

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 L. 103-354 amended section 5314 of Title 5, Government Organization and Employees, and repealed section 5691 of this title.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.