

95-113 - Food and Agriculture Act of 1977

[Public Law 95–113; Sept. 29, 1977]

[As Amended Through P.L. 114–95, Enacted December 10, 2015]

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AN ACT To provide price and income protection for farmers and assure consumers of an abundance of food and fiber at reasonable prices, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, [7 U.S.C. 1281 note] That this Act, with the following table of contents, may be cited as the “Food and Agriculture Act of 1977”.

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TITLE X—MISCELLANEOUS

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AMERICAN AGRICULTURE PROTECTION PROGRAM

SEC. 1002. [7 U.S.C. 1310] (a) Notwithstanding any other provision of law, whenever the President or any other member of the executive branch of the Federal Government causes to be suspended, based upon a determination of short supply, the commercial export sales of any commodity, as defined in subsection (c) of

this section, to any country or area with which the United States otherwise continues commercial trade, the Secretary of Agriculture shall, on the day the suspension is initiated, set the loan level for such commodity under the Agricultural Act of 1949, as amended, if a loan program is in effect for the commodity, at 90 per centum of the parity price for the commodity, as such parity price is determined on the day the suspension is initiated.

(b) Any loan level established pursuant to subsection (a) of this section shall remain in effect as long as the suspension of commercial export sales described in subsection (a) remains in effect.

(c) For purposes of this section, the term "commodity" shall include any of the following: wheat, corn, grain sorghum, soybeans, oats, rye, barley, rice, flaxseed, and cotton.

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TITLE XIV—NATIONAL AGRICULTURAL RESEARCH,
EXTENSION, AND TEACHING POLICY ACT OF 1977

SHORT TITLE

SEC. 1401. [7 U.S.C. 3101 note] This title may be cited as the "National Agricultural Research, Extension, and Teaching Policy Act of 1977".

Subtitle A—Findings, Purposes, and Definitions

SEC. 1402. [7 U.S.C. 3101] PURPOSES OF AGRICULTURAL RESEARCH,
EXTENSION, AND EDUCATION.

The purposes of federally supported agricultural research, extension, and education are to—

- (1) enhance the competitiveness of the United States agriculture and food industry in an increasingly competitive world environment;
- (2) increase the long-term productivity of the United States agriculture and food industry while maintaining and enhancing the natural resource base on which rural America and the United States agricultural economy depend;
- (3) develop new uses and new products for agricultural commodities, such as alternative fuels, and develop new crops;
- (4) support agricultural research and extension to promote economic opportunity in rural communities and to meet the increasing demand for information and technology transfer throughout the United States agriculture industry;
- (5) improve risk management in the United States agriculture industry;
- (6) improve the safe production and processing of, and adding of value to, United States food and fiber resources using methods that maintain the balance between yield and environmental soundness;
- (7) support higher education in agriculture to give the next generation of Americans the knowledge, technology, and applications necessary to enhance the competitiveness of United States agriculture; and
- (8) maintain an adequate, nutritious, and safe supply of food to meet human nutritional needs and requirements.

SEC. 1403. [7 U.S.C. 3102] ADDITIONAL PURPOSES OF AGRICULTURAL RESEARCH AND EXTENSION.

The purposes of this title are to—

(1) establish firmly the Department of Agriculture as the lead agency in the Federal Government for the food and agricultural sciences, and to emphasize that agricultural research, extension, and teaching are distinct missions of the Department of Agriculture;

(2) undertake the special measures set forth in this title to improve the coordination and planning of agricultural research, extension, and teaching programs, identify needs and establish priorities for these programs, assure that national agricultural research, extension, and teaching objectives are fully achieved, and assure that the results of agricultural research are effectively communicated and demonstrated to farmers, processors, handlers, consumers, and all other users who can benefit therefrom;

(3) increase cooperation and coordination in the performance of agricultural research by Federal departments and agencies, the States, State agricultural experiment stations, colleges and universities, and user groups;

(4) enable the Federal Government, the States, colleges and universities, and others to implement needed agricultural research, extension, and teaching programs through the establishment of new programs and the improvement of existing programs, as provided for in this title;

(5) establish a new program of grants for high-priority agricultural research to be awarded on the basis of competition among research workers and all colleges and universities;

(6) establish a new program of grants for facilities and instrumentation used in agricultural research; and

(7) establish a new program of education grants and fellowships to strengthen research, extension and teaching programs in the food and agricultural sciences, to be awarded on the basis of competition.

