

7 USC Ch. 88: RESEARCH**From Title 7—AGRICULTURE****CHAPTER 88—RESEARCH****SUBCHAPTER I—SUSTAINABLE AGRICULTURE RESEARCH AND EDUCATION**

Sec.

5801. Purpose and definitions.

PART A—BEST UTILIZATION OF BIOLOGICAL APPLICATIONS

5811. Research and extension projects.

5812. Program administration.

5813. Federal-State matching grant program.

5814. Authorization of appropriations.

PART B—INTEGRATED MANAGEMENT SYSTEMS

5821. Integrated management systems.

5822. Repealed.

PART C—SUSTAINABLE AGRICULTURE TECHNOLOGY DEVELOPMENT AND TRANSFER PROGRAM

5831. Technical guides and handbooks.

5832. National Training Program.

SUBCHAPTER II—NATIONAL GENETIC RESOURCES PROGRAM

5841. Establishment, purpose, and functions of National Genetic Resources Program.

5842. Appointment and authority of Director.

5843. Advisory council.

5844. Definitions and authorization of appropriations.

SUBCHAPTER III—NATIONAL AGRICULTURAL WEATHER INFORMATION SYSTEM

5851. Short title and purposes.

5852. Agricultural Weather Office.

5853. Repealed.

5854. State agricultural weather information systems.

5855. Funding.

5856. Improvements to United States Drought Monitor.

SUBCHAPTER IV—RESEARCH REGARDING PRODUCTION, PREPARATION, PROCESSING, HANDLING, AND STORAGE OF AGRICULTURAL PRODUCTS

5871 to 5874. Repealed.

SUBCHAPTER V—PLANT AND ANIMAL PEST AND DISEASE CONTROL PROGRAM

5881 to 5885. Repealed.

SUBCHAPTER VI—ALTERNATIVE AGRICULTURAL RESEARCH AND COMMERCIALIZATION

5901 to 5909. Repealed.

SUBCHAPTER VII—MISCELLANEOUS RESEARCH PROVISIONS

5921. Biotechnology risk assessment research.

5921a to 5923. Repealed.

5924. Agricultural Genome to Phenome Initiative.

5925. High-priority research and extension initiatives.

- 5925a. Repealed.
- 5925b. Organic agriculture research and extension initiative.
- 5925c. Organic production and market data initiatives.
- 5925d. International organic research collaboration.
- 5925e. Repealed.
- 5925f. Farm business management.
- 5925g. Urban, indoor, and other emerging agricultural production research, education, and extension initiative.
- 5926. Centers of excellence.
- 5927 to 5929. Repealed.
- 5930. Reservation extension agents.
- 5931, 5932. Repealed.
- 5933. Assistive technology program for farmers with disabilities.
- 5934, 5935. Repealed.
- 5936. Farm and Ranch Stress Assistance Network.
- 5937. Natural products research program.
- 5938. Repealed.
- 5939. Foundation for Food and Agriculture Research.
- 5940. Legitimacy of industrial hemp research.
- 5941. Purchase of cultures for soil and fertilizer investigations.
- 5942. Wheat and feed grains research; regional and national research programs; utilization of services of Federal, State and private agencies; authorization of appropriations.
- 5943. Rice research.

SUBCHAPTER I—SUSTAINABLE AGRICULTURE RESEARCH AND EDUCATION

§5801. Purpose and definitions

(a) Purpose

It is the purpose of this subchapter to encourage research designed to increase our knowledge concerning agricultural production systems that—

- (1) maintain and enhance the quality and productivity of the soil;
- (2) conserve soil, water, energy, natural resources, and fish and wildlife habitat;
- (3) maintain and enhance the quality of surface and ground water;
- (4) protect the health and safety of persons involved in the food and farm system;
- (5) promote the well being of animals; and
- (6) increase employment opportunities in agriculture.

(b) Definitions

For purposes of this subchapter:

- (1) The term "sustainable agriculture" shall have the same meaning given to that term by section 3103 of this title.
- (2) The term "integrated crop management" means an agricultural management system that integrates all controllable agricultural production factors for long-term sustained productivity, profitability, and ecological soundness.
- (3) The term "integrated resource management" means livestock management which utilizes an interdisciplinary systems approach which integrates all controllable agricultural production practices to provide long-term sustained productivity and profitable production of safe and wholesome food in an environmentally sound manner.
- (4) The term "agribusiness" includes a producer or organization engaged in an agricultural enterprise with a profit motive.
- (5) The term "extension" shall have the same meaning given to that term by section 3103 of this title.
- (6) The term "Secretary" means the Secretary of Agriculture.
- (7) The term "State" means each of the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Virgin Islands of the United States, American Samoa, the Commonwealth of the Northern Mariana Islands, the Trust Territory of the Pacific Islands, or federally recognized Indian tribes.
- (8) The term "State agricultural experiment stations" shall have the same meaning given to that term by section 3103 of this title.
- (9) The term "nonprofit organization" means an organization, group, institute, or institution that—
 - (A) has a demonstrated capacity to conduct agricultural research or education programs;
 - (B) has experience in research, demonstration, education, or extension in sustainable agricultural practices and systems; and

(C) qualifies as a nonprofit organization under section 501(c) of title 26.

(Pub. L. 101–624, title XVI, §1619, Nov. 28, 1990, 104 Stat. 3733; Pub. L. 102–237, title IV, §407(2), Dec. 13, 1991, 105 Stat. 1864; Pub. L. 104–127, title VIII, §860(c)(1), Apr. 4, 1996, 110 Stat. 1173; Pub. L. 110–234, title VII, §7101(b)(5), May 22, 2008, 122 Stat. 1213; Pub. L. 110–246, §4(a), title VII, §7101(b)(5), June 18, 2008, 122 Stat. 1664, 1975.)

REFERENCES IN TEXT

This subchapter, referred to in subsecs. (a) and (b), was in the original "this subtitle", meaning subtitle B (§§1619–1629) of title XVI of Pub. L. 101–624, Nov. 28, 1990, 104 Stat. 3733, which enacted this subchapter, repealed sections 4701 to 4710 of this title, and repealed provisions set out as a note under section 4701 of this title. For complete classification of subtitle B to the Code, see 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. (b)(1). Pub. L. 110–246, §7101(b)(5)(A), substituted "section 3103" for "section 3103(17)".

Subsec. (b)(5). Pub. L. 110–246, §7101(b)(5)(B), substituted "section 3103" for "section 3103(7)".

Subsec. (b)(8). Pub. L. 110–246, §7101(b)(5)(C), substituted "section 3103" for "section 3103(13)".

1996—Subsec. (b)(7) to (10). Pub. L. 104–127 redesignated pars. (8) to (10) as (7) to (9), respectively, and struck out former par. (7) which read as follows: "The term 'Advisory Council' means the National Sustainable Agriculture Advisory Council established under section 5812(c) of this title."

1991—Subsec. (b)(8). Pub. L. 102–237 substituted "Mariana Islands" for "Marianas Islands".

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.

SHORT TITLE OF 1976 AMENDMENT

Pub. L. 94–214, §1, Feb. 16, 1976, 90 Stat. 181, provided that: "This Act [see Tables for classification] may be cited as the 'Rice Production Act of 1975'."

TERMINATION OF TRUST TERRITORY OF THE PACIFIC ISLANDS

For termination of Trust Territory of the Pacific Islands, see note set out preceding section 1681 of Title 48, Territories and Insular Possessions.

PART A—BEST UTILIZATION OF BIOLOGICAL APPLICATIONS

§5811. Research and extension projects

(a) Projects required

The Secretary shall conduct research and extension projects to obtain data, develop conclusions, demonstrate technologies, and conduct educational programs that promote the purposes of this part, including research and extension projects that—

(1) facilitate and increase scientific investigation and education in order to—

(A) reduce, to the extent feasible and practicable, the use of chemical pesticides, fertilizers, and toxic natural materials in agricultural production;

(B) improve low-input farm management to enhance agricultural productivity, profitability, and competitiveness; and

(C) promote crop, livestock, and enterprise diversification; and

(2) facilitate the conduct of projects in order to—

(A) study, to the extent practicable, agricultural production systems that are located in areas that possess various soil, climate, and physical characteristics;

(B) study farms that have been, and will continue to be, managed using farm production practices that rely on low-input and conservation practices;

(C) take advantage of the experience and expertise of farmers and ranchers through their direct participation and leadership in projects;

(D) transfer practical, reliable and timely information to farmers and ranchers concerning low-input sustainable farming practices and systems; and

(E) promote a partnership between farmers, nonprofit organizations, agribusiness, and public and private research and extension institutions.

(b) Agreements

The Secretary shall carry out this section through agreements entered into with land-grant colleges or universities, other universities, State agricultural experiment stations, the State cooperative extension services, nonprofit organizations with demonstrable expertise, or Federal or State governmental entities.

(c) Selection of projects

(1) In general

The Secretary shall select research and extension projects to be conducted under this section on the basis of—

(A) the relevance of the project to the purposes of this part;

(B) the appropriateness of the design of the project;

(C) the likelihood of obtaining the objectives of the project; and

(D) the national or regional applicability of the findings and outcomes of the proposed project.

(2) Priority

In conducting projects under this section, the Secretary shall give priority to projects that—

(A) closely coordinate research and extension activities;

(B) indicate the manner in which the findings of the project will be made readily usable by farmers;

(C) maximize the involvement and cooperation of farmers, including projects involving on-farm research and demonstration;

(D) involve a multidisciplinary systems approach; and

(E) involve cooperation between farms, non-profit organizations, colleges and universities, and government agencies.

(d) Diversification of research

The Secretary shall conduct projects and studies under this section in areas that are broadly representative of the diversity of United States agricultural production, including production on family farms, mixed-crop livestock farms and dairy operations.

(e) On-farm research

The Secretary may conduct projects and activities that involve on-farm research and demonstration in carrying out this section.

(f) Impact studies

The Secretary may approve study projects concerning the national and regional economic, global competitiveness, social and environmental implications of the adoption of low-input sustainable agricultural practices and systems.

(g) Project duration

(1) In general

The Secretary may approve projects to be conducted under this section that have a duration of more than one fiscal year.

(2) Sequence planting

In the case of a research project conducted under this section that involves the planting of a sequence of crops or crop rotations, the Secretary shall approve such projects for a term that is appropriate to the sequence or rotation being studied.

(h) Public access

The Secretary shall ensure that research projects conducted under this section are open for public observation at specified times.

(i) Indemnification

(1) In general

Subject to paragraph (2), the Secretary may indemnify the operator of a project conducted under this section for damage incurred or undue losses sustained as a result of a rigid requirement of research or demonstration under such project that is not experienced in normal farming operations.

(2) Subject to agreement

An indemnity payment under paragraph (1) shall be subject to any agreement between a project grantee and operator entered into prior to the initiation of such project.

(Pub. L. 101–624, [title XVI, §1621](#), Nov. 28, 1990, 104 Stat. 3734; Pub. L. 104–127, [title VIII, §860\(c\)\(2\)](#), Apr. 4, 1996, 110 Stat. 1173.)

AMENDMENTS

1996—Subsec. (c)(1). Pub. L. 104–127, §860(c)(2)(A), redesignated subpars. (B) to (E) as (A) to (D), respectively, and struck out former subpar. (A) which read as follows: "the recommendations of the Advisory Council;"

Subsec. (c)(2). Pub. L. 104–127, §860(c)(2)(B), redesignated subpars. (B) to (F) as (A) to (E), respectively, and struck out former subpar. (A) which read as follows: "are recommended by the Advisory Council;"

§5812. Program administration

(a) Duties of Secretary

The Secretary shall—

- (1) administer the programs and projects conducted under sections 5811 and 5813 of this title through the National Institute of Food and Agriculture, Agricultural Research Service, and other appropriate agencies;
- (2) establish a minimum of four Regional Administrative Councils in accordance with subsection (b); and
- (3) in conjunction with such Regional Administrative Councils, identify regional host institutions required to carry out such programs or projects.

(b) Regional Administrative Councils

(1) Membership

The membership of the Regional Administrative Councils shall include representatives of—

- (A) the Agricultural Research Service;
- (B) the National Institute of Food and Agriculture;
- (C) State cooperative extension services;
- (D) State agricultural experiment stations;
- (E) the Soil Conservation Service;
- (F) State departments engaged in sustainable agriculture programs;
- (G) nonprofit organizations with demonstrable expertise;
- (H) farmers utilizing systems and practices of sustainable agriculture;
- (I) agribusiness;
- (J) the State or United States Geological Survey; and
- (K) other persons knowledgeable about sustainable agriculture and its impact on the environment and rural communities.

(2) Responsibilities

The Regional Administrative Councils shall—

- (A) promote the programs established under this subchapter at the regional level;
- (B) establish goals and criteria for the selection of projects authorized under this subchapter within the applicable region;
- (C) appoint a technical committee to evaluate the proposals for projects to be considered under this subchapter by such council;
- (D) review and act on the recommendations of the technical committee, and coordinate its activities with the regional host institution; and
- (E) prepare and make available an annual report concerning projects funded under sections 5811 and 5813 of this title, together with an evaluation of the project activity.

(3) Conflict of interest

A member of the Regional Administrative Council or a technical committee may not participate in the discussion or recommendation of proposed projects if the member has or had a professional or business interest in, including the provision of consultancy services, the organization whose grant application is under review.

(Pub. L. 101–624, [title XVI, §1622](#), Nov. 28, 1990, 104 Stat. 3736; Pub. L. 104–127, [title VIII, §860\(a\), \(b\)](#), Apr. 4, 1996, 110 Stat. 1173; Pub. L. 110–234, [title VII, §7511\(c\)\(15\)](#), May 22, 2008, 122 Stat. 1268; Pub. L. 110–246, [§4\(a\)](#), title VII, [§7511\(c\)\(15\)](#), June 18, 2008, 122 Stat. 1664, 2030.)

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)(1). Pub. L. 110–246, §7511(c)(15)(A), substituted "the National Institute of Food and Agriculture" for "the Cooperative State Research Service in close cooperation with the Extension Service".

Subsec. (b)(1)(B) to (L). Pub. L. 110–246, §7511(c)(15)(B), added subpar. (B), redesignated former subpars. (D) to (L) as (C) to (K), respectively, and struck out former subpars. (B) and (C) which read as follows:

"(B) the Cooperative State Research Service;

"(C) the Extension Service;"

1996—Subsec. (a)(2) to (4). Pub. L. 104–127, §860(b)(1), redesignated pars. (3) and (4) as (2) and (3), respectively, substituted "subsection (b)" for "subsection (e)" in par. (2), and struck out former par. (2) which read as follows: "establish the Advisory Council in accordance with subsection (c) of this section;"

Subsec. (b). Pub. L. 104–127, §860(a), (b)(3), redesignated subsec. (e) as (b) and struck out former subsec. (b) which required Secretary, not later than Apr. 1, 1991, and each April 1 thereafter, to prepare and submit to congressional committees and to Advisory Council report describing results of programs carried out under sections 5811, 5813, and 5821 of this title and report describing progress of projects conducted under this subchapter.

Subsec. (b)(2). Pub. L. 104–127, §860(b)(4), redesignated subpars. (B) to (F) as (A) to (E), respectively, and struck out former subpar. (A) which read as follows: "make recommendations to the Advisory Council concerning research and extension projects that merit funding under sections 5811 and 5813 of this title;"

Subsecs. (c) to (e). Pub. L. 104–127, §860(b)(2), (3), redesignated subsec. (e) as (b) and struck out subsec. (c) which provided for membership of the National Sustainable Agriculture Advisory Council and subsec. (d) which set forth responsibilities of Advisory Council.

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)(15) 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.

§5813. Federal-State matching grant program

(a) Establishment

The Secretary shall establish a Federal-State matching grant program to make grants to States to assist in the creation or enhancement of State sustainable agriculture research, extension, and education programs, in furtherance of this subchapter.

(b) Eligible programs and activities

States eligible to receive a grant under this section may conduct a variety of activities designed to carry out the purpose of this subchapter, including—

- (1) activities that encourage the incorporation and integration of sustainable agriculture concerns in all State research, extension, and education projects;
- (2) educational programs for farmers, educators, and the public;
- (3) the development and funding of innovative research, extension, and education programs regarding sustainable agriculture;
- (4) the conduct of research and demonstration projects;
- (5) the provision of technical assistance to farmers and ranchers;
- (6) activities that encourage farmer-to-farmer information exchanges;
- (7) the incorporation of sustainable agriculture studies in undergraduate and graduate degree programs; and
- (8) such other activities that are appropriate to the agricultural concerns of the State that are consistent with the purpose of this part.

(c) Submission of plan

(1) Required

States that elect to apply for a grant under this section shall prepare and submit, to the appropriate Regional Administrative Council established under section 5812 of this title, a State plan and schedule for approval by such council and the Secretary.

(2) Elements of plan

State plans prepared under paragraph (1) shall provide details of the proposed program to be implemented using funds provided under this section for fiscal years 1991 through 1995, or any 5-year period thereafter, and shall identify the sources of matching State funds for the same fiscal year.

(3) Participation of farmers

To be eligible for approval, State plans submitted under this subsection shall demonstrate that there will be extensive and direct participation of farmers in the development, implementation, and evaluation of the program.

(d) Grant award**(1) Limits**

Subject to paragraph (2), the Secretary shall provide grants to eligible States in an amount not to exceed 50 percent of the cost of the establishment or enhancement of a State sustainable agriculture program under a plan approved by the Secretary under subsection (c) for a period not to exceed 5 years.

(2) State contribution

To be eligible to receive a grant under this section, a State shall agree to pay, from State appropriated funds, other State revenue, or from private contributions received by the State, not less than 50 percent of the cost of the establishment or enhancement of the sustainable agriculture program under an approved plan under subsection (c).

(Pub. L. 101–624, title XVI, §1623, Nov. 28, 1990, 104 Stat. 3738; Pub. L. 113–79, title VII, §7128(b)(2)(A), Feb. 7, 2014, 128 Stat. 878; Pub. L. 115–334, title VII, §7614(b)(2)(A), Dec. 20, 2018, 132 Stat. 4834.)

AMENDMENTS

2018—Subsec. (d)(2). Pub. L. 115–334 struck out at end "The matching funds requirement under section 3371 of this title shall not apply to grants awarded under this section."

2014—Subsec. (d)(2). Pub. L. 113–79 inserted at end "The matching funds requirement under section 3371 of this title shall not apply to grants awarded under this section."

EFFECTIVE DATE OF 2018 AMENDMENT

Amendment by Pub. L. 115–334 applicable to grants, cooperative agreements, or other awards made after Dec. 20, 2018, with matching funds requirement in effect on Dec. 20, 2018, to continue to apply to such grant, cooperative agreement, or other award, see section 7614(c) of Pub. L. 115–334, set out as a note under section 3151 of this title.

§5814. Authorization of appropriations

There are authorized to be appropriated to carry out this part \$40,000,000 for each of fiscal years 2013 through 2023. Of amounts appropriated to carry out this part for a fiscal year, not less than \$15,000,000, or not less than two thirds of any such appropriation, whichever is greater, shall be used to carry out sections 5811 and 5812 of this title.

(Pub. L. 101–624, title XVI, §1624, Nov. 28, 1990, 104 Stat. 3739; Pub. L. 102–237, title IV, §408, Dec. 13, 1991, 105 Stat. 1865; Pub. L. 113–79, title VII, §7201, Feb. 7, 2014, 128 Stat. 880; Pub. L. 115–334, title VII, §7201, Dec. 20, 2018, 132 Stat. 4803.)

AMENDMENTS

2018—Pub. L. 115–334 substituted "2023" for "2018".

2014—Pub. L. 113–79, in first sentence, struck out "\$40,000,000 for each fiscal year" after "appropriated" and inserted "\$40,000,000 for each of fiscal years 2013 through 2018" after "part".

1991—Pub. L. 102–237 substituted "and 5812" for "and 5813".

PART B—INTEGRATED MANAGEMENT SYSTEMS**§5821. Integrated management systems****(a) Establishment**

The Secretary shall establish a research and education program concerning integrated resource management and integrated crop management in order to enhance research related to farming operations, practices, and systems that optimize crop and livestock production potential and are environmentally sound. The purpose of the program shall be —

(1) to encourage producers to adopt integrated crop and livestock management practices and systems that minimize or abate adverse environmental impacts, reduce soil erosion and loss of water and nutrients, enhance the efficient use of on-farm and off-farm inputs, and maintain or increase profitability and long-term productivity;

(2) to develop knowledge and information on integrated crop and livestock management systems and practices to assist agricultural producers in the adoption of these systems and practices;

(3) to accumulate and analyze information on agricultural production practices researched or developed under programs established under this subchapter, chapter 86 of this title,¹ and other appropriate programs of the Department of Agriculture to further the development of integrated crop and livestock management systems;

(4) to facilitate the adoption of whole-farm integrated crop and livestock management systems through demonstration projects on individual farms, including small and limited resource farms, throughout the United States; and

(5) to evaluate and recommend appropriate integrated crop and livestock management policies and programs.

(b) Development and adoption of integrated crop management practices

The Secretary shall encourage agricultural producers to adopt and develop individual, site-specific integrated crop management practices. On a priority basis, the Secretary shall develop and disseminate information on integrated crop management systems for agricultural producers in specific localities or crop producing regions where the Secretary determines—

- (1) water quality is impaired as a result of local or regional agricultural production practices; or
- (2) the adoption of such practices may aid in the recovery of endangered or threatened species.

(c) Development and adoption of integrated resource management practices

The Secretary shall, on a priority basis, develop programs to encourage livestock producers to develop and adopt individual, site-specific integrated resource management practices. These programs shall be designed to benefit producers and consumers through—

- (1) optimum use of available resources and improved production and financial efficiency for producers;
- (2) identifying and prioritizing the research and educational needs of the livestock industry relating to production and financial efficiency, competitiveness, environmental stability, and food safety; and
- (3) utilizing an interdisciplinary approach.

(d) Authorization of appropriations

There are authorized to be appropriated to carry out this section through the National Institute of Food and Agriculture \$20,000,000 for each of fiscal years 2013 through 2023.

(Pub. L. 101–624, title XVI, §1627, Nov. 28, 1990, 104 Stat. 3739; Pub. L. 104–127, title VIII, §862(b)(2), Apr. 4, 1996, 110 Stat. 1174; Pub. L. 110–234, title VII, §7511(c)(16), May 22, 2008, 122 Stat. 1269; Pub. L. 110–246, §4(a), title VII, §7511(c)(16), June 18, 2008, 122 Stat. 1664, 2030; Pub. L. 113–79, title VII, §7202, Feb. 7, 2014, 128 Stat. 880; Pub. L. 115–334, title VII, §7202, Dec. 20, 2018, 132 Stat. 4803.)

REFERENCES IN TEXT

This subchapter, referred to in subsec. (a)(3), was in the original "this subtitle", meaning subtitle B (§§1619–1629) of title XVI of Pub. L. 101–624, Nov. 28, 1990, 104 Stat. 3733, which enacted this subchapter, repealed sections 4701 to 4710 of this title, and repealed provisions set out as a note under section 4701 of this title. For complete classification of subtitle B to the Code, see Tables.

Chapter 86 of this title, referred to in subsec. (a)(3), was in the original "subtitle G of title XIV", meaning subtitle G (§§1481–1485) of title XIV of Pub. L. 101–624, which was repealed by Pub. L. 105–185, title III, §302(c), June 23, 1998, 112 Stat. 563.

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

2018—Subsec. (d). Pub. L. 115–334 substituted "2023" for "2018".

2014—Subsec. (d). Pub. L. 113–79 amended subsec. (d) generally. Prior to amendment, text read as follows: "There are authorized to be appropriated for each fiscal year \$20,000,000 to carry out this section through the National Institute of Food and Agriculture."

2008—Subsec. (d). Pub. L. 110–246, §7511(c)(16), substituted "National Institute of Food and Agriculture" for "Extension Service".

1996—Subsec. (a)(3). Pub. L. 104–127 struck out "and section 5881 of this title" before "and other appropriate".

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)(16) 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.

¹ See References in Text note below.

§5822. Repealed. Pub. L. 115–334, title II, §2816, Dec. 20, 2018, 132 Stat. 4602

Section, Pub. L. 101–624, title XIV, §1451, Nov. 28, 1990, 104 Stat. 3607; Pub. L. 101–508, title I, §1204(a), Nov. 5, 1990, 104 Stat. 1388–11; Pub. L. 102–237, title II, §201(a), Dec. 13, 1991, 105 Stat. 1846, related to Integrated Farm Management Program Option to assist producers of agricultural commodities in adopting integrated, multiyear, site-specific farm management plans.

PART C—SUSTAINABLE AGRICULTURE TECHNOLOGY DEVELOPMENT AND TRANSFER PROGRAM

§5831. Technical guides and handbooks

(a) Development

Not later than two years after November 28, 1990, the Secretary shall develop and make available handbooks and technical guides, and any other educational materials that are appropriate for describing sustainable agriculture production systems and practices, as researched and developed under this subchapter, chapter 86 of this title,¹ and other appropriate research programs of the Department.

