

State, local, and nongovernmental programs, and other efforts, to measure and reduce the incidence of food loss and waste in accordance with this section.

(b) In general

The Food Loss and Waste Reduction Liaison shall—

(1) coordinate food loss and waste reduction efforts within the Department of Agriculture and with other Federal agencies, including the Environmental Protection Agency and the Food and Drug Administration;

(2) support and promote Federal programs to measure and reduce the incidence of food loss and waste and increase food recovery;

(3) provide information to, and serve as a resource for, entities engaged in food loss and waste reduction and food recovery, including information about the availability of, and eligibility requirements for, participation in Federal, State, local, and nongovernmental programs;

(4) raise awareness of the liability protections afforded under the Bill Emerson Good Samaritan Food Donation Act (42 U.S.C. 1791) to persons engaged in food loss and waste reduction and food recovery; and

(5) make recommendations with respect to expanding innovative food recovery models and reducing the incidence of food loss and waste.

(c) Cooperative agreements

For purposes of carrying out the duties under subsection (b), the Food Loss and Waste Reduction Liaison may enter into contracts or cooperative agreements with the research centers of the Research, Education, and Economics mission area, institutions of higher education (as defined in section 1001 of title 20), or nonprofit organizations for—

(1) the development of educational materials;

(2) the conduct of workshops and courses; or

(3) the conduct of research on best practices with respect to food loss and waste reduction and food recovery.

(d) Study on food waste

The Secretary shall conduct a study, in consultation with the Food Loss and Waste Reduction Liaison, to evaluate and determine—

(1) methods of measuring food waste;

(2) standards for the volume of food waste;

(3) factors that contribute to food waste;

(4) the cost and volume of food loss;

(5) the effectiveness of existing liability protections afforded under the Bill Emerson Good Samaritan Food Donation Act (42 U.S.C. 1791); and

(6) measures to ensure that programs contemplated, undertaken, or funded by the Department of Agriculture do not disrupt existing food waste recovery and disposal efforts by commercial, marketing, or business relationships.

(e) Reports

(1) Initial report

Not later than 1 year after December 20, 2018, the Food Loss and Waste Liaison shall

submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes the results of the study conducted under subsection (d).

(2) Report

Not later than 1 year after the date of the submission of the report under paragraph (1), 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 a report that contains, with respect to the preceding year—

(A) an estimate of the quantity of food waste during such year; and

(B) the results of the food waste reduction and loss prevention activities carried out or led by the Department of Agriculture.

(Pub. L. 103-354, title II, §224, as added Pub. L. 115-334, title XII, §12504, Dec. 20, 2018, 132 Stat. 4987.)

§ 6925. Food Access Liaison

(a) Establishment

The Secretary shall establish the position of Food Access Liaison to coordinate Department programs to reduce barriers to food access and monitor and evaluate the progress of such programs in accordance with this section.

(b) Duties

The Food Access Liaison shall—

(1) coordinate the efforts of the Department, including regional offices, to experiment and consider programs and policies aimed at reducing barriers to food access for consumers, including but not limited to participants in nutrition assistance programs;

(2) provide outreach to entities engaged in activities to reduce barriers to food access in accordance with the statutory authorization for each program;

(3) provide outreach to entities engaged in activities to reduce barriers to food access, including retailers, markets, producers, and others involved in food production and distribution, with respect to the availability of, and eligibility for, Department programs;

(4) raise awareness of food access issues in interactions with employees of the Department;

(5) make recommendations to the Secretary with respect to efforts to reduce barriers to food access; and

(6) submit to Congress an annual report with respect to the efforts of the Department to reduce barriers to food access.

(Pub. L. 103-354, title II, §225, as added Pub. L. 115-334, title XII, §12614(a), Dec. 20, 2018, 132 Stat. 5014.)

Editorial Notes

CODIFICATION

Another section 225 of Pub. L. 103-354 is classified to section 6931 of this title.

Statutory Notes and Related Subsidiaries

TECHNICAL ASSISTANCE

Pub. L. 115-334, title XII, §12614(b), Dec. 20, 2018, 132 Stat. 5014, provided that: “The Secretary [of Agriculture] shall provide technical assistance to entities that are participants, or seek to participate, in Department of Agriculture programs related to reduction of barriers to food access.”

