) Outreach and technical assistance

The Secretary may make grants to, and enter into contracts and other agreements with, an eligible entity that has demonstrated an ability to carry out the requirements described in paragraph (3) to provide outreach and technical assistance to socially disadvantaged farmers and ranchers and veteran farmers and ranchers under this subsection.

(B) Relationship to other law

The authority to carry out this section shall be in addition to any other authority provided in this or any other Act.

(C) Other projects

Notwithstanding paragraph (2), the Secretary may make grants to, and enter into contracts and other agreements with, an organization or institution that received funding under this section before January 1, 1996, to carry out a project that is similar to a project for which the organization or institution received such funding.

(D) Report

The Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate, and make publicly available, an annual report that includes a list of the following:

(i) The recipients of funds made available under the program.

(ii) The activities undertaken and services provided.

(iii) The number of current and prospective socially disadvantaged farmers or ranchers served and outcomes of such service.

(iv) The problems and barriers identified by entities in trying to increase participation by current and prospective socially disadvantaged farmers or ranchers.

(v) The number of farms or ranches started, maintained, or improved as a result of funds made available under the program.

(vi) Actions taken by the Secretary in partnership with eligible entities to enhance participation in agricultural programs by veteran farmers or ranchers and socially disadvantaged farmers or ranchers.

(vii) The effectiveness of the actions described in clause (vi).

(E) Maximum term and amount of grant, contract, or agreement

A grant, contract, or agreement entered into under subparagraph (A) shall be—

(i) for a term of not longer than 3 years; and

(ii) in an amount that is not more than $250,000 for each year of the grant, contract, or agreement.

(F) Priority

In making grants and entering into contracts and other agreements under subparagraph (A), the Secretary shall give priority to nongovernmental and community-based organizations with an expertise in working with socially disadvantaged farmers and ranchers or veteran farmers and ranchers.

(G) Regional balance

To the maximum extent practicable, the Secretary shall ensure the geographical diversity of eligible entities to which grants are made and contracts and other agreements are entered into under subparagraph (A).

(H) Prohibition

A grant, contract, or other agreement under subparagraph (A) may not be used for the planning, repair, rehabilitation, acquisition, or construction of a building or facility.

(I) Peer review

The Secretary shall establish a fair and efficient external peer review process that—

(i) the Secretary shall use in making grants and entering into contracts and other agreements under subparagraph (A); and

(ii) shall include a broad representation of peers of the eligible entity.

(J) Input from eligible entities

The Secretary shall seek input from eligible entities providing technical assistance under this subsection not less than once each year to ensure that the program is responsive to the eligible entities providing that technical assistance.

(5) Socially Disadvantaged Farmers and Ranchers Policy Research Center

The Secretary shall award a grant to a college or university eligible to receive funds under the Act of August 30, 1890 (7 U.S.C. 321 et seq.), including Tuskegee University, to establish a policy research center to be known as the ''Socially Disadvantaged Farmers and Ranchers Policy Research Center'' for the purpose of developing policy recommendations for the protection and promotion of the interests of socially disadvantaged farmers and ranchers.

(d) Beginning farmer and rancher development grant program

(1) In general

Using funds made available under subsection (*l*), the Secretary, acting through the Director of the National Institute of Food and Agriculture, shall, for the period of fiscal years 2019 through 2023, make competitive grants or enter into cooperative agreements to support new and established local and regional training, education, outreach, and technical assistance initiatives to increase opportunities for beginning farmers and ranchers.

(2) Included programs and services

Initiatives described in paragraph (1) may include programs or services, as appropriate, relating to—

(A) basic livestock, forest management, and crop farming practices;

(B) innovative farm, ranch, and private, nonindustrial forest land transfer and succession strategies;

(C) entrepreneurship and business training;

(D) technical assistance to help beginning farmers or ranchers acquire land from retiring farmers and ranchers;

(E) financial and risk management training, including the acquisition and management of agricultural credit;

(F) natural resource management and planning;

(G) diversification and marketing strategies;

(H) curriculum development;

(I) mentoring, apprenticeships, and internships;

(J) resources and referral;

(K) farm financial benchmarking;

(L) agricultural rehabilitation and vocational training for veteran farmers and ranchers;

(M) farm safety and awareness;

(N) food safety and recordkeeping; and

(O) other similar subject areas of use to beginning farmers and ranchers.

(3) Eligibility

(A) In general

To be eligible to receive a grant or enter into a cooperative agreement under this subsection, the recipient of the grant or participant in the cooperative agreement shall be a collaborative State, Tribal, local, or regionally-based network or partnership of public or private entities.

(B) Inclusions

A recipient of a grant or a participant that enters into a cooperative agreement described in subparagraph (A) may include—

(i) a State cooperative extension service;

(ii) a Federal, State, municipal, or Tribal agency;

(iii) a community-based or nongovernmental organization;

(iv) a college or university (including an institution awarding an associate's degree) or foundation maintained by a college or university; or

(v) any other appropriate partner, as determined by the Secretary.

(4) Terms of grants or cooperative agreement

A grant or cooperative agreement under this subsection shall—

(A) be for a term of not longer than 3 years; and

(B) provide not more than $250,000 for each year.

(5) Matching requirement

(A) In general

Except as provided in subparagraph (B), to be eligible to receive a grant or enter into a cooperative agreement under this subsection, a recipient or participant shall provide a match in the form of cash or in-kind contributions in an amount equal to 25 percent of the funds provided by the grant or cooperative agreement.

(B) Exception

The Secretary may waive or reduce the matching requirement in subparagraph (A) if the Secretary determines such a waiver or modification is necessary to effectively reach an underserved area or population.

