

(IV) to cover administrative expenses of the national fund manager in an amount not to exceed 10 percent of the Federal funds provided.

(B) Eligible projects

Subject to the approval of the Secretary, the national fund manager shall establish eligibility criteria for projects under the Initiative, which shall include the existence or planned execution of agreements—

(i) to expand or preserve the availability of staple foods in underserved areas with moderate- and low-income populations by maintaining or increasing the number of retail outlets that offer an assortment of perishable food and staple food items, as determined by the Secretary, in those areas; and

(ii) as applicable, to accept benefits under the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.).

(C) Priorities

In carrying out the Initiative, priority shall be given to projects that—

(i) are located in severely distressed low-income communities, as defined by the Community Development Financial Institutions Fund of the Department of Treasury; and

(ii) include 1 or more of the following characteristics:

(I) The project will create or retain quality jobs for low-income residents in the community.

(II) The project supports regional food systems and locally grown foods, to the maximum extent practicable.

(III) In areas served by public transit, the project is accessible by public transit.

(IV) The project involves women- or minority-owned businesses.

(V) The project receives funding from other sources, including other Federal agencies.

(VI) The project otherwise advances the purpose of this section, as determined by the Secretary.

(d) Authorization of appropriations

There is authorized to be appropriated to the Secretary to carry out this section \$125,000,000, to remain available until expended.

(Pub. L. 103-354, title II, §243, as added Pub. L. 113-79, title IV, §4206, Feb. 7, 2014, 128 Stat. 824; amended Pub. L. 115-334, title IV, §4204, Dec. 20, 2018, 132 Stat. 4656.)

Editorial Notes

REFERENCES IN TEXT

The Food and Nutrition Act of 2008, referred to in subsec. (c)(2)(B)(ii), is Pub. L. 88-525, Aug. 31, 1964, 78 Stat. 703, which is classified generally to chapter 51 (§2011 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 2011 of this title and Tables.

AMENDMENTS

2018—Subsecs. (a), (b)(3)(B)(iii). Pub. L. 115-334, §4204(1), (2), inserted “and enterprises” after “retailers”.

Subsec. (c)(2)(B)(ii). Pub. L. 115-334, §4204(3), inserted “as applicable.” before “to accept”.

SUBCHAPTER V—NATURAL RESOURCES AND ENVIRONMENT

§ 6961. Under Secretary of Agriculture for Natural Resources and Environment

(a) Authorization

The Secretary is authorized to establish in the Department the position of Under Secretary of Agriculture for Natural Resources and Environment.

(b) Confirmation required

If the Secretary establishes the position of Under Secretary of Agriculture for Natural Resources and Environment 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 Under Secretary

(1) Principal functions

Upon establishment, the Secretary shall delegate to the Under Secretary of Agriculture for Natural Resources and Environment those functions under the jurisdiction of the Department that are related to natural resources and environment (except to the extent those functions are delegated under section 6932 of this title).

(2) Additional functions

The Under Secretary of Agriculture for Natural Resources and Environment shall perform such other functions and duties as may be required by law or prescribed by the Secretary.

(d) Succession

Any official who is serving as Assistant Secretary of Agriculture for Natural Resources and Environment 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).

(Pub. L. 103-354, title II, §245, Oct. 13, 1994, 108 Stat. 3223.)

Editorial Notes

CODIFICATION

Section is comprised of section 245 of Pub. L. 103-354. Subsec. (e) of section 245 of Pub. L. 103-354 amended section 5314 of Title 5, Government Organization and Employees.

§ 6962. Transferred

Editorial Notes

CODIFICATION

Section, Pub. L. 103-354, title II, §228, formerly §246, Oct. 13, 1994, 108 Stat. 3223; Pub. L. 104-127, title III,

§ 336(a)(2)(D), (b)(2)(B), (c)(3), (d)(2), Apr. 4, 1996, 110 Stat. 1005, 1006; Pub. L. 107-171, title VIII, § 8002(c), May 13, 2002, 116 Stat. 473; Pub. L. 115-334, title XII, § 12404(b)(1), 12410(a)(c)(1)(A), Dec. 20, 2018, 132 Stat. 4975, 4977, 4978, was moved so as to appear at the end of subtitle B of title II of Pub. L. 103-354 by Pub. L. 115-334, title XII, § 12410(c)(1)(B), Dec. 20, 2018, 132 Stat. 4978, and editorially reclassified as section 6936 of this title.

