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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.

(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 employee of the Department the authority to perform any function transferred to the Secretary under section 6911(a) of this title or any other function vested in the Secretary as of October 13, 1994. The authority provided in the preceding sentence includes the authority to establish, consolidate, alter, or discontinue any agency, office, or other administrative unit of the Department.

(2) Condition on authority

The delegation authority provided by paragraph (1) shall be subject to—

(A) sections 6942, 6971(d), 6993, and 2204e of this title and subsections (a) and (b)(1) of section 6981 of this title;

(B) sections 5692 and 5693 of this title; and

(C) section 590h(b)(5) of title 16.

(b) Cost-benefit analysis required for name change

(1) Analysis required

Except as provided in paragraph (2), the Secretary shall conduct a cost-benefit analysis before changing the name of any agency, office, division, or other unit of the Department to ensure that the benefits to be derived from changing the name of the agency, office, division, or other unit outweigh the expense of executing the name change.