(6) Evaluation criteria

In making grants or entering into cooperative agreements under this subsection, the Secretary shall evaluate, with respect to applications for the grants or cooperative agreements—

(A) relevancy;

(B) technical merit;

(C) achievability;

(D) the expertise and track record of 1 or more applicants;

(E) the consultation of beginning farmers and ranchers in design, implementation, and decisionmaking relating to an initiative described in paragraph (1);

(F) the adequacy of plans for—

(i) a participatory evaluation process;

(ii) outcome-based reporting; and

(iii) the communication of findings and results beyond the immediate target audience; and

(G) other appropriate factors, as determined by the Secretary.

(7) Regional balance

To the maximum extent practicable, the Secretary shall ensure the geographical diversity of recipients of grants or participants in cooperative agreements under this subsection.

(8) Priority

In making grants or entering into cooperative agreements under this subsection, the Secretary shall give priority to partnerships and collaborations that are led by or include nongovernmental, community-based organizations and school-based educational organizations with expertise in new agricultural producer training and outreach.

(9) Prohibition

A grant made or cooperative agreement entered into under this subsection may not be used for the planning, repair, rehabilitation, acquisition, or construction of a building or facility.

(10) Coordination permitted

A recipient of a grant or participant in a cooperative agreement under this subsection may coordinate with a recipient of a grant or cooperative agreement under section 5933 of this title in addressing the needs of veteran farmers and ranchers with disabilities.

(11) Consecutive awards

A grant or cooperative agreement under this subsection may be made to a recipient or participant for consecutive years.

(12) Peer review

(A) In general

The Secretary shall establish a fair and efficient external peer review process, which the Secretary shall use in making grants or entering into cooperative agreements under this subsection.

(B) Requirement

The peer review process under subparagraph (A) shall include a review panel composed of a broad representation of peers of the applicant for the grant or cooperative agreement that are not applying for a grant or cooperative agreement under this subsection.

(13) Participation by other farmers and ranchers

Nothing in this subsection prohibits the Secretary from allowing a farmer or rancher who is not a beginning farmer or rancher (including an owner or operator that has ended, or expects to end within 5 years, active labor in a farming or ranching operation as a producer, retiring farmers, and non-farming landowners) from participating in a program or service under this subsection, to the extent that the Secretary determines that such participation—

(A) is appropriate; and

(B) will not detract from the primary purpose of increasing opportunities for beginning farmers and ranchers.

(14) Education teams

(A) In general

The Secretary shall establish beginning farmer and rancher education teams to develop curricula, conduct educational programs and workshops for beginning farmers and ranchers in diverse geographical areas of the United States, or provide training and technical assistance initiatives for beginning farmers or ranchers or for trainers and service providers that work with beginning farmers or ranchers.

(B) Curriculum

In promoting the development of curricula, educational programs and workshops, or training and technical assistance initiatives under subparagraph (A), the Secretary shall, to the maximum extent practicable, include content tailored to specific audiences of beginning farmers and ranchers, based on crop diversity or regional diversity.

(C) Composition

In establishing an education team under subparagraph (A) for a specific program or workshop, the Secretary shall, to the maximum extent practicable—

(i) obtain the short-term services of specialists with knowledge and expertise in programs serving beginning farmers and ranchers; and

(ii) use officers and employees of the Department with direct experience in programs of the Department that may be taught as part of the curriculum for the program or workshop.

(D) Cooperation

(i) In general

In carrying out this subsection, the Secretary shall cooperate, to the maximum extent practicable, with—

(I) State cooperative extension services;

(II) Federal, State, and Tribal agencies;

(III) community-based and nongovernmental organizations;

(IV) colleges and universities (including an institution awarding an associate's degree) or foundations maintained by a college or university; and

(V) other appropriate partners, as determined by the Secretary.

(ii) Cooperative agreements

The Secretary may enter into a cooperative agreement to reflect the terms of any cooperation under subparagraph (A).

(15) Curriculum and training clearinghouse

The Secretary shall establish an online clearinghouse that makes available to beginning farmers and ranchers education curricula and training materials and programs, which may include online courses for direct use by beginning farmers and ranchers.

(e) Application requirements

In making grants and entering into contracts and other agreements, as applicable, under subsections (c) and (d), the Secretary shall make available a simplified application process for an application for a grant that requests less than $50,000.

(f) Stakeholder input

In carrying out this section, the Secretary shall seek stakeholder input from—

(1) beginning farmers and ranchers;

(2) socially disadvantaged farmers and ranchers;

(3) veteran farmers and ranchers;

(4) national, State, Tribal, and local organizations and other persons with expertise in operating programs for—

(A) beginning farmers and ranchers;

(B) socially disadvantaged farmers and ranchers; or

(C) veteran farmers and ranchers;

(5) the Advisory Committee on Beginning Farmers and Ranchers established under section 5(b) of the Agricultural Credit Improvement Act of 1992 (7 U.S.C. 1929 note; Public Law 102–554);

(6) the Advisory Committee on Minority Farmers established under section 14008 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 2279 note; Public Law 110–246); and

(7) the Tribal Advisory Committee established under subsection (b) of section 6921 of this title.

(g) Designation of Federal personnel

(1) In general

The Secretary shall designate from existing Federal personnel resources in the county or region a qualified person who shall, in cooperation with the State cooperative extension services, implement the policies and programs established or modified in accordance with this section.

(2) Additional personnel

In counties or regions in which the number of socially disadvantaged farmers and ranchers or veteran farmers and ranchers exceeds 25 percent of the total number of farmers and ranchers in the county or region, the Secretary shall designate additional personnel to implement the policies and programs established or modified in accordance with this section.

