

solidated Farm Service Agency shall consult with other Federal agencies whenever required by law or under a memorandum of agreement in existence on October 13, 1994.

**(B) Economic hardship**

After a technical determination has been made, on a producer's request, if a county or area committee determines that the application of the producer's conservation system would impose an undue economic hardship on the producer, the committee shall provide the producer with relief to avoid the hardship.

**(3) Reinstatement of program benefits**

Rules issued to carry out this subsection shall provide for the prompt reinstatement of benefits to a producer who is determined in an administrative appeal to meet the requirements of title XII of the Food Security Act of 1985 [16 U.S.C. 3801 et seq.] applicable to the producer.

**(e) Use of Federal and non-Federal employees**

**(1) Use authorized**

In the implementation of programs and activities assigned to the Consolidated Farm Service Agency, the Secretary may use interchangeably in local offices of the Agency both Federal employees of the Department and non-Federal employees of county and area committees established under section 590h(b)(5) of title 16.

**(2) Exception**

Notwithstanding paragraph (1), no personnel action (as defined in section 2302(a)(2)(A) of title 5) may be taken with respect to a Federal employee unless such action is taken by another Federal employee.

**(f) Collocation**

To the maximum extent practicable, the Secretary shall collocate county offices of the Consolidated Farm Service Agency with county offices of the Natural Resources Conservation Service in order to—

- (1) maximize savings from shared equipment, office space, and administrative support;
- (2) simplify paperwork and regulatory requirements;
- (3) provide improved services to agricultural producers and landowners affected by programs administered by the Agency and the Service; and
- (4) achieve computer compatibility between the Agency and the Service to maximize efficiency and savings.

**(g) Savings provision**

For purposes of subsections (c) through (f) of this section:

- (1) A reference to the "Consolidated Farm Service Agency" includes any other office, agency, or administrative unit of the Department assigned the functions authorized for the Consolidated Farm Service Agency under this section.
- (2) A reference to the "Natural Resources Conservation Service" includes any other office, agency, or administrative unit of the Department assigned the functions authorized

for the Natural Resources Conservation Service under section 6962(b) of this title.

(Pub. L. 103-354, title II, § 226, Oct. 13, 1994, 108 Stat. 3214; Pub. L. 104-127, title I, § 194(c), title III, §§ 315(b), 336(a)(2)(C), Apr. 4, 1996, 110 Stat. 946, 985, 1005.)

REFERENCES IN TEXT

The Food Security Act of 1985, referred to in subsecs. (b)(4) and (d)(1), (3), is Pub. L. 99-198, Dec. 23, 1985, 99 Stat. 1354, as amended. Title XII of the Act, popularly known as the "Sodbuster Law", is classified principally to chapter 58 (§3801 et seq.) of Title 16, Conservation. Subchapter B of chapter 1 of subtitle D of title XII of the Act is classified generally to subpart B (§3831 et seq.) of part I of subchapter IV of chapter 58 of Title 16. For complete classification of this Act to the Code, see Short Title of 1985 Amendment note set out under section 1281 of this title and Tables.

CODIFICATION

Section is comprised of section 226 of Pub. L. 103-354. Subsec. (h) of section 226 of Pub. L. 103-354 amended section 1981 of this title.

AMENDMENTS

1996—Subsec. (b)(2). Pub. L. 104-127, §194(c), struck out par. (2) which read as follows: "General supervision of the Federal Crop Insurance Corporation."

Subsec. (b)(4). Pub. L. 104-127, §336(a)(2)(C), struck out before period at end "and the agricultural conservation program under the Soil Conservation and Domestic Allotment Act (16 U.S.C. 590g et seq.)."

Subsec. (d)(2). Pub. L. 104-127, §315(b), designated existing provisions as subpar. (A), inserted heading, and added subpar. (B).

CHANGE OF NAME

Consolidated Farm Service Agency redesignated Farm Service Agency by final rule issued by Department of Agriculture, eff. Jan. 16, 1996, 61 F.R. 1109.

**§ 6932a. Prohibition on closure or relocation of county offices for the Farm Service Agency**

**(a) Temporary prohibition**

**(1) In general**

Subject to paragraph (2), until the date that is two years after the date of the enactment of this Act, the Secretary of Agriculture may not close or relocate a county or field office of the Farm Service Agency.

**(2) Exception**

Paragraph (1) shall not apply to—

- (A) an office that is located not more than 20 miles from another office of the Farm Service Agency; or
- (B) the relocation of an office within the same county in the course of routine leasing operations.

