

(iii) Vacancies

Any vacancy in the Committee shall be filled in the same manner as the original appointment not more than 90 days after the date on which the position becomes vacant.

(F) Meetings**(i) In general**

The Committee shall meet in person not less than twice each year.

(ii) Office of Tribal Relations representative

Not fewer than 1 representative from the Office of Tribal Relations of the Department shall be present at each meeting of the Committee.

(iii) Department of Interior representative

The Assistant Secretary for Indian Affairs of the Department of the Interior (or a designee) shall be present at each meeting of the Committee.

(iv) Nonvoting representatives

The individuals described in clauses (ii) and (iii) shall be nonvoting representatives at meetings of the Committee.

(4) Duties of Committee

The Committee shall—

(A) identify evolving issues of relevance to Indian tribes relating to programs of the Department;

(B) communicate to the Secretary the issues identified under subparagraph (A);

(C) submit to the Secretary recommendations for, and solutions to—

(i) the issues identified under subparagraph (A);

(ii) issues raised at the Tribal, regional, or national level; and

(iii) issues relating to any Tribal consultation carried out by the Department;

(D) discuss issues and proposals for changes to the regulations, policies, and procedures of the Department that impact Indian tribes;

(E) identify priorities and provide advice on appropriate strategies for Tribal consultation on issues at the Tribal, regional, or national level regarding the Department;

(F) ensure that pertinent issues of the Department are brought to the attention of an Indian tribe in a timely manner so that timely feedback from an Indian tribe can be obtained; and

(G) identify and propose solutions to any interdepartmental barrier between the Department and other Federal agencies.

(5) Reports**(A) In general**

Not less frequently than once each year, the Committee shall submit to the Secretary and the relevant committees of Congress a report that describes—

(i) the activities of the Committee during the previous year; and

(ii) recommendations for legislative or administrative action for the following year.

(B) Response from Secretary

Not more than 45 days after the date on which the Secretary receives a report under subparagraph (A), the Secretary shall submit a written response to that report to—

(i) the Committee; and

(ii) the relevant committees of Congress.

(6) Compensation of members

Members of the Committee shall be compensated at a rate equal to the daily equivalent of the annual rate of basic pay prescribed for level IV of the Executive Schedule under section 5315 of title 5 for each day (including travel time) during which the member is engaged in the performance of the duties of the Committee.

(7) Federal Advisory Committee Act exemption

Section 14 of the Federal Advisory Committee Act (5 U.S.C. App.)¹ shall not apply to the Committee.

(Pub. L. 103-354, title III, § 309, as added Pub. L. 113-79, title XII, § 12303, Feb. 7, 2014, 128 Stat. 985; amended Pub. L. 115-334, title XII, § 12303, Dec. 20, 2018, 132 Stat. 4962.)

Editorial Notes

REFERENCES IN TEXT

Section 14 of the Federal Advisory Committee Act, referred to in subsec. (b)(7), is section 14 of Pub. L. 92-463, which was set out in the Appendix to Title 5, Government Organization and Employees, and was repealed and restated as section 1013 of Title 5 by Pub. L. 117-286, §§3(a), 7, Dec. 27, 2022, 136 Stat. 4204, 4361.

CODIFICATION

Section was enacted as part of the Federal Crop Insurance Reform and Department of Agriculture Reorganization Act of 1994, and not as part of the Department of Agriculture Reorganization Act of 1994 which in part comprises this chapter.

AMENDMENTS

2018—Pub. L. 115-334 designated existing provisions as subsec. (a), inserted heading, and added subsec. (b).

§ 6922. Office of Homeland Security**(a) Definition of agriculture and food defense**

In this section, the term “agriculture and food defense” means any action to prevent, protect against, mitigate the effects of, respond to, or recover from a naturally occurring, unintentional, or intentional threat to the agriculture and food system.

(b) Authorization

The Secretary shall establish in the Department the Office of Homeland Security.

(c) Executive Director

The Office of Homeland Security shall be headed by an Executive Director, who shall be known as the Executive Director of Homeland Security.