(h) Affirmative action, appeals, and contracting review

(1) Purpose

It is the purpose of this subsection to direct the Secretary to analyze within the Department the design and implementation of affirmative action programs and policies, the appeals process for complaints of discrimination, and contracting and purchasing practices employed by the Department.

(2) Scope

The study shall include—

(A) an assessment of the successes and failures of these affirmative action programs and policies;

(B) a review of the reasons for the successes and failures described in subparagraph (A);

(C) a review of procurement, contracting, and purchasing policies of the Department, the level of participation of socially disadvantaged businesses in such activities, and the impact of those policies on the participation of members of socially disadvantaged groups in such contracting with the Department;

(D) a review of the reasons for participation or lack of participation of businesses owned by members of socially disadvantaged groups in the activities described in subparagraph (C); and

(E) a review of the appeals process for all complaints or allegations regarding acts, practices, or patterns of discrimination filed with the Department by individuals or any other entities that shall include—

(i) the number of complaints or allegations regarding acts, practices, or patterns of discrimination;

(ii) the manner in which the complaints were investigated and resolved by the Department; and

(iii) the longest, shortest, and average periods of time taken to investigate and resolve the complaints or allegations regarding acts, practices, or patterns of discrimination.

(3) Report

Not later than November 28, 1991, and not later than March 1, 2020, the Secretary shall prepare and submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report containing the information described in paragraph (2).

(i) Reservations

(1) Consolidated suboffice

The Secretary shall require the Farm Service Agency and Natural Resources Conservation Service, and such other offices and functions the Secretary may choose to include where there has been a need demonstrated, in each county that has a reservation within its borders, to establish a consolidated suboffice at the tribal headquarters of said reservation and to staff said suboffice as needed, using existing staff, but no less than one day a week or under such other arrangement agreed to by the tribe and the Department offices.

(2) Cooperative agreements

For those reservations that are located in more than one county, the Secretary, the relevant county offices and the tribe shall enter into a cooperative agreement to provide the services required by paragraph (1) that avoids duplication of effort.

(j) Accurate documentation

The Secretary shall ensure, to the maximum extent practicable, that the Census of Agriculture and studies carried out by the Economic Research Service accurately document the number, location, and economic contributions of socially disadvantaged farmers or ranchers in agricultural production.

(k) Report to Congress

(1) In general

Not later than September 30, 1992, and every two years thereafter, the Secretary shall report to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate, regarding—

(A) the efforts of the Secretary to enhance participation by veteran farmers or ranchers and members of socially disadvantaged groups in agricultural programs;

(B) the specific participation goals established for each agricultural program;

(C) the results achieved for each agricultural program; and

(D) the progress of the Department towards meeting each of the purposes described in paragraph (2)(C).

(2) Contents

In addition to the information specified in paragraph (1), the report required by paragraph (1) shall include—

(A) a comparison of the participation goals and the actual participation rates of veteran farmers or ranchers and members of socially disadvantaged groups in each agricultural program;

(B) an analysis and explanation of the reasons for the success or failure of the Secretary to achieve the goals, and the overall purposes of this section;

(C) a listing, on a State-by-State and county-by-county basis, of—

(i) the amount of funds loaned to members of socially disadvantaged groups; and

(ii) the amount of funds used to guarantee loans to members of socially disadvantaged groups compared to the total amount of such guarantees;

(D) a breakdown in allocation of crop base in each program crop compared to the target participation rates established pursuant to sections 355(a)(1) and 355(c) of the Consolidated Farm and Rural Development Act [7 U.S.C. 2003(a)(1), 2003(c)], on a State-by-State and county-by-county basis; and

(E) a review and analysis of participation by members of socially disadvantaged groups, compared to participation by all others, in agricultural programs, on a State-by-State and county-by-county basis, including a survey representative of all farmers and ranchers, including socially disadvantaged farmers and ranchers, to identify reasons for participation and nonparticipation in agricultural programs.

***(l)* Funding**

(1) Mandatory funding

Of the funds of the Commodity Credit Corporation, the Secretary shall use to carry out this section—

(A) $30,000,000 for each of fiscal years 2019 and 2020;

(B) $35,000,000 for fiscal year 2021;

(C) $40,000,000 for fiscal year 2022; and

(D) $50,000,000 for fiscal year 2023 and each fiscal year thereafter.

(2) Authorization of appropriations

There is authorized to be appropriated to carry out this section $50,000,000 for each of fiscal years 2019 through 2023.

(3) Reservation of funds

Of the amounts made available to carry out this section—

(A) 50 percent shall be used to carry out subsection (c); and

(B) 50 percent shall be used to carry out subsection (d).

(4) Allocation of funds

(A) In general

Not less than 5 percent of the amounts made available to carry out subsection (d) for a fiscal year shall be used to support programs and services that address the needs of—

(i) limited resource beginning farmers and ranchers, as defined by the Secretary;

(ii) socially disadvantaged farmers and ranchers that are beginning farmers and ranchers; and

(iii) farmworkers desiring to become farmers or ranchers.

(B) Veteran farmers and ranchers

Not less than 5 percent of the amounts made available to carry out subsection (d) for a fiscal year shall be used to support programs and services that address the needs of veteran farmers and ranchers.

(5) Interagency funding

Any agency of the Department may participate in any grant, contract, or agreement entered into under this section by contributing funds, if the contributing agency determines that the objectives of the grant, contract, or agreement will further the authorized programs of the contributing agency.

(6) Administrative expenses

Not more than 5 percent of the amounts made available to carry out this section for a fiscal year may be used for expenses relating to the administration of this section.

