

**RHS, RBS, RUS, FSA, USDA**

**§ 2045.1754**

20250–1510. The phrase “FOIA AP-PEAL” should appear on the front of the envelope in capital letters.

**§§ 2018.256–2018.300 [Reserved]**

**PART 2045—GENERAL**

**Subparts A–II [Reserved]**

**Subpart JJ—Rural Development—Utilization of Gratuitous Services**

Sec.

2045.1751 General.

2045.1752 Policy.

2045.1753 Authority to accept gratuitous services.

2045.1754 Scope of gratuitous services performed.

2045.1755 Preparation and disposition of agreement forms.

2045.1756 Records and reports.

EXHIBIT A TO SUBPART JJ—AGREEMENT FORM

AUTHORITY: 7 U.S.C. 1989; 42 U.S.C. 1480.

SOURCE: 43 FR 3694, Jan. 27, 1978, unless otherwise noted.

**Subparts A–II [Reserved]**

**Subpart JJ—Rural Development—Utilization of Gratuitous Services**

**§ 2045.1751 General.**

Section 331(b) of the Consolidated Farm and Rural Development Act (Pub. L. 92–419), and section 506(a) of the Housing Act of 1949, empower the Secretary of Agriculture to accept and utilize voluntary and uncompensated services in carrying out the provisions of the above cited Acts. The Secretary has delegated those authorities to the Administrator of the Farmers Home Administration (FmHA) or its successor agency under Public Law 103–354 in 7 CFR 2.70(a) (1) and (2).

**§ 2045.1752 Policy.**

Voluntary and uncompensated (gratuitous) services may be accepted with the consent of the agency concerned, from the following sources under the conditions set forth in Exhibit A, “Agreement for Utilization of Employee of (*Enter Official Title of Governing Body or Other Authorized Organization*) By the Farmers Home Adminis-

tration or its successor agency under Public Law 103–354” (Agreement Form).

(a) Any agency of State government or of any territory or political subdivision.

(b) Non-profit, educational, and charitable organizations, provided that no partisan, political, or profit motive is involved either explicitly or implicitly.

**§ 2045.1753 Authority to accept gratuitous services.**

(a) State Directors, Director, Personnel Division, and Director, Finance Office, are hereby authorized to accept and utilize gratuitous services offered by the governmental agencies listed in § 2045.1752(a).

(b) An offer received by an FmHA or its successor agency under Public Law 103–354 State or County Office from a source listed in § 2045.1752(b) shall be transmitted to the National Office, Attention: Director, Personnel Division, for decision. The offer will be accompanied by copies of the Articles of Incorporation and By-laws (if the organization is incorporated), a statement that the organization accepts the conditions set forth in the Agreement Form, and evidence that the organization is financially able to meet the required fiscal obligations of the agreement.

**§ 2045.1754 Scope of gratuitous services performed.**

(a) Gratuitous services accepted in accordance with this subpart may be utilized to perform any function performed by regular FmHA or its successor agency under Public Law 103–354 employees (excluding Committee members). Such services must not result in the displacement of employees. Most of the gratuitous services should be performed at the County Office level and conform to a standard FmHA or its successor agency under Public Law 103–354 position description. A nonstandard position description may be developed and used, depending on current agency needs in a particular office and gratuitous skills available.

(b) Orientation and other training will be provided by FmHA or its successor agency under Public Law 103–354 so that gratuitous services may be performed in accordance with current