(b) Consultation and coordination

The Secretary shall develop the handbooks, technical guides, and educational materials in consultation with the Natural Resources Conservation Service and any other appropriate entities designated by the Secretary. The Secretary shall coordinate activities conducted under this section with those conducted under section 3861 of title 16.

(c) Topics of handbooks and guides

The handbooks and guides, and other educational materials, shall include detailed information on the selection of crops and crop-plant varieties, rotation practices, soil building practices, tillage systems, nutrient management, integrated pest management practices, habitat protection, pest, weed, and disease management, livestock management, soil, water, and energy conservation, and any other practices in accordance with or in furtherance of the purpose of this subchapter.

(d) Organization and contents

The handbooks and guides, and other educational materials, shall provide practical instructions and be organized in such a manner as to enable agricultural producers desiring to implement the practices and systems developed under this subchapter, chapter 86 of this title,¹ and other appropriate research programs of the Department to address site-specific, environmental and resource management problems and to sustain farm profitability, including—

- (1) enhancing and maintaining the fertility, productivity, and conservation of farmland and ranch soils, ranges, pastures, and wildlife;
- (2) maximizing the efficient and effective use of agricultural inputs;
- (3) protecting or enhancing the quality of water resources; or
- (4) optimizing the use of on-farm and nonrenewable resources.

(e) Availability

The Secretary shall ensure that handbooks and technical guides, and other educational materials are made available to the agricultural community and the public through colleges and universities, the State Cooperative Extension Service, the Soil Conservation Service, other State and Federal agencies, and any other appropriate entities.

(f) Authorization of appropriations

There are authorized to be appropriated to carry out this section—

- (1) such sums as are necessary for fiscal year 2013; and
- (2) \$5,000,000 for each of fiscal years 2014 through 2023.

(Pub. L. 101–624, title XVI, §1628, Nov. 28, 1990, 104 Stat. 3740; Pub. L. 102–237, title IV, §407(3), Dec. 13, 1991, 105 Stat. 1864; Pub. L. 104–127, title VIII, §§860(c)(3), 862(b)(3), Apr. 4, 1996, 110 Stat. 1174; Pub. L. 113–79, title VII, §7203, Feb. 7, 2014, 128 Stat. 880; Pub. L. 115–334, title VII, §7203, Dec. 20, 2018, 132 Stat. 4803.)

REFERENCES IN TEXT

This subchapter, referred to in subsecs. (a), (c), and (d), was in the original "this subtitle", meaning subtitle B (§§1619–1629) of title XVI of Pub. L. 101–624, Nov. 28, 1990, 104 Stat. 3733, which enacted this

subchapter, repealed sections 4701 to 4710 of this title, and repealed provisions set out as a note under section 4701 of this title. For complete classification of subtitle B to the Code, see Tables.

Chapter 86 of this title, referred to in subsecs. (a) and (d), was in the original "subtitle G of title XIV", meaning subtitle G (§§1481–1485) of title XIV of Pub. L. 101–624, which was repealed by Pub. L. 105–185, title III, §302(c), June 23, 1998, 112 Stat. 563.

AMENDMENTS

2018—Subsec. (f)(2). Pub. L. 115–334 substituted "2023" for "2018".

2014—Subsec. (f). Pub. L. 113–79 amended subsec. (f) generally. Prior to amendment, text read as follows: "There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this section."

1996—Subsec. (a). Pub. L. 104–127, §862(b)(3), struck out "section 5881 of this title," before "and other appropriate".

Subsec. (b). Pub. L. 104–127, §860(c)(3), substituted "Natural Resources Conservation Service" for "Advisory Council, the Soil Conservation Service,".

Subsec. (d). Pub. L. 104–127, §862(b)(3), struck out "section 5881 of this title," before "and other appropriate" in introductory provisions.

1991—Subsec. (c). Pub. L. 102–237 substituted "educational" for "education".

¹ See References in Text note below.

§5832. National Training Program

(a) In general

The Secretary shall establish a National Training Program in Sustainable Agriculture to provide education and training for Cooperative Extension Service agents and other professionals involved in the education and transfer of technical information concerning sustainable agriculture in order to develop their understanding, competence, and ability to teach and communicate the concepts of sustainable agriculture to Cooperative Extension Service agents and to farmers and urban residents who need information on sustainable agriculture.

(b) Administration

The National Training Program shall be organized and administered by the National Institute of Food and Agriculture, in coordination with other appropriate Federal agencies. The Secretary shall designate an individual from the Cooperative Extension Service in each State to coordinate the National Training Program within that State. The coordinators shall be responsible, in cooperation with appropriate Federal and State agencies, for developing and implementing a statewide training program for appropriate field office personnel.

(c) Required training

(1) Agricultural agents

The Secretary shall ensure that all agricultural agents of the Cooperative Extension Service have completed the National Training Program not later than the end of the five-year period beginning on November 28, 1990. Such training may occur at a college or university located within each State as designated by the coordinator designated under this section.

(2) Proof of training

Beginning three years after November 28, 1990, the Secretary shall ensure that all new Cooperative Extension Service agents employed by such Service are able to demonstrate, not later than 18 months after the employment of such agents, that such agents have completed the training program established in subsection (a).

(d) Regional training centers

(1) Designation

The Secretary shall designate not less than two regional training centers to coordinate and administer educational activities in sustainable agriculture as provided for in this section.

(2) Training program

Such centers shall offer intensive instructional programs involving classroom and field training work for extension specialists and other individuals who are required to transmit technical information.

(3) Prohibition on construction

Such centers shall be located at existing facilities, and no funds appropriated to carry out this part shall be used for facility construction.

(4) Administration

Such centers should be administered by entities that have a demonstrated capability relating to sustainable agriculture. The Secretary should consider utilizing existing entities with expertise in sustainable agriculture to assist in the design and implementation of the training program under paragraph (2).

(5) Coordination of resources

Such centers shall make use of information generated by the Department of Agriculture and the State agricultural experiment stations, and the practical experience of farmers, especially those cooperating in on-farm demonstrations and research projects, in carrying out the functions of such centers.

(e) Competitive grants

(1) In general

The Secretary shall establish a competitive grants program to award grants to organizations, including land-grant colleges and universities, to carry out sustainable agricultural training for county agents and other individuals that need basic information concerning sustainable agriculture practices.

(2) Short courses

The purpose of the grants made available under paragraph (1) shall be to establish, in various regions in the United States, training programs that consist of workshops and short courses designed to familiarize participants with the concepts and importance of sustainable agriculture.

(f) Regional specialists

To assist county agents and farmers implement production practices developed under this subchapter, chapter 86 of this title,¹ and other appropriate research programs of the Department, regional sustainable agriculture specialists may be designated within each State who shall report to the State coordinator of that State. The specialists shall be responsible for developing and coordinating local dissemination of sustainable agriculture information in a manner that is useful to farmers in the region.

(g) Information availability

The Cooperative Extension Service within each State shall transfer information developed under this subchapter, chapter 86 of this title,¹ and other appropriate research programs of the Department through a program that shall—

(1) assist in developing farmer-to-farmer information exchange networks to enable farmers making transitions to more sustainable farming systems to share ideas and draw on the experiences of other farmers;

(2) help coordinate and publicize a regular series of sustainable agriculture farm tours and field days within each State;

(3) plan for extension programming, including extensive farmer input and feedback, in the design of new and ongoing research endeavors related to sustainable agriculture;

(4) provide technical assistance to individual farmers in the design and implementation of farm management plans and strategies for making a transition to more sustainable agricultural systems;

(5) consult and work closely with the Soil Conservation Service and the Agricultural Stabilization and Conservation Service in carrying out the information, technical assistance, and related programs;

(6) develop, coordinate, and direct special education and outreach programs in areas highly susceptible to groundwater contamination, linking sustainable agriculture information with water quality improvement information;

(7) develop information sources relating to crop diversification, alternative crops, on-farm food or commodity processing, and on-farm energy generation;

(8) establish a well-water testing program designed to provide those persons dependent upon underground drinking water supplies with an understanding of the need for regular water testing, information on sources of testing, and an understanding of how to interpret test results and provide for the protection of underground water supplies;

(9) provide specific information on water quality practices developed through the research programs in chapter 86 of this title; ¹

(10) provide specific information on nutrient management practices developed through the research programs in chapter 86 of this title; ¹ and

(11) provide information concerning whole-farm management systems integrating research results under this subchapter, chapter 86 of this title,¹ and other appropriate research programs of the Department.

(h) "Appropriate field office personnel" defined

For purposes of this section, the term "appropriate field office personnel" includes employees of the National Institute of Food and Agriculture, Soil Conservation Service, and other appropriate Department of Agriculture personnel, as determined by the Secretary, whose activities involve the provision of agricultural production and conservation information to agricultural producers.

(i) Authorization of appropriations

There are authorized to be appropriated to carry out the National Training Program \$20,000,000 for each of fiscal years 2013 through 2023.

(Pub. L. 101–624, title XVI, §1629, Nov. 28, 1990, 104 Stat. 3741; Pub. L. 102–237, title IV, §407(4), Dec. 13, 1991, 105 Stat. 1864; Pub. L. 104–127, title VIII, §862(b)(4), Apr. 4, 1996, 110 Stat. 1174; Pub. L. 105–185, title VI, §606(f),

June 23, 1998, 112 Stat. 604; Pub. L. 110–234, title VII, §7511(c)(17), May 22, 2008, 122 Stat. 1269; Pub. L. 110–246, §4(a), title VII, §7511(c)(17), June 18, 2008, 122 Stat. 1664, 2030; Pub. L. 113–79, title VII, §7204, Feb. 7, 2014, 128 Stat. 880; Pub. L. 115–334, title VII, §7204, Dec. 20, 2018, 132 Stat. 4803.)

REFERENCES IN TEXT

Chapter 86 of this title, referred to in subsecs. (f) and (g), was in the original "subtitle G of title XIV", meaning subtitle G (§§1481–1485) of title XIV of Pub. L. 101–624, which was repealed by Pub. L. 105–185, title III, §302(c), June 23, 1998, 112 Stat. 563.

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

2018—Subsec. (i). Pub. L. 115–334 substituted "2023" for "2018".

2014—Subsec. (i). Pub. L. 113–79 amended subsec. (i) generally. Prior to amendment, text read as follows: "There are authorized to be appropriated \$20,000,000 for each fiscal year to carry out the National Training Program."

2008—Subsec. (b). Pub. L. 110–246, §7511(c)(17)(A), substituted "the National Institute of Food and Agriculture" for "the Extension Service" in first sentence.

Subsec. (h). Pub. L. 110–246, §7511(c)(17)(B), substituted "National Institute of Food and Agriculture" for "Extension Service".

1998—Subsec. (g). Pub. L. 105–185 struck out "section 5881 of this title," before "and other appropriate research" in introductory provisions.

1996—Subsecs. (f), (g)(11). Pub. L. 104–127 struck out "section 5881 of this title," before "and other appropriate".

1991—Subsec. (c)(1). Pub. L. 102–237 substituted "ensure" for "insure".

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)(17) 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.

¹ See References in Text note below.

SUBCHAPTER II—NATIONAL GENETIC RESOURCES PROGRAM

§5841. Establishment, purpose, and functions of National Genetic Resources Program

(a) In general

The Secretary of Agriculture shall provide for a National Genetic Resources Program.

(b) Purpose

The program is established for the purpose of maintaining and enhancing a program providing for the collection, preservation, and dissemination of genetic material of importance to American food and agriculture production.

(c) Administration

The program shall be administered by the Secretary through the Agricultural Research Service.

(d) Functions

The Secretary, acting through the program, shall—

(1) provide for the collection, classification, preservation, and dissemination of genetic material of importance to the food and agriculture sectors of the United States;

(2) conduct research on the genetic materials collected and on methods for storage and preservation of those materials;

(3) coordinate the activities of the program with similar activities occurring domestically;

(4) unless otherwise prohibited by law, have the right to make available on request, without charge and without regard to the country from which the request originates, the genetic material that the program assembles;

(5) expand the types of genetic resources included in the program to develop a comprehensive genetic resources program which includes plants (including silvicultural species), animal, aquatic, insect, microbiological, and other types of genetic resources of importance to food and agriculture, as resources permit;

(6) develop and implement a national strategic germplasm and cultivar collection assessment and utilization plan that takes into consideration the resources and research necessary to address the significant backlog of characterization and maintenance of existing accessions considered to be critical to preserve the viability of, and public access to, germplasm and cultivars; and

(7) engage in such other activities as the Secretary determines appropriate and as the resources of the program permit.

(Pub. L. 101–624, title XVI, §1632, Nov. 28, 1990, 104 Stat. 3744; Pub. L. 104–127, title VIII, §832(a), Apr. 4, 1996, 110 Stat. 1168; Pub. L. 115–334, title VII, §7205(a), Dec. 20, 2018, 132 Stat. 4803.)

AMENDMENTS

2018—Subsec. (d)(6), (7). Pub. L. 115–334 added par. (6) and redesignated former par. (6) as (7).

1996—Subsec. (d)(4). Pub. L. 104–127 added par. (4) and struck out former par. (4) which read as follows: "make available upon request, without charge and without regard to the country from which such request originates, the genetic material which the program assembles;".

§5842. Appointment and authority of Director

(a) Director

There shall be at the head of the program an official to be known as the Director of the National Genetic Resources Program who shall be appointed by the Secretary. The Director shall perform such duties as are assigned to the Director by this subchapter and such other duties as the Secretary may prescribe.

(b) Administrative authority

In carrying out this subchapter, the Secretary, acting through the Director—

(1) shall be responsible for the overall direction of the program and for the establishment and implementation of general policies respecting the management and operation of activities within the program;

(2) may secure for the program consultation services and advice of persons from the United States and abroad;

(3) may accept voluntary and uncompensated services; and

(4) may perform such other administrative functions as the Secretary determines are needed to effectively carry out this subchapter.

(c) Duties

The Director shall—

(1) advise participants on the program activities;

(2) coordinate, review and facilitate the systematic identification and evaluation of, relevant information generated under the program;

(3) promote the effective transfer of the information described in paragraph (2) to the agriculture and food production community and to entities that require such information; and

(4) monitor the effectiveness of the activities described in paragraph (3).

(d) Biennial reports

The Director shall prepare and transmit to the Secretary and to the Congress a biennial report containing—

(1) a description of the activities carried out by and through the program and the policies of the program, and such recommendations respecting such activities and policies as the Director considers to be appropriate;

(2) a description of the necessity for, and progress achieved toward providing, additional programs and activities designed to include the range of genetic resources described in section 5841(d)(5) of this title in the activities of the program; and

(3) an assessment of events and activities occurring internationally as they relate to the activities and policies of the program.

(e) Initial reports

Not later than one year after November 28, 1990, the Director shall transmit to the Secretary and to the Congress a report—

(1) describing the projected needs over a 10-year period in each of the areas of genetic resources described in section 5841(d)(5) of this title, including the identification of existing components of a comprehensive program, policies and activities needed to coordinate those components, and additional elements not in existence which are required for the development of a comprehensive genetic resources program as described in such section;

(2) assessing the international efforts and activities related to the program, and their effect upon and coordination with the program; and

(3) evaluating the potential effect of various national laws, including national quarantine requirements, as well as treaties, agreements, and the activities of international organizations on the development of a comprehensive international system for the collection and maintenance of genetic resources of importance to agriculture.

(f) Plan publication

On completion of the development of the plan described in section 5841(d)(6) of this title, the Secretary shall make the plan available to the public.

(Pub. L. 101–624, [title XVI, §1633](#), Nov. 28, 1990, 104 Stat. 3744; Pub. L. 102–237, [title IV, §404\(a\)\(2\)](#), Dec. 13, 1991, 105 Stat. 1864; Pub. L. 115–334, [title VII, §7205\(b\)](#), Dec. 20, 2018, 132 Stat. 4803.)

AMENDMENTS

2018—Subsec. (f). Pub. L. 115–334 added subsec. (f).

1991—Subsec. (a). Pub. L. 102–237 substituted "Resources Program" for "Resources program".

TERMINATION OF REPORTING REQUIREMENTS

For termination, effective May 15, 2000, of provisions in subsec. (d) of this section relating to biennial reports to Congress, see section 3003 of Pub. L. 104–66, as amended, set out as a note under section 1113 of Title 31, Money and Finance, and page 49 of House Document No. 103–7.

§5843. Advisory council

(a) Establishment and membership

(1) In general

The Secretary shall establish an advisory council for the program for the purpose of advising, assisting, consulting with, and making recommendations to, the Secretary and Director concerning matters related to the activities, policies and operations of the program.

(2) Membership

The advisory council shall consist of ex officio members and not more than 13 members appointed by the Secretary.

(3) Recommendations

(A) In general

In making recommendations under paragraph (1), the advisory council shall include recommendations on—

- (i) the state of public cultivar development, including—
 - (I) an analysis of existing cultivar research investments;
 - (II) the research gaps relating to the development of cultivars across a diverse range of crops; and
 - (III) an assessment of the state of commercialization of federally funded cultivars;
- (ii) the training and resources needed to meet future breeding challenges;
- (iii) the appropriate levels of Federal funding for cultivar development for underserved crops and geographic areas; and
- (iv) the development of the plan described in section 5841(d)(6) of this title.

(b) Ex officio members

The ex officio members of the advisory council shall consist of the following persons (or their designees):

- (1) The Director.
- (2) The Assistant Secretary of Agriculture for Science and Education.
- (3) The Director of the National Agricultural Library.
- (4) The Director of the National Institutes of Health.
- (5) The Director of the National Science Foundation.
- (6) The Secretary of Energy.
- (7) The Director of the Office of Science and Technology Policy.
- (8) Such additional officers and employees of the United States as the Secretary determines are necessary for the advisory council to effectively carry out its functions.

(c) Appointment of other members

The members of the advisory council who are not ex officio members shall be appointed by the Secretary as follows:

- (1) 6 of the members shall be appointed from among the leading representatives of the scientific disciplines relevant to the activities of the program, including agricultural sciences, economics and policy, environmental sciences, natural resource sciences, health sciences, and nutritional sciences.
- (2) 3 of the members shall be appointed from the general public and shall include leaders in fields of public policy, community development, trade, international development, law, or management.

(3) 4 of the members shall be appointed from among individuals with expertise in public cultivar and animal breed development.

(4) 4 of the members shall be appointed from among individuals representing—

- (A) 1862 Institutions (as defined in section 7601 of this title);
- (B) 1890 Institutions (as defined in section 7601 of this title);
- (C) Hispanic-serving institutions (as defined in section 3103 of this title); or
- (D) 1994 Institutions (as defined in section 532 of the Equity in Educational Land-Grant Status Act of 1994 (7 U.S.C. 301 note; Public Law 103–382)).

(d) Compensation

Members of the advisory council shall serve without compensation, if not otherwise officers or employees of the United States, except that they shall, while away from their homes or regular places of business in the performance of services for the advisory council, be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in the Government service are allowed expenses under sections 5701 through 5707 of title 5.

(e) Term of office of appointees; vacancies

(1) Term

The term of office of a member appointed under subsection (c) is four years, except that any member appointed to fill a vacancy occurring before the expiration of the term for which the predecessor of such member was appointed shall be appointed only for the remainder of such term.

(2) Initial appointment

The Secretary shall make appointments to the advisory council so as to ensure that the terms of the members appointed under subsection (c) do not all expire in the same year. A member may serve after the expiration of the member's term until a successor takes office.

(3) Reappointment

A member who is appointed for a term of four years may not be reappointed to the advisory council before two years after the date of expiration of such term of office.

(4) Vacancies

If a vacancy occurs in the advisory council among the members appointed under subsection (c), the Secretary shall make an appointment to fill such vacancy within 90 days after the date such vacancy occurs.

(f) Chair

The Secretary shall select as the chair of the advisory council one of the members appointed under subsection (c). The term of office of the chair shall be two years.

(g) Meetings

The advisory council shall meet at the call of the chair or on the request of the Director, but at least two times each fiscal year. The location of the meetings of the advisory council shall be subject to the approval of the Director.

(h) Staff

The Director shall make available to the advisory council such staff, information, and other assistance as it may require to carry out its functions.

(i) Orientation and training

The Director shall provide such orientation and training for new members of the advisory council as may be appropriate for their effective participation in the functions of the advisory council.

(j) Comments and recommendations

The advisory council may prepare, for inclusion in a report submitted under section 5842 of this title—

- (1) comments respecting the activities of the advisory council during the period covered by the report;
- (2) comments on the progress of the program in meeting its objectives; and
- (3) recommendations respecting the future directions, program, and policy emphasis of the program.

(k) Reports

The advisory council may prepare such reports as the advisory council determines to be appropriate.

(l) Application of Advisory Committee Act

Section 14(a) of the Federal Advisory Committee Act (5 U.S.C. App.) relating to the termination of an advisory committee shall not apply to the advisory council established under this section.

(Pub. L. 101–624, [title XVI, §1634](#), Nov. 28, 1990, 104 Stat. 3745; Pub. L. 102–237, [title IV, §407\(5\)](#), Dec. 13, 1991, 105 Stat. 1864; Pub. L. 115–334, [title VII, §7206\(a\)](#), Dec. 20, 2018, 132 Stat. 4803.)

REFERENCES IN TEXT

Section 14(a) of the Federal Advisory Committee Act, referred to in subsec. (l), is section 14(a) of Pub. L. 92–463, which is set out in the Appendix to Title 5, Government Organization and Employees.

AMENDMENTS

2018—Subsec. (a)(1). Pub. L. 115–334, §7206(a)(1)(A), designated first sentence as par. (1) and inserted heading.

Subsec. (a)(2). Pub. L. 115–334, §7206(a)(1)(B), (C), designated second sentence as par. (2), inserted heading, and substituted "13" for "nine".

Subsec. (a)(3). Pub. L. 115–334, §7206(a)(1)(D), added par. (3).

Subsec. (c)(1). Pub. L. 115–334, §7206(a)(2)(A), substituted "6" for "Two-thirds" and inserted "economics and policy," after "agricultural sciences,".

Subsec. (c)(2). Pub. L. 115–334, §7206(a)(2)(B), substituted "3" for "One-third" and inserted "community development," after "public policy,".

Subsec. (c)(3), (4). Pub. L. 115–334, §7206(a)(2)(C), added pars. (3) and (4).

1991—Subsec. (l). Pub. L. 102–237 substituted "council established" for "committee established".

§5844. Definitions and authorization of appropriations

(a) Definitions

For purposes of this subchapter:

- (1) The term "program" means the National Genetic Resources Program.
- (2) The term "Secretary" means the Secretary of Agriculture.
- (3) The term "Director" means the Director of the National Genetic Resources Program.

(b) Authorization of appropriations

There are authorized to be appropriated to carry out this subchapter—

- (1) such sums as are necessary for each of fiscal years 1991 through 2013; and
- (2) \$1,000,000 for each of fiscal years 2014 through 2023.

(Pub. L. 101–624, [title XVI, §1635](#), Nov. 28, 1990, 104 Stat. 3747; Pub. L. 104–127, [title VIII, §832\(b\)](#), Apr. 4, 1996, 110 Stat. 1168; Pub. L. 105–185, [title III, §301\(b\)\(1\)](#), June 23, 1998, 112 Stat. 562; Pub. L. 107–171, [title VII, §7118](#), May 13, 2002, 116 Stat. 434; Pub. L. 110–234, [title VII, §7201](#), May 22, 2008, 122 Stat. 1233; Pub. L. 110–246, [§4\(a\)](#), [title VII, §7201](#), June 18, 2008, 122 Stat. 1664, 1994; Pub. L. 113–79, [title VII, §7205](#), Feb. 7, 2014, 128 Stat. 881; Pub. L. 115–334, [title VII, §7206\(b\)](#), Dec. 20, 2018, 132 Stat. 4804.)

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

2018—Subsec. (b)(2). Pub. L. 115–334 substituted "2023" for "2018".

2014—Subsec. (b). Pub. L. 113–79 struck out "such funds as may be necessary" after "appropriated", substituted "subchapter—" for "subchapter for each of the fiscal years 1991 through 2012.", and added pars. (1) and (2).

2008—Subsec. (b). Pub. L. 110–246, §7201, substituted "2012" for "2007".

2002—Subsec. (b). Pub. L. 107–171 substituted "2007" for "2002".

1998—Subsec. (b). Pub. L. 105–185 substituted "2002" for "1997".

1996—Subsec. (b). Pub. L. 104–127 substituted "1997" for "1995".

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 III—NATIONAL AGRICULTURAL WEATHER INFORMATION SYSTEM

§5851. Short title and purposes

(a) Short title

This subchapter may be cited as the "National Agricultural Weather Information System Act of 1990".