DEFINITIONS

SEC. 1404. [7 U.S.C. 3103] When used in this title:

(1) The term “Advisory Board” means the National Agricultural Research, Extension, Education, and Economics Advisory Board.

(2) The term “agricultural research” means research in the food and agricultural sciences.

(3) The term “aquaculture” means the propagation and rearing of aquacultural species, including, but not limited to, any species of finfish, mollusk, or crustacean (or other aquatic invertebrate), amphibian, reptile, ornamental fish, or aquatic plant, in controlled or selected environments.

(4) COLLEGE AND UNIVERSITY.—

(A) IN GENERAL.—The terms “college” and “university” mean an educational institution in any State which (i) admits as regular students only persons having a certificate of graduation from a school providing secondary education, or the recognized equivalent of such a certificate, (ii) is le-

gally authorized within such State to provide a program of education beyond secondary education, (iii) provides an educational program for which a bachelor's degree or any other higher degree is awarded, (iv) is a public or other nonprofit institution, and (v) is accredited by a nationally recognized accrediting agency or association.

(B) INCLUSIONS.—The terms “college” and “university” include a research foundation maintained by a college or university described in subparagraph (A).

(5) COOPERATING FORESTRY SCHOOL.—

(A) IN GENERAL.—The term “cooperating forestry school” means an institution—

(i) that is eligible to receive funds under Public Law 87-788 (commonly known as the McIntire-Stennis Cooperative Forestry Act; 16 U.S.C. 582a et seq.); and

(ii) with respect to which the Secretary has not received a declaration of the intent of that institution to not be considered a cooperating forestry school.

(B) TERMINATION OF DECLARATION.—A declaration of the intent of an institution to not be considered a cooperating forestry school submitted to the Secretary shall be in effect until September 30, 2018.

(6) The term “cooperative extension services” means the organizations established at the land-grant colleges and universities under the Smith-Lever Act of May 8, 1914 (38 Stat. 372-374, as amended; 7 U.S.C. 341-349), and section 209(b) of the Act of October 26, 1974 (88 Stat. 1428, as amended; D.C. Code, sec. 31-1719(b)).

(7) The term “Department of Agriculture” means the United States Department of Agriculture.

(8) The term “extension” means the informal education programs conducted in the States in cooperation with the Department of Agriculture.

(9) FOOD AND AGRICULTURAL SCIENCES.—The term “food and agricultural sciences” means basic, applied, and developmental research, extension, and teaching activities in food and fiber, agricultural, renewable energy and natural resources, forestry, and physical and social sciences, including activities relating to the following:

(A) Animal health, production, and well-being.

(B) Plant health and production.

(C) Animal and plant germ plasm collection and preservation.

(D) Aquaculture.

(E) Food safety.

(F) Soil, water, and related resource conservation and improvement.

(G) Forestry, horticulture, and range management.

(H) Nutritional sciences and promotion.

(I) Farm enhancement, including financial management, input efficiency, and profitability.

(J) Home economics.

(K) Rural human ecology.

