

**(4) Process**

Process in any proceeding under this subsection may be served in the United States judicial district in which the person being proceeded against resides or conducts business or wherever the person may be found.

(Pub. L. 103-190, §10, Dec. 14, 1993, 107 Stat. 2288.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 6802, 6807, 6808 of this title.

**§ 6810. Confidentiality**

**(a) Prohibition**

No information on how a person voted in a referendum conducted under this chapter shall be made public.

**(b) Penalty**

Any person who knowingly violates subsection (a) of this section or the confidentiality terms of an order, as described in section 6804(j)(2) of this title, shall be subject to a fine of not less than \$1,000 nor more than \$10,000 or to imprisonment for not more than 1 year, or both. If the person is an officer or employee of the Department of Agriculture or the PromoFlor Council, the person shall be removed from office.

**(c) Additional prohibition**

No information obtained under this chapter may be made available to any agency or officer of the Federal Government for any purpose other than the implementation of this chapter or an investigatory or enforcement action necessary for the implementation of this chapter.

**(d) Withholding information from Congress prohibited**

Nothing in this chapter shall be construed to authorize the withholding of information from Congress.

(Pub. L. 103-190, §11, Dec. 14, 1993, 107 Stat. 2288.)

**§ 6811. Authority for Secretary to suspend or terminate order**

If the Secretary finds that an order, or any provision of the order, obstructs or does not tend to effectuate the policy of this chapter specified in section 6801(b) of this title, the Secretary shall terminate or suspend the operation of the order or provision under such terms as the Secretary determines are appropriate.

(Pub. L. 103-190, §12, Dec. 14, 1993, 107 Stat. 2289.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 6802 of this title.

**§ 6812. Construction**

**(a) Termination or suspension not an order**

The termination or suspension of an order, or a provision of an order, shall not be considered an order under the meaning of this chapter.

**(b) Producer rights**

This chapter—

(1) may not be construed to provide for control of production or otherwise limit the right of individual cut flowers and cut greens pro-

ducers to produce cut flowers and cut greens; and

(2) shall be construed to treat all persons producing cut flowers and cut greens fairly and to implement any order in an equitable manner.

**(c) Other programs**

Nothing in this chapter may be construed to preempt or supersede any other program relating to cut flowers or cut greens promotion and consumer information organized and operated under the laws of the United States or a State.

(Pub. L. 103-190, §13, Dec. 14, 1993, 107 Stat. 2289.)

**§ 6813. Regulations**

The Secretary may issue such regulations as are necessary to carry out this chapter and the powers vested in the Secretary by this chapter, including regulations relating to the assessment of late payment charges and interest.

(Pub. L. 103-190, §14, Dec. 14, 1993, 107 Stat. 2289.)

**§ 6814. Authorization of appropriations**

**(a) In general**

There are authorized to be appropriated for each fiscal year such sums as are necessary to carry out this chapter.

**(b) Administrative expenses**

Funds appropriated under subsection (a) of this section may not be used for the payment of the expenses or expenditures of the PromoFlor Council in administering a provision of an order.

(Pub. L. 103-190, §15, Dec. 14, 1993, 107 Stat. 2289.)

**CHAPTER 98—DEPARTMENT OF AGRICULTURE REORGANIZATION**

Sec.	
6901.	Purpose.
6902.	Definitions.

**SUBCHAPTER I—GENERAL REORGANIZATION AUTHORITIES**

6911.	Transfer of Department functions to Secretary of Agriculture. (a) Transfer of functions. (b) Exceptions.
6912.	Authority of Secretary to delegate transferred functions. (a) Delegation of authority. (b) Cost-benefit analysis required for name change. (c) Public comment on proposed reorganization. (d) Interagency transfer of records, property, personnel, and funds. (e) Exhaustion of administrative appeals.
6913.	Reductions in number of Department personnel. (a) Definitions. (b) Number of reductions required. (c) Emphasis on headquarters offices reductions. (d) Schedule.
6914.	Consolidation of headquarters offices.
6915.	Combination of field offices. (a) Combination of offices required. (b) Joint use of resources and offices required.
6916.	Improvement of information sharing.
6917.	Reports by Secretary. (a) In general.