(b) Purposes

The purposes of this subchapter are—

- (1) to provide a nationally coordinated agricultural weather information system, based on the participation of universities, State programs, Federal agencies, and the private weather consulting sector, and aimed at meeting the weather and climate information needs of agricultural producers;
- (2) to facilitate the collection, organization, and dissemination of advisory weather and climate information relevant to agricultural producers, through the participation of the private sector and otherwise;
- (3) to provide for research and education on agricultural weather and climate information, aimed at improving the quality and quantity of weather and climate information available to agricultural producers, including research on short-term forecasts of thunderstorms and on extended weather forecasting techniques and models;
- (4) to encourage, where feasible, greater private sector participation in providing agricultural weather and climate information, to encourage private sector participation in educating and training farmers and others in the proper utilization of agricultural weather and climate information, and to strengthen their ability to provide site-specific weather forecasting for farmers and the agricultural sector in general; and
- (5) to ensure that the weather and climate data bases needed by the agricultural sector are of the highest scientific accuracy and thoroughly documented, and that such data bases are easily accessible for remote computer access.

(Pub. L. 101–624, title XVI, §1637, Nov. 28, 1990, 104 Stat. 3747.)

§5852. Agricultural Weather Office**(a) Establishment of Office and administration of system****(1) Establishment required**

The Secretary of Agriculture shall establish in the Department of Agriculture an Agricultural Weather Office to plan and administer the National Agricultural Weather Information System. The system shall be comprised of the office established under this section and the activities of the State agricultural weather information systems described in section 5854 of this title.

(2) Director

The Secretary shall appoint a Director to manage the activities of the Agricultural Weather Office and to advise the Secretary on scientific and programmatic coordination for climate, weather, and remote sensing.

(b) Authority

The Secretary, acting through the Office, may undertake the following activities to carry out this subchapter:

- (1) Enter into cooperative projects with the National Weather Service to—
 - (A) support operational weather forecasting and observation useful in agriculture;
 - (B) sponsor joint workshops to train agriculturalists about the optimum utilization of agricultural weather and climate data;
 - (C) jointly develop improved computer models and computing capacity; and
 - (D) enhance the quality and availability of weather and climate information needed by agriculturalists.

(2) Obtain standardized weather observation data collected in near real time through State agricultural weather information systems.

(3) Make, through the National Institute of Food and Agriculture, competitive grants under subsection (c) for research in atmospheric sciences and climatology.

(4) Make grants to eligible States under section 5854 of this title to plan and administer State agricultural weather information systems.

(5) Coordinate the activities of the Office with the weather and climate research activities of the National Institute of Food and Agriculture, the National Academy of Sciences, the National Science Foundation Atmospheric Services Program, and the National Climate Program.

(6) Encourage private sector participation in the National Agricultural Weather Information System through mutually beneficial cooperation with the private sector, particularly in generating weather and climatic data useful for site-specific agricultural weather forecasting.

(c) Competitive grants program**(1) Grants authorized**

With funds allocated to carry out this subsection, the Secretary of Agriculture may make grants to State agricultural experiment stations, all colleges and universities, other research institutions and organizations, Federal agencies, private organizations and corporations, and individuals to carry out research in all aspects of atmospheric sciences and climatology that can be shown to be important in both a basic and developmental way to understanding, forecasting, and delivering agricultural weather information.

(2) Competitive basis

Grants made under this subsection shall be made on a competitive basis.

(d) Priority

In selecting among applications for grants under subsection (c), the Secretary shall give priority to proposals which emphasize—

- (1) techniques and processes that relate to weather-induced agricultural losses, and to improving the advisory information on weather extremes such as drought, floods, freezes, and storms well in advance of their actual occurrence;
- (2) the improvement of site-specific weather data collection and forecasting; or
- (3) the impact of weather on economic and environmental costs in agricultural production.

(Pub. L. 101–624, [title XVI, §1638, Nov. 28, 1990](#), 104 Stat. 3748; Pub. L. 102–237, [title IV, §407\(6\), Dec. 13, 1991](#), 105 Stat. 1865; Pub. L. 110–234, [title VII, §7511\(c\)\(18\), May 22, 2008](#), 122 Stat. 1269; Pub. L. 110–246, [§4\(a\), title VII, §7511\(c\)\(18\), June 18, 2008](#), 122 Stat. 1664, 2030.)

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. (b)(3), (5). Pub. L. 110–246, §7511(c)(18), substituted "National Institute of Food and Agriculture" for "Cooperative State Research Service".

1991—Subsec. (b)(5). Pub. L. 102–237 substituted "National Science Foundation" for "National Sciences Foundation".

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)(18) 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.

§5853. Repealed. Pub. L. 107–171, [title VII, §7304\(a\), May 13, 2002](#), 116 Stat. 455

Section, Pub. L. 101–624, [title XVI, §1639, Nov. 28, 1990](#), 104 Stat. 3749; Pub. L. 102–237, [title IV, §407\(7\), Dec. 13, 1991](#), 105 Stat. 1865, related to establishment of National Advisory Board on Agricultural Weather.

§5854. State agricultural weather information systems**(a) Advisory program grants****(1) Grants required**

With funds allocated to carry out this section, the Secretary of Agriculture shall make grants to not fewer than 10 eligible States to plan and administer, in cooperation with persons described in paragraph (2), advisory programs for State agricultural weather information systems.

(2) Persons described

The persons referred to in paragraph (1) are the Director of the Agricultural Weather Office, the Director of the National Institute of Food and Agriculture, and other persons as appropriate (such as the directors of the appropriate State agricultural experiment stations and State extension programs).

(b) Consultation

For purposes of selecting among applications submitted by States for grants under this section, the Secretary shall consult with the Director.

(c) Eligibility requirements

To be eligible to receive a grant under this section, the chief executive officer of a State shall submit to the Secretary an application that contains—

- (1) assurances that the State will expend such grant to plan and administer a State agricultural weather system that will—

(A) collect observational weather data throughout the State and provide such data to the National Weather Service and the Agricultural Weather Office;

(B) develop methods for packaging information received from the national system for use by agricultural producers (with State Cooperative Extension Services and the private sector to serve as the primary conduit of agricultural weather forecasts and climatic information to producers); and

(C) develop programs to educate agricultural producers on how to best use weather and climate information to improve management decisions; and

(2) such other assurances and information as the Secretary may require by rule.

(Pub. L. 101–624, [title XVI, §1640](#), Nov. 28, 1990, 104 Stat. 3749; Pub. L. 107–171, [title VII, §7304\(b\)](#), May 13, 2002, 116 Stat. 455; Pub. L. 110–234, [title VII, §7511\(c\)\(19\)](#), May 22, 2008, 122 Stat. 1269; Pub. L. 110–246, [§4\(a\)](#), [title VII, §7511\(c\)\(19\)](#), June 18, 2008, 122 Stat. 1664, 2030.)

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). Pub. L. 110–246, [§7511\(c\)\(19\)](#), substituted "the Director of the National Institute of Food and Agriculture" for "the Administrator of the Extension Service, the Administrator of the Cooperative State Research Service".

2002—Subsec. (b). Pub. L. 107–171 struck out "take into consideration the recommendation of the Advisory Board on Agricultural Weather and" before "consult with the Director".

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)(19) 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.

§5855. Funding

(a) Allocation of funds

(1) Cooperative work

Not less than 15 percent and not more than 25 percent of the funds appropriated for a fiscal year to carry out this subchapter shall be used for cooperative work with the National Weather Service entered into under section 5852(b) (1) of this title.

(2) Competitive grants program

Not less than 15 percent and not more than 25 percent of such funds shall be used by the National Institute of Food and Agriculture for a competitive grants program under section 5852(c) of this title.

(3) Weather information systems

Not less than 25 percent and not more than 35 percent of such funds shall be divided equally between the participating States selected for that fiscal year under section 5854 of this title.

(4) Other purposes

The remaining funds shall be allocated for use by the Agricultural Weather Office and the National Institute of Food and Agriculture in carrying out generally the provisions of this subchapter.

(b) Limitations on use of funds

Funds provided under the authority of this subchapter shall not be used for the construction of facilities. Each State or agency receiving funds shall not use more than 30 percent of such funds for equipment purchases. Any use of the funds in facilitating the distribution of agricultural and climate information to producers shall be done with consideration for the role that the private meteorological sector can play in such information delivery.

(c) Authorization of appropriations

There are authorized to be appropriated to carry out this subchapter \$5,000,000 for each of the fiscal years 2008 through 2012 and \$1,000,000 for each of fiscal years 2014 through 2023.

(Pub. L. 101–624, [title XVI, §1641](#), Nov. 28, 1990, 104 Stat. 3750; Pub. L. 104–127, [title VIII, §833](#), Apr. 4, 1996, 110 Stat. 1168; Pub. L. 110–234, [title VII, §7202](#), [7511\(c\)\(20\)](#), May 22, 2008, 122 Stat. 1233, 1269; Pub. L. 110–246,

§4(a), title VII, §§7202, 7511(c)(20), June 18, 2008, 122 Stat. 1664, 1994, 2030; Pub. L. 113–79, title VII, §7206, Feb. 7, 2014, 128 Stat. 881; Pub. L. 115–334, title VII, §7207, Dec. 20, 2018, 132 Stat. 4805.)

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

2018—Subsec. (c). Pub. L. 115–334 substituted "2023" for "2018".

2014—Subsec. (c). Pub. L. 113–79 substituted "to carry out this subchapter \$5,000,000" for "\$5,000,000 to carry out this subchapter" and inserted "and \$1,000,000 for each of fiscal years 2014 through 2018" before period at end.

2008—Subsec. (a)(2). Pub. L. 110–246, §7511(c)(20)(A), substituted "National Institute of Food and Agriculture" for "Cooperative State Research Service".

Subsec. (a)(4). Pub. L. 110–246, §7511(c)(20)(B), substituted "National Institute of Food and Agriculture" for "Extension Service".

Subsec. (c). Pub. L. 110–246, §7202, substituted "2008 through 2012" for "1991 through 1997".

1996—Subsec. (c). Pub. L. 104–127 substituted "1997" for "1995".

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)(20) 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.

§5856. Improvements to United States Drought Monitor

(a) In general

The Secretary shall coordinate with the Director of the National Drought Mitigation Center and the Administrator of the National Oceanic and Atmospheric Administration to enhance the collection of data to improve the accuracy of the United States Drought Monitor.

(b) Utilization

To the maximum extent practicable, the Secretary shall utilize a consistent source or sources of data for programs that are based on drought or precipitation indices, such as the livestock forage disaster program established under section 9081(c) of this title or policies or plans of insurance established under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.).

(c) Review

Not later than 1 year after December 20, 2018, the Secretary shall conduct a review of—

- (1) the types of data currently utilized by the United States Drought Monitor;
- (2) the geographic coverage and density of existing data collection sites; and
- (3) other meteorological or climatological data that is being collected by other Federal agencies, State and local governments, and non-Federal entities that could be utilized by the United States Drought Monitor.

(d) Improvements

(1) In general

Upon the completion of the review prescribed in subsection (c), the Secretary shall—

(A) seek to expand the collection of relevant data in States or geographic areas where coverage is currently lacking as compared to other States or geographic areas; and

(B) to the maximum extent practicable, develop standards to allow the integration of meteorological or climatological data into the United States Drought Monitor derived from—

- (i) in-situ soil moisture profile measuring devices;
- (ii) citizen science (as defined in the Crowdsourcing and Citizen Science Act (15 U.S.C. 3724)), including data from the Cooperative Observer Program of the National Weather Service; and
- (iii) other Federal agencies, State and local governments, and non-Federal entities.

(2) Authorization of appropriations

There is to be authorized to be appropriated to the Secretary to carry out this subsection \$5,000,000 for each of fiscal years 2019 through 2023.

(Pub. L. 115–334, title XII, §12512, Dec. 20, 2018, 132 Stat. 4995.)

REFERENCES IN TEXT

The Federal Crop Insurance Act, referred to in subsec. (b), is subtitle A of title V of act [Feb. 16, 1938, ch. 30](#), 52 Stat. 72, which is classified generally to subchapter I (§1501 et seq.) of chapter 36 of this title. For complete classification of this Act to the Code, see section 1501 of this title and Tables.

CODIFICATION

Section was enacted as part of the Agriculture Improvement Act of 2018, and not as part of subtitle C of title XVI of the Food, Agriculture, Conservation, and Trade Act of 1990 which comprises this subchapter.

DEFINITION OF "SECRETARY"

"Secretary" means the Secretary of Agriculture, see section 2 of Pub. L. 115–334, set out as a note under section 9001 of this title.

SUBCHAPTER IV—RESEARCH REGARDING PRODUCTION, PREPARATION, PROCESSING, HANDLING, AND STORAGE OF AGRICULTURAL PRODUCTS

§§5871 to 5874. Repealed. Pub. L. 104–127, [title VIII, §861, Apr. 4, 1996](#), 110 Stat. 1174

Section 5871, Pub. L. 101–624, [title XVI, §1644, Nov. 28, 1990](#), 104 Stat. 3751, provided for establishment of research and grant program.

Section 5872, Pub. L. 101–624, [title XVI, §1645, Nov. 28, 1990](#), 104 Stat. 3752, related to advisory committee and grant process.

Section 5873, Pub. L. 101–624, [title XVI, §1646, Nov. 28, 1990](#), 104 Stat. 3753, provided for reports to Congress.

Section 5874, Pub. L. 101–624, [title XVI, §1647, Nov. 28, 1990](#), 104 Stat. 3754, provided for appropriations for research and grant program.

SUBCHAPTER V—PLANT AND ANIMAL PEST AND DISEASE CONTROL PROGRAM

§§5881 to 5885. Repealed. Pub. L. 104–127, [title VIII, §862\(a\), Apr. 4, 1996](#), 110 Stat. 1174

Section 5881, Pub. L. 101–624, [title XVI, §1650, Nov. 28, 1990](#), 104 Stat. 3754, related to plant and animal pest and disease control program.

Section 5882, Pub. L. 101–624, [title XVI, §1651, Nov. 28, 1990](#), 104 Stat. 3754, related to pest and disease control data base and pesticide resistance monitoring.

Section 5883, Pub. L. 101–624, [title XVI, §1652, Nov. 28, 1990](#), 104 Stat. 3755; Pub. L. 102–237, [title IV, §407\(8\), Dec. 13, 1991](#), 105 Stat. 1865, related to research on control and eradication of exotic pests.

Section 5884, Pub. L. 101–624, [title XVI, §1653, Nov. 28, 1990](#), 104 Stat. 3755, provided for study of biology and behavior of chinch bugs.

Section 5885, Pub. L. 101–624, [title XVI, §1654, Nov. 28, 1990](#), 104 Stat. 3756, authorized appropriations for plant, pest, and disease control program.

SUBCHAPTER VI—ALTERNATIVE AGRICULTURAL RESEARCH AND COMMERCIALIZATION

§§5901 to 5909. Repealed. Pub. L. 107–171, [title VI, §6201\(a\), May 13, 2002](#), 116 Stat. 418

Section 5901, Pub. L. 101–624, [title XVI, §1657, Nov. 28, 1990](#), 104 Stat. 3756; Pub. L. 104–127, [title VII, §721, Apr. 4, 1996](#), 110 Stat. 1112, provided that this subchapter may be cited as the "Alternative Agricultural Research and Commercialization Act of 1990" and specified purpose of and definitions relating to this subchapter.

Section 5902, Pub. L. 101–624, [title XVI, §1658, Nov. 28, 1990](#), 104 Stat. 3757; Pub. L. 102–237, [title IV, §405\(a\), Dec. 13, 1991](#), 105 Stat. 1864; Pub. L. 104–127, [title VII, §722\(a\), Apr. 4, 1996](#), 110 Stat. 1113, created the Alternative Agricultural Research and Commercialization Corporation.

Section 5903, Pub. L. 101–624, [title XVI, §1659, Nov. 28, 1990](#), 104 Stat. 3759; Pub. L. 104–127, [title VII, §723\(a\), Apr. 4, 1996](#), 110 Stat. 1115, related to board of directors, employees, and facilities.

Section 5904, Pub. L. 101–624, [title XVI, §1660, Nov. 28, 1990](#), 104 Stat. 3761; Pub. L. 104–127, [title VII, §724, Apr. 4, 1996](#), 110 Stat. 1119, related to research and development grants, contracts, and agreements.

Section 5905, Pub. L. 101–624, [title XVI, §1661, Nov. 28, 1990](#), 104 Stat. 3762; Pub. L. 104–127, [title VII, §725, Apr. 4, 1996](#), 110 Stat. 1119, related to commercialization assistance.

Section 5906, Pub. L. 101–624, [title XVI, §1662, Nov. 28, 1990](#), 104 Stat. 3764; Pub. L. 104–127, [title VII, §726, Apr. 4, 1996](#), 110 Stat. 1119, related to general rules regarding provision of assistance.

Section 5907, Pub. L. 101–624, [title XVI, §1663, Nov. 28, 1990](#), 104 Stat. 3765; Pub. L. 102–237, [title IV, §405\(b\), Dec. 13, 1991](#), 105 Stat. 1864; Pub. L. 104–127, [title VII, §727, Apr. 4, 1996](#), 110 Stat. 1119, related to Regional Centers.

Section 5908, Pub. L. 101–624, [title XVI, §1664, Nov. 28, 1990](#), 104 Stat. 3766; Pub. L. 104–127, [title VII, §728, Apr. 4, 1996](#), 110 Stat. 1120, related to the Alternative Agricultural Research and Commercialization Revolving Fund.

Section 5909, Pub. L. 101–624, [title XVI, §1665, as added Pub. L. 104–127, title VII, §729, Apr. 4, 1996](#), 110 Stat. 1121, related to procurement of alternative agricultural research and commercialization products.

DISPOSITION AND USE OF ASSETS

Pub. L. 107–171, [title VI, §6201\(b\), \(c\), May 13, 2002](#), 116 Stat. 418, [419](#), provided that:

"(b) DISPOSITION OF ASSETS.—On the date of enactment of this Act [May 13, 2002]—

"(1) the assets, both tangible and intangible, of the Alternative Agricultural Research and Commercialization Corporation (referred to in this section as the 'Corporation'), including the funds in the Alternative Agricultural Research and Commercialization Revolving Fund as of the date of enactment of this Act, are transferred to the Secretary of Agriculture; and

"(2) notwithstanding the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 471 et seq.) [see chapters 1 to 11 of Title 40, Public Buildings, Property, and Works, and division C (except sections 3302, 3307(e), 3501(b), 3509, 3906, 4710, and 4711) of subtitle I of Title 41, Public Contracts] and any other law that prescribes procedures for procurement, use, and disposal of property by a Federal agency, the Secretary shall have authority to manage and dispose of the assets transferred under paragraph (1) in a manner that, to the maximum extent practicable, provides the best value to the Federal Government.

"(c) USE OF ASSETS.—

"(1) IN GENERAL.—Funds transferred under subsection (b), and any income from assets or proceeds from the sale of assets transferred under subsection (b), shall be deposited in an account in the Treasury, and shall remain available to the Secretary until expended, without further appropriation, to pay—

"(A) any claims against, or obligations of, the Corporation; and

"(B) the costs incurred by the Secretary in carrying out this section.

"(2) FINAL DISPOSITION.—On final disposition of all assets transferred under subsection (b), any funds remaining in the account described in paragraph (1) shall be transferred into miscellaneous receipts in the Treasury."

BUSINESS PLAN AND FEASIBILITY STUDY AND REPORT

Pub. L. 104–127, [title VII, §730, Apr. 4, 1996](#), 110 Stat. 1122, provided for a business plan for, and a feasibility study and report on, the Alternative Agricultural Research and Commercialization Corporation, prior to repeal by Pub. L. 107–171, [title VI, §6201\(d\)\(2\), May 13, 2002](#), 116 Stat. 419.

SUBCHAPTER VII—MISCELLANEOUS RESEARCH PROVISIONS

§5921. Biotechnology risk assessment research

(a) Purpose

It is the purpose of this section—

(1) to authorize and support environmental assessment research to help identify and analyze environmental effects of biotechnology; and

(2) to authorize research to help regulators develop long-term policies concerning the introduction of such technology.

(b) Grant program

The Secretary of Agriculture shall establish a grant program within the National Institute of Food and Agriculture and the Agricultural Research Service to provide the necessary funding for environmental assessment research concerning the introduction of genetically engineered animals, plants, and microorganisms into the environment.

(c) Research priorities

The following types of research shall be given priority for funding:

(1) Research designed to identify and develop appropriate management practices to minimize physical and biological risks associated with genetically engineered animals, plants, and microorganisms.

(2) Research designed to develop methods to monitor the dispersal of genetically engineered animals, plants, and microorganisms.

(3) Research designed to further existing knowledge with respect to the characteristics, rates, and methods of gene transfer that may occur between genetically engineered animals, plants, and microorganisms and related wild and agricultural organisms.

(4) Environmental assessment research designed to provide analysis which compares the relative impacts of animals, plants, and microorganisms modified through genetic engineering to other types of production systems.

(5) Other areas of research designed to further the purposes of this section.

(d) Eligibility requirements

Grants under this section shall be—

(1) made on the basis of the quality of the proposed research project; and

(2) available to any public or private research or educational institution or organization.

(e) Consultation

In considering specific areas of research for funding under this section, the Secretary of Agriculture shall consult with the Administrator of the Animal and Plant Health Inspection Service and the National Agricultural Research, Extension, Education, and Economics Advisory Board.

(f) Program coordination

The Secretary of Agriculture shall coordinate research funded under this section with the Office of Research and Development of the Environmental Protection Agency in order to avoid duplication of research activities.

(g) Authorization of appropriations

(1) In general

There are authorized to be appropriated such sums as necessary to carry out this section.

(2) Withholdings from biotechnology outlays

The Secretary of Agriculture shall withhold from outlays of the Department of Agriculture for research on biotechnology, as defined and determined by the Secretary, at least 2 percent of such amount for the purpose of making grants under this section for research on biotechnology risk assessment.

(3) Application of funds

Funds made available under this subsection shall be applied, to the maximum extent practicable, to risk assessment research on all categories identified in subsection (c).

(Pub. L. 101–624, title XVI, §1668, Nov. 28, 1990, 104 Stat. 3767; Pub. L. 102–237, title IV, §407(9), Dec. 13, 1991, 105 Stat. 1865; Pub. L. 107–171, title VII, §7210, May 13, 2002, 116 Stat. 446; Pub. L. 110–234, title VII, §7511(c)(21), May 22, 2008, 122 Stat. 1269; Pub. L. 110–246, §4(a), title VII, §7511(c)(21), June 18, 2008, 122 Stat. 1664, 2031.)

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. (b). Pub. L. 110–246, §7511(c)(21), substituted "National Institute of Food and Agriculture" for "Cooperative State Research, Education, and Extension Service".

2002—Pub. L. 107–171 reenacted section catchline and amended text generally, substituting substantially similar provisions in subsecs. (a), (b), and (d) to (g), and substituting in subsec. (c), provisions relating to research priorities for provisions relating to types of research.

1991—Subsec. (g)(2). Pub. L. 102–237 substituted "Withholdings" for "Withholdings" in heading.

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)(21) 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.

§5921a. Repealed. Pub. L. 110–234, [title VII, §7411, May 22, 2008](#), 122 Stat. 1255, and Pub. L. 110–246, [§4\(a\), title VII, §7411, June 18, 2008](#), 122 Stat. 1664, 2017

Section, Pub. L. 107–171, [title X, §10802, May 13, 2002](#), 116 Stat. 525, related to public information campaign regarding use of biotechnology in producing food for human consumption.

CODIFICATION

Pub. L. 110–234 and Pub. L. 110–246 repealed this section. Pub. L. 110–234 was repealed by section 4(a) of Pub. L. 110–246.

EFFECTIVE DATE OF REPEAL

Repeal 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.

§5922. Repealed. Pub. L. 107–171, [title X, §10705\(b\), May 13, 2002](#), 116 Stat. 519

Section, Pub. L. 101–624, [title XVI, §1669, Nov. 28, 1990](#), 104 Stat. 3768, related to Graduate School of Department of Agriculture.

EFFECTIVE DATE OF REPEAL

Repeal of section effective Oct. 1, 2002, see section 10705(c) of Pub. L. 107–171, set out as an Effective Date of 2002 Amendment note under section 2279b of this title.

§5923. Repealed. Pub. L. 113–79, [title VII, §7207, Feb. 7, 2014](#), 128 Stat. 881

Section, Pub. L. 101–624, [title XVI, §1670](#), as added Pub. L. 107–171, [title VI, §6202, May 13, 2002](#), 116 Stat. 419; amended Pub. L. 110–234, [title VII, §7511\(c\)\(22\), May 22, 2008](#), 122 Stat. 1269; Pub. L. 110–246, [§4\(a\), title VII, §7511\(c\)\(22\), June 18, 2008](#), 122 Stat. 1664, 2031, related to rural electronic commerce extension program.