(d) Duties

The Executive Director of Homeland Security shall—

(1) serve as the principal advisor to the Secretary on homeland security, including emer-

¹ See References in Text note below.

gency management and agriculture and food defense;

(2) coordinate activities of the Department, including policies, processes, budget needs, and oversight relating to homeland security, including emergency management and agriculture and food defense;

(3) act as the primary liaison on behalf of the Department with other Federal departments and agencies in activities relating to homeland security, including emergency management and agriculture and food defense, and provide for interagency coordination and data sharing;

(4)(A) coordinate in the Department the gathering of information relevant to early warning and awareness of threats and risks to the food and agriculture critical infrastructure sector; and

(B) share that information with, and provide assistance with interpretation and risk characterization of that information to, the intelligence community (as defined in section 3003 of title 50), law enforcement agencies, the Secretary of Defense, the Secretary of Homeland Security, the Secretary of Health and Human Services, and State fusion centers (as defined in section 124h(j) of title 6¹;

(5) liaise with the Director of National Intelligence to assist in the development of periodic assessments and intelligence estimates, or other intelligence products, that support the defense of the food and agriculture critical infrastructure sector;

(6) coordinate the conduct, evaluation, and improvement of exercises to identify and eliminate gaps in preparedness and response;

(7) produce a Department-wide centralized strategic coordination plan to provide a high-level perspective of the operations of the Department relating to homeland security, including emergency management and agriculture and food defense; and

(8) carry out other appropriate duties, as determined by the Secretary.

(e) Agriculture and food threat awareness partnership program

(1) Interagency exchange program

The Secretary, in partnership with the intelligence community (as defined in section 3003 of title 50) and fusion centers (as defined in section 124h(j) of title 6¹ that have analysis and intelligence capabilities relating to the defense of the food and agriculture critical infrastructure sector, shall establish and carry out an interagency exchange program of personnel and information to improve communication and analysis for the defense of the food and agriculture critical infrastructure sector.

(2) Collaboration with Federal, State, and local authorities

To carry out the program established under paragraph (1), the Secretary may—

(A) enter into 1 or more cooperative agreements or contracts with Federal, State, or

local authorities that have analysis and intelligence capabilities and expertise relating to the defense of the food and agriculture critical infrastructure sector; and

(B) carry out any other activity under any other authority of the Secretary that is appropriate to engage the authorities described in subparagraph (A) for the defense of the food and agriculture critical infrastructure sector, as determined by the Secretary.

(Pub. L. 103-354, title II, §221, as added Pub. L. 115-334, title XII, §12202, Dec. 20, 2018, 132 Stat. 4944.)

§ 6923. Office of Urban Agriculture and Innovative Production

(a) Office

(1) In general

The Secretary shall establish in the Department an Office of Urban Agriculture and Innovative Production.

(2) Director

The Secretary shall appoint a senior official to serve as the Director of the Office of Urban Agriculture and Innovative Production (referred to in this section as the “Director”).

(3) Mission

The mission of the Office of Urban Agriculture and Innovative Production shall be to encourage and promote urban, indoor, and other emerging agricultural practices, including—

(A) community gardens and farms located in urban areas, suburbs, and urban clusters;

(B) rooftop farms, outdoor vertical production, and green walls;

(C) indoor farms, greenhouses, and high-tech vertical technology farms;

(D) hydroponic, aeroponic, and aquaponic farm facilities; and

(E) other innovations in agricultural production, as determined by the Secretary.

(4) Responsibilities

The Director shall be responsible for engaging in activities to carry out the mission described in paragraph (3), including by—

(A) managing programs, including for community gardens, urban farms, rooftop agriculture, and indoor vertical production;

(B) advising the Secretary;

(C) coordinating with the agencies and officials of the Department to update relevant programs;

(D) engaging in stakeholder relations and developing external partnerships;

(E) identifying common State and municipal best practices for navigating local policies;

(F) coordinating networks of community gardens and facilitating connections to local food banks, in partnership with the Food and Nutrition Service; and

(G) collaborating with other Federal agencies.

(b) Urban Agriculture and Innovative Production Advisory Committee

(1) In general

Not later than 180 days after December 20, 2018, the Secretary shall establish an Urban

¹ So in original. Probably should be followed by a closing parenthesis.