

(b) Subpoenas, oaths, and affirmations**(1) Investigations**

For the purpose of making an investigation under subsection (a), the Secretary may administer oaths and affirmations, and issue subpoenas to require the production of any records that are relevant to the inquiry. The production of the records may be required from any place in the United States.

(2) Administrative hearings

For the purpose of an administrative hearing held under section 6807(a)(2) or 6808(c)(3) of this title, the presiding officer may administer oaths and affirmations, subpoena witnesses, compel the attendance of witnesses, take evidence, and require the production of any records that are relevant to the inquiry. The attendance of witnesses and the production of the records may be required from any place in the United States.

(c) Aid of courts**(1) In general**

In the case of contumacy by, or refusal to obey a subpoena issued under subsection (b) to, any person, the Secretary may invoke the aid of any court of the United States within the jurisdiction of which the investigation or proceeding is conducted, or where the person resides or conducts business, in order to enforce a subpoena issued under subsection (b).

(2) Order

The court may issue an order requiring the person referred to in paragraph (1) to comply with a subpoena referred to in paragraph (1).

(3) Failure to obey

Any failure to obey the order of the court may be punished by the court as a contempt of court.

(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.)

§ 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) 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.)

§ 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) 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.)

Editorial Notes

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.

Statutory Notes and Related Subsidiaries

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’.”