PRIOR PROVISIONS

A prior section 5923, Pub. L. 101–624, [title XVI, §1670, Nov. 28, 1990](#), 104 Stat. 3769; Pub. L. 102–237, [title IV, §407\(10\), Dec. 13, 1991](#), 105 Stat. 1865; Pub. L. 104–127, [title VIII, §834, Apr. 4, 1996](#), 110 Stat. 1169, authorized establishment of livestock product safety and inspection program, prior to repeal by Pub. L. 105–185, [title III, §302\(c\), June 23, 1998](#), 112 Stat. 563.

§5924. Agricultural Genome to Phenome Initiative

(a) Goals

The goals of this section are—

(1) to expand knowledge concerning genomes and phenomes of crops and animals of importance to the agriculture sector of the United States;

(2) to understand how variable weather, environments, and production systems impact the growth and productivity of specific varieties of crops and species of animals in order to provide greater accuracy in predicting crop and animal performance under variable conditions;

(3) to support research that leverages plant and animal genomic information with phenotypic and environmental data through an interdisciplinary framework, leading to a novel understanding of plant and animal processes that affect growth, productivity, and the ability to predict performance, which will result in the deployment of superior varieties and species to producers and improved crop and animal management recommendations for farmers and ranchers;

- (4) to catalyze and coordinate research that links genomics and predictive phenomics at different sites across the United States to achieve advances in crops and animals that generate societal benefits;
- (5) to combine fields such as genetics, genomics, plant physiology, agronomy, climatology, and crop modeling with computation and informatics, statistics, and engineering;
- (6) to combine fields such as genetics, genomics, animal physiology, meat science, animal nutrition, and veterinary science with computation and informatics, statistics, and engineering;
- (7) to focus on crops and animals that will yield scientifically important results that will enhance the usefulness of many other crops and animals;
- (8) to build on genomic research, such as the Plant Genome Research Project and the National Animal Genome Research Program, to understand gene function in production environments that is expected to have considerable returns for crops and animals of importance to the agriculture of the United States;
- (9) to develop improved data analytics to enhance understanding of the biological function of genes;
- (10) to allow resources developed under this section, including data, software, germplasm, and other biological materials, to be openly accessible to all persons, subject to any confidentiality requirements imposed by law; and
- (11) to encourage international partnerships with each partner country responsible for financing its own research.

(b) Duties of Secretary

The Secretary of Agriculture (referred to in this section as the "Secretary") shall conduct a research initiative, to be known as the "Agricultural Genome to Phenome Initiative", for the purpose of—

- (1) studying agriculturally significant crops and animals in production environments to achieve sustainable and secure agricultural production;
- (2) ensuring that current gaps in existing knowledge of agricultural crop and animal genetics and phenomics are filled;
- (3) identifying and developing a functional understanding of relevant genes from animals and agronomically relevant genes from crops that are of importance to the agriculture sector of the United States;
- (4) ensuring future genetic improvement of crops and animals of importance to the agriculture sector of the United States;
- (5) studying the relevance of diverse germplasm as a source of unique genes that may be of importance in the future;
- (6) enhancing genetics to reduce the economic impact of pathogens on crops and animals of importance to the agriculture sector of the United States;
- (7) disseminating findings to relevant audiences; and
- (8) otherwise carrying out this section.

(c) Grants and cooperative agreements

(1) Authority

The Secretary, acting through the National Institute of Food and Agriculture, may make grants or enter into cooperative agreements with individuals and organizations in accordance with section 3318 of this title.

(2) Competitive basis

A grant or cooperative agreement under this subsection shall be made or entered into on a competitive basis.

(3) Consortia

The Secretary shall encourage awards under this section to consortia of eligible entities.

(d) Administration

Paragraphs (4), (7), (8), and (11)(B) of subsection (b) of section 3157 of this title shall apply with respect to the making of a grant or cooperative agreement under this section.

(e) Consultation with National Academy of Sciences

The Secretary may use funds made available under this section to consult with the National Academy of Sciences regarding the administration of the Agricultural Genome to Phenome Initiative.

(f) Matching funds requirement

(1) In general

Subject to paragraph (3), with respect to a grant or cooperative agreement under this section that provides a particular benefit to a specific agricultural commodity, the recipient of funds under the grant or cooperative agreement shall provide non-Federal matching funds (including funds from an agricultural commodity promotion, research, and information program) equal to not less than the amount provided under the grant or cooperative agreement.

(2) In-kind support

Non-Federal matching funds described in paragraph (1) may include in-kind support.

(3) Waiver

The Secretary may waive the matching funds requirement under paragraph (1) with respect to a research project if the Secretary determines that—

(A) the results of the project are of a particular benefit to a specific agricultural commodity, but those results are likely to be applicable to agricultural commodities generally; or

(B)(i) the project—

(I) involves a minor commodity; and

(II) deals with scientifically important research; and

(ii) the recipient is unable to satisfy the matching funds requirement.

(g) Authorization of appropriations

There is authorized to be appropriated to carry out this section \$40,000,000 for each of fiscal years 2019 through 2023.

(Pub. L. 101–624, title XVI, §1671, Nov. 28, 1990, 104 Stat. 3769; Pub. L. 104–66, title I, §1011(s), Dec. 21, 1995, 109 Stat. 710; Pub. L. 104–127, title VIII, §835, Apr. 4, 1996, 110 Stat. 1169; Pub. L. 105–185, title II, §241, June 23, 1998, 112 Stat. 547; Pub. L. 107–171, title VII, §7208(a), May 13, 2002, 116 Stat. 442; Pub. L. 110–234, title VII, §7406(d)(2), May 22, 2008, 122 Stat. 1252; Pub. L. 110–246, §4(a), title VII, §7406(d)(2), June 18, 2008, 122 Stat. 1664, 2013; Pub. L. 113–79, title VII, §§7128(b)(2)(B), 7208, Feb. 7, 2014, 128 Stat. 878, 881; Pub. L. 115–334, title VII, §7208, 7614(b)(2)(B), Dec. 20, 2018, 132 Stat. 4805, 4834.)

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

2018—Pub. L. 115–334, §7208(1), inserted "to Phenome" after "Genome" in section catchline.

Subsec. (a). Pub. L. 115–334, §7208(2), added subsec. (a) and struck out former subsec. (a) which related to goals for the Agricultural Genome Initiative.

Subsec. (b). Pub. L. 115–334, §7208(3), added subsec. (b) and struck out former subsec. (b) which related to duties of the Secretary of Agriculture under the Agricultural Genome Initiative.

Subsec. (c)(1). Pub. L. 115–334, §7208(4), inserted ", acting through the National Institute of Food and Agriculture," after "The Secretary".

Subsec. (e). Pub. L. 115–334, §7208(5), inserted "to Phenome" after "Genome".

Subsec. (f). Pub. L. 115–334, §7614(b)(2)(B), added subsec. (f) and redesignated former subsec. (f) as (g).

Pub. L. 115–334, §7208(6), added subsec. (f).

Subsec. (g). Pub. L. 115–334, §7614(b)(2)(B)(i), redesignated subsec. (f) as (g).

2014—Subsec. (c)(3). Pub. L. 113–79, §7208, added par. (3).

Subsecs. (e), (f). Pub. L. 113–79, §7128(b)(2)(B), redesignated subsec. (f) as (e) and struck out former subsec. (e) which related to matching of funds.

2008—Subsec. (d). Pub. L. 110–246, §7406(d)(2), substituted "Paragraphs (4), (7), (8), and (11)(B)" for "Paragraphs (1), (6), (7), and (11)".

2002—Subsec. (b)(3). Pub. L. 107–171, §7208(a)(1), inserted "pathogens and" before "diseases causing economic hardship".

Subsec. (b)(7), (8). Pub. L. 107–171, §7208(a)(2)–(4), added par. (7) and redesignated former par. (7) as (8).

1998—Pub. L. 105–185 amended section catchline and text generally, substituting present provisions for provisions which in subsec. (a) required plant genome mapping program, in subsec. (b) authorized competitive grants for research projects, in subsec. (c) described research areas for projects, in subsec. (d) set forth deadline for submission of plan for awarding grants, in subsec. (e) directed coordination of section activities with certain related activities, in subsec. (f) required protection of proprietary interests when considered to be appropriate, and in subsec. (g) authorized appropriations for fiscal years 1996 and 1997 to carry out this section.

1996—Subsec. (g). Pub. L. 104–127 inserted "for fiscal years 1996 and 1997" after "appropriated".

1995—Subsecs. (g), (h). Pub. L. 104–66 redesignated subsec. (h) as (g) and struck out former subsec. (g) which required Secretary to submit annual reports to Congress describing operations of grant program for plant genome mapping.

EFFECTIVE DATE OF 2018 AMENDMENT

Amendment by section 7614(b)(2)(B) of Pub. L. 115–334 applicable to grants, cooperative agreements, or other awards made after Dec. 20, 2018, with matching funds requirement in effect on Dec. 20, 2018, to continue to apply to such grant, cooperative agreement, or other award, see section 7614(c) of Pub. L. 115–334, set out as a note under section 3151 of this title.

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 7406(d)(2) of Pub. L. 110–246 inapplicable to any solicitation for grant applications issued by the Cooperative State Research, Education, and Extension Service before June 18, 2008, see section 7406(c) of Pub. L. 110–246, set out as a note under section 3157 of this title.

§5925. High-priority research and extension initiatives

(a) Competitive specialized research and extension grants authorized

(1) In general

The Secretary of Agriculture (referred to in this section as the "Secretary") may make competitive grants to support research and extension activities specified in subsections (d) through (g).

(2) Matching funds requirement

(A) In general

Subject to subparagraph (C), an entity receiving a grant under paragraph (1) shall provide non-Federal matching funds (including funds from an agricultural commodity promotion, research, and information program) equal to not less than the amount of the grant.

(B) In-kind support

Non-Federal matching funds described in subparagraph (A) may include in-kind support.

(C) Waiver

The Secretary may waive the matching funds requirement under subparagraph (A) with respect to a research project if the Secretary determines that—

- (i) the results of the project are of a particular benefit to a specific agricultural commodity, but those results are likely to be applicable to agricultural commodities generally; or
- (ii)(I) the project—
 - (aa) involves a minor commodity; and
 - (bb) deals with scientifically important research; and

(II) the recipient is unable to satisfy the matching funds requirement.

(3) Consultation

The Secretary shall make the grants in consultation with the National Agricultural Research, Extension, Education, and Economics Advisory Board.

(b) Administration

(1) In general

Except as otherwise provided in this section, paragraphs (4), (7), (8), and (11)(B) of subsection (b) of section 3157 of this title shall apply with respect to the making of grants under this section.

(2) Use of task forces

To facilitate the making of research and extension grants under this section in the research and extension areas specified in subsections (d) through (g), the Secretary may appoint a task force for each such area to make recommendations to the Secretary. The Secretary may not incur costs in excess of \$1,000 for any fiscal year in connection with each task force established under this paragraph.

(c) Partnerships encouraged

Following the completion of a peer review process for grant proposals received under this section, the Secretary shall provide a priority to those grant proposals, found in the peer review process to be scientifically meritorious, that involve the cooperation of multiple entities.

(d) High-priority research and extension areas

(1) Dairy financial risk management research and extension

Research and extension grants may be made under this section for the purpose of providing research, development, or education materials, information, and outreach programs regarding risk management strategies for dairy producers and for dairy cooperatives and other processors and marketers of milk.

(2) Potato research and extension

Research and extension grants may be made under this section for the purpose of developing and evaluating new strains of potatoes that are resistant to blight and other diseases, as well as insects. Emphasis may be placed on developing potato varieties that lend themselves to innovative marketing approaches.

(3) Wood use research and extension

Research and extension grants may be made under this section for the purpose of developing new uses for wood from underused tree species as well as investigating methods of modifying wood and wood fibers to produce better building materials.

(4) Bighorn and domestic sheep disease mechanisms

Research and extension grants may be made under this section to conduct research relating to the health status of (including the presence of infectious diseases in) bighorn and domestic sheep under range conditions.

(5) Agricultural development in the American-Pacific region

Research and extension grants may be made under this section to support food and agricultural science at a consortium of land-grant institutions in the American-Pacific region.

(6) Tropical and subtropical agricultural research

Research grants may be made under this section, in equal dollar amounts to the Caribbean and Pacific Basins, to support tropical and subtropical agricultural research, including pest and disease research, at the land-grant institutions in the Caribbean and Pacific regions.

(7) Women and minorities in stem fields

Research and extension grants may be made under this section to increase participation by women and underrepresented minorities from rural areas in the fields of science, technology, engineering, and mathematics, with priority given to eligible institutions that carry out continuing programs funded by the Secretary.

(8) Alfalfa seed and alfalfa forage systems research program

Research and extension grants may be made under this section for the purpose of studying improvements in alfalfa seed and alfalfa forage systems yields, biomass and persistence, pest pressures, the bioenergy potential of alfalfa seed and other alfalfa forage systems to reduce losses during harvest and storage.

(9) Coffee plant health initiative

Research and extension grants may be made under this section for the purposes of—

- (A) developing and disseminating science-based tools and treatments to combat the coffee berry borer (*Hypothenemus hampei*); and
- (B) establishing an areawide integrated pest management program in areas affected by, or areas at risk of, being affected by the coffee berry borer.

(10) Corn, soybean meal, cereal grains, and grain byproducts research and extension

Research and extension grants may be made under this section for the purpose of carrying out or enhancing research to improve the digestibility, nutritional value, and efficiency of the use of corn, soybean meal, cereal grains, and grain byproducts for the poultry and food animal production industries.

(11) Macadamia tree health initiative

Research and extension grants may be made under this section for the purposes of—

- (A) developing and disseminating science-based tools and treatments to combat the macadamia felted coccid (*Eriococcus ironsidei*); and
- (B) establishing an areawide integrated pest management program in areas affected by, or areas at risk of being affected by, the macadamia felted coccid.

(12) National turfgrass research initiative

Research and extension grants may be made under this section for the purposes of—

- (A) carrying out or enhancing research related to turfgrass and sod issues;
- (B) enhancing production and uses of turfgrass for the general public;
- (C) identifying new turfgrass varieties with superior drought, heat, cold, and pest tolerance to reduce water, fertilizer, and pesticide use;
- (D) selecting genetically superior turfgrasses and developing improved technologies for managing commercial, residential, and recreational turfgrass areas;
- (E) producing turfgrasses that—
 - (i) aid in mitigating soil erosion;
 - (ii) protect against pollutant runoff into waterways; or
 - (iii) provide other environmental benefits;
- (F) investigating, preserving, and protecting native plant species, including grasses not currently utilized in turfgrass systems;
- (G) creating systems for more economical and viable turfgrass seed and sod production throughout the United States; and

(H) investigating the turfgrass phytobiome and developing biologic products to enhance soil, enrich plants, and mitigate pests.

(13) Fertilizer management initiative

(A) In general

Research and extension grants may be made under this section for the purpose of carrying out research to improve fertilizer use efficiency in crops—

- (i) to maximize crop yield; and
- (ii) to minimize nutrient losses to surface and groundwater and the atmosphere.

(B) Priority

In awarding grants under subparagraph (A), the Secretary shall give priority to research examining the impact of the source, rate, timing, and placement of plant nutrients.

(14) Cattle fever tick program

Research and extension grants may be made under this section to study cattle fever ticks—

- (A) to facilitate the understanding of the role of wildlife in the persistence and spread of cattle fever ticks;
- (B) to develop advanced methods for eradication of cattle fever ticks, including—
 - (i) alternative treatment methods for cattle and other susceptible species;
 - (ii) field treatment for premises, including corral pens and pasture loafing areas;
 - (iii) methods for treatment and control on infested wildlife;
 - (iv) biological control agents; and
 - (v) new and improved vaccines;
- (C) to evaluate rangeland vegetation that impacts the survival of cattle fever ticks;
- (D) to improve management of diseases relating to cattle fever ticks that are associated with wildlife, livestock, and human health;
- (E) to improve diagnostic detection of tick-infested or infected animals and pastures; and
- (F) to conduct outreach to impacted ranchers, hunters, and landowners to integrate tactics and document sustainability of best practices.

(15) Laying hen and turkey research program

Research grants may be made under this section for the purpose of improving the efficiency and sustainability of laying hen and turkey production through integrated, collaborative research and technology transfer. Emphasis may be placed on laying hen and turkey disease prevention, antimicrobial resistance, nutrition, gut health, and alternative housing systems under extreme seasonal weather conditions.

(16) Chronic wasting disease

Research and extension grants may be made under this section for the purposes of supporting research projects at land-grant colleges and universities (as defined in section 3103 of this title) with established deer research programs for the purposes of treating, mitigating, or eliminating chronic wasting disease.

(17) Algae agriculture research program

Research and extension grants may be made under this section for the development and testing of algae and algae systems (including micro- and macro-algae systems).

(18) Nutrient management

Research and extension grants may be made under this section for the purposes of examining nutrient management based on the source, rate, timing, and placement of crop nutrients.

(19) Dryland farming agricultural systems

Research and extension grants may be made under this section for the purposes of carrying out or enhancing research on the utilization of big data for more precise management of dryland farming agricultural systems.

(20) Hop plant health initiative

Research and extension grants may be made under this section for the purposes of developing and disseminating science-based tools and treatments to combat diseases of hops caused by the plant pathogens *Podosphaera macularis* and *Pseudoperonospora humuli*.

(e) Pulse crop health initiative

(1) Definitions

In this subsection:

(A) Initiative

The term "Initiative" means the pulse crop health initiative established by paragraph (2).

(B) Pulse crop

The term "pulse crop" means dry beans, dry peas, lentils, and chickpeas.

(2) Establishment

The Secretary shall carry out a pulse crop health competitive research and extension initiative to address the critical needs of the pulse crop industry by developing and disseminating science-based tools and information, including—

- (A) research conducted with respect to pulse crops in the areas of health and nutrition, such as—
 - (i) pulse crop diets and the ability of such diets to reduce obesity and associated chronic disease; and
 - (ii) the underlying mechanisms of the health benefits of pulse crop consumption;
- (B) research related to the functionality of pulse crops, such as—
 - (i) improving the functional properties of pulse crops and pulse crop fractions; and
 - (ii) developing new and innovative technologies to improve pulse crops as an ingredient in food products;
- (C) research conducted with respect to pulse crops for purposes of enhancing sustainability and global food security, such as—
 - (i) improving pulse crop productivity, nutrient density, and phytonutrient content using plant breeding, genetics, and genomics;
 - (ii) improving pest and disease management, including resistance to pests and diseases; and
 - (iii) improving nitrogen fixation and water use efficiency to reduce the carbon and energy footprint of agriculture;
- (D) the optimization of systems used in producing pulse crops to reduce water usage; and
- (E) education and technical assistance programs with respect to pulse crops, such as programs—
 - (i) providing technical expertise to help food companies include pulse crops in innovative and healthy food; and
 - (ii) establishing an educational program to encourage pulse crop consumption in the United States.

(3) Administration

Paragraphs (4), (7), (8), and (11)(B) of subsection (b) of section 3157 of this title shall apply with respect to the making of a competitive grant under this subsection.

(4) Priorities

In making competitive grants under this subsection, the Secretary shall provide a higher priority to projects that—

- (A) are multistate, multiinstitutional, and multidisciplinary; and
- (B) include explicit mechanisms to communicate results to the pulse crop industry and the public.

(5) Authorization of appropriations

There are authorized to be appropriated to carry out this subsection \$25,000,000 for each of fiscal years 2014 through 2023.

(f) Training coordination for food and agriculture protection**(1) In general**

The Secretary shall make a competitive grant to, or enter into a contract or a cooperative agreement with, an eligible entity (described in paragraph (2)) for purposes of establishing an internationally integrated training system to enhance the protection of the food supply in the United States, to be known as the "Comprehensive Food Safety Training Network" (referred to in this subsection as the "Network").

(2) Eligibility**(A) In general**

For purposes of this subsection, an eligible entity is a multiinstitutional consortium that includes—

- (i) a nonprofit institution that provides food safety protection training; and
- (ii) one or more training centers in institutions of higher education (as defined in section 1001 of title 20) that have demonstrated expertise in developing and delivering community-based training in food supply and agricultural safety and defense.

(B) Collective consideration

The Secretary may consider such consortium collectively and not on an institution-by-institution basis.

(3) Duties of eligible entity

As a condition of receiving a competitive grant or entering into a contract or a cooperative agreement with the Secretary under this subsection, the eligible entity, in cooperation with the Secretary, shall establish and maintain the Network, including by—

- (A) providing basic, technical, management, and leadership training (including by developing curricula) to regulatory and public health officials, producers, processors, and other agribusinesses;
- (B) serving as the hub for the administration of the Network;

(C) implementing a standardized national curriculum to ensure the consistent delivery of quality training throughout the United States;

(D) building and overseeing a nationally recognized instructor cadre to ensure the availability of highly qualified instructors;

(E) reviewing training proposed through the National Institute of Food and Agriculture and other relevant Federal agencies that report to the Secretary on the quality and content of proposed and existing courses;

(F) assisting Federal agencies in the implementation of food safety protection training requirements including requirements under the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.), the Agricultural Act of 2014, and any provision of law amended by such Act; and

(G) performing evaluation and outcome-based studies to provide to the Secretary information on the effectiveness and impact of training and metrics on jurisdictions and sectors within the food safety system.

(4) Membership

An eligible entity may alter the consortium membership to meet specific training expertise needs.

(5) Authorization of appropriations

There are authorized to be appropriated to carry out this subsection \$20,000,000 for each of fiscal years 2014 through 2023, to remain available until expended.

(g) Pollinator protection

(1) Research and extension

(A) Grants

Research and extension grants may be made under this section—

- (i) to survey and collect data on bee colony production and health;
- (ii) to investigate pollinator biology, immunology, ecology, genomics, and bioinformatics;
- (iii) to conduct research on various factors that may be contributing to or associated with colony collapse disorder, and other serious threats to the health of honey bees and other pollinators, including—
 - (I) parasites and pathogens of pollinators; and
 - (II) the sublethal effects of insecticides, herbicides, and fungicides on honey bees and native and managed pollinators;
- (iv) to develop mitigative and preventative measures to improve native and managed pollinator health; and
- (v) to promote the health of honey bees and native pollinators through habitat conservation and best management practices.

(B) Authorization of appropriations

There is authorized to be appropriated to carry out this paragraph \$10,000,000 for each of fiscal years 2008 through 2023.

(2) Department of Agriculture capacity and infrastructure

(A) In general

The Secretary shall, to the maximum extent practicable, increase the capacity and infrastructure of the Department—

- (i) to address colony collapse disorder and other long-term threats to pollinator health, including the hiring of additional personnel; and
- (ii) to conduct research on colony collapse disorder and other pollinator issues at the facilities of the Department.

(B) Authorization of appropriations

There is authorized to be appropriated to carry out this paragraph \$7,250,000 for each of fiscal years 2008 through 2023.

(3) Honey bee surveillance

There is authorized to be appropriated to conduct a nationwide honey bee pest, pathogen, health, and population status surveillance program \$2,750,000 for each of fiscal years 2008 through 2023.

(4) Enhanced coordination of honeybee and pollinator research

(A) In general

The Chief Scientist of the Department of Agriculture shall coordinate research, extension, education, and economic activities in the Department of Agriculture relating to native and managed pollinator health and habitat.

(B) Duties

In carrying out subparagraph (A), the Chief Scientist shall—

- (i) assign an individual to serve in the Office of the Chief Scientist as a Honeybee and Pollinator Research Coordinator who shall be responsible for leading the efforts of the Chief Scientist in carrying out such subparagraph;

- (ii) implement and coordinate pollinator health research efforts of the Department, as recommended by the Pollinator Health Task Force;
- (iii) establish annual strategic priorities and goals for the Department for native and managed pollinator research;
- (iv) communicate such priorities and goals to each agency or office of the Department of Agriculture, the managed pollinator industry, and relevant grant recipients under programs administered by the Secretary; and
- (v) coordinate and identify all research on native and managed pollinator health needed and conducted by the Department of Agriculture and relevant grant recipients under programs administered by the Secretary to ensure consistency and reduce unintended duplication of effort.