§ 6962a. Cooperative agreements

Notwithstanding any other provision of law (including provisions of law requiring competition), the Secretary of Agriculture may on and after October 28, 2000, enter into cooperative agreements (which may provide for the acquisition of goods or services, including personal services) with a State, political subdivision, or agency thereof, a public or private agency, organization, or any other person, if the Secretary determines that the objectives of the agreement will: (1) serve a mutual interest of the parties to the agreement in carrying out the programs administered by the Natural Resources Conservation Service; and (2) all parties will contribute resources to the accomplishment of these objectives: *Provided*, That Commodity Credit Corporation funds obligated for such purposes shall not exceed the level obligated by the Commodity Credit Corporation for such purposes in fiscal year 1998.

(Pub. L. 106-387, § 1(a) [title VII, § 714], Oct. 28, 2000, 114 Stat. 1549, 1549A-30.)

Editorial Notes

CODIFICATION

Section was enacted as part of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001, and not as part of the Department of Agriculture Reorganization Act of 1994, which in part comprises this chapter.

§ 6963. Repealed. Pub. L. 115-334, title XII, § 12414(a)(5), Dec. 20, 2018, 132 Stat. 4981

Section, Pub. L. 103-354, title II, § 247, Oct. 13, 1994, 108 Stat. 3225, related to reorganization of Forest Service.

SUBCHAPTER VI—RESEARCH, EDUCATION, AND ECONOMICS

§ 6971. Under Secretary of Agriculture for Research, Education, and Economics

(a) Authorization

The Secretary is authorized to establish in the Department the position of Under Secretary of Agriculture for Research, Education, and Economics (referred to in this section as the “Under Secretary”).

(b) Confirmation required

The Under Secretary shall be appointed by the President, by and with the advice and consent of the Senate, from among distinguished scientists with specialized training or significant experience in agricultural research, education, and economics.

(c) Chief Scientist

The Under Secretary shall—

(1) hold the title of Chief Scientist of the Department; and

(2) be responsible for the coordination of the research, education, and extension activities of the Department.

(d) Functions of Under Secretary

(1) Principal function

The Secretary shall delegate to the Under Secretary those functions and duties under the jurisdiction of the Department that relate to research, education, and economics.

(2) Specific functions and duties

The Under Secretary shall—

(A) identify, address, and prioritize current and emerging agricultural research, education, and extension needs (including funding);

(B) ensure that agricultural research, education, and extension programs are effectively coordinated and integrated—

(i) across disciplines, agencies, and institutions; and

(ii) among applicable participants, grantees, and beneficiaries;

(C) promote the collaborative use of all agricultural research, education, and extension resources from the local, State, tribal, regional, national, and international levels to address priority needs; and

(D) foster communication among agricultural research, education, and extension beneficiaries, including the public, to ensure the delivery of agricultural research, education, and extension knowledge.

(3) Additional functions

The Under Secretary shall perform such other functions and duties as may be required by law or prescribed by the Secretary.

(e) Office of the Chief Scientist

(1) Establishment

The Under Secretary shall organize within the office of the Under Secretary 6 Divisions, to be known collectively as the “Office of the Chief Scientist”, which shall coordinate the research programs and activities of the Department.

(2) Division designations

The Divisions within the Office of the Chief Scientist shall be as follows:

(A) Renewable energy, natural resources, and environment.

(B) Food safety, nutrition, and health.

(C) Plant health and production and plant products.

(D) Animal health and production and animal products.

(E) Agricultural systems and technology.

(F) Agricultural economics and rural communities.

(3) Division Chiefs

(A) Selection

The Under Secretary shall select a Division Chief for each Division using available personnel authority under title 5, including—

(i) by term, temporary, or other appointment, without regard to—

(I) the provisions of title 5 governing appointments in the competitive service;