

(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 L. 110-234 was repealed by section 4(a) of Pub.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)¹ 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.

¹ So in original. There is no subsection (e).

(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

(B) to improve the viability and profitability of—

- (i) small farms and ranches;
- (ii) beginning farmers or ranchers; and
- (iii) socially disadvantaged farmers or ranchers.

(2) Director

The Office shall be headed by a Director, to be appointed by the Secretary from among the competitive service.

(c) Duties

The duties of the Office shall be to ensure small farms and ranches, beginning farmers or ranchers, and socially disadvantaged farmers or ranchers access to, and equitable participation in, programs and services of the Department by—

(1) establishing and monitoring the goals and objectives of the Department to increase participation in programs of the Department by small, beginning, or socially disadvantaged farmers or ranchers;

(2) assessing the effectiveness of Department outreach programs;

(3) developing and implementing a plan to coordinate outreach activities and services provided by the Department;

(4) providing input to the agencies and offices on programmatic and policy decisions;

(5) measuring outcomes of the programs and activities of the Department on small farms and ranches, beginning farmers or ranchers, and socially disadvantaged farmers or ranchers programs;

(6) recommending new initiatives and programs to the Secretary; and

(7) carrying out any other related duties that the Secretary determines to be appropriate.

(d) Socially disadvantaged farmers group**(1) Establishment**

The Secretary shall establish within the Office the Socially Disadvantaged Farmers Group.

(2) Outreach and assistance

The Socially Disadvantaged Farmers Group—

(A) shall carry out section 2279 of this title; and

(B) in the case of activities described in section 2279(a) of this title, may conduct

such activities through other agencies and offices of the Department.

(3) Socially disadvantaged farmers and farmworkers

The Socially Disadvantaged Farmers Group shall oversee the operations of—

(A) the Advisory Committee on Minority Farmers established under section 14009 of the Food, Conservation, and Energy Act of 2008;¹ 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. 1621¹ 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

¹ See References in Text note below.

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.

(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 sec-