Congressional Research Service

Farm Service Agency: State Executive Directors, and State and County/Area Committees

Carol Canada
Information Research Specialist

January 29, 2009

Congressional Research Service
7-5700
www.crs.gov
R40179

CRS Report for Congress
Prepared for Members and Committees of Congress

The United States Department of Agriculture (USDA) relies heavily on state and local officials to administer Farm Service Agency (FSA) programs. State Executive Directors are political appointees who participate in developing policies and in planning, organizing, administering, and directing FSA programs and management activities for their respective states.

State, county, and community committees were authorized in 1935 by the Soil Conservation and Domestic Allotment Act to oversee and administer Agricultural Stabilization and Conservation Service programs and to consider administrative appeals.

The Farm Service Agency was established by the Federal Crop Insurance Reform and Department of Agriculture Reorganization Act of 1994 (P.L. 103-354), which authorized a reorganization of USDA. FSA was created by incorporating selected (primarily farm-related) programs from several agencies, including the Agricultural Stabilization and Conservation Service, the Federal Crop Insurance Corporation (now within the separate Risk Management Agency), and the Farmers Home Administration.

In 1995, community committees were dropped from the official structure of the county committee system after the reorganization. A county committee is deemed an area committee when county offices are closed and consolidated with another county office. The Farm Security and Rural Investment Act of 2002 (P.L. 107-171) expanded the authority of state, county, and area committee personnel to include making and servicing loans.

Members of Congress are sometimes called upon to nominate candidates for these positions. This report provides background on the nature of these positions.

State Executive Directors

State Executive Directors are excepted service (schedule C)[1] employees who are appointed by the Secretary of Agriculture under provisions of 5 CFR 213.3301 and serve at the pleasure of the Secretary. They are generally nominated by their state's congressional delegation. State Executive Directors participate in developing policies, and in planning, organizing, administering, and directing FSA programs and management activities in their respective states. They are also responsible for the day-to-day running of the state FSA office. State Executive Directors are paid at the GS-15 grade level with a salary range (as of 2009) of approximately $112,000-$145,000 annually, according to the General Schedule Salary Table for the "rest of U.S." geographic area.

State and County/Area Committees

FSA state, county, and community committees were authorized by Section 8(b)(5)(a) of the Soil Conservation and Domestic Allotment Act of 1935 (P.L. 74-46, 16 U.S.C. §590h(b)(5)). Community committees were dropped from the official structure of the county committee system in 1995. Area committees came into being more recently when some county offices were closed and consolidated with other county offices into an "area" office. State, county, and area committees share responsibility and work together to administer FSA programs (7 CFR 7). Each

[1] Schedule C positions are excepted from the competitive service because of their confidential or policy-determining nature.

committee meets approximately once a month. If committee members fail to perform their duties, commit fraud, are incompetent, solicit or receive money for political activities, or fail to comply with equal opportunity and civil rights policy, they can be removed from office.

State Committees

Members of Congress may submit a list of nominees from their congressional districts for the state committees to the Secretary of Agriculture. From this list the Secretary appoints between three and five members who are involved with farming in the state to serve for a term established by the Secretary. USDA has established one-year terms for state committees that expire on December 31. Once appointed, state committee members are intermittent USDA employees (part-time, not on a regular schedule) and are paid by the hour at the GS-14, step 1, salary rate. State committee chairpersons are paid at the GS-15, step 1, salary rate.

State committees have both administrative and operational responsibilities. State committees are responsible for administering various programs, including state agricultural conservation programs, production adjustment and price support programs, livestock programs, Agricultural Market Transition Act programs, and other programs assigned by the Secretary or Congress. Operational responsibilities include the efficient and orderly operations of county committees and county offices. State committees also conduct reviews, hear appeals, and are authorized to take corrective action if a county committee or county office employee fails to make an authorized program accessible and available to producers, fails to carry out a program according to regulations and directives, or does not provide the public with timely and reasonable service. State committees, in conjunction with the State Executive Director, also determine certain local program and administrative policies.

County/Area Committees

All information that pertains to county committees pertains to area committees, since area committees are county committees with jurisdiction of more than one county. When county offices are closed and consolidated with another county office, the county committee is deemed an area committee. The term "county" used in the following paragraphs also refers to area committees.

County committee nominees may be nominated by an eligible voter or a community-based organization representing socially disadvantaged farmers and ranchers, or they may nominate themselves. Eligible voters must be of legal voting age and be involved with farming, or be the spouse of a farmer or a representative of an entity involved in farming. County committee nominees can be a committee member with an expiring term or an eligible voter, but they cannot be persons who were dishonorably discharged from military service, removed from public office, convicted of fraud or larceny, a USDA employee, or a sales agent or employee of the Federal Crop Insurance Corporation. County committees now consist of three to eleven members, including the chairperson and vice chairperson. County committee members serve for three years and are paid at a level equivalent to the GS-6, step 1, grade level on an hourly basis. They are limited to 8 hours a month. Some committees meet monthly, others meet only a few times per year. County committee members are limited to three consecutive terms.

County committees are responsible for the agricultural conservation programs, the production adjustment and price support programs, livestock programs, and any other program as assigned.

Their duties consist of selecting the County Executive Director; reviewing, approving, and certifying applications, forms, reports, and documents; recommending and reviewing local administrative area boundaries; informing farmers and the public about FSA programs; providing committee data to other government agencies upon request; informing state committees and others in FSA about suggestions to programs made by farmers; conducting hearings as directed by state committees; and any other duties assigned to them.

The County Executive Director is a full-time USDA employee responsible for day-to-day county office operations. This includes staffing the county office; receiving, disposing of, and accounting for county office property and money; advising the county committee on election procedures; and assisting the county committee. County Executive Directors are paid under a grade scale that USDA uses for county employees, which is equivalent to the GS-11 and GS-12 grade level.

Author Contact Information

Carol Canada
Information Research Specialist
ccanada@crs.loc.gov, 7-7619