- (L) Youth development and agricultural education, including 4-H clubs.
- (M) Expansion of domestic and international markets for agricultural commodities and products, including agricultural trade barrier identification and analysis.
- (N) Information management and technology transfer related to agriculture.
- (O) Biotechnology related to agriculture.
- (P) The processing, distributing, marketing, and utilization of food and agricultural products.
- (10) HISPANIC-SERVING AGRICULTURAL COLLEGES AND UNIVERSITIES.—
- (A) IN GENERAL.—The term “Hispanic-serving agricultural colleges and universities” means colleges or universities —
- (i) that qualify as Hispanic-serving institutions;
 - (ii) that offer associate, bachelors, or other accredited degree programs in agriculture-related fields; and
 - (iii) with respect to which the Secretary has not received a declaration of the intent of a college or university to not be considered a Hispanic-serving agricultural college or university.
- (B) EXCEPTION.—The term “Hispanic-serving agricultural colleges and universities” does not include 1862 institutions (as defined in section 2 of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7601)).
- (C) TERMINATION OF DECLARATION OF INTENT.—A declaration of the intent of a college or university to not be considered a Hispanic-serving agricultural college or university submitted to the Secretary shall be in effect until September 30, 2018.
- (11) HISPANIC-SERVING INSTITUTION.—The term “Hispanic-serving institution” has the meaning given the term in section 502 of the Higher Education Act of 1965 (20 U.S.C. 1101a).
- (12) INSULAR AREA.—The term “insular area” means—
- (A) the Commonwealth of Puerto Rico;
 - (B) Guam;
 - (C) American Samoa;
 - (D) the Commonwealth of the Northern Mariana Islands;
 - (E) the Federated States of Micronesia;
 - (F) the Republic of the Marshall Islands;
 - (G) the Republic of Palau; and
 - (H) the Virgin Islands of the United States.
- (13) The term “land-grant colleges and universities” means those institutions eligible to receive funds under the Act of July 2, 1862 (12 Stat. 503–505, as amended; 7 U.S.C. 301–305, 307 and 308), or the Act of August 30, 1890 (26 Stat. 417–419, as amended; 7 U.S.C. 321–326 and 328), including Tuskegee University.
- (14) NLGCA INSTITUTION; NON-LAND-GRANT COLLEGE OF AGRICULTURE.—

(A) IN GENERAL.—The terms “NLGCA Institution” and “non-land-grant college of agriculture” mean a public college or university offering a baccalaureate or higher degree in the study of food and agricultural sciences.

(B) DESIGNATION.—Not later than 90 days after the date of the enactment of this subparagraph, the Secretary shall establish an ongoing process through which public colleges or universities may apply for designation as an NLGCA Institution.

(C) EXCLUSIONS.—The terms “NLGCA Institution” and “non-land-grant college of agriculture” do not include—

(i) Hispanic-serving agricultural colleges and universities; or

(ii) any institution designated under—

(I) the Act of July 2, 1862 (commonly known as the “First Morrill Act”; 7 U.S.C. 301 et seq.);

(II) the Act of August 30, 1890 (commonly known as the “Second Morrill Act”) (7 U.S.C. 321 et seq.);

(III) the Equity in Educational Land-Grant Status Act of 1994 (Public Law 103–382; 7 U.S.C. 301 note); or

(IV) Public Law 87–788 (commonly known as the “McIntire-Stennis Cooperative Forestry Act”) (16 U.S.C. 582a et seq.).

(15) The term “Secretary” means the Secretary of Agriculture of the United States.

(16) STATE.—The term “State” means—

(A) a State;

(B) the District of Columbia; and

(C) any insular area.

(17) The term “State agricultural experiment stations” means those institutions eligible to receive funds under the Act of March 2, 1887 (24 Stat. 440–442, as amended; 7 U.S.C. 361a–361i).

(18) The term “State cooperative institutions” or “State cooperative agents” means institutions or agents designated by—

(A) the Act of July 2, 1862 (7 U.S.C. 301 et seq.), commonly known as the First Morrill Act;

(B) the Act of August 30, 1890 (7 U.S.C. 321 et seq.), commonly known as the Second Morrill Act, including Tuskegee University;

(C) the Act of March 2, 1887 (7 U.S.C. 361a et seq.), commonly known as the Hatch Act of 1887;

(D) the Act of May 8, 1914 (7 U.S.C. 341 et seq.), commonly known as the Smith-Lever Act;

(E) the Act of October 10, 1962 (16 U.S.C. 582a et seq.), commonly known as the McIntire-Stennis Act of 1962;

(F) section 1430; and

(G) subtitles G, L, and M of this title.

(19) The term “sustainable agriculture” means an integrated system of plant and animal production practices having a site-specific application that will, over the long-term—

- (A) satisfy human food and fiber needs;
 - (B) enhance environmental quality and the natural resource base upon which the agriculture economy depends;
 - (C) make the most efficient use of nonrenewable resources and on-farm resources and integrate, where appropriate, natural biological cycles and controls;
 - (D) sustain the economic viability of farm operations;
- and
- (E) enhance the quality of life for farmers and society as a whole.

