

thority 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’.”

##### SHORT TITLE

Pub. L. 103-354, §1(a), Oct. 13, 1994, 108 Stat. 3178, 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’.”

Pub. L. 103-354, title II, §201(a), Oct. 13, 1994, 108 Stat. 3209, 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.)

#### 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 set out under section 6901 of this title and Tables.

#### SUBCHAPTER I—GENERAL REORGANIZATION AUTHORITIES

#### § 6911. Repealed. Pub. L. 115-334, title XII, § 12414(a)(1), Dec. 20, 2018, 132 Stat. 4981

Section, 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, related to transfer of Department functions to Secretary of Agriculture.

#### Statutory Notes and Related Subsidiaries

##### CONSTRUCTION OF 2018 AMENDMENT

Pub. L. 115-334, title XII, §12414(c), Dec. 20, 2018, 132 Stat. 4981, provided that: “Nothing in the amendments made by this section [repealing sections 6911, 6913, 6914, 6917, 6935, 6963, 6972, and 7013 of this title] shall be construed as affecting—

“(1) the authority of the Secretary to continue to carry out a function vested in, and performed by, the Secretary as of the date of enactment of this Act [Dec. 20, 2018] under any provision of Federal law other than the provisions repealed by subsections (a) and (b); or

“(2) the authority of an agency, office, officer, or employee of the Department of Agriculture to continue to perform all functions delegated or assigned to the agency, office, officer, or employee as of the date of enactment of this Act any provision of Federal law other than the provisions repealed by subsections (a) and (b).”

#### § 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)<sup>1</sup> 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(f), 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.

###### (2) Exception

Paragraph (1) shall not apply with respect to any name change required or authorized by this chapter.

<sup>1</sup> See References in Text note below.

**(c) Public comment on proposed reorganization**

To the extent that the implementation of the authority provided to the Secretary by this chapter to reorganize the Department involves the creation of new agencies or offices within the Department or the delegation of major functions or major groups of functions to any agency or office of the Department (or the officers or employees of such agency or office), the Secretary shall, to the extent considered practicable by the Secretary—

(1) give appropriate advance public notice of the proposed reorganization action or delegation; and

(2) afford appropriate opportunity for interested parties to comment on the proposed reorganization action or delegation.

**(d) Interagency transfer of records, property, personnel, and funds****(1) Related transfers**

Subject to paragraph (2), as part of the transfer or delegation of a function of the Department made or authorized by this chapter, the Secretary may transfer within the Department—

(A) any of the records, property, or personnel affected by the transfer or delegation of the function; and

(B) unexpended balances (available or to be made available for use in connection with the transferred or delegated function) of appropriations, allocations, or other funds of the Department.

**(2) Applicable law relating to funds transfer**

Section 1531 of title 31 shall apply to any transfer of funds under paragraph (1).

**(e) Exhaustion of administrative appeals**

Notwithstanding any other provision of law, a person shall exhaust all administrative appeal procedures established by the Secretary or required by law before the person may bring an action in a court of competent jurisdiction against—

(1) the Secretary;

(2) the Department; or

(3) an agency, office, officer, or employee of the Department.

(Pub. L. 103-354, title II, §212, Oct. 13, 1994, 108 Stat. 3210; Pub. L. 110-234, title VII, §7511(c)(27), May 22, 2008, 122 Stat. 1270; Pub. L. 110-246, §4(a), title VII, §7511(c)(27), June 18, 2008, 122 Stat. 1664, 2031.)

**Editorial Notes****REFERENCES IN TEXT**

Section 6911 of this title, referred to in subsec. (a)(1), was repealed by Pub. L. 115-334, title XII, §12414(a)(1), Dec. 20, 2018, 132 Stat. 4981.

This chapter, referred to in subsecs. (b)(2), (c), and (d)(1), 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.

**CODIFICATION**

Pub. L. 110-234 and Pub. L. 110-246 made identical amendments to this section. The amendments by Pub.

L. 110-234 were repealed by section 4(a) of Pub. L. 110-246.

**AMENDMENTS**

2008—Subsec. (a)(2)(A). Pub. L. 110-246, §7511(c)(27), substituted “6971(f),” for “6971(d),”.

**Statutory Notes and Related Subsidiaries****EFFECTIVE DATE OF 2008 AMENDMENT**

Amendment of this section and repeal of Pub. L. 110-234 by Pub. L. 110-246 effective May 22, 2008, the date of enactment of Pub. L. 110-234, except as otherwise provided, see section 4 of Pub. L. 110-246, set out as an Effective Date note under section 8701 of this title.

Amendment by section 7511(c)(27) of Pub. L. 110-246 effective Oct. 1, 2009, see section 7511(c) of Pub. L. 110-246, set out as a note under section 1522 of this title.

**§§ 6913, 6914. Repealed. Pub. L. 115-334, title XII, § 12414(a)(2), (3), Dec. 20, 2018, 132 Stat. 4981**

Section 6913, Pub. L. 103-354, title II, §213, Oct. 13, 1994, 108 Stat. 3211, related to reductions in number of Department personnel.

Section 6914, Pub. L. 103-354, title II, §214, Oct. 13, 1994, 108 Stat. 3211, related to consolidation of headquarters offices.

**§ 6915. Combination of field offices****(a) Combination of offices required**

Where practicable and to the extent consistent with efficient, effective, and improved service, the Secretary shall combine field offices of agencies within the Department to reduce personnel and duplicative overhead expenses.

**(b) Joint use of resources and offices required**

When two or more agencies of the Department share a common field office, the Secretary shall require the agencies to jointly use office space, equipment, office supplies, administrative personnel, and clerical personnel associated with that field office.

(Pub. L. 103-354, title II, §215, Oct. 13, 1994, 108 Stat. 3211.)

**§ 6916. Improvement of information sharing**

Whenever the Secretary procures or uses computer systems, as may be provided for in advance in appropriations Acts, the Secretary shall do so in a manner that enhances efficiency, productivity, and client services and is consistent with the goal of promoting computer information sharing among agencies of the Department.

(Pub. L. 103-354, title II, §216, Oct. 13, 1994, 108 Stat. 3212.)

**§ 6917. Repealed. Pub. L. 115-334, title XII, § 12414(a)(4), Dec. 20, 2018, 132 Stat. 4981**

Section, Pub. L. 103-354, title II, §217, Oct. 13, 1994, 108 Stat. 3212, related to reports by Secretary.

**§ 6918. Assistant Secretaries of Agriculture****(a) Authorization**

The Secretary is authorized to establish in the Department the positions of—

(1) Assistant Secretary of Agriculture for Congressional Relations and Intergovernmental Affairs;