

SUBCHAPTER III—RURAL ECONOMIC AND
COMMUNITY DEVELOPMENT

**§ 6941. Under Secretary of Agriculture for Rural
Development**

(a) Authorization

The Secretary shall establish in the Department the position of Under Secretary of Agriculture for Rural Development.

(b) Confirmation required

The Under Secretary of Agriculture for Rural Development shall be appointed by the President, by and with the advice and consent of the Senate.

(c) Functions of Under Secretary

(1) Principal functions

Upon establishment, the Secretary shall delegate to the Under Secretary of Agriculture for Rural Development those functions under the jurisdiction of the Department that are related to rural economic and community development.

(2) Additional functions

The Under Secretary of Agriculture for Rural Development shall perform such other functions as may be required by law or prescribed by the Secretary.

(d) Succession

Any official who is serving as Under Secretary of Agriculture for Small Community and Rural Development on October 13, 1994, 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) if the Secretary establishes the position, and the official occupies the new position, within 180 days after October 13, 1994 (or such later date set by the Secretary if litigation delays rapid succession).

(e) Loan approval authority

Approval authority for loans and loan guarantees in connection with the electric and telephone loan and loan guarantee programs authorized by the Rural Electrification Act of 1936 (7 U.S.C. 901 et seq.) shall not be transferred to, or conditioned on review of, a State director or other employee whose primary duty is not the review and approval of such loans or the provision of assistance to such borrowers.

(Pub. L. 103-354, title II, §231, Oct. 13, 1994, 108 Stat. 3218; Pub. L. 104-127, title VII, §794(a), Apr. 4, 1996, 110 Stat. 1155; Pub. L. 115-334, title XII, §12407, Dec. 20, 2018, 132 Stat. 4976.)

Editorial Notes

REFERENCES IN TEXT

The Rural Electrification Act of 1936, referred to in subsec. (e), is act May 20, 1936, ch. 432, 49 Stat. 1363, which is classified generally to chapter 31 (§901 et seq.) of this title. For complete classification of this Act to the Code, see section 901 of this title and Tables.

CODIFICATION

Section is comprised of section 231 of Pub. L. 103-354. Subsec. (f) of section 231 of Pub. L. 103-354 amended sec-

tion 5314 of Title 5, Government Organization and Employees, and repealed sections 2006f and 2211b of this title.

AMENDMENTS

2018—Subsec. (a). Pub. L. 115-334, §12407(1), substituted “shall” for “is authorized to”.

Subsec. (b). Pub. L. 115-334, §12407(2), substituted “The Under Secretary of Agriculture for Rural Development shall” for “If the Secretary establishes the position of Under Secretary of Agriculture for Rural Development authorized under subsection (a), the Under Secretary shall”.

1996—Pub. L. 104-127 struck out “Economic and Community” after “Under Secretary of Agriculture for Rural”, wherever appearing in section catchline and subsecs. (a) to (c).

§ 6941a. Coordinator for Chronically Underserved Rural Areas

(a) Establishment

The Secretary of Agriculture shall establish a Coordinator for Chronically Underserved Rural Areas (in this section referred to as the “Coordinator”), to be located in the Rural Development Mission Area.

(b) Mission

The mission of the Coordinator shall be to direct Department of Agriculture resources to high need, high poverty rural areas.

(c) Duties

The Coordinator shall consult with other offices in directing technical assistance, strategic regional planning, at the State and local level, for developing rural economic development that leverages the resources of State and local governments and non-profit and community development organizations.

(d) Authorization of appropriations

There are authorized to be appropriated to the Secretary such sums as necessary to carry out this section for fiscal years 2008 through 2012.

(Pub. L. 110-234, title XIV, §14218, May 22, 2008, 122 Stat. 1482; Pub. L. 110-246, §4(a), title XIV, §14218, June 18, 2008, 122 Stat. 1664, 2244.)

Editorial Notes

CODIFICATION

Pub. L. 110-234 and Pub. L. 110-246 enacted identical sections. Pub. L. 110-234 was repealed by section 4(a) of Pub. L. 110-246.

Section was enacted as part of the Food, Conservation, and Energy Act of 2008, and not as part of the Department of Agriculture Reorganization Act of 1994, which in part comprises this chapter.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Enactment 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 a note under section 8701 of this title.

§ 6942. Rural Utilities Service

(a) Establishment required

The Secretary shall establish and maintain within the Department the Rural Utilities Serv-

ice and assign to the Service such functions as the Secretary considers appropriate.

(b) Administrator

(1) Appointment

The Rural Utilities Service shall be headed by an Administrator who shall be appointed by the President.

(2) Compensation

The Administrator of the Rural Utilities Service shall receive basic pay at a rate not to exceed the maximum amount of compensation payable to a member of the Senior Executive Service under subsection (b) of section 5382 of title 5.

