

§ 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.)

§ 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 producers 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.)

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§ 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 OF 2000 AMENDMENT

Pub. L. 106-222, §1, June 20, 2000, 114 Stat. 353, provided that: “This Act [enacting subchapter X of this chapter] may be cited as the ‘Freedom to E-File Act.’”

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.

(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; Pub. L. 107-171, title VI, §6201(d)(3), May 13, 2002, 116 Stat. 419.)

REFERENCES IN TEXT

The Inspector General Act of 1978, referred to in subsection (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.

AMENDMENTS

2002—Subsec. (b)(5). Pub. L. 107-171 struck out par. (5) which read as follows: “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.)”

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”.

§ 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 employee of the Department the authority to per-