

in advance of the transfer, the Secretary determines that the unobligated amounts are no longer needed to respond to the disaster for which the amounts were originally appropriated and the Secretary provides a certification of this determination to the Committees on Appropriations of the House of Representatives and the Senate. A transfer of unobligated amounts with respect to a disaster may not be made under this subsection until after the end of the two-year period beginning on the date on which the amounts were originally appropriated for that disaster.

**(g) Administrative expenses**

In addition to any other funds available to the Secretary of Agriculture to cover administrative costs, the Secretary may use up to 3 percent of the amounts allocated from the Rural Development Disaster Assistance Fund for a specific disaster to cover administrative costs of Rural Development's State and local offices in the areas affected by the disaster to carry out disaster-related activities.

**(h) Limitation on per disaster obligations**

Amounts in the Rural Development Disaster Assistance Fund, except for amounts described in subsection (d) that are appropriated to the Fund and obligated in accordance with that subsection, may not be obligated in excess of \$1,000,000 for a disaster until at least 15 days after the date on which the Secretary of Agriculture notifies the Committees on Appropriations of the House of Representatives and the Senate of the Secretary's determination to obligate additional amounts and the reasons for the determination. The Secretary may not obligate more than 50 percent of the funds contained in the Rural Development Disaster Assistance Fund for any one disaster unless the Secretary declares that there is a specific and extreme need that additional funds must be provided in response to such disaster at time of the obligation.

**(i) Quarterly reports**

The Secretary of Agriculture shall submit, on a quarterly basis, to the Committees on Appropriations of the House of Representatives and the Senate a report describing the status of the Rural Development Disaster Assistance Fund and any transactions that have affected the Fund since the previous report.

(Pub. L. 110-329, div. B, title I, §10101, Sept. 30, 2008, 122 Stat. 3586; Pub. L. 111-80, title VII, § 702, Oct. 21, 2009, 123 Stat. 2118.)

REFERENCES IN TEXT

This Act, referred to in subsec. (d), is Pub. L. 110-329, Sept. 30, 2008, 122 Stat. 3574, known as the Consolidated Security, Disaster Assistance, and Continuing Appropriations Act, 2009. For complete classification of this Act to the Code, see Tables.

CODIFICATION

Section was enacted as part of the Disaster Relief and Recovery Supplemental Appropriations Act, 2008, and also as part of the Consolidated Security, Disaster Assistance, and Continuing Appropriations Act, 2009, and not as part of the Department of Agriculture Reorganization Act of 1994, which in part comprises this chapter.

AMENDMENTS

2009—Subsec. (b). Pub. L. 111-80 inserted at end “In carrying out this section, the Secretary may transfer funds into existing or new accounts as determined by the Secretary.”

SUBCHAPTER IV—FOOD, NUTRITION, AND CONSUMER SERVICES

**§ 6951. Under Secretary of Agriculture for Food, Nutrition, and Consumer Services**

**(a) Authorization**

The Secretary is authorized to establish in the Department the position of Under Secretary of Agriculture for Food, Nutrition, and Consumer Services.

**(b) Confirmation required**

If the Secretary establishes the position of Under Secretary of Agriculture for Food, Nutrition, and Consumer Services 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 Food, Nutrition, and Consumer Services those functions under the jurisdiction of the Department that are related to food, nutrition, and consumer services (except as provided in section 6981(b)(1) of this title).

**(2) Additional functions**

The Under Secretary of Agriculture for Food, Nutrition, and Consumer Services shall perform such other functions as may be required by law or prescribed by the Secretary.

**(d) Succession**

Any official who is serving as Assistant Secretary of Agriculture for Food and Consumer Services 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, §241, Oct. 13, 1994, 108 Stat. 3222.)

CODIFICATION

Section is comprised of section 241 of Pub. L. 103-354. Subsec. (e) of section 241 of Pub. L. 103-354 amended section 5314 of Title 5, Government Organization and Employees.