(7) Limitation on indirect costs

A recipient of a grant or a party to a contract or other agreement under subsection (c) or (d) may not use more than 10 percent of the funds received for the indirect costs of carrying out a grant, contract, or other agreement.

(Pub. L. 101–624, title XXV, § 2501, Nov. 28, 1990, 104 Stat. 4062; Pub. L. 102–237, title X, § 1003, Dec. 13, 1991, 105 Stat. 1894; Pub. L. 107–171, title X, § 10707, May 13, 2002, 116 Stat. 520; Pub. L. 110–234, title XIV, §§ 14001, 14004, 14005, May 22, 2008, 122 Stat. 1442, 1443, 1445; Pub. L. 110–246, § 4(a), title XIV, §§ 14001, 14004, 14005, June 18, 2008, 122 Stat. 1664, 2204, 2205, 2207; Pub. L. 112–240, title VII, § 701(h), Jan. 2, 2013, 126 Stat. 2367; Pub. L. 113–79,

title XII, §§ 12201, 12203, Feb. 7, 2014, 128 Stat. 983, 984; Pub. L. 115–334, title XII, §§ 12301(b), 12306(a), Dec. 20, 2018, 132 Stat. 4951, 4968.)

Editorial Notes

REFERENCES IN TEXT

The Agricultural Act of 1949, referred to in subsec. (a)(1)(A), is act Oct. 31, 1949, ch. 792, 63 Stat. 1051, which is classified principally to chapter 35A (§ 1421 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 1421 of this title and Tables.

The Consolidated Farm and Rural Development Act, referred to in subsec. (a)(1)(B), is title III of Pub. L. 87–128, Aug. 8, 1961, 75 Stat. 307, which is classified principally to chapter 50 (§ 1921 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 1921 of this title and Tables.

The Agricultural Adjustment Act of 1938, referred to in subsec. (a)(1)(C), is act Feb. 16, 1938, ch. 30, 52 Stat. 31, which is classified principally to chapter 35 (§ 1281 et seq.) of this title. For complete classification of this Act to the Code, see section 1281 of this title and Tables.

The Soil Conservation Act and the Domestic Allotment Assistance Act, referred to in subsec. (a)(1)(D) and (E), respectively, probably mean the Soil Conservation and Domestic Allotment Act, act Apr. 27, 1935, ch. 85, 49 Stat. 163, which is classified generally to chapter 3B (§ 590a et seq.) of Title 16, Conservation. For complete classification of this Act to the Code, see section 590q of Title 16 and Tables.

The Food Security Act of 1985, referred to in subsec. (a)(1)(F), is Pub. L. 99–198, Dec. 23, 1985, 99 Stat. 1354. For complete classification of this Act to the Code, see Short Title of 1985 Amendment note set out under section 1281 of this title and Tables.

Act of August 30, 1890, referred to in subsec. (c)(5), is act Aug. 30, 1890, ch. 841, 26 Stat. 417, popularly known as the Agricultural College Act of 1890 and also as the Second Morrill Act, which is classified generally to subchapter II (§ 321 et seq.) of chapter 13 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 321 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.

AMENDMENTS

2018—Pub. L. 115–334, § 12301(b)(1), substituted ''Farming opportunities training and outreach'' for ''Outreach and assistance for socially disadvantaged farmers and ranchers and veteran farmers and ranchers'' in section catchline.

Subsec. (a). Pub. L. 115–334, § 12301(b)(5)(A), inserted introductory provisions.

Pub. L. 115–334, § 12301(b)(3), redesignated subsec. (e) as (a). Former subsec. (a) redesignated (c).

Subsec. (a)(1). Pub. L. 115–334, § 12301(b)(5)(B)–(D), redesignated par. (3) as (1) and substituted ''Agricultural'' for ''Agriculture'' in heading and ''The'' for ''As used in this section, the'' and ''agricultural'' for ''agriculture'' in introductory provisions. Former par. (1) redesignated (6).

Subsec. (a)(2). Pub. L. 115–334, § 12301(b)(5)(E), added par. (2). Former par. (2) redesignated (5).

Subsec. (a)(3). Pub. L. 115–334, § 12301(b)(5)(B), redesignated par. (4) as (3). Former par. (3) redesignated (1).

Subsec. (a)(4). Pub. L. 115–334, § 12301(b)(5)(B), redesignated par. (6) as (4). Former par. (4) redesignated (3).

Subsec. (a)(5). Pub. L. 115–334, § 12301(b)(5)(B), (C), redesignated par. (2) as (5) and substituted ''The'' for ''As used in this section, the''.

Pub. L. 115–334, § 12301(b)(4), redesignated par. (5) as subsec. (c)(6).

Pub. L. 115–334, § 12301(b)(2), redesignated subsec. (i) as par. (5) and realigned margins.

Subsec. (a)(6). Pub. L. 115–334, § 12301(b)(5)(B), (C), redesignated par. (1) as (6) and substituted ''The'' for ''As used in this section, the''. Former Par. (6) redesignated (4).

Subsec. (a)(7)(C). Pub. L. 115–334, § 12306(a), added subpar. (C).

Subsec. (b). Pub. L. 115–334, § 12301(b)(6), added subsec. (b). Former subsec. (b) redesignated (g).

Subsec. (c). Pub. L. 115–334, § 12301(b)(7)(A), inserted ''for socially disadvantaged and veteran farmers and ranchers'' after ''assistance'' in heading.

Pub. L. 115–334, § 12301(b)(3), redesignated subsec. (a) as (c). Former subsec. (c) redesignated (k).