(c) Functions

The Secretary shall carry out through the Rural Utilities Service the following functions that are under the jurisdiction of the Department:

(1) Electric and telephone loan programs and water and waste facility activities authorized by law, including—

- (A) the Rural Electrification Act of 1936 (7 U.S.C. 901 et seq.); and
- (B) section 1926-1¹ of this title; and

(2) Water and waste facility programs and activities authorized by law, including—

- (A) sections 1926, 1926a, 1926b,¹ and 1926c of this title, the provisions of sections 1929 and 1929a of this title relating to assets, terms, and conditions of water and sewer programs, section 1932(b) of this title, and section 1013a of this title; and
- (B) section 2324 of the Food, Agriculture, Conservation, and Trade Act of 1990¹ (7 U.S.C. 1926 note).

(Pub. L. 103-354, title II, §232, Oct. 13, 1994, 108 Stat. 3219; Pub. L. 104-127, title VII, §747(b)(2), Apr. 4, 1996, 110 Stat. 1128; Pub. L. 112-166, §2(a)(2), Aug. 10, 2012, 126 Stat. 1283; Pub. L. 115-334, title XII, §12408(a)(1), Dec. 20, 2018, 132 Stat. 4976.)

Editorial Notes

REFERENCES IN TEXT

The Rural Electrification Act of 1936, referred to in subsec. (c)(1)(A), is act May 20, 1936, ch. 432, 49 Stat. 1363, which is classified generally to chapter 31 (§901 et seq.) of this title. For complete classification of this Act to the Code, see section 901 of this title and Tables.

Section 1926-1 of this title, referred to in subsec. (c)(1)(B), was repealed by Pub. L. 104-127, title VII, §702, Apr. 4, 1996, 110 Stat. 1108.

Section 1926b of this title, referred to in subsec. (c)(2)(A), was repealed by Pub. L. 104-127, title VII, §743, Apr. 4, 1996, 110 Stat. 1125.

Section 2324 of the Food, Agriculture, Conservation, and Trade Act of 1990, referred to in subsec. (c)(2)(B), is section 2324 of Pub. L. 101-624, which was set out as a note under section 1926 of this title prior to repeal by Pub. L. 104-127, title VII, §703, Apr. 4, 1996, 110 Stat. 1108.

CODIFICATION

Section is comprised of section 232 of Pub. L. 103-354. Prior to amendment of this section by Pub. L. 115-334, subsec. (b)(2), formerly (b)(3), of section 232 of Pub. L.

¹ See References in Text note below.

103-354 amended section 5315 of Title 5, Government Organization and Employees. See 2018 Amendment note below.

AMENDMENTS

2018—Subsec. (b). Pub. L. 115-334 amended subsec. (b) generally. Prior to amendment, par. (2) amended section 5315 of Title 5, Government Organization and Employees, and text of par. (1) read as follows: “The Rural Utilities Service shall be headed by an Administrator who shall be appointed by the President.”

2012—Subsec. (b)(1). Pub. L. 112-166, §2(a)(2)(A), struck out “, by and with the advice and consent of the Senate” before period at end.

Subsec. (b)(2). Pub. L. 112-166, §2(a)(2)(B), (C), which directed that subsec. (b)(1) of this section be amended by striking out par. (2) and redesignating par. (3) as (2), was executed by making the amendment to subsec. (b) of this section, to reflect the probable intent of Congress. See Codification note above. Prior to amendment, text of par. (2) read as follows: “Any official who is serving as Administrator of the Rural Electrification Administration on October 13, 1994, and who was appointed by the President, by and with the advice and consent of the Senate—

“(A) may be considered to be serving in the successor position established under paragraph (1); and

“(B) shall not be required to be reappointed to that position by reason of the enactment of this Act.”

1996—Subsec. (c)(2)(A). Pub. L. 104-127 substituted “section 1932(b)” for “section 1932(b)(2)”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2012 AMENDMENT

Amendment by Pub. L. 112-166 effective 60 days after Aug. 10, 2012, and applicable to appointments made on and after that effective date, including any nomination pending in the Senate on that date, see section 6(a) of Pub. L. 112-166, set out as a note under section 113 of Title 6, Domestic Security.

§ 6943. Rural Housing and Community Development Service

(a) Establishment authorized

Notwithstanding any other provision of law, the Secretary is authorized to establish and maintain within the Department the Rural Housing and Community Development Service and to assign to the Service such functions as the Secretary considers appropriate.

(b) Functions

If the Secretary establishes the Rural Housing and Community Development Service under subsection (a), the Secretary is authorized to assign to the Service jurisdiction over the following:

(1) Programs and activities under title V of the Housing Act of 1949 (42 U.S.C. 1471 et seq.).

(2) Programs and activities that relate to rural community lending programs, including programs authorized by section 2008d of this title.

(Pub. L. 103-354, title II, §233, Oct. 13, 1994, 108 Stat. 3219; Pub. L. 104-127, title VII, §§747(b)(3), 753(b)(2), Apr. 4, 1996, 110 Stat. 1128, 1131.)

Editorial Notes

REFERENCES IN TEXT

The Housing Act of 1949, referred to in subsec. (b)(1), is act July 15, 1949, ch. 338, 63 Stat. 413. Title V of the Act is classified generally to subchapter III (§1471 et seq.) of chapter 8A of Title 42, The Public Health and Welfare. For complete classification of this Act to the