**§ 6952. Multiagency task force**

**(a) In general**

The Secretary shall establish, in the office of the Under Secretary for Food, Nutrition, and Consumer Services, a multiagency task force for the purpose of providing coordination and direction for commodity programs.

**(b) Composition**

The Task Force shall be composed of at least 4 members, including—

(1) a representative from the Food Distribution Division of the Food and Nutrition Service, who shall—

(A) be appointed by the Under Secretary for Food, Nutrition, and Consumer Services; and

(B) serve as Chairperson of the Task Force;

(2) at least 1 representative from the Agricultural Marketing Service, who shall be appointed by the Under Secretary for Marketing and Regulatory Programs;

(3) at least 1 representative from the Farm Services Agency, who shall be appointed by the Under Secretary for Farm and Foreign Agricultural Services; and

(4) at least 1 representative from the Food Safety and Inspection Service, who shall be appointed by the Under Secretary for Food Safety.

**(c) Duties**

**(1) In general**

The Task Force shall be responsible for evaluation and monitoring of the commodity programs to ensure that the commodity programs meet the mission of the Department—

(A) to support the United States farm sector; and

(B) to contribute to the health and well-being of individuals in the United States through the distribution of domestic agricultural products through commodity programs.

**(2) Specific duties**

In carrying out paragraph (1), the Task Force shall—

(A) review and make recommendations regarding the specifications used for the procurement of food commodities;

(B) review and make recommendations regarding the efficient and effective distribution of food commodities; and

(C) review and make recommendations regarding the degree to which the quantity, quality, and specifications of procured food commodities align the needs of producers and the preferences of recipient agencies.

**(d) Reports**

Not later than 1 year after February 7, 2014, and annually thereafter, the Secretary shall submit to Congress a report that describes, for the period covered by the report—

(1) the findings and recommendations of the Task Force; and

(2) policies implemented for the improvement of commodity procurement programs.

(Pub. L. 103-354, title II, §242, as added Pub. L. 113-79, title IV, §4205, Feb. 7, 2014, 128 Stat. 823.)

**§ 6953. Healthy food financing initiative**

**(a) Purpose**

The purpose of this section is to enhance the authorities of the Secretary to support efforts to provide access to healthy food by establishing an initiative to improve access to healthy foods in underserved areas, to create and preserve quality jobs, and to revitalize low-income communities by providing loans and grants to eligi-

ble fresh, healthy food retailers to overcome the higher costs and initial barriers to entry in underserved areas.

**(b) Definitions**

In this section:

**(1) Community development financial institution**

The term “community development financial institution” has the meaning given the term in section 4702 of title 12.

**(2) Initiative**

The term “Initiative” means the Healthy Food Financing Initiative established under subsection (c)(1).

**(3) National fund manager**

The term “national fund manager” means a community development financial institution that is—

(A) in existence on the date of enactment of this section; and

(B) certified by the Community Development Financial Institution Fund of the Department of Treasury to manage the Initiative for purposes of—

(i) raising private capital;

(ii) providing financial and technical assistance to partnerships; and

(iii) funding eligible projects to attract fresh, healthy food retailers to underserved areas, in accordance with this section.

**(4) Partnership**

The term “partnership” means a regional, State, or local public-private partnership that—

(A) is organized to improve access to fresh, healthy foods;

(B) provides financial and technical assistance to eligible projects; and

(C) meets such other criteria as the Secretary may establish.

**(5) Perishable food**

The term “perishable food” means a staple food that is fresh, refrigerated, or frozen.

**(6) Quality job**

The term “quality job” means a job that provides wages and other benefits comparable to, or better than, similar positions in existing businesses of similar size in similar local economies.

**(7) Staple food**

**(A) In general**

The term “staple food” means food that is a basic dietary item.

**(B) Inclusions**

The term “staple food” includes—

(i) bread or cereal;

(ii) flour;

(iii) fruits;

(iv) vegetables;

(v) meat; and

(vi) dairy products.

**(c) Initiative**

**(1) Establishment**

The Secretary shall establish an initiative to achieve the purpose described in subsection (a) in accordance with this subsection.