(20) **TEACHING AND EDUCATION.**—The terms “teaching” and “education” mean formal classroom instruction, laboratory instruction, and practical experience in the food and agricultural sciences and matters relating thereto (such as faculty development, student recruitment and services, curriculum development, instructional materials and equipment, and innovative teaching methodologies) conducted by colleges and universities offering baccalaureate or higher degrees.

Subtitle B—Coordination and Planning of Agricultural Research,
Extension, and Teaching

RESPONSIBILITIES OF THE SECRETARY AND DEPARTMENT OF
AGRICULTURE

SEC. 1405. [7 U.S.C. 3121] The Department of Agriculture is designated as the lead agency of the Federal Government for agricultural research (except with respect to the biomedical aspects of human nutrition concerned with diagnosis or treatment of disease), extension, and teaching in the food and agricultural sciences, and the Secretary, in carrying out the Secretary’s responsibilities, shall—

- (1) establish jointly with the Secretary of Health and Human Services procedures for coordination with respect to nutrition research in areas of mutual interest;
- (2) keep informed of developments in, and the Nation’s need for, research, extension, teaching, and manpower development in the food and agricultural sciences and represent such need in deliberations within the Department of Agriculture, elsewhere within the executive branch of the United States Government, and with the several States and their designated land-grant colleges and universities, other colleges and universities, agricultural and related industries, and other interested institutions and groups;
- (3) coordinate all agricultural research, extension, and teaching activity conducted or financed by the Department of Agriculture and, to the maximum extent practicable, by other agencies of the executive branch of the United States Government;
- (4) take the initiative in establishing coordination of State-Federal cooperative agricultural research, extension, and teaching programs, funded in whole or in part by the Department of Agriculture in each State, through the administrative heads of land-grant colleges and universities and the State directors of agricultural experiment stations and cooperative ex-

tension services, and other appropriate program administrators;

(5) consult the Advisory Board and appropriate advisory committees of the Department of Agriculture in the formulation of basic policies, goals, strategies, and priorities for programs of agricultural research, extension, and teaching;

(6) report (as a part of the Department of Agriculture's annual budget submissions) to the House Committee on Agriculture, the House Committee on Appropriations, the Senate Committee on Agriculture, Nutrition, and Forestry, and the Senate Committee on Appropriations actions taken or proposed to support the recommendations of the Advisory Board;

(7) establish appropriate review procedures to assure that agricultural research projects are timely and properly reported and published and that there is no unnecessary duplication of effort or overlapping between agricultural research units;

(8) establish Federal or cooperative multidisciplinary research teams on major agricultural research problems with clearly defined leadership, budget responsibility, and research programs;

(9) in order to promote the coordination of agricultural research of the Department of Agriculture, conduct a continuing inventory of ongoing and completed research projects being conducted within or funded by the Department;

(10) coordinate all agricultural research, extension, and teaching activities conducted or financed by the Department of Agriculture with the periodic renewable resource assessment and program provided for in sections 3 and 4 of the Forest and Rangeland Renewable Resources Planning Act of 1974 and the appraisal and program provided for in sections 5 and 6 of the Soil and Water Resources Conservation Act of 1977;

(11) coordinate the efforts of States, State cooperative institutions, State extension services, the Advisory Board, and other appropriate institutions in assessing the current status of, and developing a plan for, the effective transfer of new technologies, including biotechnology, to the farming community, with particular emphasis on addressing the unique problems of small- and medium-sized farms in gaining information about those technologies; and

(12) establish appropriate controls with respect to the development and use of the application of biotechnology to agriculture.

【Section 1406 omitted—amendment】

【Section 1407 repealed by section 852(a) of P.L. 104-127, 110 Stat. 1171.】

SEC. 1408. [7 U.S.C. 3123] NATIONAL AGRICULTURAL RESEARCH, EXTENSION, EDUCATION, AND ECONOMICS ADVISORY BOARD.

(a) **ESTABLISHMENT.**—The Secretary shall establish within the Department of Agriculture a board to be known as the “National Agricultural Research, Extension, Education, and Economics Advisory Board”.

(b) **MEMBERSHIP.**—

(1) IN GENERAL.—The Advisory Board shall consist of 25 members, appointed by the Secretary.

(2) SELECTION OF MEMBERS.—The Secretary shall appoint members of the Advisory Board from nominations submitted by organizations, associations, societies, councils, federations, groups, and companies fitting the criteria specified in paragraph (3).

