

(b) Functions

Subsection (a) shall not affect:

(1) The authority of the Secretary to continue to carry out a function that the Secretary performs on the date that is 2 years after October 13, 1994.

(2) The authority delegated to the Secretary under Reorganization Plan No. 2 of 1953 (5 U.S.C. App.; 7 U.S.C. 2201 note).

(3) The authority of an agency, office, officer, or employee of the Department to continue to perform all functions delegated or assigned to the entity or person as of that termination date.

(4) The authority of the Secretary to establish in the Department the position of Under Secretary of Agriculture for Marketing and Regulatory Programs under section 7005 of this title.

(5) The authority of the Secretary to establish within the Department the position of Assistant Secretary of Agriculture for Civil Rights, and delegate duties to the Assistant Secretary, under section 6918 of this title.

(6) The authority of the Secretary to establish in the Department, under section 6971 of this title—

(A) the position of Under Secretary of Agriculture for Research, Education, and Economics;

(B) the Research, Education, and Extension Office; and

(C) the National Institute of Food and Agriculture.

(7) The authority of the Secretary to establish in the Department the Office of Advocacy and Outreach in accordance with section 6934 of this title.

(8) The authority of the Secretary to carry out amendments made to this chapter by the Agricultural Act of 2014.

(Pub. L. 103-354, title II, §296, Oct. 13, 1994, 108 Stat. 3238; Pub. L. 105-277, div. A, §101(a) [title X, §1001(4)], Oct. 21, 1998, 112 Stat. 2681, 2681-42; Pub. L. 107-171, title X, §10704(c), May 13, 2002, 116 Stat. 518; Pub. L. 110-234, title VII, §7511(b), title XIV, §14013(b), May 22, 2008, 122 Stat. 1267, 1453; Pub. L. 110-246, §4(a), title VII, §7511(b), title XIV, §14013(b), June 18, 2008, 122 Stat. 1664, 2028, 2215; Pub. L. 113-79, title I, §1610(b), Feb. 7, 2014, 128 Stat. 710.)

REFERENCES IN TEXT

This chapter, referred to in subsecs. (a) and (b)(8), 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.

Reorganization Plan No. 2 of 1953, referred to in subsection (b)(2), is Reorg. Plan No. 2 of 1953, June 4, 1953, 18 F.R. 3219, 67 Stat. 633, as amended, which is set out as a note under section 2201 of this title.

The Agricultural Act of 2014, referred to in subsection (b)(8), is Pub. L. 113-79, Feb. 7, 2014, 128 Stat. 649. For complete classification of this Act to the Code, see Short Title note set out under section 9001 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

2014—Subsec. (b). Pub. L. 113-79, §1610(b)(2)-(4), substituted “The authority” for “the authority” in pars. (1) to (7), a period for semicolon at end of pars. (1) to (5), and a period for “; or” at end of par. (6)(C).

Pub. L. 113-79, §1610(b)(1), substituted “affect:” for “affect—” in introductory provisions.

Subsec. (b)(8). Pub. L. 113-79, §1610(b)(5), added par. (8).

2008—Subsec. (b)(6). Pub. L. 110-246, §7511(b), added par. (6).

Subsec. (b)(7). Pub. L. 110-246, §14013(b), added par. (7).

2002—Subsec. (b)(5). Pub. L. 107-171 added par. (5).

1998—Subsec. (b)(4). Pub. L. 105-277 added par. (4).

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, see section 4 of Pub. L. 110-246, set out as an Effective Date note under section 8701 of this title.

SUBCHAPTER X—FREEDOM TO E-FILE

CODIFICATION

This subchapter was enacted as part of the Freedom to E-File Act, and not as part of the Department of Agriculture Reorganization Act of 1994 which in part comprises this chapter.

§ 7031. Electronic filing and retrieval**(a) In general**

Not later than 180 days after June 20, 2000, in accordance with subsection (c), the Secretary of Agriculture (referred to in this subchapter as the “Secretary”) shall, to the maximum extent practicable, establish an Internet-based system that enables agricultural producers to access all forms of the agencies of the Department of Agriculture (referred to in this subchapter as the “Department”) specified in subsection (b).

(b) Applicability

The agencies referred to in subsection (a) are the following:

(1) The Farm Service Agency.

(2) The Natural Resources Conservation Service.