(C) Research

In coordinating research activities under subparagraph (A), the Chief Scientist shall ensure that such research—

- (i) identifies and addresses the multiple stressors on pollinator health, including pests and pathogens, reduced habitat, lack of nutritional resources, and exposure to pesticides;
- (ii) evaluates stewardship and management practices of managed pollinators that would impact managed pollinator health;
- (iii) documents the prevalence of major pests, such as *varroa destructor* (commonly referred to as the varroa mite), and diseases that are transported between States through practices involving managed pollinators;
- (iv) evaluates the impact of overcrowding of colonies for pollination services and the impact of such overcrowding on pollinator health status and pollinator health recovery;
- (v) evaluates and reports on the health differences of managed pollinators in—
 - (I) crops not requiring contract pollination;
 - (II) crops requiring contract pollination; and
 - (III) native habitat;
- (vi) evaluates the impact of horticultural and agricultural pest management practices on native and managed pollinator colonies in diverse agroecosystems;
- (vii) documents pesticide residues that are—
 - (I) found in native and managed pollinator colonies; and
 - (II) associated with typical localized commercial crop pest management practices;
- (viii) with respect to native and managed pollinator colonies visiting crops for crop pollination or honey production purposes, documents—
 - (I) the strength and health of such colonies;
 - (II) the survival, growth, reproduction, and production of such colonies;
 - (III) pests, pathogens, and viruses that affect such colonies;
 - (IV) environmental conditions of such colonies;
 - (V) beekeeper practices; and
 - (VI) any other relevant information, as determined by the Chief Scientist;
- (ix) documents, with respect to healthy populations of managed pollinators, best management practices and other practices for managed pollinators and crop managers;
- (x) evaluates the effectiveness of—
 - (I) conservation practices that target the specific needs of native and managed pollinator habitats;
 - (II) incentives that allow for the expansion of native and managed pollinator forage acreage; and
 - (III) managed pollinator breeding practices and efforts to, with respect to managed pollinators, avoid creating a genetic bottleneck and improve genetic diversity;
- (xi) in the case of commercially managed pollinator colonies, continues to gather data—
 - (I) on an annual basis with respect to losses of such colonies, splits of such colonies, and the total number of pollinator colonies;
 - (II) on rising input costs; and
 - (III) overall economic value to the food economy; and
- (xii) addresses any other issue relating to native and managed pollinators, as determined by the Chief Scientist, in consultation with scientific experts.

(D) Publication

The Chief Scientist, to the maximum extent practicable, shall—

- (i) make publicly available the results of the research described in subparagraph (C); and
- (ii) in the case of the research described in subparagraph (C)(vi), publish any data or reports that were produced by the Department of Agriculture but not made publicly available during the period beginning on January 1, 2008, and ending on December 20, 2018.

(5) Consultation

The Secretary, in consultation with the Secretary of the Interior and the Administrator of the Environmental Protection Agency, shall publish guidance on enhancing pollinator health and the long-term viability of populations of pollinators, including recommendations related to—

- (A) allowing for managed honey bees to forage on National Forest System lands where compatible with other natural resource management priorities; and
- (B) planting and maintaining managed honey bee and native pollinator foraging on National Forest System lands where compatible with other natural resource management priorities.

(6) Annual report on response to honey bee colony collapse disorder

The Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate an annual report—

- (A) describing the progress made by the Department of Agriculture in—
 - (i) investigating the cause or causes of honey bee colony collapse and honey bee health disorders;
 - (ii) finding appropriate strategies, including best management practices ¹ to reduce colony loss; and
 - (iii) addressing the decline of managed honey bees and native pollinators;

(B) assessing Federal efforts to mitigate pollinator losses and threats to the United States commercial beekeeping industry; and

(C) providing recommendations to Congress regarding how to better coordinate Federal agency efforts to address the decline of managed honey bees and native pollinators.

(h) Authorization of appropriations

There are authorized to be appropriated such sums as are necessary to carry out this section for each of fiscal years 1999 through 2023.

(Pub. L. 101–624, title XVI, §1672, Nov. 28, 1990, 104 Stat. 3770; Pub. L. 102–237, title IV, §§406, 407(11), Dec. 13, 1991, 105 Stat. 1864, 1865; Pub. L. 104–127, title VIII, §§836, 863, 888, Apr. 4, 1996, 110 Stat. 1169, 1174, 1180; Pub. L. 105–185, title II, §242, June 23, 1998, 112 Stat. 549; Pub. L. 107–171, title VII, §§7119, 7208(b), May 13, 2002, 116 Stat. 434, 442; Pub. L. 108–465, title III, §302, Dec. 21, 2004, 118 Stat. 3885; Pub. L. 110–234, title VII, §§7203, 7204, May 22, 2008, 122 Stat. 1233; Pub. L. 110–246, §4(a), title VII, §§7203, 7204, June 18, 2008, 122 Stat. 1664, 1994; Pub. L. 113–79, title VII, §§7128(b)(2)(C), 7209, Feb. 7, 2014, 128 Stat. 879, 881; Pub. L. 115–334, title VII, §§7209, 7614(b)(2)(C), Dec. 20, 2018, 132 Stat. 4806, 4834.)

REFERENCES IN TEXT

The Federal Food, Drug, and Cosmetic Act, referred to in subsec. (f)(3)(F), is act [June 25, 1938, ch. 675](#), 52 Stat. 1040, which is classified generally to chapter 9 (§301 et seq.) of Title 21, Food and Drugs. For complete classification of this Act to the Code, see section 301 of Title 21 and Tables.

The Agricultural Act of 2014, referred to in subsec. (f)(3)(F), 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

2018—Subsec. (a). Pub. L. 115–334, §7614(b)(2)(C), designated first and second sentences as pars. (1) and (3), respectively, inserted headings, and added par. (2).

Subsec. (d)(8). Pub. L. 115–334, §7209(1)(A), substituted, in heading, "Alfalfa seed and alfalfa forage systems" for "Alfalfa and forage", and in text, substituted "alfalfa seed and alfalfa forage systems" for "alfalfa and forage" and "alfalfa seed and other alfalfa forage" for "alfalfa and other forages, and".

Subsec. (d)(11) to (20). Pub. L. 115–334, §7209(1)(B), added pars. (11) to (20).

Subsec. (e)(5). Pub. L. 115–334, §7209(2), substituted "2023" for "2018".

Subsec. (f)(5). Pub. L. 115–334, §7209(3), substituted "2023" for "2018".

Subsec. (g)(1)(B), (2)(B), (3). Pub. L. 115–334, §7209(4)(A), substituted "2023" for "2018".

Subsec. (g)(4) to (6). Pub. L. 115–334, §7209(4)(B), (C), added par. (4) and redesignated former pars. (4) and (5) as (5) and (6), respectively.

Subsec. (h). Pub. L. 115–334, §7209(5), substituted "2023" for "2018".

2014—Subsec. (a). Pub. L. 113–79, §7209(1), substituted "subsections (d) through (g)" for "subsections (e) through (i)".

Subsec. (b)(2). Pub. L. 113–79, §7209(2), substituted "subsections (d) through (g)" for "subsections (e) through (i)".

Subsec. (c). Pub. L. 113–79, §7128(b)(2)(C), redesignated subsec. (d) as (c), and struck out former subsec. (c) which related to matching funds requirement.

Subsec. (d). Pub. L. 113–79, §7209(5), added pars. (9) and (10), redesignated pars. (6), (9), (10), (44), (45), (46), (49), and (50) as (1) to (8), respectively, and struck out former pars. (1) to (5), (7), (8), (11) to (43), (47), (48), (51), and (52), which related to certain research and extension grants.

Pub. L. 113–79, §7128(b)(2)(C)(ii), redesignated subsec. (e) as (d).

Subsec. (e). Pub. L. 113–79, §7209(6), added subsec. (e) and struck out former subsec. (e) which related to imported fire ant control, management, and eradication.

Pub. L. 113–79, §7128(b)(2)(C)(ii), redesignated subsec. (f) as (e).

Subsec. (f). Pub. L. 113–79, §7209(7), added subsec. (f) and struck out former subsec. (f) which related to Formosan termite research and eradication.

Pub. L. 113–79, §7128(b)(2)(C)(ii), redesignated subsec. (g) as (f). Former subsec. (f) redesignated (e).

Subsec. (g). Pub. L. 113–79, §7128(b)(2)(C)(ii), redesignated subsec. (h) as (g).

Subsec. (g)(1)(B), (2)(B). Pub. L. 113–79, §7209(8)(A), substituted "2018" for "2012".

Subsec. (g)(3). Pub. L. 113–79, §7209(8)(A), (B), struck out "pest and pathogen" after "bee" in heading and substituted "pest, pathogen, health, and population status surveillance" for "pest and pathogen surveillance" and "2018" for "2012" in text.

Subsec. (g)(4). Pub. L. 113–79, §7209(8)(D), added par. (4). Former par. (4) redesignated (5).

Subsec. (g)(5). Pub. L. 113–79, §7209(8)(E)(i), (ii), substituted "annual report—" for "annual report" in introductory provisions, inserted subpar. (A) designation before "describing", redesignated former subpars. (A) and (B) as cls. (i) and (ii) of subpar. (A), respectively, and realigned margins.

Pub. L. 113–79, §7209(8)(C), redesignated par. (4) as (5).

Subsec. (g)(5)(A)(i). Pub. L. 113–79, §7209(8)(E)(iii)(I), inserted "and honey bee health disorders" after "collapse".

Subsec. (g)(5)(A)(ii). Pub. L. 113–79, §7209(8)(E)(iv)(I), inserted ", including best management practices" after "strategies".

Subsec. (g)(5)(A)(iii). Pub. L. 113–79, §7209(8)(E)(iii)(II), (iv)(II), (v), added cl. (iii).

Subsec. (g)(5)(B), (C). Pub. L. 113–79, §7209(8)(E)(vi), added subpars. (B) and (C).

Subsec. (h). Pub. L. 113–79, §7209(9), substituted "2018" for "2012".

Pub. L. 113–79, §7209(3), (4), redesignated subsec. (i) as (h) and struck out former subsec. (h) which related to regional centers of excellence.

Pub. L. 113–79, §7128(b)(2)(C)(ii), redesignated subsec. (i) as (h).

Subsec. (i). Pub. L. 113–79, §7209(4), redesignated subsec. (i) as (h).

Pub. L. 113–79, §7128(b)(2)(C)(ii), redesignated subsec. (j) as (i).

Subsec. (j). Pub. L. 113–79, §7128(b)(2)(C)(ii), redesignated subsec. (j) as (i).

2008—Subsec. (a). Pub. L. 110–246, §7204(b)(1), substituted "subsections (e) through (i)" for "subsections (e), (f), and (g)" in first sentence.

Subsec. (b)(1). Pub. L. 110–246, §7204(b)(2)(A), substituted "paragraphs (4), (7), (8), and (11)(B)" for "paragraphs (1), (6), (7), and (11)".

Subsec. (b)(2). Pub. L. 110–246, §7204(b)(2)(B), substituted "subsections (e) through (i)" for "subsection (e)".

Subsec. (d). Pub. L. 110–246, §7203, substituted "shall" for "may".

Subsec. (e). Pub. L. 110–246, §7204(a)(1)(B)–(D), redesignated pars. (2), (3), (5), (6), (9) to (14), (16), (18) to (20), (22), (24), (25), (28) to (31), (33), (35) to (40), and (44) as (1) to (29), respectively, added pars. (30) to (52), and struck out former pars. (1), (4), (7), (8), (15), (17), (21), (23), (26), (27), (32), (34), (41) to (43), and (45), which related to research on the brown citrus aphid and the citrus tristeza virus, uses of mesquite, red meat safety, sorghum ergot eradication, development of the low-bush blueberry, wild pampas grass control, genetic aspects of scrapie in sheep, forestry, wind erosion, crop loss models, harvesting productivity for fruits and vegetables, agricultural marketing, beef cattle genetics, ingestion of dairy pipeline cleaner, genetic resource conservation, and improvement of specialty crop production, respectively.

Subsec. (e)(3). Pub. L. 110–246, §7204(a)(1)(A), substituted ", improving, and eventually commercializing, aflatoxin controls in corn and other affected agricultural products and crops" for "and controlling aflatoxin in the food and feed chains".

Subsecs. (h) to (j). Pub. L. 110–246, §7204(a)(2)–(4), added subsecs. (h) and (i), redesignated former subsec. (h) as (j), and substituted "2012" for "2007" in subsec. (j).

2004—Subsec. (e)(45). Pub. L. 108–465 added par. (45).

2002—Subsec. (e)(25) to (44). Pub. L. 107–171, §7208(b), added pars. (25) to (44).

Subsec. (h). Pub. L. 107–171, §7119, substituted "2007" for "2002".

1998—Pub. L. 105–185 amended section catchline and text generally, substituting present provisions for provisions which in subsecs. (a) to (f) which authorized specialized research programs relating to,

respectively, brown citrus aphid and citrus tristeza virus, ethanol, aflatoxin, mesquite, prickly pear, and deer tick ecology and related research, and for provisions in subsec. (g) subjecting research to peer review, setting limitation on use of funds, and providing for general eligibility to participate in programs.

1996—Subsec. (a). Pub. L. 104–127, §§863(1), 888, added subsec. (a) and struck out heading and text of former subsec. (a). Text read as follows: "The Secretary of Agriculture is encouraged to fund research for the development of technology which will ascertain the lean content of animal carcasses to be used for human consumption."

Subsecs. (d)(4), (e)(4). Pub. L. 104–127, §836, substituted "1997" for "1995".

Subsec. (f). Pub. L. 104–127, §863, redesignated subsec. (i) as (f) and struck out heading and text of former subsec. (f). Text read as follows:

"(1) RESEARCH REQUIRED.—The Secretary of Agriculture shall establish and carry out a program to make grants to colleges and universities for research relating to immunoassay used—

"(A) to detect agricultural pesticide residues on agricultural commodities for human consumption; and

"(B) to diagnose animal and plant diseases.

"(2) PREFERENCE.—In making grants under this subsection, the Secretary may give preference to those colleges and universities that, as of November 28, 1990, are conducting research described in this subsection."

Subsec. (g). Pub. L. 104–127, §863, redesignated subsec. (k) as (g) and struck out heading and text of former subsec. (g). Text read as follows: "The Secretary shall make research and extension grants available for the development of agricultural production and marketing systems that will service niche markets located in nearby metropolitan areas. In awarding such grants, the Secretary shall pay particular attention to areas—

"(1) with a high concentration of small farm operations; and

"(2) that experience difficulty in delivering products to market due to geographic isolation."

Subsec. (h). Pub. L. 104–127, §863(1), struck out subsec. (h) which provided that Secretary of Agriculture may establish and carry out a program to conduct research on disease of scrapie in sheep and goats.

Subsec. (i). Pub. L. 104–127, §§836, 863(2), redesignated subsec. (i) as (f) and substituted "1997" for "1995".

Subsec. (j). Pub. L. 104–127, §863(1), struck out heading and text of subsec. (j). Text read as follows: "The Secretary of Agriculture may—

"(1) conduct fundamental and applied research related to the development of new commercial products derived from natural plant materials for industrial, medical, and agricultural applications; and

"(2) participate with colleges and universities, other Federal agencies, and private sector entities in conducting such research."

Subsec. (k). Pub. L. 104–127, §863(2), redesignated subsec. (k) as (g).

1991—Subsec. (c). Pub. L. 102–237, §407(11), redesignated pars. (A) to (I) as (1) to (9), respectively.

Subsec. (i). Pub. L. 102–237, §406(1), substituted "Secretary of Agriculture, acting through the Cooperative State Research Service, to make competitive grants" for "Agricultural Research Service".

Subsec. (k)(1). Pub. L. 102–237, §406(2), substituted "Research" for "Except for research funded under subsection (i), research".

EFFECTIVE DATE OF 2018 AMENDMENT

Amendment by section 7614(b)(2)(C) of Pub. L. 115–334 applicable to grants, cooperative agreements, or other awards made after Dec. 20, 2018, with matching funds requirement in effect on Dec. 20, 2018, to continue to apply to such grant, cooperative agreement, or other award, see section 7614(c) of Pub. L. 115–334, set out as a note under section 3151 of this title.

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.

METHYL BROMIDE ALTERNATIVES

Pub. L. 108–465, [title III, §301, Dec. 21, 2004](#), 118 Stat. 3885, provided that:

"(a) PRIORITY.—The Secretary of Agriculture shall elevate the priority of current methyl bromide alternative research and extension activities and reexamine the risks and benefits of extending the phase-out deadline in effect on the date of the enactment of this Act [Dec. 21, 2004], including the estimated cost to the grower or processor associated with any alternatives proposed.

"(b) AUTHORIZATION OF APPROPRIATIONS.—For each of the fiscal years 2005 through 2009, there is authorized to be appropriated to the Secretary of Agriculture \$5,000,000 to carry out this section."

CREATING A FEDERAL STRATEGY TO PROMOTE THE HEALTH OF HONEY BEES AND OTHER POLLINATORS

Memorandum of President of the United States, June 20, 2014, 79 F.R. 35903, provided:

Memorandum for Heads of Executive Departments and Agencies

Pollinators contribute substantially to the economy of the United States and are vital to keeping fruits, nuts, and vegetables in our diets. Honey bee pollination alone adds more than \$15 billion in value to agricultural crops each year in the United States. Over the past few decades, there has been a significant loss of pollinators, including honey bees, native bees, birds, bats, and butterflies, from the environment. The problem is serious and requires immediate attention to ensure the sustainability of our food production systems, avoid additional economic impact on the agricultural sector, and protect the health of the environment.

Pollinator losses have been severe. The number of migrating Monarch butterflies sank to the lowest recorded population level in 2013–14, and there is an imminent risk of failed migration. The continued loss of commercial honey bee colonies poses a threat to the economic stability of commercial beekeeping and pollination operations in the United States, which could have profound implications for agriculture and food. Severe yearly declines create concern that bee colony losses could reach a point from which the commercial pollination industry would not be able to adequately recover. The loss of native bees, which also play a key role in pollination of crops, is much less studied, but many native bee species are believed to be in decline. Scientists believe that bee losses are likely caused by a combination of stressors, including poor bee nutrition, loss of forage lands, parasites, pathogens, lack of genetic diversity, and exposure to pesticides.

Given the breadth, severity, and persistence of pollinator losses, it is critical to expand Federal efforts and take new steps to reverse pollinator losses and help restore populations to healthy levels. These steps should include the development of new public-private partnerships and increased citizen engagement. Therefore, by the authority vested in me as President by the Constitution and the laws of the United States of America, I hereby direct the following:

SECTION 1. *Establishing the Pollinator Health Task Force.* There is hereby established the Pollinator Health Task Force (Task Force), to be co-chaired by the Secretary of Agriculture and the Administrator of the Environmental Protection Agency. In addition to the Co-Chairs, the Task Force shall also include the heads, or their designated representatives, from:

- (a) the Department of State;
- (b) the Department of Defense;
- (c) the Department of the Interior;
- (d) the Department of Housing and Urban Development;
- (e) the Department of Transportation;
- (f) the Department of Energy;
- (g) the Department of Education;
- (h) the Council on Environmental Quality;
- (i) the Domestic Policy Council;
- (j) the General Services Administration;
- (k) the National Science Foundation;
- (l) the National Security Council Staff;
- (m) the Office of Management and Budget;
- (n) the Office of Science and Technology Policy; and
- (o) such executive departments, agencies, and offices as the Co-Chairs may designate.

SEC. 2. *Mission and Function of the Task Force.* Within 180 days of the date of this memorandum, the Task Force shall develop a National Pollinator Health Strategy (Strategy), which shall include explicit goals, milestones, and metrics to measure progress. The Strategy shall include the following components:

(a) *Pollinator Research Action Plan.* The Strategy shall include an Action Plan (Plan) to focus Federal efforts on understanding, preventing, and recovering from pollinator losses. The Plan shall be informed by research on relevant topics and include:

(i) studies of the health of managed honey bees and native bees, including longitudinal studies, to determine the relative contributions of, and mitigation strategies for, different stressors leading to species declines and colony collapse disorder, including exposure to pesticides, poor nutrition, parasites and other pests, toxins, loss of habitat and reduced natural forage, pathogens, and unsustainable management practices;

(ii) plans for expanded collection and sharing of data related to pollinator losses, technologies for continuous monitoring of honey bee hive health, and use of public-private partnerships, as appropriate, to provide information on the status and trends of managed hive losses;

(iii) assessments of the status of native pollinators, including the Monarch butterfly and bees, and modeling of native pollinator populations and habitats;

(iv) strategies for developing affordable seed mixes, including native pollinator-friendly plants, for maintenance of honey bees and other pollinators, and guidelines for and evaluations of the effectiveness of using pollinator-friendly seed mixes for restoration and reclamation projects;

(v) identification of existing and new methods and best practices to reduce pollinator exposure to pesticides, and new cost-effective ways to control bee pests and diseases; and

(vi) strategies for targeting resources toward areas of high risk and restoration potential and prioritizing plans for restoration of pollinator habitat, based on those areas that will yield the greatest expected net benefits.

(b) *Public Education Plan.* The Strategy shall include plans for expanding and coordinating public education programs outlining steps individuals and businesses can take to help address the loss of pollinators. It shall also include recommendations for a coordinated public education campaign aimed at individuals, corporations, small businesses, schools, libraries, and museums to significantly increase public awareness of the importance of pollinators and the steps that can be taken to protect them.

(c) *Public-Private Partnerships.* The Strategy shall include recommendations for developing public-private partnerships to build on Federal efforts to encourage the protection of pollinators and increase the quality and amount of habitat and forage for pollinators. In developing this part of the Strategy, the Task Force shall consult with external stakeholders, including State, tribal, and local governments, farmers, corporations, and nongovernmental organizations.

(d) Task Force member agencies shall report regularly to the Task Force on their efforts to implement section 3 of this memorandum.

SEC. 3. *Increasing and Improving Pollinator Habitat.* Unless otherwise specified, within 180 days of the date of this memorandum:

(a) Task Force member agencies shall develop and provide to the Task Force plans to enhance pollinator habitat, and subsequently implement, as appropriate, such plans on their managed lands and facilities, consistent with their missions and public safety. These plans may include: facility landscaping, including easements; land management; policies with respect to road and other rights-of-way; educational gardens; use of integrated vegetation and pest management; increased native vegetation; and application of pollinator-friendly best management practices and seed mixes. Task Force member agencies shall also review any new or renewing land management contracts and grants for the opportunity to include requirements for enhancing pollinator habitat.

(b) Task Force member agencies shall evaluate permit and management practices on power line, pipeline, utility, and other rights-of-way and easements, and, consistent with applicable law, make any necessary and appropriate changes to enhance pollinator habitat on Federal lands through the use of integrated vegetation and pest management and pollinator-friendly best management practices, and by supplementing existing agreements and memoranda of understanding with rights-of-way holders, where appropriate, to establish and improve pollinator habitat.

(c) Task Force member agencies shall incorporate pollinator health as a component of all future restoration and reclamation projects, as appropriate, including all annual restoration plans.

(d) The Council on Environmental Quality and the General Services Administration shall, within 90 days of the date of this memorandum, revise their respective guidance documents for designed landscapes and public buildings to incorporate, as appropriate, pollinator-friendly practices into site landscape performance requirements to create and maintain high quality habitats for pollinators. Future landscaping projects at all Federal facilities shall, to the maximum extent appropriate, use plants beneficial to pollinators.

(e) The Departments of Agriculture and the Interior shall, within 90 days of the date of this memorandum, develop best management practices for executive departments and agencies to enhance pollinator habitat on Federal lands.

(f) The Departments of Agriculture and the Interior shall establish a reserve of native seed mixes, including pollinator-friendly plants, for use on post-fire rehabilitation projects and other restoration activities.

(g) The Department of Agriculture shall, as appropriate and consistent with applicable law, substantially increase both the acreage and forage value of pollinator habitat in the Department's conservation programs, including the Conservation Reserve Program, and provide technical assistance, through collaboration with the land-grant university-based cooperative extension services, to executive departments and agencies, State, local, and tribal governments, and other entities and individuals, including farmers and ranchers, in planting the most suitable pollinator-friendly habitats.

(h) The Department of the Interior shall assist States and State wildlife organizations, as appropriate, in identifying and implementing projects to conserve pollinators at risk of endangerment and further pollinator conservation through the revision and implementation of individual State Wildlife Action Plans. The Department of the Interior shall, upon request, provide technical support for these efforts, and keep the Task Force apprised of such collaborations.

(i) The Department of Transportation shall evaluate its current guidance for grantees and informational resources to identify opportunities to increase pollinator habitat along roadways and implement improvements, as appropriate. The Department of Transportation shall work with State Departments of Transportation and transportation associations to promote pollinator-friendly practices and corridors. The Department of Transportation shall evaluate opportunities to make railways, pipelines, and transportation facilities that are privately owned and operated aware of the need to increase pollinator habitat.

(j) The Department of Defense shall, consistent with law and the availability of appropriations, support habitat restoration projects for pollinators, and shall direct military service installations to use, when possible, pollinator-friendly native landscaping and minimize use of pesticides harmful to pollinators through integrated vegetation and pest management practices.

(k) The Army Corps of Engineers shall incorporate conservation practices for pollinator habitat improvement on the 12 million acres of lands and waters at resource development projects across the country, as appropriate.