SUBCHAPTER II—FARM PRODUCTION AND CONSERVATION

Editorial Notes

CODIFICATION

Pub. L. 115-141, div. A, title VII, §772(a)(1), Mar. 23, 2018, 132 Stat. 397, substituted “FARM PRODUCTION AND CONSERVATION” for “FARM AND FOREIGN AGRICULTURAL SERVICES” in subchapter heading.

§ 6931. Under Secretary of Agriculture for Farm Production and Conservation**(a) Authorization**

The Secretary is authorized to establish in the Department the position of Under Secretary of Agriculture for Farm Production and Conservation.

(b) Confirmation required

If the Secretary establishes the position of Under Secretary of Agriculture for Farm Production and Conservation authorized under subsection (a), the Under Secretary shall be appointed by the President, by and with the advice and consent of the Senate.

(c) Functions of Undersecretary¹

The Under Secretary of Agriculture for Farm Production and Conservation shall perform such functions and duties as the Secretary shall prescribe.

(d) Succession

Any official who is serving as Under Secretary of Agriculture for Farm and Foreign Agricultural Services on March 23, 2018, and who was appointed by the President, by and with the advice and consent of the Senate, shall not be required to be reappointed under subsection (b) to the successor position authorized under subsection (a).

(Pub. L. 103-354, title II, §225, Oct. 13, 1994, 108 Stat. 3213; Pub. L. 115-141, div. A, title VII, §772(a)(2), Mar. 23, 2018, 132 Stat. 397.)

Editorial Notes

CODIFICATION

Section is comprised of section 225 of Pub. L. 103-354. Subsec. (e) of section 225 of Pub. L. 103-354 amended section 5314 of Title 5, Government Organization and Employees, and repealed section 5691 of this title.

Another section 225 of Pub. L. 103-354 is classified to section 6925 of this title.

AMENDMENTS

2018—Pub. L. 115-141 amended section generally. Prior to amendment, section related to Under Secretary of Agriculture for Farm and Foreign Agricultural Services.

¹ So in original. Probably should be “Under Secretary”.

§ 6932. Farm Service Agency**(a) Establishment**

The Secretary is authorized to establish and maintain in the Department a Farm Service Agency.

(b) Functions

If the Secretary establishes the Farm Service Agency under subsection (a), the Secretary is authorized to assign to the Agency jurisdiction over the following functions:

(1) Agricultural price and income support programs, production adjustment programs, and related programs.

(2) Repealed. Pub. L. 104-127, title I, §194(c), Apr. 4, 1996, 110 Stat. 946.

(3) Agricultural credit programs assigned before October 13, 1994, by law to the Farmers Home Administration (including farm ownership and operating, emergency, and disaster loan programs) and other lending programs for agricultural producers and others engaged in the production of agricultural commodities.

(4) Subchapter B of chapter 1 of subtitle D of title XII of the Food Security Act of 1985 [16 U.S.C. 3831 et seq.].

(5) Such other functions as the Secretary considers appropriate, except for those programs assigned by the Secretary to the Natural Resources Conservation Service or another agency of the Department under section 6936(b) of this title.

(c) Special concurrence requirements for certain functions

In carrying out the programs specified in subsection (b)(4), the Secretary shall—

(1) acting on the recommendations of the Farm Service Agency, with the concurrence of the Natural Resources Conservation Service, issue regulations to carry out such programs;

(2) ensure that the Farm Service Agency, in establishing policies, priorities, and guidelines for such programs, does so with the concurrence of the Natural Resources Conservation Service at national, State, and local levels;

(3) ensure that, in reaching such concurrence at the local level, the Natural Resources Conservation Service works in cooperation with Soil and Water Conservation Districts or similar organizations established under State law;

(4) ensure that officials of county and area committees established under section 590h(b)(5) of title 16 meet annually with officials of such Districts or similar organizations to consider local conservation priorities and guidelines; and

(5) take steps to ensure that the concurrence process does not interfere with the effective delivery of such programs.

(d) Jurisdiction over conservation program appeals**(1) In general**

Until such time as an adverse decision described in this paragraph is referred to the National Appeals Division for consideration, the Farm Service Agency shall have initial jurisdiction over any administrative appeal resulting from an adverse decision made under title XII of the Food Security Act of 1985 (16 U.S.C.