(3) The rural development components of the Department included in the Secretary’s service center initiative regarding State and field office collocation implemented pursuant to section 6915 of this title.

(4) The agricultural producer programs component of the Commodity Credit Corporation administered by the Farm Service Agency and the Natural Resources Conservation Service.

(c) Implementation

In carrying out subsection (a), the Secretary shall—

(1) provide a method by which agricultural producers may—

(A) download from the Internet the forms of the agencies specified in subsection (b); and

(B) submit completed forms via electronic facsimile, mail, or similar means;

(2) redesign the forms by incorporating into the forms user-friendly formats and self-help guidance materials; and

(3) ensure that the agencies specified in subsection (b)—

(A) use computer hardware and software that is compatible among the agencies and will operate in a common computing environment; and

(B) develop common Internet user-interface locations and applications to consolidate the agencies' news, information, and program materials.

(d) Progress reports

Not later than 180 days after June 20, 2000, the Secretary shall submit to Congress a report that describes the progress made toward implementing the Internet-based system required under this section.

(Pub. L. 106-222, §2, June 20, 2000, 114 Stat. 353.)

§ 7032. Accessing information and filing over the Internet

(a) In general

Not later than 2 years after June 20, 2000, in accordance with subsection (b), the Secretary shall expand implementation of the Internet-based system established under section 7031 of this title by enabling agricultural producers to access and file all forms and, at the option of the Secretary, selected records and information of the agencies of the Department specified in section 7031(b) of this title.

(b) Implementation

In carrying out subsection (a), the Secretary shall ensure that an agricultural producer is able—

(1) to file electronically or in paper form, at the option of the agricultural producer, all forms required by agencies of the Department specified in section 7031(b) of this title;

(2) to file electronically or in paper form, at the option of the agricultural producer, all documentation required by agencies of the Department specified in section 7031(b) of this title and determined appropriate by the Secretary; and

(3) to access information of the Department concerning farm programs, quarterly trade, economic, and production reports, and other similar production agriculture information that is readily available to the public in paper form.

(Pub. L. 106-222, §3, June 20, 2000, 114 Stat. 354.)

§ 7033. Availability of agency information technology funds

(a) Reservation of funds

From funds made available for agencies of the Department specified in section 7031(b) of this title for information technology or information resource management, the Secretary shall reserve from those agencies' applicable accounts a total amount equal to not more than the following:

(1) For fiscal year 2001, \$3,000,000.

(2) For each subsequent fiscal year, \$2,000,000.

(b) Time for reservation

The Secretary shall notify Congress of the amount to be reserved under subsection (a) for a

fiscal year not later than December 1 of that fiscal year.

(c) Use of funds

(1) Establishment

Funds reserved under subsection (a) shall be used to establish the Internet-based system required under section 7031 of this title and to expand the system as required by section 7032 of this title.

(2) Maintenance

Once the system is established and operational, reserved amounts shall be used for maintenance and improvement of the system.

(d) Return of funds

Funds reserved under subsection (a) and unobligated at the end of the fiscal year shall be returned to the agency from which the funds were reserved, to remain available until expended.

(Pub. L. 106-222, §4, June 20, 2000, 114 Stat. 354.)

§ 7034. Federal Crop Insurance Corporation and Risk Management Agency

(a) In general

Not later than December 1, 2000, the Federal Crop Insurance Corporation and the Risk Management Agency shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a plan, that is consistent with this subchapter, to allow agricultural producers to—

(1) obtain, over the Internet, from approved insurance providers all forms and other information concerning the program under the jurisdiction of the Corporation and Agency in which the agricultural producer is a participant; and

(2) file electronically all paperwork required for participation in the program.

(b) Administration

The plan shall—

(1) conform to sections 7031(c) and 7032(b) of this title; and

(2) prescribe—

(A) the location and type of data to be made available to agricultural producers;

(B) the location where agricultural producers can electronically file their paperwork; and

(C) the responsibilities of the applicable parties, including agricultural producers, the Risk Management Agency, the Federal Crop Insurance Corporation, approved insurance providers, crop insurance agents, and brokers.

(c) Implementation

Not later than December 1, 2001, the Federal Crop Insurance Corporation and the Risk Management Agency shall complete implementation of the plan submitted under subsection (a).

(Pub. L. 106-222, §5, June 20, 2000, 114 Stat. 355.)

§ 7035. Confidentiality

In carrying out this subchapter, the Secretary—