(l) The Environmental Protection Agency shall assess the effect of pesticides, including neonicotinoids, on bee and other pollinator health and take action, as appropriate, to protect pollinators; engage State and tribal environmental, agricultural, and wildlife agencies in the development of State and tribal pollinator protection plans; encourage the incorporation of pollinator protection and habitat planting activities into green infrastructure and Superfund projects; and expedite review of registration applications for new products targeting pests harmful to pollinators.

(m) Executive departments and agencies shall, as appropriate, take immediate measures to support pollinators during the 2014 growing season and thereafter. These measures may include planting pollinator-friendly vegetation and increasing flower diversity in plantings, limiting mowing practices, and avoiding the use of pesticides in sensitive pollinator habitats through integrated vegetation and pest management practices.

SEC. 4. *General Provisions.* (a) This memorandum shall be implemented consistent with applicable law and subject to the availability of appropriations.

(b) Nothing in this memorandum shall be construed to impair or otherwise affect:

(i) the authority granted by law to any agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(c) Nothing in this memorandum shall be construed to require the disclosure of confidential business information or trade secrets, classified information, law enforcement sensitive information, or other information that must be protected in the interest of national security or public safety.

(d) This memorandum is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

(e) The Secretary of Agriculture is hereby authorized and directed to publish this memorandum in the Federal Register.

BARACK OBAMA.

¹ So in original. Probably should be followed by a comma.

§5925a. Repealed. Pub. L. 113–79, title VII, §7210, Feb. 7, 2014, 128 Stat. 885

Section, Pub. L. 101–624, title XVI, §1672A, as added Pub. L. 105–185, title II, §243, June 23, 1998, 112 Stat. 554; amended Pub. L. 107–171, title VII, §7120, May 13, 2002, 116 Stat. 434; Pub. L. 110–234, title VII, §7205, May 22, 2008, 122 Stat. 1238; Pub. L. 110–246, §4(a), title VII, §7205, June 18, 2008, 122 Stat. 1664, 1999, related to nutrient management research and extension initiative.

STUDY OF NUTRIENT BANKING

Pub. L. 107–171, title VII, §7411, May 13, 2002, 116 Stat. 462, provided that the Secretary of Agriculture may conduct study to evaluate nutrient banking for purpose of enhancing health and viability of watersheds in areas with large concentrations of animal producing units, prior to repeal by Pub. L. 113–79, title VII, §7408(c), Feb. 7, 2014, 128 Stat. 898.

§5925b. Organic agriculture research and extension initiative

(a) Competitive specialized research and extension grants authorized

In consultation with the National Agricultural Research, Extension, Education, and Economics Advisory Board, using funds made available under subsection (e), the Secretary of Agriculture (referred to in this section as the "Secretary") may make competitive grants in each of fiscal years 2019 through 2023 to support research, education, and extension activities regarding organically grown and processed agricultural commodities for the purposes of—

- (1) facilitating the development and improvement of organic agriculture production, breeding, and processing methods;
- (2) evaluating the potential economic benefits of organic agricultural production and methods to producers, processors, and rural communities;
- (3) exploring international trade opportunities for organically grown and processed agricultural commodities;
- (4) determining desirable traits for organic commodities;
- (5) identifying marketing and policy constraints on the expansion of organic agriculture;
- (6) conducting advanced on-farm research and development that emphasizes observation of, experimentation with, and innovation for working organic farms, including research relating to production, marketing, food safety, socioeconomic conditions, and farm business management;
- (7) examining optimal conservation, soil health, and environmental outcomes relating to organically produced agricultural products; and
- (8) developing new and improved seed varieties that are particularly suited for organic agriculture.

(b) Grant types and process, prohibition on construction

Paragraphs (4), (7), (8), and (11)(B) of subsection (b) of section 3157 of this title shall apply with respect to the making of grants under this section.

(c) Matching requirement

(1) In general

Subject to paragraph (3), an entity receiving a grant under subsection (a) shall provide non-Federal matching funds (including funds from an agricultural commodity promotion, research, and information program) equal to not less than the amount of the grant.

(2) In-kind support

Non-Federal matching funds described in paragraph (1) may include in-kind support.

(3) Waiver

The Secretary may waive the matching funds requirement under paragraph (1) with respect to a research project if the Secretary determines that—

- (A) the results of the project are of a particular benefit to a specific agricultural commodity, but those results are likely to be applicable to agricultural commodities generally; or
- (B)(i) the project—
 - (I) involves a minor commodity; and
 - (II) deals with scientifically important research; and

(ii) the recipient is unable to satisfy the matching funds requirement.

(d) Partnerships encouraged

Following the completion of a peer review process for grant proposals received under this section, the Secretary may provide a priority to those grant proposals, found in the peer review process to be scientifically meritorious, that involve the cooperation of multiple entities.

(e) Funding

On October 1, 2003, and each October 1 thereafter through October 1, 2007, out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer \$3,000,000 to the Secretary of Agriculture for this section.

(f) Funding

(1) Mandatory funding

Of the funds of the Commodity Credit Corporation, the Secretary shall make available to carry out this section—

- (A) \$18,000,000 for fiscal year 2009;
- (B) \$20,000,000 for each of fiscal years 2010 through 2012;
- (C) \$20,000,000 for each of fiscal years 2014 through 2018; and ¹
- (D) \$20,000,000 for each of fiscal years 2019 through 2020;
- (E) \$25,000,000 for fiscal year 2021;
- (F) \$30,000,000 for fiscal year 2022; and

(G) \$50,000,000 for fiscal year 2023 and each fiscal year thereafter.

(2) Discretionary funding

In addition to amounts made available under paragraph (1), there is authorized to be appropriated to carry out this section \$25,000,000 for each of fiscal years 2014 through 2023.

(3) Fiscal year 2013

There is authorized to be appropriated to carry out this section \$25,000,000 for fiscal year 2013.

(Pub. L. 101–624, title XVI, §1672B, as added Pub. L. 105–185, title II, §244, June 23, 1998, 112 Stat. 555; amended Pub. L. 107–171, title VII, §7218, May 13, 2002, 116 Stat. 449; Pub. L. 110–234, title VII, §§7206(a), 7406(d)(3), May 22, 2008, 122 Stat. 1238, 1252; Pub. L. 110–246, §4(a), title VII, §§7206(a), 7406(d)(3), June 18, 2008, 122 Stat. 1664, 1999, 2013; Pub. L. 112–240, title VII, §701(e)(1), Jan. 2, 2013, 126 Stat. 2364; Pub. L. 113–79, title VII, §§7128(b)(2)(D), 7211, Feb. 7, 2014, 128 Stat. 879, 885; Pub. L. 115–334, title VII, §§7210, 7614(b)(2)(D), Dec. 20, 2018, 132 Stat. 4811, 4835.)

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

2018—Subsec. (a). Pub. L. 115–334, §7210(1)(A), in introductory provisions, inserted "using funds made available under subsection (e)," after "Board," and "in each of fiscal years 2019 through 2023" after "grants".

Subsec. (a)(7). Pub. L. 115–334, §7210(1)(B), inserted ", soil health," after "conservation".

Subsecs. (c) to (e). Pub. L. 115–334, §7614(b)(2)(D), added subsec. (c) and redesignated former subsecs. (c) and (d) as (d) and (e), respectively. Former subsec. (e) redesignated (f).

Subsec. (e)(1)(D) to (G). Pub. L. 115–334, §7210(2)(A), added subpars. (D) to (G).

Subsec. (e)(2). Pub. L. 115–334, §7210(2)(B), in heading, struck out "for fiscal years 2014 through 2018" after "funding", and in text, substituted "2023" for "2018".

Subsec. (f). Pub. L. 115–334, §7614(b)(2)(D)(i), redesignated subsec. (e) as (f).

2014—Subsec. (a). Pub. L. 113–79, §7211(1)(A), inserted ", education," after "support research" in introductory provisions.

Subsec. (a)(1). Pub. L. 113–79, §7211(1)(B), inserted "and improvement" after "development".

Subsec. (a)(2). Pub. L. 113–79, §7211(1)(C), substituted "of organic agricultural production and methods to producers, processors, and rural communities" for "to producers and processors who use organic methods".

Subsec. (a)(6). Pub. L. 113–79, §7211(1)(D), substituted ", marketing, food safety, socioeconomic conditions, and farm business management" for "and marketing and to socioeconomic conditions".

Subsecs. (c), (d). Pub. L. 113–79, §7128(b)(2)(D), redesignated subsecs. (d) and (e) as (c) and (d), respectively, and struck out former subsec. (c) which related to matching funds requirement.

Subsec. (e). Pub. L. 113–79, §7128(b)(2)(D)(ii), redesignated subsec. (f) as (e).

Subsec. (e)(1). Pub. L. 113–79, §7211(2)(A)(i), struck out "for fiscal years 2009 through 2012" after "funding" in heading.

Subsec. (e)(1)(C). Pub. L. 113–79, §7211(2)(A)(ii)–(iv), added subpar. (C).

Subsec. (e)(2). Pub. L. 113–79, §7211(2)(B), substituted "2014 through 2018" for "2009 through 2012" in heading and text.

Subsec. (f). Pub. L. 113–79, §7128(b)(2)(D)(ii), redesignated subsec. (f) as (e).

2013—Subsec. (f)(1). Pub. L. 112–240, §701(e)(1)(A), substituted "Mandatory funding for fiscal years 2009 through 2012" for "In general" in heading.

Subsec. (f)(2). Pub. L. 112–240, §701(e)(1)(B), substituted "Discretionary funding for fiscal years 2009 through 2012" for "Additional funding" in heading.

Subsec. (f)(3). Pub. L. 112–240, §701(e)(1)(C), added par. (3).

2008—Subsec. (a)(7), (8). Pub. L. 110–246, §7206(a)(1), added pars. (7) and (8).

Subsec. (b). Pub. L. 110–246, §7406(d)(3), substituted "Paragraphs (4), (7), (8), and (11)(B)" for "Paragraphs (1), (6), (7), and (11)".

Subsec. (f). Pub. L. 110–246, §7206(a)(2), added subsec. (f).

2002—Subsec. (a)(1). Pub. L. 107–171, §7218(1)(A), inserted ", breeding," after "production".

Subsec. (a)(4) to (6). Pub. L. 107–171, §7218(1)(B)–(D), added pars. (4) to (6).

Subsec. (e). Pub. L. 107–171, §7218(2), amended heading and text of subsec. (e) generally. Prior to amendment, text read as follows: "There are authorized to be appropriated such sums as are necessary to carry out this section for each of fiscal years 1999 through 2002."

EFFECTIVE DATE OF 2018 AMENDMENT

Amendment by section 7614(b)(2)(D) of Pub. L. 115–334 applicable to grants, cooperative agreements, or other awards made after Dec. 20, 2018, with matching funds requirement in effect on Dec. 20, 2018, to continue to apply to such grant, cooperative agreement, or other award, see section 7614(c) of Pub. L. 115–334, set out as a note under section 3151 of this title.

EFFECTIVE DATE OF 2013 AMENDMENT

Amendment by Pub. L. 112–240 effective Sept. 30, 2012, see section 701(j) of Pub. L. 112–240, set out in a 1-Year Extension of Agricultural Programs note under section 8701 of this title.

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 7406(d)(3) of Pub. L. 110–246 inapplicable to any solicitation for grant applications issued by the Cooperative State Research, Education, and Extension Service before June 18, 2008, see section 7406(c) of Pub. L. 110–246, set out as a note under section 3157 of this title.

COORDINATION OF PROJECTS AND ACTIVITIES

Pub. L. 110–234, [title VII, §7206\(b\), May 22, 2008](#), 122 Stat. 1239, and Pub. L. 110–246, [§4\(a\), title VII, §7206\(b\), June 18, 2008](#), 122 Stat. 1664, 2000, provided that: "In carrying out the amendment made by this section [amending this section], the Secretary [of Agriculture] shall ensure that the Division Chief of the applicable Research, Education, and Extension Office established under section 251 of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6971) coordinates projects and activities under this section to ensure, to the maximum extent practicable, that unnecessary duplication of effort is eliminated or minimized."

[Pub. L. 110–234 and Pub. L. 110–246 enacted identical provisions. Pub. L. 110–234 was repealed by section 4(a) of Pub. L. 110–246, set out as a note under section 8701 of this title.]

REPORT ON PRODUCERS AND HANDLERS OF ORGANIC AGRICULTURAL PRODUCTS

Pub. L. 107–171, [title VII, §7409, May 13, 2002](#), 116 Stat. 461, related to report on producers and handlers of organic agricultural products, prior to repeal by Pub. L. 113–79, [title VII, §7408\(a\), Feb. 7, 2014](#), 128 Stat. 898.

¹ So in original. The word "and" probably should not appear.

§5925c. Organic production and market data initiatives

(a) In general

The Secretary shall collect and report data on the production and marketing of organic agricultural products.

(b) Requirements

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

- (1) collect and distribute comprehensive reporting of prices relating to organically produced agricultural products;
- (2) conduct surveys and analysis and publish reports relating to organic production, handling, distribution, retail, and trend studies (including consumer purchasing patterns); and
- (3) develop surveys and report statistical analysis on organically produced agricultural products.

(c) Report

Not later than 180 days after the date of enactment of this subsection and annually thereafter, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that—

- (1) describes the progress that has been made in implementing this section;
- (2) describes how data collection agencies (such as the Agricultural Marketing Service and the National Agricultural Statistics Service) are coordinating with data user agencies (such as the Risk Management Agency) to ensure that data collected under this section can be used by data user agencies, including by the Risk Management Agency to offer price elections for all organic crops; and
- (3) identifies any additional production and marketing data needs.

(d) Funding

(1) Mandatory funding

Of the funds of the Commodity Credit Corporation, the Secretary shall use to carry out this section, to remain available until expended—

- (A) \$5,000,000 for each of the periods of fiscal years 2008 through 2012 and 2014 through 2018; and
- (B) \$5,000,000 for the period of fiscal years 2019 through 2023.

(2) Discretionary funding

In addition to funds made available under paragraph (1), there are authorized to be appropriated to carry out this section not more than \$5,000,000 for each of fiscal years 2008 through 2023, to remain available until expended.

(Pub. L. 107–171, title VII, §7407, May 13, 2002, 116 Stat. 461; Pub. L. 110–234, title X, §10302, May 22, 2008, 122 Stat. 1347; Pub. L. 110–246, §4(a), title X, §10302, June 18, 2008, 122 Stat. 1664, 2108; Pub. L. 112–240, title VII, §701(g)(4), Jan. 2, 2013, 126 Stat. 2366; Pub. L. 113–79, title X, §10004(a), Feb. 7, 2014, 128 Stat. 941; Pub. L. 115–334, title X, §10103, Dec. 20, 2018, 132 Stat. 4898.)

REFERENCES IN TEXT

The date of enactment of this subsection, referred to in subsec. (c), is the date of enactment of Pub. L. 110–246, which was approved June 18, 2008.

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.

Section was enacted as part of the Farm Security and Rural Investment Act of 2002, and not as part of subtitle H of title XVI of the Food, Agriculture, Conservation, and Trade Act of 1990 which comprises this subchapter.

AMENDMENTS

2018—Subsec. (d)(1). Pub. L. 115–334, §10103(1), struck out "through fiscal year 2012" after "funding" in heading, substituted ", to remain available until expended—" for "\$5,000,000, to remain available until expended.", and added subpars. (A) and (B).

Subsec. (d)(2), (3). Pub. L. 115–334, §10103(2)–(4), redesignated par. (3) as (2), substituted "paragraph (1)" for "paragraphs (1) and (2)" and "2023" for "2018", and struck out former par. (2) which related to mandatory funding.

2014—Subsec. (c). Pub. L. 113–79, §10004(a)(1), inserted "and annually thereafter" after "this subsection" in introductory provisions, added par. (2), and redesignated former par. (2) as (3).

Subsec. (d)(2), (3). Pub. L. 113–79, §10004(a)(2), added par. (2), redesignated former par. (2) as (3), struck out "for fiscal years 2008 through 2012" after "Discretionary funding" in heading and substituted "paragraphs (1) and (2)" for "paragraph (1)" and "2018" for "2012" in text, and struck out former par. (3). Prior to amendment, text read as follows: "There is authorized to be appropriated to carry out this section \$5,000,000, to remain available until expended."

2013—Subsec. (d)(1). Pub. L. 112–240, §701(g)(4)(A), substituted "Mandatory funding through fiscal year 2012" for "In general" in heading.

Subsec. (d)(2). Pub. L. 112–240, §701(g)(4)(B), substituted "Discretionary funding for fiscal years 2008 through 2012" for "Additional funding" in heading.

Subsec. (d)(3). Pub. L. 112–240, §701(g)(4)(C), added par. (3)

2008—Pub. L. 110–246, §10302, amended section generally. Prior to amendment, text read as follows: "The Secretary shall ensure that segregated data on the production and marketing of organic agricultural products is included in the ongoing baseline of data collection regarding agricultural production and marketing."

EFFECTIVE DATE OF 2013 AMENDMENT

Amendment by Pub. L. 112–240 effective Sept. 30, 2012, see section 701(j) of Pub. L. 112–240, set out in a 1-Year Extension of Agricultural Programs note under section 8701 of this title.

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.

DEFINITIONS

Secretary means the Secretary of Agriculture, see section 7401(1) of Pub. L. 107–171, set out as a note under section 3319b of this title.

§5925d. International organic research collaboration

The Secretary, acting through the Agricultural Research Service (including the National Agricultural Library) and the Economic Research Service, shall facilitate access by research and extension professionals, farmers, and other interested persons in the United States to, and the use by those persons of, organic research conducted outside the United States.

(Pub. L. 107–171, title VII, §7408, May 13, 2002, 116 Stat. 461.)

CODIFICATION

Section was enacted as part of the Farm Security and Rural Investment Act of 2002, and not as part of subtitle H of title XVI of the Food, Agriculture, Conservation, and Trade Act of 1990 which comprises this subchapter.

DEFINITIONS

Secretary means the Secretary of Agriculture, see section 7401(1) of Pub. L. 107–171, set out as a note under section 3319b of this title.

§5925e. Repealed. Pub. L. 113–79, title VII, §7212(a), Feb. 7, 2014, 128 Stat. 886

Section, Pub. L. 101–624, title XVI, §1672C, as added Pub. L. 110–234, title VII, §7207, May 22, 2008, 122 Stat. 1239, and Pub. L. 110–246, §4(a), title VII, §7207, June 18, 2008, 122 Stat. 1664, 2000, related to agricultural bioenergy feedstock and energy efficiency research and extension initiative.

§5925f. Farm business management

(a) In general

The Secretary may make competitive research and extension grants for the purpose of improving the farm management knowledge and skills of agricultural producers by maintaining and expanding a national, publicly available farm financial management database to support improved farm management.

(b) Selection criteria

In allocating funds made available to carry out this section, the Secretary may give priority to grants that—

- (1) demonstrate an ability to work directly with agricultural producers;
- (2) collaborate with farm management educational programs and associations;
- (3) address the farm management needs of a variety of crops and regions of the United States; and
- (4) contribute data to the national farm financial management database.

(c) Administration

Paragraphs (4), (7), (8), and (11)(B) of subsection (b) of section 3157 of this title shall apply with respect to the making of grants under this section.

(d) Authorization of appropriations

There are authorized to be appropriated to carry out this section—

- (1) such sums as are necessary for fiscal year 2013; and
- (2) \$5,000,000 for each of fiscal years 2014 through 2023.

(Pub. L. 101–624, title XVI, §1672D, as added Pub. L. 110–234, title VII, §7208, May 22, 2008, 122 Stat. 1241; Pub. L. 110–246, §4(a), title VII, §7208, June 18, 2008, 122 Stat. 1664, 2002; amended Pub. L. 113–79, title VII, §7213, Feb. 7, 2014, 128 Stat. 886; Pub. L. 115–334, title VII, §7211, Dec. 20, 2018, 132 Stat. 4811.)

CODIFICATION

Pub. L. 110–234 and Pub. L. 110–246 enacted identical sections. Pub. L. 110–234 was repealed by section 4(a) of Pub. L. 110–246.

AMENDMENTS

2018—Subsec. (a). Pub. L. 115–334, §7211(1), amended subsec. (a) generally. Prior to amendment, text read as follows: "The Secretary may make competitive research and extension grants for the purpose of

— "(1) improving the farm management knowledge and skills of agricultural producers; and

"(2) establishing and maintaining a national, publicly available farm financial management database to support improved farm management."

Subsec. (b)(2). Pub. L. 115–334, §7211(2)(A), substituted "educational programs and" for "and producer".

Subsec. (b)(4). Pub. L. 115–334, §7211(2)(B), substituted "contribute data to" for "use and support".

Subsec. (d)(2). Pub. L. 115–334, §7211(3), substituted "2023" for "2018".

2014—Subsec. (d). Pub. L. 113–79 substituted "to carry out this section—" for "such sums as are necessary to carry out this section." and added pars. (1) and (2).

EFFECTIVE DATE

Enactment 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 a note under section 8701 of this title.

§5925g. Urban, indoor, and other emerging agricultural production research, education, and extension initiative

(a) Competitive research and extension grants authorized

In consultation with the Urban Agriculture and Innovative Production Advisory Committee established under section 6923(b) of this title, the Secretary may make competitive grants to support research, education, and extension activities for the purposes of facilitating the development of urban, indoor, and other emerging agricultural production, harvesting, transportation, aggregation, packaging, distribution, and markets, including by—

- (1) assessing and developing strategies to remediate contaminated sites;
- (2) determining and developing the best production management and integrated pest management practices;
- (3) identifying and promoting the horticultural, social, and economic factors that contribute to successful urban, indoor, and other emerging agricultural production;
- (4) analyzing the means by which new agricultural sites are determined, including an evaluation of soil quality, condition of a building, or local community needs;
- (5) exploring new technologies that minimize energy, lighting systems, water, and other inputs for increased food production;
- (6) examining building material efficiencies and structural upgrades for the purpose of optimizing growth of agricultural products;
- (7) developing new crop varieties and agricultural products to connect to new markets; or
- (8) examining the impacts of crop exposure to urban elements on environmental quality and food safety.

(b) Grant types and process

Subparagraphs (A) through (E) of paragraph (4), paragraph (7), and paragraph (11)(B) of subsection (b) of section 3157 of this title shall apply with respect to the making of grants under this section.

(c) Priority

The Secretary may give priority to grant proposals that involve—

- (1) the cooperation of multiple entities; or
- (2) States or regions with a high concentration of or significant interest in urban farms, rooftop farms, and indoor production facilities.

(d) Funding

(1) Mandatory funding

Of the funds of the Commodity Credit Corporation, the Secretary shall use to carry out this section \$10,000,000 for fiscal year 2019, to remain available until expended.

(2) Authorization of appropriations

In addition to amounts made available under paragraph (1), there is authorized to be appropriated to carry out this section \$10,000,000 for each of fiscal years 2019 through 2023.

(Pub. L. 101–624, title XVI, §1672E, as added Pub. L. 115–334, [title VII, §7212\(a\)](#), Dec. 20, 2018, 132 Stat. 4812.)

§5926. Centers of excellence

(a) Funding priorities

The Secretary shall prioritize centers of excellence established for purposes of carrying out research, extension, and education activities relating to the food and agricultural sciences (as defined in section 3103 of this title) for the receipt of funding for any competitive research or extension program administered by the Secretary.

(b) Composition

A center of excellence is composed of 1 or more of the eligible entities specified in subsection (b)(7) of section 3157 of this title that provide financial or in-kind support to the center of excellence.

(c) Criteria for centers of excellence**(1) Required efforts**

The criteria for recognition as a center of excellence shall include efforts—

(A) to ensure coordination and cost effectiveness by reducing unnecessarily duplicative efforts regarding research, teaching, and extension;

(B) to leverage available resources by using public-private partnerships among agricultural industry groups, institutions of higher education, and the Federal Government;

(C) to implement teaching initiatives to increase awareness and effectively disseminate solutions to target audiences through extension activities; and

(D) to increase the economic returns to rural communities by identifying, attracting, and directing funds to high-priority agricultural issues.

(2) Additional efforts

Where practicable, the criteria for recognition as a center of excellence shall include efforts to improve teaching capacity and infrastructure at colleges and universities (including land-grant colleges and universities, cooperating forestry schools, NLGCA Institutions (as those terms are defined in section 3103 of this title), and schools of veterinary medicine).

(d) Centers of excellence at 1890s Institutions**(1) Recognition**

The Secretary shall recognize not less than 3 centers of excellence, each led by an 1890 Institution (as defined in section 7601 of this title), to focus on 1 or more of the areas described in paragraph (2).

(2) Areas of focus**(A) Student success and workforce development**

A center of excellence established under paragraph (1) may engage in activities to ensure that students have the skills and education needed to work in agriculture and food industries, agriculture science, technology, engineering, mathematics, and related fields of study.

(B) Nutrition, health, wellness, and quality of life

A center of excellence established under paragraph (1) may carry out research, education, and extension programs that increase access to healthy food, improve nutrition, mitigate preventive disease, and develop strategies to assist limited resource individuals in accessing health and nutrition resources.