**(b) Limitation on closure; notice**

**(1) Limitation**

After the period referred to in subsection (a)(1), the Secretary shall, before closing any office of the Farm Service Agency that is located more than 20 miles from another office of the Farm Service Agency, to the maximum extent practicable, first close any offices of the Farm Service Agency that—

- (A) are located less than 20 miles from another office of the Farm Service Agency; and
- (B) have two or fewer permanent full-time employees.

**(2) Notice**

After the period referred to in subsection (a)(1), the Secretary of Agriculture may not close a county or field office of the Farm Service Agency unless—

(A) not later than 30 days after the Secretary proposes to close such office, the Secretary holds a public meeting regarding the proposed closure in the county in which such office is located; and

(B) after the public meeting referred to in subparagraph (A), but not less than 90 days before the date on which the Secretary approves the closure of such office, the Secretary notifies the Committee on Agriculture and the Committee on Appropriations of the House of Representatives, the Committee on Agriculture, Nutrition, and Forestry and the Committee on Appropriations of the Senate, each Senator representing the State in which the office proposed to be closed is located, and the member of the House of Representatives who represents the Congressional district in which the office proposed to be closed is located of the proposed closure of such office.

(Pub. L. 110-234, title XIV, §14212, May 22, 2008, 122 Stat. 1465; Pub. L. 110-246, §4(a), title XIV, §14212, June 18, 2008, 122 Stat. 1664, 2227.)

## REFERENCES IN TEXT

The date of the enactment of this Act, referred to in subsec. (a)(1), is the date of enactment of Pub. L. 110-246, which was approved June 18, 2008.

## 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.

**§ 6933. Office of Risk Management****(a) Establishment**

Subject to subsection (e)<sup>1</sup> of this section, the Secretary shall establish and maintain in the Department an independent Office of Risk Management.

**(b) Functions of Office of Risk Management**

The Office of Risk Management shall have jurisdiction over the following functions:

(1) Supervision of the Federal Crop Insurance Corporation.

(2) Administration and oversight of all aspects, including delivery through local offices of the Department, of all programs authorized under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.).

(3) Any pilot or other programs involving revenue insurance, risk management savings

accounts, or the use of the futures market to manage risk and support farm income that may be established under the Federal Crop Insurance Act or other law.

(4) Such other functions as the Secretary considers appropriate.

**(c) Administrator****(1) Appointment**

The Office of Risk Management shall be headed by an Administrator who shall be appointed by the Secretary.

**(2) Manager**

The Administrator of the Office of Risk Management shall also serve as Manager of the Federal Crop Insurance Corporation.

**(d) Resources****(1) Functional coordination**

Certain functions of the Office of Risk Management, such as human resources, public affairs, and legislative affairs, may be provided by a consolidation of such functions under the Under Secretary of Agriculture for Farm and Foreign Agricultural Services.

**(2) Minimum provisions**

Notwithstanding paragraph (1) or any other provision of law or order of the Secretary, the Secretary shall provide the Office of Risk Management with human and capital resources sufficient for the Office to carry out its functions in a timely and efficient manner.

(Pub. L. 103-354, title II, §226A, as added Pub. L. 104-127, title I, §194(a), Apr. 4, 1996, 110 Stat. 945.)

## REFERENCES IN TEXT

The Federal Crop Insurance Act, referred to in subsec. (b)(2), (3), is subtitle A of title V of act Feb. 16, 1938, ch. 30, 52 Stat. 72, which is classified generally to subchapter I (§1501 et seq.) of chapter 36 of this title. For complete classification of this Act to the Code, see section 1501 of this title and Tables.

**§ 6934. Office of Advocacy and Outreach****(a) Definitions**

In this section:

**(1) Beginning farmer or rancher**

The term “beginning farmer or rancher” has the meaning given the term in section 1991(a) of this title.

**(2) Office**

The term “Office” means the Office of Advocacy and Outreach established under this section.

**(3) Socially disadvantaged farmer or rancher**

The term “socially disadvantaged farmer or rancher” has the meaning given the term in section 2279(e) of this title.

**(b) Establishment and purpose****(1) In general**

The Secretary shall establish within the executive operations of the Department an office to be known as the “Office of Advocacy and Outreach”—

(A) to improve access to programs of the Department; and

<sup>1</sup> So in original. There is no subsection (e).