Subsec. (c)(1). Pub. L. 115–334, § 12301(b)(7)(C), (D)(i), redesignated par. (6) as (1) and substituted ''In this subsection, the term'' for ''The term'' in introductory provisions. Former par. (1) redesignated (2).

Subsec. (c)(1)(A)(ii). Pub. L. 115–334, § 12301(b)(7)(D)(ii), substituted ''this subsection'' for ''subsection (a)''.

Subsec. (c)(1)(F). Pub. L. 115–334, § 12301(b)(7)(D)(iii), made technical amendment to reference in original act which appears in text as reference to section 5304 of title 25.

Subsec. (c)(2). Pub. L. 115–334, § 12301(b)(7)(C), (E)(i), redesignated par. (1) as (2) and substituted ''Using funds made available under subsection (*l*), the Secretary of Agriculture shall, for the period of fiscal years 2019 through 2023, carry out'' for ''The Secretary of Agriculture shall carry out'' in introductory provisions. Former par. (2) redesignated (3).

Subsec. (c)(2)(B). Pub. L. 115–334, § 12301(b)(7)(E)(ii), (iii), substituted ''agricultural, forestry, and related'' for ''agricultural''.

Subsec. (c)(3). Pub. L. 115–334, § 12301(b)(7)(C), (F), redesignated par. (2) as (3) and substituted ''(2)'' for ''(1)'' in introductory provisions.

Subsec. (c)(4). Pub. L. 115–334, § 12301(b)(7)(B), (C), redesignated par. (3) as (4) and struck out former par. (4) which related to funding.

Subsec. (c)(4)(A). Pub. L. 115–334, § 12301(b)(7)(G)(i), in heading, substituted ''Outreach and technical assistance'' for ''In general'' and, in text, substituted ''(3)'' for ''(2)'' and inserted ''to socially disadvantaged farmers and ranchers and veteran farmers and ranchers'' after ''assistance''.

Subsec. (c)(4)(C). Pub. L. 115–334, § 12301(b)(7)(G)(ii), substituted ''(2)'' for ''(1)''.

Subsec. (c)(4)(D)(v) to (vii). Pub. L. 115–334, § 12301(b)(7)(G)(iii), added cls. (v) to (vii).

Subsec. (c)(4)(E) to (J). Pub. L. 115–334, § 12301(b)(7)(G)(iv), added subpars. (E) to (J).

Subsec. (c)(6). Pub. L. 115–334, § 12301(b)(7)(C), redesignated par. (6) as (1).

Pub. L. 115–334, § 12301(b)(4), redesignated subsec. (a)(5) as (c)(6).

Subsecs. (d), (e). Pub. L. 115–334, § 12301(b)(8), added subsecs. (d) and (e). Former subsecs. (d) and (e) redesignated (h) and (a), respectively.

Subsec. (f). Pub. L. 115–334, § 12301(b)(9), added subsec. (f) and struck out former subsec. (f) which amended section 2003 of this title.

Subsec. (g). Pub. L. 115–334, § 12301(b)(3), redesignated subsec. (b) as (g). Former subsec. (g) redesignated (i).

Subsec. (h). Pub. L. 115–334, § 12301(b)(3), redesignated subsec. (d) as (h). Former subsec. (h) redesignated (j).

Subsec. (h)(3). Pub. L. 115–334, § 12301(b)(10), inserted ''and not later than March 1, 2020,'' after ''1991,''.

Subsec. (i). Pub. L. 115–334, § 12301(b)(3), redesignated subsec. (g) as (i).

Pub. L. 115–334, § 12301(b)(2), redesignated subsec. (i) as (a)(5).

Subsecs. (j), (k). Pub. L. 115–334, § 12301(b)(3), redesignated subsecs. (h) and (c) as (j) and (k), respectively.

Subsec. (*l*). Pub. L. 115–334, § 12301(b)(11), added subsec. (*l*).

2014—Pub. L. 113–79, § 12201(a)(1), inserted ''and veteran farmers and ranchers'' after ''ranchers'' in section catchline.

Subsec. (a)(1). Pub. L. 113–79, §12201(a)(2)(A), inserted ''and veteran farmers or ranchers'' after ''ranchers'' in introductory provisions.

Subsec. (a)(2)(B)(i). Pub. L. 113–79, §12201(a)(2)(B), inserted ''and veteran farmers or ranchers'' after ''ranchers''.

Subsec. (a)(4)(A). Pub. L. 113–79, §12201(a)(2)(C)(i)(I), substituted ''2018'' for ''2012'' in heading.

Subsec. (a)(4)(A)(iii). Pub. L. 113–79, §12201(a)(2)(C)(i)(II)–(IV), added cl. (iii).

Subsec. (a)(4)(E). Pub. L. 113–79, §12201(a)(2)(C)(ii), added subpar. (E).

Subsec. (b)(2). Pub. L. 113–79, §12201(a)(3), inserted ''or veteran farmers and ranchers'' after ''socially disadvantaged farmers and ranchers''.

Subsec. (c)(1)(A). Pub. L. 113–79, §12201(a)(4)(A), inserted ''veteran farmers or ranchers and'' before ''members''.

Subsec. (c)(2)(A). Pub. L. 113–79, §12201(a)(4)(B), inserted ''veteran farmers or ranchers and'' before ''members''.

Subsec. (e)(5)(A)(i). Pub. L. 113–79, §12201(a)(5)(A), inserted ''and veteran farmers or ranchers'' after ''ranchers''.

Subsec. (e)(5)(A)(ii). Pub. L. 113–79, §12201(a)(5)(B), inserted ''and veteran farmers or ranchers'' after ''ranchers''.

Subsec. (e)(7). Pub. L. 113–79, §12201(b), added par. (7).