(C) Farming systems, rural prosperity, and economic sustainability

A center of excellence established under paragraph (1) may share best practices with farmers to improve agricultural production, processing, and marketing, reduce urban food deserts, examine new uses for traditional and nontraditional crops, animals, and natural resources, and continue activities carried out by the Center for Innovative and Sustainable Small Farms, Ranches, and Forest Lands.

(D) Global food security and defense

A center of excellence established under paragraph (1) may engage in international partnerships that strengthen agricultural development in developing countries, partner with international researchers regarding new and emerging animal and plant pests and diseases, engage in agricultural disaster recovery, and continue activities carried out by the Center for International Engagement.

(E) Natural resources, energy, and environment

A center of excellence established under paragraph (1) may focus on protecting and managing domestic natural resources for current and future production of food and agricultural products.

(F) Emerging technologies

A center of excellence established under paragraph (1) may focus on the development of emerging technologies to increase agricultural productivity, enhance small farm economic viability, and improve rural communities by developing genetic and sensor technologies for food and agriculture and providing technology training to farmers.

(3) Authorization of appropriations

There is authorized to be appropriated to carry out this subsection \$10,000,000 for each of fiscal years 2019 through 2023.

(4) Report

Not later than 1 year after December 20, 2018, and every year thereafter, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry

of the Senate a report describing—

(A) the resources invested in the centers of excellence established under paragraph (1); and

(B) the work being done by those centers of excellence.

(Pub. L. 101–624, title XVI, §1673, as added Pub. L. 113–79, title VII, §7214(a), Feb. 7, 2014, 128 Stat. 886; amended Pub. L. 115–334, title VII, §7213, Dec. 20, 2018, 132 Stat. 4813.)

PRIOR PROVISIONS

A prior section 5926, Pub. L. 101–624, title XVI, §1673, Nov. 28, 1990, 104 Stat. 3773; Pub. L. 102–237, title IV, §407(12), Dec. 13, 1991, 105 Stat. 1865; Pub. L. 104–127, title VIII, §837, Apr. 4, 1996, 110 Stat. 1169; Pub. L. 105–185, title II, §245, title III, §301(b)(2), June 23, 1998, 112 Stat. 556, 563; Pub. L. 107–171, title VII, §7121, May 13, 2002, 116 Stat. 434, established an agricultural telecommunications program, prior to repeal by Pub. L. 110–234, title VII, §7209, May 22, 2008, 122 Stat. 1241, and Pub. L. 110–246, §4(a), title VII, §7209, June 18, 2008, 122 Stat. 1664, 2003, effective May 22, 2008.

AMENDMENTS

2018—Subsec. (d). Pub. L. 115–334 added subsec. (d).

EFFECTIVE DATE

Pub. L. 113–79, title VII, §7214(b), Feb. 7, 2014, 128 Stat. 887, provided that: "The amendments made by subsection (a) [enacting this section] shall take effect on October 1, 2014."

§5927. Repealed. Pub. L. 104–127, title VIII, §864, Apr. 4, 1996, 110 Stat. 1174

Section, Pub. L. 101–624, title XVI, §1674, Nov. 28, 1990, 104 Stat. 3775; Pub. L. 102–237, title IV, §407(13), Dec. 13, 1991, 105 Stat. 1865, provided for establishment of Agriculture Research Facilities Planning and Closure Study Commission.

§5928. Repealed. Pub. L. 105–185, title III, §302(c), June 23, 1998, 112 Stat. 563

Section, Pub. L. 101–624, title XVI, §1675, Nov. 28, 1990, 104 Stat. 3777; Pub. L. 102–237, title IV, §407(14), Dec. 13, 1991, 105 Stat. 1865; Pub. L. 104–127, title VIII, §838, Apr. 4, 1996, 110 Stat. 1169, related to national centers for agricultural product quality research.

§5929. Repealed. Pub. L. 113–79, title VII, §7215, Feb. 7, 2014, 128 Stat. 887

Section, Pub. L. 101–624, title XVI, §1676, Nov. 28, 1990, 104 Stat. 3779; Pub. L. 104–127, title VIII, §839, Apr. 4, 1996, 110 Stat. 1169, related to red meat safety research center.

§5930. Reservation extension agents

(a) Establishment

The Secretary of Agriculture, acting through the National Institute of Food and Agriculture, shall establish appropriate extension education programs on Indian reservations and tribal jurisdictions. In establishing these extension programs, the Secretary shall consult with the Bureau of Indian Affairs, the Intertribal Agriculture Council, and the Southwest Indian Agriculture Association, and shall make such interagency cooperative agreements or memoranda of understanding as may be necessary. The programs to be developed and delivered on reservations and within tribal jurisdictions shall be determined with the advice and counsel of reservation or tribal program advisory committees.

(b) Administration and management

Extension agents shall be employees of, and administratively responsible to, the Cooperative Extension Service of the State within which the reservation or tribal jurisdiction is located, and employment and personnel management responsibilities shall be vested with the State Cooperative Extension Service. In cases where a reservation or tribal jurisdiction is located in two or more States, the Secretary of Agriculture shall make the determination of administrative responsibility, including possible divisions along State boundaries.

(c) Advisory committees

At the request of a State Extension Director, and with the assistance of the tribal authorities, the Secretary of Agriculture may form an advisory committee to give overall policy and program advice to that State Extension Director

with regard to programs conducted on reservations or within tribal jurisdictions. Program advisory committees may be formed to assist extension staff in development and conduct of program activities.

(d) Staffing

Insofar as possible, agent and specialist staff shall include individuals representative of the tribal grouping being served. Programs shall emphasize training and employment of local people in positions such as program aides, master gardeners, and volunteers. Staffing at a particular location shall be dependent on the needs and priorities of that location, as identified by the advisory committees and the State Extension Director, and the Director may make use of existing personnel and facilities as appropriate.

(e) Placing of agents

The number of offices and their placement shall be jointly determined by the State Extension Directors and tribal authorities of the respective States by taking into consideration the agricultural acreage within the boundaries of an Indian reservation or tribal jurisdiction, the soil classifications of such acreage, and the population of such reservation or tribal jurisdiction.

(f) Reduced regulatory burden

On a determination by the Secretary of Agriculture that a program carried out under this section has been satisfactorily administered for not less than 2 years, the Secretary shall implement a reduced reapplication process for the continued operation of the program in order to reduce regulatory burdens on participating university and tribal entities.

(g) Authorization of appropriations

There are authorized to be appropriated such sums as may be necessary to carry out this section.

(Pub. L. 101–624, [title XVI, §1677, Nov. 28, 1990](#), 104 Stat. 3779; Pub. L. 102–237, [title IV, §407\(15\), Dec. 13, 1991](#), 105 Stat. 1865; Pub. L. 104–127, [title VIII, §840, Apr. 4, 1996](#), 110 Stat. 1170; Pub. L. 110–234, [title VII, §7511\(c\)\(23\), May 22, 2008](#), 122 Stat. 1269; Pub. L. 110–246, [§4\(a\), title VII, §7511\(c\)\(23\), June 18, 2008](#), 122 Stat. 1664, 2031.)

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). Pub. L. 110–246, §7511(c)(23), substituted "National Institute of Food and Agriculture" for "Extension Service".

1996—Subsecs. (f), (g). Pub. L. 104–127 added subsec. (f) and redesignated former subsec. (f) as (g).

1991—Subsec. (a). Pub. L. 102–237, §407(15)(A), (B), substituted "reservation" for "Reservation" and "reservations" for "Reservations" wherever appearing.

Subsec. (b). Pub. L. 102–237, §407(15)(A), substituted "reservation" for "Reservation" in two places.

Subsec. (c). Pub. L. 102–237, §407(15)(C), substituted "tribal" for "Tribal" after "assistance of the".

Subsec. (e). Pub. L. 102–237, §407(15)(A), substituted "reservation" for "Reservation" in two places.

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)(23) 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.

INDIAN SUBSISTENCE FARMING DEMONSTRATION GRANT PROGRAM

Pub. L. 102–237, [title IX, subtitle C, §§931–939, Dec. 13, 1991](#), 105 Stat. 1889, established Indian subsistence farming demonstration grant program to provide grants to any Indian tribe, or intertribal consortium, for establishment on Indian reservations of subsistence farming operations that grow fresh produce for distribution to eligible recipients, and provided for definitions, applications for assistance, training and technical assistance by Extension Service, tribal consultation, use, amount, and terms of grants, additional requirements, and authorization of appropriations through fiscal year 1995, prior to repeal by Pub. L. 104–127, [title VIII, §874, Apr. 4, 1996](#), 110 Stat. 1175.

§§5931, 5932. Repealed. Pub. L. 104–127, title VIII, §§865, 866, Apr. 4, 1996, 110 Stat. 1174

Section 5931, Pub. L. 101–624, [title XVI, §1678, Nov. 28, 1990](#), 104 Stat. 3780; Pub. L. 102–237, [title IV, §407\(16\), Dec. 13, 1991](#), 105 Stat. 1865, related to special grants to study constraints on agricultural trade.

Section 5932, Pub. L. 101–624, [title XVI, §1679, Nov. 28, 1990](#), 104 Stat. 3780, provided for establishment of five-year pilot project to coordinate food and nutrition education programs.

§5933. Assistive technology program for farmers with disabilities

(a) Special demonstration grants

(1) In general

The Secretary of Agriculture, in consultation with other appropriate Federal agencies, shall make demonstration grants to support cooperative programs between State Cooperative Extension Service agencies and private nonprofit disability organizations to provide on-the-farm agricultural education and assistance directed at accommodating disability in farm operations for individuals with disabilities who are engaged in farming and farm-related occupations and their families.

(2) Eligible services

Grants awarded under paragraph (1) may be used to support programs serving individuals with disabilities, and their families, who are engaged in farming and farm-related occupations.

(3) Eligible programs

Grants awarded under paragraph (1) may be used to initiate, expand, or sustain programs that—

(A) provide direct education and assistance to accommodate disability in farming to individuals with disabilities who engage in farming and farm-related occupations;

(B) provide on-the-farm technical advice concerning the design, fabrication, and use of agricultural and related equipment, machinery, and tools, and assist in the modification of farm worksites, operations, and living arrangements to accommodate individuals with disabilities who engage in farming, farm living and farm-related tasks;

(C) involve community and health care professionals, including Extension Service agents and others, in the early identification of farm and rural families that are in need of services related to the disability of an individual;

(D) provide specialized education programs to enhance the professional competencies of rural agricultural professionals, rehabilitation and health care providers, vocational counselors, and other providers of service to individuals with disabilities, and their families, who engage in farming or farm-related occupations; and

(E) mobilize rural volunteer resources, including peer counseling among farmers with disabilities and rural ingenuity networks promoting cost effective methods or accommodating disabilities in farming and farm-related activities.

(4) Extension Service agencies

Grants shall be awarded under this subsection directly to State Extension Service agencies to enable them to enter into contracts, on a multiyear basis, with private nonprofit community-based direct service organizations to initiate, expand, or sustain cooperative programs described under paragraphs (2) and (3).

(5) Minimum amount

A grant awarded under this subsection may not be less than \$150,000.

(6) Consideration for grants for new programs

For each fiscal year that amounts are made available for grants under this subsection, the Secretary may make grants in a manner that ensures that eligible entities who apply for grants, but have not previously received a grant under this subsection, are given full consideration.

(7) Clarification of application of provisions to veterans with disabilities

This subsection shall apply with respect to veterans with disabilities, and their families, who—

(A) are engaged in farming or farm-related occupations; or

(B) are pursuing new farming opportunities.

(b) National grant for technical assistance, training, and dissemination

The Secretary of Agriculture shall award a competitive grant to a national private nonprofit disability organization to enable such organization to provide technical assistance, training, information dissemination and other activities to support community-based direct service programs of on-site rural rehabilitation and assistive technology for individuals (including veterans) with disabilities, and their families, who are engaged in farming or farm-related occupations or, in the case of veterans with disabilities, who are pursuing new farming opportunities.

(c) Authorization of appropriations

(1) In general

Subject to paragraph (2), there are authorized to be appropriated to carry out this section—

(A) \$6,000,000 for each of fiscal years 1999 through 2013; and

(B) \$5,000,000 for each of fiscal years 2014 through 2023.

(2) National grant

Not more than 15 percent of the amounts made available under paragraph (1) for a fiscal year shall be used to carry out subsection (b).

(Pub. L. 101–624, title XVI, §1680, Nov. 28, 1990, 104 Stat. 3781; Pub. L. 104–127, title VIII, §841, Apr. 4, 1996, 110 Stat. 1170; Pub. L. 105–185, title II, §246, June 23, 1998, 112 Stat. 556; Pub. L. 107–171, title VII, §§7122, 7208(c), May 13, 2002, 116 Stat. 434, 444; Pub. L. 110–234, title VII, §7210, May 22, 2008, 122 Stat. 1241; Pub. L. 110–246, §4(a), title VII, §7210, June 18, 2008, 122 Stat. 1664, 2003; Pub. L. 113–79, title VII, §7216, Feb. 7, 2014, 128 Stat. 887; Pub. L. 115–334, title VII, §7214, Dec. 20, 2018, 132 Stat. 4814.)

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

2018—Subsec. (a)(7). Pub. L. 115–334, §7214(1), added par. (7).

Subsec. (b). Pub. L. 115–334, §7214(2), inserted "(including veterans)" after "individuals" and "or, in the case of veterans with disabilities, who are pursuing new farming opportunities" before period at end.

Subsec. (c)(1)(B). Pub. L. 115–334, §7214(3), substituted "2023" for "2018".

2014—Subsec. (c)(1). Pub. L. 113–79 substituted "are" for "is" and "section—" for "section \$6,000,000 for each of fiscal years 1999 through 2012." and added subpars. (A) and (B).

2008—Subsec. (c)(1). Pub. L. 110–246, §7210, substituted "2012" for "2007".

2002—Subsec. (a)(6). Pub. L. 107–171, §7208(c), added par. (6).

Subsec. (c)(1). Pub. L. 107–171, §7122, substituted "2007" for "2002".

1998—Subsec. (a)(6). Pub. L. 105–185, §246(1), struck out heading and text of par. (6). Text read as follows: "There are authorized to be appropriated to carry out this subsection—

"(A) not less than \$3,000,000 for each of the fiscal years 1991 and 1992; and

"(B) not less than \$5,000,000 for each of the fiscal years 1993 through 1997."

Subsec. (b). Pub. L. 105–185, §246(2), struck out par. (1) designation and heading and struck out heading and text of par. (2). Text read as follows: "There are authorized to be appropriated \$1,000,000 to carry out this subsection for each of the fiscal years 1991 through 1997."

Subsec. (c). Pub. L. 105–185, §246(3), added subsec. (c).

1996—Subsecs. (a)(6)(B), (b)(2). Pub. L. 104–127 substituted "1997" for "1996".

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.

§5934. Repealed. Pub. L. 110–234, title VII, §7211, May 22, 2008, 122 Stat. 1242, and Pub. L. 110–246, §4(a), title VII, §7211, June 18, 2008, 122 Stat. 1664, 2003

Section, Pub. L. 101–624, title XVI, §1681, Nov. 28, 1990, 104 Stat. 3782; Pub. L. 102–237, title IV, §407(17), Dec. 13, 1991, 105 Stat. 1865, related to research on honeybee diseases.

CODIFICATION

Pub. L. 110–234 and Pub. L. 110–246 repealed this section. Pub. L. 110–234 was repealed by section 4(a) of Pub. L. 110–246.

EFFECTIVE DATE OF REPEAL

Repeal 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.

§5935. Repealed. Pub. L. 113–79, title VII, §7407, Feb. 7, 2014, 128 Stat. 898

Section, Pub. L. 104–127, title VIII, §892, Apr. 4, 1996, 110 Stat. 1183, related to use of remote sensing data and other data to anticipate potential food, feed, and fiber shortages or excesses and to provide timely information to assist farmers with planting decisions.

REMOTE SENSING FOR AGRICULTURAL AND RESOURCE MANAGEMENT

Pub. L. 106–391, [title III, §316, Oct. 30, 2000](#), 114 Stat. 1596, directed the Administrator of the National Aeronautics and Space Administration to determine data product types that are of use to farmers which can be remotely sensed from air or space; to consider certain useful commercial data products; to examine other data sources, which can provide domestic and international agricultural information; and to develop plan to inform farmers and other prospective users about use and availability of remote sensing products that may assist with agricultural and forestry applications.

§5936. Farm and Ranch Stress Assistance Network

(a) In general

The Secretary, in coordination with the Secretary of Health and Human Services, shall make competitive grants to eligible entities described in subsection (c) to establish a Farm and Ranch Stress Assistance Network that provides stress assistance programs to individuals who are engaged in farming, ranching, and other agriculture-related occupations.

(b) Eligible programs

Grants awarded under subsection (a) may be used—

(1) to initiate, expand, or sustain programs that provide professional agricultural behavioral health counseling and referral for other forms of assistance as necessary through—

(A) farm telephone helplines and websites;

(B) training, including training programs and workshops, for—

(i) advocates for individuals who are engaged in farming, ranching, and other occupations relating to agriculture; and

(ii) other individuals and entities that may assist individuals who—

(I) are engaged in farming, ranching, and other occupations relating to agriculture; and

(II) are in crisis;

(C) support groups; and

(D) outreach services and activities, including the dissemination of information and materials; or

(2) to enter into contracts, on a multiyear basis, with community-based, direct-service organizations to initiate, expand, or sustain programs described in paragraph (1) and subsection (a).

(c) Eligible recipients

The Secretary may award a grant under this section to—

(1) an Indian tribe (as defined in section 5304 of title 25);

(2) a State department of agriculture;

(3) a State cooperative extension service;

(4) a qualified nonprofit organization, as determined by the Secretary;

(5) an entity providing appropriate services, as determined by the Secretary, in 1 or more States; or

(6) a partnership carried out by 2 or more entities described in paragraphs (1) through (5).

(d) Authorization of appropriations

There is authorized to be appropriated to the Secretary to carry out this section \$10,000,000 for each of fiscal years 2019 through 2023.

(e) Report to Congress

(1) In general

Not later than 1 year after December 20, 2018, the Secretary, in coordination with the Secretary of Health and Human Services, shall submit to Congress and any other relevant Federal department or agency, and make publicly available, a report describing the state of behavioral and mental health of individuals who are engaged in farming, ranching, and other occupations relating to agriculture.

(2) Contents

The report under paragraph (1) shall include—

(A) an inventory and assessment of efforts to support the behavioral and mental health of individuals who are engaged in farming, ranching, and other occupations relating to agriculture by—

(i) the Federal Government, States, and units of local government;

(ii) communities comprised of those individuals;

(iii) health care providers;

(iv) State cooperative extension services; and

(v) other appropriate entities, as determined by the Secretary;

- (B) a description of the challenges faced by individuals who are engaged in farming, ranching, and other occupations relating to agriculture that may impact the behavioral and mental health of farmers and ranchers;
- (C) a description of how the Department of Agriculture can improve coordination and cooperation with Federal health departments and agencies, including the Department of Health and Human Services, the Substance Abuse and Mental Health Services Administration, the Health Resources and Services Administration, the Centers for Disease Control and Prevention, and the National Institutes of Health, to best address the behavioral and mental health of individuals who are engaged in farming, ranching, and other occupations relating to agriculture;
- (D) a long-term strategy for responding to the challenges described under subparagraph (B) and recommendations based on best practices for further action to be carried out by appropriate Federal departments or agencies to improve Federal Government response and seek to prevent suicide among individuals who are engaged in farming, ranching, and other occupations relating to agriculture; and
- (E) an evaluation of the impact that behavioral and mental health challenges and outcomes (including suicide) among individuals who are engaged in farming, ranching, and other agriculture related occupations have on—
 - (i) the agricultural workforce;
 - (ii) agricultural production;
 - (iii) rural families and communities; and
 - (iv) succession planning.

(f) State defined

For purposes of this section, the term "State" has the meaning given such term in section 3103 of this title.

(Pub. L. 110–234, title VII, §7522, May 22, 2008, 122 Stat. 1272; Pub. L. 110–246, §4(a), title VII, §7522, June 18, 2008, 122 Stat. 1664, 2033; Pub. L. 115–334, title VII, §7412, Dec. 20, 2018, 132 Stat. 4817.)

CODIFICATION

Pub. L. 110–234 and Pub. L. 110–246 enacted identical sections. Pub. L. 110–234 was repealed by section 4(a) of Pub. L. 110–246.

Section was enacted as part of the Food, Conservation, and Energy Act of 2008, and not as part of subtitle H of title XVI of the Food, Agriculture, Conservation, and Trade Act of 1990 which comprises this subchapter.

AMENDMENTS

2018—Subsec. (a). Pub. L. 115–334, §7412(1), substituted "to eligible entities described in subsection (c)" for "to support cooperative programs between State cooperative extension services and nonprofit organizations".

Subsec. (b). Pub. L. 115–334, §7412(2)(B), (F), (G), substituted "be used—" for "be used", inserted par. (1) designation before "to initiate", redesignated former pars. (1) to (4) as subpars. (A) to (D), respectively, of par. (1), and added par. (2).

Subsec. (b)(1)(B). Pub. L. 115–334, §7412(2)(C), added subpar. (B) and struck out former subpar. (B) which read as follows: "community education".

Subsec. (b)(1)(C). Pub. L. 115–334, §7412(2)(D), inserted "and" after semicolon at end.

Subsec. (b)(1)(D). Pub. L. 115–334, §7412(2)(E), substituted "activities, including the dissemination of information and materials; or" for "activities; and".

Subsec. (b)(5). Pub. L. 115–334, §7412(2)(A), struck out par. (5) which read as follows: "home delivery of assistance, in a case in which a farm resident is homebound."

Subsecs. (c) to (f). Pub. L. 115–334, §7412(3), added subsecs. (c) to (f) and struck out former subsecs. (c) and (d) which related to extension services and authorization of appropriations, respectively.

EFFECTIVE DATE

Enactment 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 a note under section 8701 of this title.

DEFINITION OF "SECRETARY"

"Secretary" as meaning the Secretary of Agriculture, see section 8701 of this title.

§5937. Natural products research program

(a) In general

The Secretary shall establish within the Department a natural products research program.

(b) Duties

In carrying out the program established under subsection (a), the Secretary shall coordinate research relating to natural products, including—

- (1) research to improve human health and agricultural productivity through the discovery, development, and commercialization of products and agrichemicals from bioactive natural products, including products from plant, marine, and microbial sources;
- (2) research to characterize the botanical sources, production, chemistry, and biological properties of plant-derived natural products; and
- (3) other research priorities identified by the Secretary.

(c) Peer and merit review

The Secretary shall—

- (1) determine the relevance and merit of research under this section through a system of peer review established by the Secretary pursuant to section 7613 of this title; and
- (2) approve funding for research on the basis of merit, quality, and relevance to advancing the purposes of this section.

(d) Buildings and facilities

Funds made available under this section shall not be used for the construction of a new building or facility or the acquisition, expansion, remodeling, or alteration of an existing building or facility (including site grading and improvement and architect fees).

(e) Authorization of appropriations

There are authorized to be appropriated to carry out this section \$7,000,000 for each of fiscal years 2014 through 2023.

(Pub. L. 110–234, title VII, §7525, May 22, 2008, 122 Stat. 1273; Pub. L. 110–246, §4(a), title VII, §7525, June 18, 2008, 122 Stat. 1664, 2035; Pub. L. 113–79, title VII, §7515, Feb. 7, 2014, 128 Stat. 903; Pub. L. 115–334, title VII, §7413, Dec. 20, 2018, 132 Stat. 4819.)

CODIFICATION

Pub. L. 110–234 and Pub. L. 110–246 enacted identical sections. Pub. L. 110–234 was repealed by section 4(a) of Pub. L. 110–246.

Section was enacted as part of the Food, Conservation, and Energy Act of 2008, and not as part of subtitle H of title XVI of the Food, Agriculture, Conservation, and Trade Act of 1990 which comprises this subchapter.

AMENDMENTS

2018—Subsec. (e). Pub. L. 115–334 substituted "2023" for "2018".

2014—Subsec. (e). Pub. L. 113–79 amended subsec. (e) generally. Prior to amendment, text read as follows: "There are authorized to be appropriated to carry out this section such sums as are necessary for each of fiscal years 2008 through 2012."

EFFECTIVE DATE

Enactment 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 a note under section 8701 of this title.

DEFINITION OF "SECRETARY"

"Secretary" as meaning the Secretary of Agriculture, see section 8701 of this title.

§5938. Repealed. Pub. L. 113–79, title VII, §7518, Feb. 7, 2014, 128 Stat. 904

Section, Pub. L. 110–234, title VII, §7529, May 22, 2008, 122 Stat. 1278; Pub. L. 110–246, §4(a), title VII, §7529, June 18, 2008, 122 Stat. 1664, 2040, related to agricultural and rural transportation research and education.

