

**§ 7002. Authorization of appropriations**

There are authorized to be appropriated such sums as may be necessary to carry out the activities of the Division.

(Pub. L. 103-354, title II, §283, Oct. 13, 1994, 108 Stat. 3235.)

SUBCHAPTER VIII—A—MARKETING AND  
REGULATORY PROGRAMS

**§ 7005. Under Secretary of Agriculture for Marketing and Regulatory Programs****(a) Authorization**

The Secretary is authorized to establish in the Department the position of Under Secretary of Agriculture for Marketing and Regulatory Programs.

**(b) Confirmation required**

If the Secretary establishes the position of Under Secretary of Agriculture for Marketing and Regulatory Programs 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 Marketing and Regulatory Programs those functions and duties under the jurisdiction of the Department that are related to agricultural marketing, animal and plant health inspection, grain inspection, and packers and stockyards.

**(2) Additional functions**

The Under Secretary of Agriculture for Marketing and Regulatory Programs 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 Marketing and Regulatory Programs on October 21, 1998, 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 21, 1998 (or such later date set by the Secretary if litigation delays rapid succession).

(Pub. L. 103-354, title II, §285, as added Pub. L. 105-277, div. A, §101(a) [title X, §1001(3)], Oct. 21, 1998, 112 Stat. 2681, 2681-41.)

**Editorial Notes**

## CODIFICATION

Section is comprised of section 285 of Pub. L. 103-354, as added by Pub. L. 105-277. Subsec. (e) of section 285 of Pub. L. 103-354 amended section 5314 of Title 5, Government Organization and Employees.

SUBCHAPTER VIII—B—TRADE AND FOREIGN  
AGRICULTURAL AFFAIRS

**§ 7007. Under Secretary of Agriculture for Trade and Foreign Agricultural Affairs****(a) Establishment**

There is established in the Department the position of Under Secretary of Agriculture for Trade and Foreign Agricultural Affairs.

**(b) Appointment**

The Under Secretary of Agriculture for Trade and Foreign Agricultural Affairs shall be appointed by the President, by and with the advice and consent of the Senate.

**(c) Functions****(1) Principal functions**

The Secretary shall delegate to the Under Secretary of Agriculture for Trade and Foreign Agricultural Affairs those functions and duties under the jurisdiction of the Department that are related to trade and foreign agricultural affairs.

**(2) Additional functions**

The Under Secretary of Agriculture for Trade and Foreign Agricultural Affairs shall perform such other functions and duties as may be—

(A) required by law; or

(B) prescribed by the Secretary.

(Pub. L. 103-354, title II, §287, as added Pub. L. 115-334, title XII, §12413(2), Dec. 20, 2018, 132 Stat. 4980.)

SUBCHAPTER IX—MISCELLANEOUS  
REORGANIZATION PROVISIONS

**Editorial Notes**

## CODIFICATION

This subchapter was originally added as subtitle I of title II of Pub. L. 103-354, Oct. 13, 1994, 108 Stat. 3235, and subsequently redesignated subtitle J of title II of Pub. L. 103-354 by Pub. L. 105-277, div. A, §101(a) [title X, §1001(2)], Oct. 21, 1998, 112 Stat. 2681, 2681-41, and then subtitle K of title II of Pub. L. 103-354 by Pub. L. 115-334, title XII, §12413(1), Dec. 20, 2018, 132 Stat. 4980.

**§ 7011. Successorship provisions relating to bargaining units and exclusive representatives****(a) Voluntary agreement****(1) In general**

If the exercise of the Secretary's authority under this chapter results in changes to an existing bargaining unit that has been certified under chapter 71 of title 5, the affected parties shall attempt to reach a voluntary agreement on a new bargaining unit and an exclusive representative for such unit.

**(2) Criteria**

In carrying out the requirements of this subsection, the affected parties shall use criteria set forth in—

(A) sections 7103(a)(4), 7111(e), 7111(f)(1), and 7120 of title 5, relating to determining an exclusive representative; and

(B) section 7112 of title 5 (disregarding subsections (b)(5) and (d) thereof), relating to determining appropriate units.