Subsec. (i). Pub. L. 113–79, §12203, added subsec. (i).

2013—Subsec. (a)(4)(A). Pub. L. 112–240, §701(h)(1), substituted ''Fiscal years 2009 through 2012'' for ''In general'' in heading.

Subsec. (a)(4)(B) to (D). Pub. L. 112–240, §701(h)(2)–(5), added subpar. (B), redesignated former subpars. (B) and (C) as (C) and (D), respectively, and substituted ''subparagraph (A) or (B)'' for ''subparagraph (A)'' in subpars. (C) and (D).

2008—Subsec. (a)(2). Pub. L. 110–246, §14004(a)(1), amended par. (2) generally. Prior to amendment, par. (2) contained provisions stating that the outreach and technical assistance program was to enhance coordination of authorized outreach, technical assistance, and education efforts and include information on, and assistance with, commodity, conservation, credit, rural, and business development programs, application and bidding procedures, farm and risk management, marketing, and other activities essential to participation in Department programs.

Subsec. (a)(3)(A). Pub. L. 110–246, §14004(a)(2)(A), substituted ''entity that has demonstrated an ability to carry out the requirements described in paragraph (2) to provide outreach'' for ''entity to provide information''.

Subsec. (a)(3)(D). Pub. L. 110–246, §14004(a)(2)(B), added subpar. (D).

Subsec. (a)(4)(A). Pub. L. 110–246, §14004(a)(3)(A), added subpar. (A) and struck out former subpar. (A). Prior to amendment, text read as follows: ''There is authorized to be appropriated to carry out this subsection $25,000,000 for each of fiscal years 2002 through 2007.''

Subsec. (a)(4)(C). Pub. L. 110–246, §14004(a)(3)(B), added subpar. (C).

Subsec. (e)(5)(A)(ii). Pub. L. 110–246, §14004(b), which directed amendment of cl. (ii) by substituting ''work with, and on behalf of, socially disadvantaged farmers or ranchers during the 3-year period'' for ''work with socially disadvantaged farmers or ranchers during the 2-year period'', was executed by making the substitution for ''work with socially disadvantaged farmers and ranchers during the 2-year period'', to reflect the probable intent of Congress.

Subsec. (g)(1). Pub. L. 110–246, §14001, substituted ''Farm Service Agency and Natural Resources Conservation Service'' for ''Agricultural Stabilization and Conservation Service, Soil Conservation Service, and Farmers Home Administration offices'', inserted ''where there has been a need demonstrated'' after ''include'', and struck out at end ''The tribe shall be required to provide the necessary office space if it wishes to participate in this program.''

Subsec. (h). Pub. L. 110–246, §14005, added subsec. (h).

2002—Subsec. (a). Pub. L. 107–171, §10707(b), added subsec. (a) and struck out heading and text of former subsec. (a). Text read as follows:

''(1) IN GENERAL.—The Secretary of Agriculture (hereafter referred to in this section as the 'Secretary') shall provide outreach and technical assistance to encourage and assist socially disadvantaged farmers and ranchers to own and operate farms and ranches and to participate in agricultural programs. This assistance should include information on application and bidding procedures, farm management, and other essential information to participate in agricultural programs.

''(2) GRANTS AND CONTRACTS.—The Secretary may make grants and enter into contracts and other agreements in the furtherance of this section with the following entities—

''(A) any community based organization that—

''(i) has demonstrated experience in providing agricultural education or other agriculturally related services to socially disadvantaged farmers and ranchers;

''(ii) provides documentary evidence of its past experience of working with socially disadvantaged farmers and ranchers during the two years preceding its application for assistance under this section; and

''(iii) does not engage in activities prohibited under section 501(c)(3) of title 26; and

''(B) 1890 Land-Grant Colleges including Tuskegee Institute, Indian tribal community colleges and Alaska native cooperative colleges, Hispanic serving postsecondary educational institutions, and other postsecondary educational institutions with demonstrated experience in providing agriculture education or other agriculturally related services to socially disadvantaged family farmers and ranchers in their region.

''(3) FUNDING.—There are authorized to be appropriated $10,000,000 for each fiscal year to carry out this subsection.''

Subsec. (d)(1). Pub. L. 107–171, §10707(c)(1), struck out ''of Agriculture'' after ''analyze within the Department''.

Subsec. (e)(4) to (6). Pub. L. 107–171, §10707(a), added pars. (4) to (6).

Subsec. (g)(1). Pub. L. 107–171, §10707(c)(2), struck out ''of Agriculture'' after ''Department''.

1991—Subsec. (a)(3). Pub. L. 102–237, §1003(1), substituted ''subsection'' for ''section''.

Subsec. (c)(1)(C). Pub. L. 102–237, §1003(2), inserted ''program'' after ''agricultural''.

Subsec. (d)(3). Pub. L. 102–237, §1003(3), substituted ''November 28, 1991'' for ''1 year after the date of enactment of this Act''.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2013 AMENDMENT

Amendment by Pub. L. 112–240 effective Sept. 30, 2012, see section 701(j) of Pub. L. 112–240, set out in a 1-Year Extension of Agricultural Programs note under section 8701 of this title.

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.