(3) MEMBERSHIP CATEGORIES.—The Advisory Board shall consist of members from each of the following categories:

(A) 1 member representing a national farm organization.

(B) 1 member representing farm cooperatives.

(C) 1 member actively engaged in the production of a food animal commodity, recommended by a coalition of national livestock organizations.

(D) 1 member actively engaged in the production of a plant commodity, recommended by a coalition of national crop organizations.

(E) 1 member actively engaged in aquaculture, recommended by a coalition of national aquacultural organizations.

(F) 1 member representing a national food animal science society.

(G) 1 member representing a national crop, soil, agronomy, horticulture, plant pathology, or weed science society.

(H) 1 member representing a national food science organization.

(I) 1 member representing a national human health association.

(J) 1 member representing a national nutritional science society.

(K) 1 member representing the land-grant colleges and universities eligible to receive funds under the Act of July 2, 1862 (7 U.S.C. 301 et seq.).

(L) 1 member representing the land-grant colleges and universities eligible to receive funds under the Act of August 30, 1890 (7 U.S.C. 321 et seq.), including Tuskegee University.

(M) 1 member representing the 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)).

(N) 1 member representing NLGCA Institutions.

(O) 1 member representing Hispanic-serving institutions.

(P) 1 member representing the American Colleges of Veterinary Medicine.

(Q) 1 member engaged in the transportation of food and agricultural products to domestic and foreign markets.

(R) 1 member representing food retailing and marketing interests.

(S) 1 member representing food and fiber processors.

(T) 1 member actively engaged in rural economic development.

(U) 1 member representing a national consumer interest group.

(V) 1 member representing a national forestry group.

(W) 1 member representing a national conservation or natural resource group.

(X) 1 member representing private sector organizations involved in international development.

(Y) 1 member representing a national social science association.

(4) EX OFFICIO MEMBERS.—The Secretary, the Under Secretary of Agriculture for Research, Education, and Economics, the Administrator of the Agricultural Research Service, the Director of the National Institute of Food and Agriculture, the Administrator of the Economic Research Service, and the Administrator of the National Agricultural Statistics Service shall serve as ex officio members of the Advisory Board.

(5) OFFICERS.—At the first meeting of the Advisory Board each year, the members shall elect from among the members of the Advisory Board a chairperson, vice chairperson, and 7 additional members to serve on the executive committee established under paragraph (6).

(6) EXECUTIVE COMMITTEE.—The Advisory Board shall establish an executive committee charged with the responsibility of working with the Secretary and officers and employees of the Department of Agriculture to summarize and disseminate the recommendations of the Advisory Board.

(7) EQUAL REPRESENTATION OF PUBLIC AND PRIVATE SECTOR MEMBERS.—In appointing members to serve on the Advisory Board, the Secretary shall ensure, to the maximum extent practicable, equal representation of public and private sector members.

(c) DUTIES.—The Advisory Board shall—

(1) review and provide consultation to the Secretary, land-grant colleges and universities, and the Committee on Agriculture of the House of Representatives, the Committee on Agriculture, Nutrition, and Forestry of the Senate, the Subcommittee on Agriculture, Rural Development, Food and Drug Administration and Related Agencies of the Committee on Appropriations of the House of Representatives, and the Subcommittee on Agriculture, Rural Development and Related Agencies of the Committee on Appropriations of the Senate on—

(A) long-term and short-term national policies and priorities consistent with the purposes specified in section 1402 for agricultural research, extension, education, and economics; and

(B) the annual establishment of priorities that—

(i) are in accordance with the purposes specified in a provision of a covered law (as defined in subsection (d) of section 1492) under which competitive grants (described in subsection (c) of such section) are awarded; and