- Sec. 6918. Assistant Secretaries of Agriculture.
- (b) Limitation.  
(c) Selection of reports.
6919. Repealed.
6920. Office of Energy Policy and New Uses.
- SUBCHAPTER II—FARM AND FOREIGN AGRICULTURAL SERVICES**
6931. Under Secretary of Agriculture for Farm and Foreign Agricultural Services.
- (a) Authorization.  
(b) Confirmation required.  
(c) Functions of Under Secretary.  
(d) Succession.
6932. Consolidated Farm Service Agency.
- (a) Establishment.  
(b) Functions of Consolidated Farm Service Agency.  
(c) Special concurrence requirements for certain functions.  
(d) Jurisdiction over conservation program appeals.  
(e) Use of Federal and non-Federal employees.  
(f) Collocation.  
(g) Savings provision.
6933. Office of Risk Management.
- (a) Establishment.  
(b) Functions of Office of Risk Management.  
(c) Administrator.  
(d) Resources.
- SUBCHAPTER III—RURAL ECONOMIC AND COMMUNITY DEVELOPMENT**
6941. Under Secretary of Agriculture for Rural Development.
- (a) Authorization.  
(b) Confirmation required.  
(c) Functions of Under Secretary.  
(d) Succession.  
(e) Loan approval authority.
6942. Rural Utilities Service.
- (a) Establishment required.  
(b) Administrator.  
(c) Functions.
6943. Rural Housing and Community Development Service.
- (a) Establishment authorized.  
(b) Functions.
6944. Rural Business and Cooperative Development Service.
- (a) Establishment authorized.  
(b) Functions.
- SUBCHAPTER IV—FOOD, NUTRITION, AND CONSUMER SERVICES**
6951. Under Secretary of Agriculture for Food, Nutrition, and Consumer Services.
- (a) Authorization.  
(b) Confirmation required.  
(c) Functions of Under Secretary.  
(d) Succession.
- SUBCHAPTER V—NATURAL RESOURCES AND ENVIRONMENT**
6961. Under Secretary of Agriculture for Natural Resources and Environment.
- (a) Authorization.  
(b) Confirmation required.  
(c) Functions of Under Secretary.  
(d) Succession.
6962. Natural Resources Conservation Service.
- (a) Establishment.  
(b) Functions.  
(c) Special concurrence requirements for certain functions.
6931. Under Secretary of Agriculture for Farm and Foreign Agricultural Services.
- (d) Use of Federal and non-Federal employees.  
(e) Savings provision.
6963. Reorganization of Forest Service.
- (a) Required elements of reorganization proposals.  
(b) Report.
- SUBCHAPTER VI—RESEARCH, EDUCATION, AND ECONOMICS**
6971. Under Secretary of Agriculture for Research, Education, and Economics.
- (a) Authorization.  
(b) Confirmation required.  
(c) Functions of Under Secretary.  
(d) Cooperative State Research, Education, and Extension Service.
6972. Program staff.
- SUBCHAPTER VII—FOOD SAFETY**
6981. Under Secretary of Agriculture for Food Safety.
- (a) Establishment.  
(b) Functions of Under Secretary.  
(c) Omitted.  
(d) Technical and scientific review groups.
6982. Conditions for implementation of alterations in the level of additives allowed in animal diets.
- (a) Conditions.  
(b) Final rule described.
- SUBCHAPTER VIII—NATIONAL APPEALS DIVISION**
6991. Definitions.
6992. National Appeals Division and Director.
- (a) Establishment of Division.  
(b) Director.  
(c) Direction, control, and support.  
(d) Determination of appealability of agency decisions.  
(e) Division personnel.
6993. Transfer of functions.
6994. Notice and opportunity for hearing.
6995. Informal hearings.
6996. Right of participants to Division hearing.
- (a) Appeal to Division for hearing.  
(b) Time for appeal.
6997. Division hearings.
- (a) General powers of Director and hearing officers.  
(b) Time for hearing.  
(c) Location and elements of hearing.  
(d) Determination notice.  
(e) Effective date.
6998. Director review of determinations of hearing officers.
- (a) Requests for Director review.  
(b) Determination of Director.  
(c) Basis for determination.  
(d) Equitable relief.  
(e) Effective date.
6999. Judicial review.
7000. Implementation of final determinations of Division.
7001. Conforming amendments relating to National Appeals Division.
- (a) Decisions of State, county, and area committees.  
(b), (c) Omitted.
7002. Authorization of appropriations.
- SUBCHAPTER VIII—A—MARKETING AND REGULATORY PROGRAMS**
7005. Under Secretary of Agriculture for Marketing and Regulatory Programs.
- (a) Authorization.  
(b) Confirmation required.

- 6931. Under Secretary of Agriculture for Farm and Foreign Agricultural Services.
  - (c) Functions of Under Secretary.
  - (d) Succession.
- SUBCHAPTER IX—MISCELLANEOUS REORGANIZATION PROVISIONS
- 7011. Successorship provisions relating to bargain-in units and exclusive representatives.
  - (a) Voluntary agreement.
  - (b) Effect of an agreement.
  - (c) “Affected party” defined.
- 7012. Purchase of American-made equipment and products.
  - (a) Sense of Congress.
  - (b) Notice requirement.
- 7013. Proposed conforming amendments.
- 7014. Termination of authority.
  - (a) In general.
  - (b) Functions.