USDA ASSISTANCE AND SUPPORT FOR UNDERSERVED FARMERS, RANCHERS, AND FORESTERS

Pub. L. 117–2, title I, §1006, Mar. 11, 2021, 135 Stat. 13, as amended by Pub. L. 117–169, title II, §22007, Aug. 16, 2022, 136 Stat. 2021, provided that:

''(a) TECHNICAL AND OTHER ASSISTANCE.—In addition to amounts otherwise available, there is appropriated to the Secretary of Agriculture for fiscal year 2022, to

remain available until September 30, 2031, out of any money in the Treasury not otherwise appropriated, $125,000,000 to provide outreach, mediation, financial training, capacity building training, cooperative development and agricultural credit training and support, and other technical assistance on issues concerning food, agriculture, agricultural credit, agricultural extension, rural development, or nutrition to underserved farmers, ranchers, or forest landowners, including veterans, limited resource producers, beginning farmers and ranchers, and farmers, ranchers, and forest landowners living in high poverty areas.

''(b) LAND LOSS ASSISTANCE.—In addition to amounts otherwise available, there is appropriated to the Secretary of Agriculture for fiscal year 2022, to remain available until September 30, 2031, out of any money in the Treasury not otherwise appropriated, $250,000,000 to provide grants and loans to eligible entities, as determined by the Secretary, to improve land access (including heirs' property and fractionated land issues) for underserved farmers, ranchers, and forest landowners, including veterans, limited resource producers, beginning farmers and ranchers, and farmers, ranchers, and forest landowners living in high poverty areas.

''(c) EQUITY COMMISSIONS.—In addition to amounts otherwise available, there is appropriated to the Secretary of Agriculture for fiscal year 2022, to remain available until September 30, 2031, out of any money in the Treasury not otherwise appropriated, $10,000,000 to fund the activities of one or more equity commissions that will address racial equity issues within the Department of Agriculture and the programs of the Department of Agriculture.

''(d) RESEARCH, EDUCATION, AND EXTENSION.—In addition to amounts otherwise available, there is appropriated to the Secretary of Agriculture for fiscal year 2022, to remain available until September 30, 2031, out of any money in the Treasury not otherwise appropriated, $250,000,000 to support and supplement agricultural research, education, and extension, as well as scholarships and programs that provide internships and pathways to agricultural sector or Federal employment, for 1890 Institutions (as defined in section 2 of the Agricultural, [sic] Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7601)), 1994 Institutions (as defined in section 532 of the Equity in Educational Land-Grant Status Act of 1994 (7 U.S.C. 301 note; Public Law 103–382)), Alaska Native serving institutions and Native Hawaiian serving institutions eligible to receive grants under subsections (a) and (b), respectively, of section 1419B of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3156), Hispanic-serving institutions eligible to receive grants under section 1455 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3241), and the insular area institutions of higher education located in the territories of the United States, as referred to in section 1489 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3361).

''(e) DISCRIMINATION FINANCIAL ASSISTANCE.—In addition to amounts otherwise available, there is appropriated to the Secretary of Agriculture for fiscal year 2022, to remain available until September 30, 2031, out of any money in the Treasury not otherwise appropriated, $2,200,000,000 for a program to provide financial assistance, including the cost of any financial assistance, to farmers, ranchers, or forest landowners determined to have experienced discrimination prior to January 1, 2021, in Department of Agriculture farm lending programs, under which the amount of financial assistance provided to a recipient may be not more than $500,000, as determined to be appropriate based on any consequences experienced from the discrimination, which program shall be administered through 1 or more qualified nongovernmental entities selected by the Secretary subject to standards set and enforced by the Secretary.

''(f) ADMINISTRATIVE COSTS.—In addition to amounts otherwise available, there is appropriated to the Secretary of Agriculture for fiscal year 2022, to remain available until September 30, 2031, out of any money in the Treasury not otherwise appropriated, $24,000,000 for administrative costs, including training employees, of the agencies and offices of the Department of Agriculture to carry out this section.

''(g) LIMITATION.—The funds made available under this section are subject to the condition that the Secretary shall not—

''(1) enter into any agreement under which any payment could be outlaid or funds disbursed after September 30, 2031; or

''(2) use any other funds available to the Secretary to satisfy obligations initially made under this section.''

MINORITY FARMER ADVISORY COMMITTEE

Pub. L. 110–234, title XIV, §14008, May 22, 2008, 122 Stat. 1446, and Pub. L. 110–246, §4(a), title XIV, §14008, June 18, 2008, 122 Stat. 1664, 2208, provided that:

''(a) ESTABLISHMENT.—Not later than 18 months after the date of the enactment of this Act [June 18, 2008], the Secretary of Agriculture shall establish an advisory committee, to be known as the 'Advisory Committee on Minority Farmers' (in this section referred to as the 'Committee').

''(b) DUTIES.—The Committee shall provide advice to the Secretary on—

''(1) the implementation of section 2501 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279);

''(2) methods of maximizing the participation of minority farmers and ranchers in Department of Agriculture programs; and

''(3) civil rights activities within the Department as such activities relate to participants in such programs.

''(c) MEMBERSHIP.—

''(1) IN GENERAL.—The Committee shall be composed of not more than 15 members, who shall be appointed by the Secretary, and shall include—

''(A) not less than four socially disadvantaged farmers or ranchers (as defined in section 2501(e)(2) [now 2501(a)(2)] of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279(e)(2)) [now 7 U.S.C. 2279(a)(5)]);

''(B) not less than two representatives of nonprofit organizations with a history of working with minority farmers and ranchers;

''(C) not less than two civil rights professionals;

''(D) not less than two representatives of institutions of higher education with demonstrated experience working with minority farmers and ranchers; and

''(E) such other persons as the Secretary considers appropriate.

''(2) EX-OFFICIO MEMBERS.—The Secretary may appoint such employees of the Department of Agriculture as the Secretary considers appropriate to serve as ex-officio members of the Committee.''

[Pub. L. 110–234 and Pub. L. 110–246 enacted identical provisions. Pub. L. 110–234 was repealed by section 4(a) of Pub. L. 110–246, set out as a note under section 8701 of this title.]