- (ii) the Board determines are national priorities.
- (2) evaluate the results and effectiveness of agricultural research, extension, education, and economics with respect to the policies and priorities;
- (3) review and make recommendations to the Under Secretary of Agriculture for Research, Education, and Economics on the research, extension, education, and economics portion of the draft strategic plan required under section 306 of title 5, United States Code;
- (4) review the mechanisms of the Department of Agriculture for technology assessment (which should be conducted by qualified professionals) for the purposes of—
- (A) performance measurement and evaluation of the implementation by the Secretary of the strategic plan required under section 306 of title 5, United States Code;
- (B) implementation of national research policies and priorities that are consistent with the purposes specified in section 1402; and
- (C) the development of mechanisms for the assessment of emerging public and private agricultural research and technology transfer initiatives; and
- (5) consult with industry groups on agricultural research, extension, education, and economics, and make recommendations to the Secretary based on that consultation.
- (d) CONSULTATION.—
- (1) DUTIES OF ADVISORY BOARD.—In carrying out this section, the Advisory Board shall consult with any appropriate agencies of the Department of Agriculture and solicit opinions and recommendations from persons who will benefit from and use federally funded agricultural research, extension, education, and economics.
- (2) DUTIES OF SECRETARY.—To comply with a provision of this title or any other law that requires the Secretary to consult or cooperate with the Advisory Board or that authorizes the Advisory Board to submit recommendations to the Secretary, the Secretary shall—
- (A) solicit the written opinions and recommendations of the Advisory Board; and
- (B) provide a written response to the Advisory Board regarding the manner and extent to which the Secretary will implement recommendations submitted by the Advisory Board.
- (e) APPOINTMENT.—A member of the Advisory Board shall be appointed by the Secretary for a term of up to 3 years. The members of the Advisory Board shall be appointed to serve staggered terms.
- (f) FEDERAL ADVISORY COMMITTEE ACT.—The Advisory Board shall be deemed to have filed a charter for the purpose of section 9(c) of the Federal Advisory Committee Act (5 U.S.C. App.).
- (g) ANNUAL LIMITATION ON ADVISORY BOARD EXPENSES.—
- (1) MAXIMUM AMOUNT.—Not more than \$500,000 may be used to cover the necessary expenses of the Advisory Board for each fiscal year.

(2) GENERAL LIMITATION.—The expenses of the Advisory Board shall not be counted toward any general limitation on the expenses of advisory committees, panels, commissions, and task forces of the Department of Agriculture contained in any Act making appropriations for the Department of Agriculture, whether enacted before, on, or after the date of enactment of this paragraph, unless the appropriation Act specifically refers to this subsection and specifically includes this Advisory Board within the general limitation.

(h) TERMINATION.—The Advisory Board shall remain in existence until September 30, 2018.

SEC. 1408A. [7 U.S.C. 3123a] SPECIALTY CROP COMMITTEE.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of the Specialty Crops Competitiveness Act of 2004, the executive committee of the Advisory Board shall establish, and appoint the initial members of, a permanent specialty crops committee that will be responsible for studying the scope and effectiveness of research, extension, and economics programs affecting the specialty crop industry.

(2) CITRUS DISEASE SUBCOMMITTEE.—

(A) IN GENERAL.—Not later than 45 days after the date of the enactment of the Agricultural Act of 2014, the Secretary shall establish within the specialty crops committee, and appoint the initial members of, a citrus disease subcommittee to carry out the responsibilities of the subcommittee described in subsection (g) in accordance with subsection (j)(3) of section 412 of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7632).

(B) COMPOSITION.—The citrus disease subcommittee shall be composed of 9 members, each of whom is a domestic producer of citrus in a State, represented as follows:

(i) Three of such members shall represent Arizona or California.

(ii) Five of such members shall represent Florida.

(iii) One of such members shall represent Texas.

(C) MEMBERSHIP.—The Secretary may appoint individuals who are not members of the specialty crops committee or the Advisory Board established under section 1408 as members of the citrus disease subcommittee

(D) TERMINATION.—The subcommittee established under subparagraph (A) shall terminate on September 30, 2018.

(E) FEDERAL ADVISORY COMMITTEE ACT.—The subcommittee established under subparagraph (A) shall be covered by the exemption to section 9(c) of the Federal Advisory Committee Act (5 U.S.C. App.) applicable to the Advisory Board under section 1408(f).

(b) MEMBERS.—

(1) ELIGIBILITY.—Individuals who are not members of the Advisory Board may be appointed as members of the specialty crops committee.

(2) SERVICE.—Members of the specialty crops committee shall serve at the discretion of the executive committee.

(3) DIVERSITY.—Membership of the specialty crops committee shall reflect diversity in the specialty crops represented.

