

the Food, Conservation, and Energy Act of 2008;<sup>1</sup> and

(B) the position of Farmworker Coordinator established under subsection (f).

**(4) Other duties**

**(A) In general**

The Socially Disadvantaged Farmers Group may carry out other duties to improve access to, and participation in, programs of the Department by socially disadvantaged farmers or ranchers, as determined by the Secretary.

**(B) Office of Outreach and Diversity**

The Office of Advocacy and Outreach shall carry out the functions and duties of the Office of Outreach and Diversity carried out by the Assistant Secretary for Civil Rights as such functions and duties existed immediately before the date of the enactment of this section.

**(e) Small Farms and Beginning Farmers and Ranchers Group**

**(1) Establishment**

The Secretary shall establish within the Office the Small Farms and Beginning Farmers and Ranchers Group.

**(2) Duties**

**(A) Oversee offices**

The Small Farms and Beginning Farmers and Ranchers Group shall oversee the operations of the Office of Small Farms Coordination established by Departmental Regulation 9700-1 (August 3, 2006).

**(B) Beginning farmer and rancher development program**

The Small Farms and Beginning Farmers and Ranchers Group shall consult with the National Institute for Food and Agriculture on the administration of the beginning farmer and rancher development program established under section 3319f of this title.

**(C) Advisory Committee for Beginning Farmers and Ranchers**

The Small Farms and Beginning Farmers and Ranchers Group shall coordinate the activities of the Group with the Advisory Committee for Beginning Farmers and Ranchers established under section 5(b) of the Agricultural Credit Improvement Act of 1992 (7 U.S.C. 1621<sup>1</sup> note; Public Law 102-554).

**(D) Other duties**

The Small Farms and Beginning Farmers and Ranchers Group may carry out other duties to improve access to, and participation in, programs of the Department by small farms and ranches and beginning farmers or ranchers, as determined by the Secretary.

**(f) Farmworker Coordinator**

**(1) Establishment**

The Secretary shall establish within the Office the position of Farmworker Coordinator (referred to in this subsection as the “Coordinator”).

**(2) Duties**

The Secretary shall delegate to the Coordinator responsibility for the following:

(A) Assisting in administering the program established by section 5177a of title 42.

(B) Serving as a liaison to community-based nonprofit organizations that represent and have demonstrated experience serving low-income migrant and seasonal farmworkers.

(C) Coordinating with the Department, other Federal agencies, and State and local governments to ensure that farmworker needs are assessed and met during declared disasters and other emergencies.

(D) Consulting within the Office and with other entities to better integrate farmworker perspectives, concerns, and interests into the ongoing programs of the Department.

(E) Consulting with appropriate institutions on research, program improvements, or agricultural education opportunities that assist low-income and migrant seasonal farmworkers.

(F) Assisting farmworkers in becoming agricultural producers or landowners.

**(3) Authorization of appropriations**

There are authorized to be appropriated such sums as are necessary to carry out this subsection for each of fiscal years 2009 through 2012.

(Pub. L. 103-354, title II, §226B, as added Pub. L. 110-234, title XIV, §14013(a), May 22, 2008, 122 Stat. 1450, and Pub. L. 110-246, §4(a), title XIV, §14013(a), June 18, 2008, 122 Stat. 1664, 2212.)

REFERENCES IN TEXT

Section 14009 of the Food, Conservation, and Energy Act of 2008, referred to in subsec. (d)(3)(A), probably means section 14008 of Pub. L. 110-246, which is set out as a note under section 2279 of this title, because section 14008 of the Act established the Advisory Committee on Minority Farmers and section 14009 of the Act amended section 7000 of this title.

The date of the enactment of this section, referred to in subsec. (d)(4)(B), is the date of enactment of Pub. L. 110-246, which was approved June 18, 2008.

Section 5(b) of the Agricultural Credit Improvement Act of 1992, referred to in subsec. (e)(2)(C), is section 5(b) of Pub. L. 102-554, which is set out as a note under section 1929 of this title.

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.

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.

SUBCHAPTER III—RURAL ECONOMIC AND COMMUNITY DEVELOPMENT

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

**(a) Authorization**

The Secretary is authorized to establish in the Department the position of Under Secretary of Agriculture for Rural Development.

<sup>1</sup> See References in Text note below.

**(b) Confirmation required**

If the Secretary establishes the position of Under Secretary of Agriculture for Rural Development authorized under subsection (a) of this section, 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 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) of this section to the successor position authorized under subsection (a) of this section 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.)

## REFERENCES IN TEXT

The Rural Electrification Act of 1936, referred to in subsec. (e), is act May 20, 1936, ch. 432, 49 Stat. 1363, as amended, 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 section 5314 of Title 5, Government Organization and Employees, and repealed sections 2006f and 2211b of this title.

## AMENDMENTS

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.)

## 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.

## 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 Service 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, by and with the advice and consent of the Senate.

**(2) Succession**

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.