WAIVER OF STATUTE OF LIMITATIONS

Pub. L. 105–277, div. A, §101(a) [title VII, §741], Oct. 21, 1998, 112 Stat. 2681, 2681–30, provided that:

''(a) To the extent permitted by the Constitution, any civil action to obtain relief with respect to the discrimination alleged in an eligible complaint, if commenced not later than 2 years after the date of the enactment of this Act [Oct. 21, 1998], shall not be barred by any statute of limitations.

''(b) The complainant may, in lieu of filing a civil action, seek a determination on the merits of the eligible complaint by the Department of Agriculture if such complaint was filed not later than 2 years after the date of enactment of this Act [Oct. 21, 1998]. The Department of Agriculture shall—

''(1) provide the complainant an opportunity for a hearing on the record before making that determination;

''(2) award the complainant such relief as would be afforded under the applicable statute from which the eligible complaint arose notwithstanding any statute of limitations; and

''(3) to the maximum extent practicable within 180 days after the date a determination of an eligible complaint is sought under this subsection conduct an investigation, issue a written determination and propose a resolution in accordance with this subsection.

''(c) Notwithstanding subsections (a) and (b), if an eligible claim is denied administratively, the claimant shall have at least 180 days to commence a cause of action in a Federal court of competent jurisdiction seeking a review of such denial.

''(d) The United States Court of Federal Claims and the United States District Court shall have exclusive original jurisdiction over—

''(1) any cause of action arising out of a complaint with respect to which this section waives the statute of limitations; and

''(2) any civil action for judicial review of a determination in an administrative proceeding in the Department of Agriculture under this section.

''(e) As used in this section, the term 'eligible complaint' means a nonemployment related complaint that was filed with the Department of Agriculture before July 1, 1997 and alleges discrimination at any time during the period beginning on January 1, 1981 and ending December 31, 1996—

''(1) in violation of the Equal Credit Opportunity Act (15 U.S.C. 1691 et seq.) in administering—

''(A) a farm ownership, farm operating, or emergency loan funded from the Agricultural Credit Insurance Program Account; or

''(B) a housing program established under title V of the Housing Act of 1949 [42 U.S.C. 1471 et seq.]; or

''(2) in the administration of a commodity program or a disaster assistance program.

''(f) This section shall apply in fiscal year 1999 and thereafter.

''(g) The standard of review for judicial review of an agency action with respect to an eligible complaint is de novo review. Chapter 5 of title 5 of the United States Code shall apply with respect to an agency action under this section with respect to an eligible complaint, without regard to section 554(a)(1) of that title.''

§ 2279–1. Transparency and accountability for socially disadvantaged farmers and ranchers

(a) Purpose

The purpose of this section is to ensure compilation and public disclosure of data to assess and hold the Department of Agriculture accountable for the nondiscriminatory participation of socially disadvantaged farmers and ranchers in programs of the Department.

(b) Definition of socially disadvantaged farmer or rancher

In this section, the term ''socially disadvantaged farmer or rancher'' has the meaning given the term in section 2003(e) of this title.

(c) Compilation of program participation data

(1) Annual requirement

For each county and State in the United States, the Secretary of Agriculture (referred to in this section as the ''Secretary'') shall annually compile program application and participation rate data regarding socially disadvantaged farmers or ranchers by computing for each program of the Department of Agriculture that serves agricultural producers and landowners—

(A) raw numbers of applicants and participants by race, ethnicity, and gender, subject to appropriate privacy protections, as determined by the Secretary; and

(B) the application and participation rate, by race, ethnicity, and gender, as a percentage of the total participation rate of all agricultural producers and landowners.

(2) Authority to collect data

The heads of the agencies of the Department of Agriculture shall collect and transmit to the Secretary any data, including data on race, gender, and ethnicity, that the Secretary determines to be necessary to carry out paragraph (1).

(3) Report

Using the technologies and systems of the National Agricultural Statistics Service, the Secretary shall compile and present the data compiled under paragraph (1) for each program described in that paragraph in a manner that includes the raw numbers and participation rates for—

(A) the entire United States;

(B) each State; and

(C) each county in each State.

(4) Public availability of report

The Secretary shall maintain and make readily available to the public, via website and otherwise in electronic and paper form, the report described in paragraph (3).

(d) Limitations on use of data

(1) Privacy protections

In carrying out this section, the Secretary shall not disclose the names or individual data of any program participant.

(2) Authorized uses

The data under this section shall be used exclusively for the purposes described in subsection (a).

(3) Limitation

Except as otherwise provided, the data under this section shall not be used for the evaluation of individual applications for assistance.

(e) Receipt for service or denial of service

In any case in which a current or prospective producer or landowner, in person or in writing, requests from the Farm Service Agency, the Natural Resources Conservation Service, or an agency of the Rural Development Mission Area any benefit or service offered by the Department to agricultural producers or landowners, the Secretary shall issue, on the date of the request, a receipt to the producer or landowner that contains—

(1) the date, place, and subject of the request; and

(2) the action taken, not taken, or recommended to the producer or landowner.

(Pub. L. 101–624, title XXV, § 2501A, as added Pub. L. 107–171, title X, § 10708(a), May 13, 2002, 116 Stat. 522; amended Pub. L. 110–234, title XIV, §§ 14003, 14006, May 22, 2008, 122 Stat. 1443, 1445; Pub. L. 110–246, § 4(a), title XIV, §§ 14003, 14006, June 18, 2008, 122 Stat. 1664, 2205, 2207; Pub. L. 113–79, title XII, § 12204, Feb. 7, 2014, 128 Stat. 984.)