**§ 6901. Purpose**

The purpose of this chapter is to provide the Secretary of Agriculture with the necessary authority to streamline and reorganize the Department of Agriculture to achieve greater efficiency, effectiveness, and economies in the organization and management of the programs and activities carried out by the Department.

(Pub. L. 103-354, title II, §202, Oct. 13, 1994, 108 Stat. 3209.)

REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this title”, meaning title II of Pub. L. 103-354, Oct. 13, 1994, 108 Stat. 3209, known as the Department of Agriculture Reorganization Act of 1994. For complete classification of title II to the Code, see Short Title note below and Tables.

SHORT TITLE

Section 1(a) of Pub. L. 103-354 provided that: “This Act [see Tables for classification] may be cited as the ‘Federal Crop Insurance Reform and Department of Agriculture Reorganization Act of 1994’.”

Section 201(a) of title II of Pub. L. 103-354 provided that: “This title [see Tables for classification] may be cited as the ‘Department of Agriculture Reorganization Act of 1994’.”

**§ 6902. Definitions**

Except where the context requires otherwise, for purposes of this chapter:

**(1) Department**

The term “Department” means the Department of Agriculture.

**(2) National Appeals Division**

The term “National Appeals Division” means the National Appeals Division of the Department established under section 6992 of this title.

**(3) Secretary**

The term “Secretary” means the Secretary of Agriculture.

**(4) Function**

The term “function” means an administrative, financial, or regulatory activity of an agency, office, officer, or employee of the Department.

(Pub. L. 103-354, title II, §203, Oct. 13, 1994, 108 Stat. 3209.)

REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this title”, meaning title II of Pub. L. 103-354, Oct. 13, 1994, 108 Stat. 3209, known as the Department of Agriculture Reorganization Act of 1994. For complete classification of title II to the Code, see Short Title note set out under section 6901 of this title and Tables.

SUBCHAPTER I—GENERAL REORGANIZATION AUTHORITIES

**§ 6911. Transfer of Department functions to Secretary of Agriculture**

**(a) Transfer of functions**

Except as provided in subsection (b) of this section, there are transferred to the Secretary of Agriculture all functions of all agencies, offices, officers, and employees of the Department that are not already vested in the Secretary on October 13, 1994.

**(b) Exceptions**

Subsection (a) of this section shall not apply to the following functions:

(1) Functions vested by subchapter II of chapter 5 of title 5 in administrative law judges employed by the Department.

(2) Functions vested by the Inspector General Act of 1978 (5 U.S.C. App.) in the Inspector General of the Department.

(3) Functions vested by chapter 9 of title 31 in the Chief Financial Officer of the Department.

(4) Functions vested in the corporations of the Department or the boards of directors and officers of such corporations.

(5) Functions vested in the Corporate Board of the Alternative Agricultural Research and Commercialization Corporation by the Alternative Agricultural Research and Commercialization Act of 1990 (7 U.S.C. 5901 et seq.).

(Pub. L. 103-354, title II, §211, Oct. 13, 1994, 108 Stat. 3209; Pub. L. 104-127, title VII, §722(c), Apr. 4, 1996, 110 Stat. 1115.)

REFERENCES IN TEXT

The Inspector General Act of 1978, referred to in subsec. (b)(2), is Pub. L. 95-452, Oct. 12, 1978, 92 Stat. 1101, as amended, which is set out in the Appendix to Title 5, Government Organization and Employees.

The Alternative Agricultural Research and Commercialization Act of 1990, referred to in subsec. (b)(5), is subtitle G (§§1657-1664) of title XVI of Pub. L. 101-624, Nov. 28, 1990, 104 Stat. 3756, which is classified generally to subchapter VI (§5901 et seq.) of chapter 88 of this title. For complete classification of this Act to the Code, see section 5901(a) of this title and Tables.

AMENDMENTS

1996—Subsec. (b)(5). Pub. L. 104-127 substituted “Corporate Board of the Alternative Agricultural Research and Commercialization Corporation” for “Alternative Agricultural Research and Commercialization Board”.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 6912 of this title.

**§ 6912. Authority of Secretary to delegate transferred functions**

**(a) Delegation of authority**

**(1) Delegation authorized**

Subject to paragraph (2), the Secretary may delegate to any agency, office, officer, or em-