

Public Law 94-561  
94th Congress

An Act

Oct. 19, 1976

[H.R. 10133]

To upgrade the position of Under Secretary of Agriculture to Deputy Secretary of Agriculture; to provide for an additional Assistant Secretary of Agriculture; to increase the compensation of certain officials of the Department of Agriculture; to provide for an additional member of the Board of Directors, Commodity Credit Corporation; and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That (a) section 5313 of title 5 of the United States Code is amended by adding at the end thereof the following new paragraph:

“(23) Deputy Secretary of Agriculture.”.

(b) Section 5314 of such title 5 is amended by striking out paragraph (3).

(c) The Acts listed in paragraphs (1) and (2) of this subsection are amended by striking out the words “Under Secretary of Agriculture” wherever they appear and by inserting in lieu thereof the words “Deputy Secretary of Agriculture”:

(1) The Act of March 26, 1934 (48 Stat. 467; 7 U.S.C. 2210).

(2) The Act of June 5, 1939 (53 Stat. 809; 7 U.S.C. 2211).

(d) The officer occupying the position of Under Secretary of Agriculture, on the date of enactment of this Act, may assume the duties of the Deputy Secretary of Agriculture. The individual assuming such duties shall not be required to be reappointed by reason of the enactment of this Act.

SEC. 2. There shall be hereafter in the Department of Agriculture, in addition to the Assistant Secretaries now provided for by law, one additional Assistant Secretary of Agriculture who shall be appointed by the President, by and with the advice and consent of the Senate, shall be responsible for such duties as the Secretary of Agriculture shall prescribe, and shall receive compensation at the rate now or hereafter prescribed by law for Assistant Secretaries of Agriculture.

SEC. 3. (a) Section 5315 of title 5 of the United States Code is amended by striking out “(4)” at the end of paragraph (11) and by inserting in lieu thereof “(5)”.

(b) Section 5316 of title 5 of the United States Code is amended—

(1) by striking out paragraph (55); and

(2) by adding at the end thereof a new paragraph (137) as follows:

“(137) Administrator, Animal and Plant Health Inspection Service, Department of Agriculture.”.

SEC. 4. Section 9(a) of the Commodity Credit Corporation Charter Act, as amended (62 Stat. 1072, as amended, 15 U.S.C. 714g(a)), is amended by striking out the third sentence and inserting in lieu thereof: “The Board shall consist of seven members (in addition to the Secretary), who shall be appointed by the President by and with the advice and consent of the Senate.”.

SEC. 5. (a) Except as otherwise provided in this section, this Act shall take effect on its date of enactment.

Department  
of Agriculture.  
Executive  
adjustments.

7 USC 2210  
note.

Additional  
Assistant  
Secretary of  
Agriculture.  
7 USC 2212b.

Commodity  
Credit  
Corporation,  
Board of  
Directors,  
additional  
member.

Effective dates.  
5 USC 5313 note.

(b) Subsection (b)(1) of section 3 of this Act shall take effect upon appointment of a Presidential appointee to fill the successor position created by section 2 of this Act.

*Ante*, p. 314.  
7 USC 2042.

SEC. 6. Section 3(b) of the Farm Labor Contractor Registration Act of 1963, as amended (78 Stat. 920, as amended; 7 U.S.C. 2042), is amended—

(a) by striking out the period at the end of paragraph (8) and inserting in lieu thereof a semicolon and the word "or"; and

(b) by adding at the end thereof a new paragraph (9) as follows:

"(9) any custom poultry harvesting, breeding, debeaking, sexing, or health service operation, provided the employees of the operation are not regularly required to be away from their domicile other than during their normal working hours."

Approved October 19, 1976.

#### LEGISLATIVE HISTORY:

HOUSE REPORTS: No. 94-1156 and No. 94-1156 Pt. 2 (Comm. on Agriculture).

SENATE REPORT No. 94-1377 (Comm. on Agriculture and Forestry).

CONGRESSIONAL RECORD, Vol. 122 (1976):

July 26, considered and passed House.

Sept. 30, considered and passed Senate, amended.

Oct. 1, House agreed to Senate amendments.