(c) ANNUAL COMMITTEE REPORT.—Not later than 180 days after the establishment of the specialty crops committee, and annually thereafter, the specialty crops committee shall submit to the Advisory Board a report containing the findings of its study under subsection (a). The specialty crops committee shall include in each report recommendations regarding the following:

(1) Programs designed to improve the efficiency, productivity, and profitability of specialty crop production in the United States.

(2) Research, extension, and teaching programs designed to improve competitiveness in the specialty crop industry, including programs that would—

(A) enhance the quality and shelf-life of fresh fruits and vegetables, including their taste and appearance;

(B) develop new crop protection tools and expand the applicability and cost-effectiveness of integrated pest management;

(C) prevent the introduction of foreign invasive pests and diseases;

(D) develop new products and new uses of specialty crops, including improving the quality and taste of processed specialty crops;

(E) develop new and improved marketing tools for specialty crops;

(F) enhance food safety regarding specialty crops;

(G) improve the remote sensing and the mechanization of production practices; and

(H) enhance irrigation techniques used in specialty crop production.

(3) Analyses of changes in macroeconomic conditions, technologies, and policies on specialty crop production and consumption, with particular focus on the effect of those changes on the financial stability of producers.

(4) Development of data that provide applied information useful to specialty crop growers, their associations, and other interested beneficiaries in evaluating that industry from a regional and national perspective.

(5) Analysis of the alignment of specialty crops committee recommendations with grants awarded through the specialty crop research initiative established under section 412 of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7632).

(d) CONSULTATION WITH SPECIALTY CROP INDUSTRY.—In studying the scope and effectiveness of programs under subsection (a), the specialty crops committee shall consult on an ongoing basis with diverse sectors of the specialty crop industry.

(e) CONSIDERATION BY SECRETARY.—In preparing the annual budget recommendations for the Department of Agriculture, the Secretary shall take into consideration those findings and rec-

ommendations contained in the most-recent report of the specialty crops committee that are adopted by the Advisory Board.

(f) ANNUAL REPORT BY SECRETARY.—In the budget material submitted to Congress by the Secretary in connection with the budget submitted pursuant to section 1105 of title 31, United States Code, for a fiscal year, the Secretary shall include a report describing how the Secretary addressed each recommendation of the specialty crops committee described in subsection (e).

(g) CITRUS DISEASE SUBCOMMITTEE DUTIES.—For the purposes of subsection (j) of section 412 of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7632), the citrus disease subcommittee shall—

(1) advise the Secretary on citrus research, extension, and development needs;

(2) propose, by a favorable vote of two-thirds of the members of the subcommittee, a research and extension agenda and annual budgets for the funds made available to carry out such subsection;

(3) evaluate and review ongoing research and extension funded under the emergency citrus disease research and extension program (as defined in such subsection);

(4) establish, by a favorable vote of two-thirds of the members of the subcommittee, annual priorities for the award of grants under such subsection;

(5) provide the Secretary any comments on grants awarded under such subsection during the previous fiscal year; and

(6) engage in regular consultation and collaboration with the Department and other institutional, governmental, and private persons conducting scientific research on, and extension activities related to, the causes or treatments of citrus diseases and pests, both domestic and invasive, for purposes of—

(A) maximizing the effectiveness of research and extension projects funded under the citrus disease research and extension program;

(B) hastening the development of useful treatments;

(C) avoiding duplicative and wasteful expenditures;

and

(D) providing the Secretary with such information and advice as the Secretary may request.

SEC. 1408B. [7 U.S.C. 3123B] RENEWABLE ENERGY COMMITTEE.

(a) INITIAL MEMBERS.—Not later than 90 days after the date of enactment of this section, the executive committee of the Advisory Board shall establish and appoint the initial members of a permanent renewable energy committee.

(b) DUTIES.—The permanent renewable energy committee shall study the scope and effectiveness of research, extension, and economics programs affecting the renewable energy industry.

(c) NONADVISORY BOARD MEMBERS.—

(1) IN GENERAL.—An individual who is not a member of the Advisory Board may be appointed as a member of the renewable energy committee.

(2) SERVICE.—A member of the renewable energy committee shall serve at the discretion of the executive committee.