§5939. Foundation for Food and Agriculture Research

(a) Definitions

In this section:

(1) Board

The term "Board" means the Board of Directors described in subsection (e).

(2) Department

The term "Department" means the Department of Agriculture.

(3) Foundation

The term "Foundation" means the Foundation for Food and Agriculture Research established under subsection (b).

(4) Secretary

The term "Secretary" means the Secretary of Agriculture.

(b) Establishment

(1) In general

The Secretary shall establish a nonprofit corporation to be known as the "Foundation for Food and Agriculture Research".

(2) Status

The Foundation shall not be an agency or instrumentality of the United States Government.

(c) Purposes

The purposes of the Foundation shall be—

(1) to advance the research mission of the Department by supporting agricultural research activities focused on addressing key problems of national and international significance including—

- (A) plant health, production, and plant products;
- (B) animal health, production, and products;
- (C) food safety, nutrition, and health;
- (D) renewable energy, natural resources, and the environment;
- (E) agricultural and food security;
- (F) agriculture systems and technology; and
- (G) agriculture economics and rural communities; and

(2) to foster collaboration with agricultural researchers from the Federal Government, State (as defined in section 3103 of this title) governments, institutions of higher education (as defined in section 1001 of title 20), industry, and nonprofit organizations.

(d) Duties

(1) In general

The Foundation shall—

(A) award grants to, or enter into contracts, memoranda of understanding, or cooperative agreements with, scientists and entities, which may include agricultural research agencies in the Department, university consortia, public-private partnerships, institutions of higher education, nonprofit organizations, and industry, to efficiently and effectively advance the goals and priorities of the Foundation;

(B) in consultation with the Secretary—

(i) identify existing and proposed Federal intramural and extramural research and development programs relating to the purposes of the Foundation described in subsection (c); and

(ii) coordinate Foundation activities with those programs so as to minimize duplication of existing efforts and to avoid conflicts, specifically at the Department of Agriculture; and

(iii) document the consultation process and include a summary of the results in the annual report required in subsection (f)(3)(B) ¹

(C) identify unmet and emerging agricultural research needs after reviewing the roadmap for agricultural research, education, and extension authorized by section 7614a of this title;

(D) facilitate technology transfer and release of information and data gathered from the activities of the Foundation to the agricultural research community and agriculture stakeholders;

(E) promote and encourage the development of the next generation of agricultural research scientists; and

(F) carry out such other activities as the Board determines to be consistent with the purposes of the Foundation.

(2) Relationship to other activities

The activities described in paragraph (1) shall be supplemental to any other activities at the Department and shall not preempt any authority or responsibility of the Department under another provision of law.

(e) Board of Directors

(1) Establishment

The Foundation shall be governed by a Board of Directors.

(2) Composition**(A) In general**

The Board shall be composed of appointed and ex-officio, nonvoting members.

(B) Ex-officio members

The ex-officio members of the Board shall be the following individuals or designees of such individuals:

- (i) The Secretary.
- (ii) The Under Secretary of Agriculture for Research, Education, and Economics.
- (iii) The Administrator of the Agricultural Research Service.
- (iv) The Director of the National Institute of Food and Agriculture.
- (v) The Director of the National Science Foundation.

(C) Appointed members**(i) In general**

The ex-officio members of the Board (as specified in subparagraph (B)) shall, by majority vote, appoint to the Board 15 individuals, of whom—

- (I) 8 shall be selected from a list of candidates to be provided by the National Academy of Sciences; and
- (II) 7 shall be selected from lists of candidates provided by industry.

(ii) Requirements**(I) Expertise**

The ex-officio members shall ensure that a majority of the appointed members of the Board have actual experience in agriculture or agricultural research and, to the extent practicable, represent diverse sectors of agriculture.

(II) Limitation

No employee of the Federal Government may serve as an appointed member of the Board under this subparagraph.

(III) Not Federal employment

Appointment to the Board under this subparagraph shall not constitute Federal employment.

(iii) Authority

All appointed members of the Board shall be voting members.

(D) Chair

The Board shall, from among the members of the Board, designate an individual to serve as Chair of the Board.

(3) Initial meeting

Not later than 60 days after February 7, 2014, the Secretary shall convene a meeting of the ex-officio members of the Board—

- (A) to incorporate the Foundation; and
- (B) to appoint the members of the Board in accordance with paragraph (2)(C)(i).

(4) Duties**(A) In general**

The Board shall—

- (i) establish bylaws for the Foundation that, at a minimum, include—
 - (I) policies for the selection of future Board members, officers, employees, agents, and contractors of the Foundation;
 - (II) policies, including ethical standards, for—
 - (aa) the acceptance, solicitation, and disposition of donations and grants to the Foundation; and
 - (bb) the disposition of assets of the Foundation, including appropriate limits on the ability of donors to designate, by stipulation or restriction, the use or recipient of donated funds;
 - (III) policies that would subject all employees, fellows, trainees, and other agents of the Foundation (including members of the Board) to conflict of interest standards in the same manner as Federal employees are subject to the conflict of interest standards under section 208 of title 18;
 - (IV) policies for writing, editing, printing, publishing, and vending of books and other materials;
 - (V) policies for the conduct of the general operations of the Foundation, including a cap on administrative expenses for recipients of a grant, contract, or cooperative agreement from the Foundation; and
 - (VI) specific duties for the Executive Director;

- (ii) prioritize and provide overall direction for the activities of the Foundation;
- (iii) evaluate the performance of the Executive Director;

(iv) actively solicit and accept funds, gifts, grants, devises, or bequests of real or personal property made to the Foundation, including from private entities; and

(v) carry out any other necessary activities regarding the Foundation.

(B) Establishment of bylaws

In establishing bylaws under subparagraph (A)(i), the Board shall ensure that the bylaws do not—

(i) reflect unfavorably on the ability of the Foundation to carry out the duties of the Foundation in a fair and objective manner; or

(ii) compromise, or appear to compromise, the integrity of any governmental agency or program, or any officer or employee employed by, or involved in, a governmental agency or program.

(5) Terms and vacancies

(A) Terms

(i) In general

The term of each member of the Board appointed under paragraph (2)(C) shall be 5 years, except that of the members initially appointed, 8 of the members shall each be appointed for a term of 3 years and 7 of the members shall each be appointed for a term of 2 years.

(ii) Partial terms

If a member of the Board does not serve the full term applicable under clause (i), the individual appointed to fill the resulting vacancy shall be appointed for the remainder of the term of the predecessor of the individual.

(iii) Transition

A member of the Board may continue to serve after the expiration of the term of the member until a successor is appointed.

(B) Vacancies

After the initial appointment of the members of the Board under paragraph (2)(C), any vacancy in the membership of the Board shall be filled as provided in the bylaws established under paragraph (4)(A)(i).

(6) Compensation

Members of the Board may not receive compensation for service on the Board but may be reimbursed for travel, subsistence, and other necessary expenses incurred in carrying out the duties of the Board.

(7) Meetings and quorum

A majority of the members of the Board shall constitute a quorum for purposes of conducting the business of the Board.

(f) Administration

(1) Executive Director

(A) In general

The Board shall hire an Executive Director who shall carry out such duties and responsibilities as the Board may prescribe.

(B) Service

The Executive Director shall serve at the pleasure of the Board.

(2) Administrative powers

(A) In general

In carrying out this section, the Board, acting through the Executive Director, may—

(i) adopt, alter, and use a corporate seal, which shall be judicially noticed;

(ii) hire, promote, compensate, and discharge 1 or more officers, employees, and agents, as may be necessary, and define the duties of the officers, employees, and agents;

(iii) solicit and accept funds, gifts, grants, devises, or bequests of real or personal property made to the Foundation, including such support from private entities;

(iv) prescribe the manner in which—

(I) real or personal property of the Foundation is acquired, held, and transferred;

(II) general operations of the Foundation are to be conducted; and

(III) the privileges granted to the Board by law are exercised and enjoyed;

(v) with the consent of the applicable executive department or independent agency, use the information, services, and facilities of the department or agency in carrying out this section on a reimbursable basis;

(vi) enter into contracts with public and private organizations for the writing, editing, printing, and publishing of books and other material;

(vii) hold, administer, invest, and spend any funds, gifts, grant, devise, or bequest of real or personal property made to the Foundation;

(viii) enter into such contracts, leases, cooperative agreements, and other transactions as the Board considers appropriate to conduct the activities of the Foundation;

(ix) modify or consent to the modification of any contract or agreement to which the Foundation is a party or in which the Foundation has an interest;

(x) take such action as may be necessary to obtain and maintain patents for and to license inventions (as defined in section 201 of title 35) developed by the Foundation, employees of the Foundation, or derived from the collaborative efforts of the Foundation;

(xi) sue and be sued in the corporate name of the Foundation, and complain and defend in courts of competent jurisdiction;

(xii) appoint other groups of advisors as may be determined necessary to carry out the functions of the Foundation; and

(xiii) exercise such other incidental powers as are necessary to carry out the duties and functions of the Foundation in accordance with this section.

(B) Limitation

No appointed member of the Board or officer or employee of the Foundation or of any program established by the Foundation (other than ex-officio members of the Board) shall exercise administrative control over any Federal employee.

(3) Records

(A) Audits

The Foundation shall—

(i) provide for annual audits of the financial condition of the Foundation; and

(ii) make the audits, and all other records, documents, and other papers of the Foundation, available to the Secretary and the Comptroller General of the United States for examination or audit.

(B) Reports

(i) Annual report on Foundation

(I) In general

Not later than 5 months following the end of each fiscal year, the Foundation shall publish and post online a report for the preceding fiscal year that includes—

(aa) a description of Foundation activities, including accomplishments and how those activities align to the challenges identified in the strategic plan under clause (iv);

(bb) a comprehensive statement of the operations and financial condition of the Foundation; and

(cc) a description of available agricultural research programs and priorities for the upcoming fiscal year.

(II) Financial condition

Each report under subclause (I) shall include a description of all gifts, grants, devises, or bequests to the Foundation of real or personal property or money, which shall include—

(aa) the source of the gifts, grants, devises, or bequests; and

(bb) any restrictions on the purposes for which the gift, grant, devise, or bequest may be used.

(III) Availability

The Foundation shall—

(aa) make copies of each report submitted under subclause (I) available for public inspection; and

(bb) on request, provide a copy of the report to any individual.

(IV) Public meeting

The Board shall hold an annual public meeting to summarize the activities of the Foundation.

(ii) Grant reporting

Any recipient of a grant under subsection (d)(1)(A) shall provide the Foundation with a report at the conclusion of any research or studies conducted that describes the results of the research or studies, including any data generated.

(iii) Stakeholder notice

The Foundation shall publish an annual notice with a description of agricultural research priorities under this section for the upcoming fiscal year, including—

(I) a schedule for funding competitions;

(II) a discussion of how applications for funding will be evaluated; and

(III) how the Foundation will communicate information about funded awards to the public to ensure that grantees and partners understand the objectives of the Foundation.

(iv) Strategic plan

Not later than 1 year after December 20, 2018, the Foundation shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a

strategic plan describing a path for the Foundation to become self-sustaining, including—

(I) a forecast of major agricultural challenge opportunities identified by the scientific advisory councils of the Foundation and approved by the Board, including short- and long-term objectives;

(II) an overview of the efforts that the Foundation will take to be transparent in each of the processes of the Foundation, including—

(aa) processes relating to grant awards, including the selection, review, and notification processes;

(bb) communication of past, current, and future research priorities; and

(cc) plans to solicit and respond to public input on the opportunities identified in the strategic plan;

(III) a description of financial goals and benchmarks for the next 10 years, including a detailed plan for—

(aa) raising funds in amounts greater than the amounts required under subsection (g)(1)(B);

(bb) soliciting additional resources pursuant to subsections (e)(4)(A)(iv) and (f)(2)(A)(iii); and

(cc) managing and leveraging such resources pursuant to subsection (f)(2)(A)(vii); and

(IV) other related issues, as determined by the Board.

(4) Integrity

(A) In general

To ensure integrity in the operations of the Foundation, the Board shall develop and enforce procedures relating to standards of conduct, financial disclosure statements, conflicts of interest (including recusal and waiver rules), audits, and any other matters determined appropriate by the Board.

(B) Financial conflicts of interest

Any individual who is an officer, employee, or member of the Board is prohibited from any participation in deliberations by the Foundation of a matter that would directly or predictably affect any financial interest of—

(i) the individual;

(ii) a relative (as defined in section 109 of the Ethics in Government Act of 1978 (5 U.S.C. App.)) of that individual; or

(iii) a business organization or other entity in which the individual has an interest, including an organization or other entity with which the individual is negotiating employment.

(5) Intellectual property

The Board shall adopt written standards to govern the ownership and licensing of any intellectual property rights derived from the collaborative efforts of the Foundation.

(6) Liability

The United States shall not be liable for any debts, defaults, acts, or omissions of the Foundation nor shall the full faith and credit of the United States extend to any obligations of the Foundation.

(g) Funds

(1) Funding

(A) In general

(i) Establishment funding

On February 7, 2014, of the funds of the Commodity Credit Corporation, the Secretary shall transfer to the Foundation to carry out this section \$200,000,000, to remain available until expended under the conditions described in subparagraph (B).

(ii) Enhanced funding

On the date on which the strategic plan described in subsection (f)(3)(B)(iv) is submitted, of the funds of the Commodity Credit Corporation, the Secretary shall transfer to the Foundation to carry out this section \$185,000,000, to remain available until expended.

(B) Conditions on expenditure

(i) In general

The Foundation may use the funds made available under subparagraph (A) to carry out the purposes, duties, and powers of the Foundation only to the extent that the Foundation secures an equal amount of matching funds from a non-Federal source, including an agricultural commodity promotion, research, and information program.

(ii) Effect

Nothing in this section requires the Foundation to require a matching contribution from an individual grantee as a condition of receiving a grant under this section.

(C) Prohibition on construction

None of the funds made available under subparagraph (A) may be used for construction.

(2) Separation of funds

The Executive Director shall ensure that any funds received under paragraph (1) are held in separate accounts from funds received from nongovernmental entities as described in subsection (f)(2)(A)(iii).

(Pub. L. 113–79, title VII, §7601, Feb. 7, 2014, 128 Stat. 904; Pub. L. 115–334, title VII, §7603, Dec. 20, 2018, 132 Stat. 4826.)

REFERENCES IN TEXT

Section 109 of the Ethics in Government Act of 1978, referred to in subsec. (f)(4)(B)(ii), is section 109 of Pub. L. 95–521, which is set out in the Appendix to Title 5, Government Organization and Employees.

CODIFICATION

Section was enacted as part of the Agricultural Act of 2014, and not as part of subtitle H of title XVI of the Food, Agriculture, Conservation, and Trade Act of 1990 which comprises this subchapter.

AMENDMENTS

2018—Subsec. (d)(1)(B)(ii). Pub. L. 115–334, §7603(1)(A)(i), substituted "conflicts, specifically at the Department of Agriculture; and" for "conflicts;".

Subsec. (d)(1)(B)(iii). Pub. L. 115–334, §7603(1)(A)(ii), added cl. (iii).

Subsec. (d)(1)(D). Pub. L. 115–334, §7603(1)(B), inserted "and agriculture stakeholders" after "community".

Subsec. (e)(2)(C)(ii)(I). Pub. L. 115–334, §7603(2)(A), inserted "agriculture or" before "agricultural research".

Subsec. (e)(4)(A)(iv), (v). Pub. L. 115–334, §7603(2)(B), added cl. (iv) and redesignated former cl. (iv) as (v).

Subsec. (f)(2)(A)(iii). Pub. L. 115–334, §7603(3)(A), struck out "any" before "funds,".

Subsec. (f)(3)(B)(i)(I). Pub. L. 115–334, §7603(3)(B)(i)(I), inserted "and post online" before "a report" in introductory provisions.

Subsec. (f)(3)(B)(i)(I)(aa). Pub. L. 115–334, §7603(3)(B)(i)(II), substituted "accomplishments and how those activities align to the challenges identified in the strategic plan under clause (iv);" for "accomplishments; and".

Subsec. (f)(3)(B)(i)(I)(cc). Pub. L. 115–334, §7603(3)(B)(i)(III), (IV), added item (cc).

Subsec. (f)(3)(B)(iii), (iv). Pub. L. 115–334, §7603(3)(B)(ii), added cls. (iii) and (iv).

Subsec. (g)(1). Pub. L. 115–334, §7603(4)(A), substituted "Funding" for "Mandatory funding" in heading.

Subsec. (g)(1)(A). Pub. L. 115–334, §7603(4)(B), designated existing provisions as cl. (i), inserted heading, and added cl. (ii).

Subsec. (g)(1)(B). Pub. L. 115–334, §7603(4)(C), designated existing provisions as cl. (i), inserted heading, substituted "purposes, duties, and powers" for "purposes" and "matching funds from a non-Federal source, including an agricultural commodity promotion, research, and information program" for "non-Federal matching funds for each expenditure", and added cl. (ii).

¹ So in original. Probably should be followed by a period.

§5940. Legitimacy of industrial hemp research**(a) Definitions**

In this section:

(1) Agricultural pilot program

The term "agricultural pilot program" means a pilot program to study the growth, cultivation, or marketing of industrial hemp—

(A) in States that permit the growth or cultivation of industrial hemp under the laws of the State; and

(B) in a manner that—

(i) ensures that only institutions of higher education and State departments of agriculture are used to grow or cultivate industrial hemp;

(ii) requires that sites used for growing or cultivating industrial hemp in a State be certified by, and registered with, the State department of agriculture; and

(iii) authorizes State departments of agriculture to promulgate regulations to carry out the pilot program in the States in accordance with the purposes of this section.

(2) Industrial hemp

The term "industrial hemp" means the plant *Cannabis sativa* L. and any part of such plant, whether growing or not, with a delta-9 tetrahydrocannabinol concentration of not more than 0.3 percent on a dry weight basis.

(3) State

The term "State" has the meaning given such term in section 1639o of this title.

(4) State department of agriculture

The term "State department of agriculture" means the agency, commission, or department of a State government responsible for agriculture within the State.

(b) Industrial hemp research

Notwithstanding the Controlled Substances Act (21 U.S.C. 801 et seq.), chapter 81 of title 41, or any other Federal law, an institution of higher education (as defined in section 1001 of title 20) or a State department of agriculture may grow or cultivate industrial hemp if—

- (1) the industrial hemp is grown or cultivated for purposes of research conducted under an agricultural pilot program or other agricultural or academic research; and
- (2) the growing or cultivating of industrial hemp is allowed under the laws of the State in which such institution of higher education or State department of agriculture is located and such research occurs.

(c) Study and report

(1) In general

The Secretary shall conduct a study of agricultural pilot programs—

- (A) to determine the economic viability of the domestic production and sale of industrial hemp; and
- (B) that shall include a review of—
 - (i) each agricultural pilot program; and
 - (ii) any other agricultural or academic research relating to industrial hemp.

(2) Report

Not later than 12 months after December 20, 2018, the Secretary shall submit to Congress a report describing the results of the study conducted under paragraph (1).

(Pub. L. 113–79, title VII, §7606, Feb. 7, 2014, 128 Stat. 912; Pub. L. 114–95, title IX, §9215(f), Dec. 10, 2015, 129 Stat. 2166; Pub. L. 115–334, title VII, §7605(a), Dec. 20, 2018, 132 Stat. 4828.)

REPEAL OF SECTION

For repeal of section by section 7605(b) of Pub. L. 115–334, see Effective Date of Repeal note below.

REFERENCES IN TEXT

The Controlled Substances Act, referred to in subsec. (b), is title II of Pub. L. 91–513, Oct. 27, 1970, 84 Stat. 1242, which is classified principally to subchapter I (§801 et seq.) of chapter 13 of Title 21, Food and Drugs. For complete classification of this Act to the Code, see Short Title note set out under section 801 of Title 21 and Tables.

CODIFICATION

Section was enacted as part of the Agricultural Act of 2014, and not as part of subtitle H of title XVI of the Food, Agriculture, Conservation, and Trade Act of 1990 which comprises this subchapter.

AMENDMENTS

2018—Subsec. (a). Pub. L. 115–334, §7605(a)(1), redesignated subsec. (b) as (a). Former subsec. (a) redesignated (b).

Subsec. (a)(3), (4). Pub. L. 115–334, §7605(a)(2), added par. (3) and redesignated former par. (3) as (4).

Subsec. (b). Pub. L. 115–334, §7605(a)(1), (3), redesignated subsec. (a) as (b) and substituted "Industrial hemp research" for "In general" in heading. Former subsec. (b) redesignated (a).

Subsec. (c). Pub. L. 115–334, §7605(a)(4), added subsec. (c).

2015—Subsec. (a). Pub. L. 114–95 struck out "the Safe and Drug-Free Schools and Communities Act (20 U.S.C. 7101 et seq.)," before "chapter 81" in introductory provisions.

EFFECTIVE DATE OF REPEAL

Pub. L. 115–334, title VII, §7605(b), Dec. 20, 2018, 132 Stat. 4829, as amended by Pub. L. 116–159, div. A, §122, Oct. 1, 2020, 134 Stat. 714, provided that: "Effective on September 30, 2021, section 7606 of the Agricultural Act of 2014 (7 U.S.C. 5940) is repealed."

EFFECTIVE DATE OF 2015 AMENDMENT

Amendment by Pub. L. 114–95 effective Dec. 10, 2015, except with respect to certain noncompetitive programs and competitive programs, see section 5 of Pub. L. 114–95, set out as a note under section 6301 of Title 20, Education.

§5941. Purchase of cultures for soil and fertilizer investigations

The Secretary of Agriculture may purchase from applicable appropriations cultures in the open market for use in connection with soil and fertilizer investigations.

(Sept. 21, 1944, ch. 412, title I, §104, 58 Stat. 735.)

CODIFICATION

Section was formerly classified to section 432 of this title prior to editorial reclassification and renumbering as this section.

Section was enacted as part of the Department of Agriculture Organic Act of 1944, and not as part of subtitle H of title XVI of the Food, Agriculture, Conservation, and Trade Act of 1990 which comprises this subchapter.

§5942. Wheat and feed grains research; regional and national research programs; utilization of services of Federal, State and private agencies; authorization of appropriations

In order to reduce fertilizer and herbicide usage in excess of production needs, to develop wheat and feed grain varieties more susceptible to complete fertilizer utilization, and to improve the resistance of wheat and feed grain plants to disease and to enhance their conservation and environmental qualities, the Secretary of Agriculture is authorized and directed to carry out regional and national research programs.

In carrying out such research, the Secretary shall utilize the technical and related services of the appropriate Federal, State, and private agencies.

There is authorized to be appropriated such sums as may be necessary to carry out the provisions of this section, but not more than \$1,000,000 in any fiscal year.

(Pub. L. 91–524, title VIII, §810, as added Pub. L. 93–86, §1(27)(B), Aug. 10, 1973, 87 Stat. 238.)

CODIFICATION

Section was formerly classified to section 428b of this title prior to editorial reclassification and renumbering as this section.

Section was enacted as part of the Agricultural Act of 1970, and not as part of subtitle H of title XVI of the Food, Agriculture, Conservation, and Trade Act of 1990 which comprises this subchapter.

§5943. Rice research

(a) Regional and national research programs; rules; purposes

The Secretary of Agriculture may, under rules prescribed by such Secretary, carry out regional and national research programs with regard to rice for the following purposes:

- (1) to reduce fertilizer and herbicide usage in excess of production needs;
- (2) to develop varieties of rice more susceptible to complete fertilizer utilization;
- (3) to improve the resistance of rice plants to disease and to enhance their conservation and environmental qualities;
- (4) to increase the usage of rice and its processing byproducts;
- (5) to develop better husbandry practices in production and conservation of rice;
- (6) to develop more efficient rice storage practices;
- (7) to improve domestic and international marketing of rice; and
- (8) to benefit the general welfare.

(b) Utilization of services of Federal, State, local governmental and private agencies; priority consideration

The Secretary shall, in implementing the program authorized in subsection (a), utilize the technical and related services of appropriate Federal, State, local governmental, and private agencies, with priority consideration for land grant universities, State experiment stations, and other agricultural institutions of higher learning.

(c) Authorization of appropriations; use restriction

There is authorized to be appropriated not more than \$1,000,000 for the period ending September 30, 1976, to carry out the provisions of this section. No funds authorized by this section shall be used for advertising or promotional activities.

(Pub. L. 94–214, [title II](#), [§201](#), [Feb. 16, 1976](#), 90 Stat. 187.)

CODIFICATION

Section was formerly classified to section 428c of this title prior to editorial reclassification and renumbering as this section.

Section was enacted as part of the Rice Production Act of 1975, and not as part of subtitle H of title XVI of the Food, Agriculture, Conservation, and Trade Act of 1990 which comprises this subchapter.