(d) **REPORT BY RENEWABLE ENERGY COMMITTEE.**—Not later than 180 days after the date of establishment of the renewable energy committee, and annually thereafter, the renewable energy committee shall submit to the Advisory Board a report that contains the findings and any recommendations of the renewable energy committee with respect to the study conducted under subsection (b).

(e) **CONSULTATION.**—In carrying out the duties described in subsection (b), the renewable energy committee shall consult with the Biomass Research and Development Technical Advisory Committee established under section 9008(d) of the Biomass Research and Development Act of 2000 (7 U.S.C. 8605).

(f) **MATTERS TO BE CONSIDERED IN BUDGET RECOMMENDATION.**—In preparing the annual budget recommendations for the Department, the Secretary shall take into consideration those findings and recommendations contained in the most recent report of the renewable energy committee under subsection (d) that are developed by the Advisory Committee.

(g) **REPORT BY THE SECRETARY.**—In the budget material submitted to Congress by the Secretary in connection with the budget submitted pursuant to section 1105 of title 31, United States Code, for a fiscal year, the Secretary shall include a report that describes the ways in which the Secretary addressed each recommendation of the renewable energy committee described in subsection (f).

EXISTING RESEARCH PROGRAMS

SEC. 1409. [7 U.S.C. 3124] It is the intent of Congress in enacting this title to augment, coordinate, and supplement the planning, initiation, and conduct of agricultural research programs existing prior to the enactment of this title, except that it is not the intent of Congress in enacting this title to limit the authority of the Secretary of Health and Human Services, under any Act which the Secretary of Health and Human Services administers.

FEDERAL-STATE PARTNERSHIP AND COORDINATION

SEC. 1409A. [7 U.S.C. 3124a] (a) A unique partnership arrangement exists in food and agricultural research, extension, and teaching between the Federal Government and the governments of the several States whereby the States have accepted and have supported, through legislation and appropriations—

(1) research programs under—

(A) the Act of March 2, 1887 (7 U.S.C. 361a et seq.), commonly known as the Hatch Act of 1887;

(B) the Act of October 10, 1962 (16 U.S.C. 582a et seq.), commonly known as the McIntire-Stennis Act of 1962;

(C) subtitle E of this title; and

(D) subtitle G of this title;

(2) extension programs under subtitle G of this title and the Act of May 8, 1914 (7 U.S.C. 341 et seq.), commonly known as the Smith-Lever Act;

(3) teaching programs under—

(A) the Act of July 2, 1862 (7 U.S.C. 301 et seq.), commonly known as the First Morrill Act;

(B) the Act of August 30, 1890 (7 U.S.C. 321 et seq.), commonly known as the Second Morrill Act; and

(C) the Act of June 29, 1935 (7 U.S.C. 329), commonly known as the Bankhead-Jones Act; and

(4) international agricultural programs under title XII of the Foreign Assistance Act of 1961 (22 U.S.C. 2220a et seq.). This partnership in publicly supported agricultural research, extension, and teaching involving the programs of Federal agencies and the programs of the States has played a major role in the outstanding successes achieved in meeting the varied, dispersed, and in many cases, site-specific needs of American agriculture. This partnership must be preserved and enhanced.

(b) In order to promote research and education in food and human nutrition, the Secretary may establish cooperative human nutrition centers to focus resources, facilities, and scientific expertise on particular high priority nutrition problems identified by the Department. Such centers shall be established at State cooperative institutions; and at other colleges and universities, having a demonstrable capacity to carry out human nutrition research and education.

(c)(1) To promote research for purposes of developing agricultural policy alternatives, the Secretary is encouraged—

(A) to designate at least one State cooperative institution to conduct research in an interdisciplinary fashion; and

(B) to report on a regular basis with respect to the effect of emerging technological, economic, sociological, and environmental developments on the structure of agriculture.

(2) Support for this effort should include grants to examine the role of various food production, processing, and distribution systems that may primarily benefit small- and medium-sized family farms, such as diversified farm plans, energy, water, and soil conservation technologies, direct and cooperative marketing, production and processing cooperatives, and rural community resource management.

(d) To address more effectively the critical need for reducing farm input costs, improving soil, water, and energy conservation on farms and in rural areas, using sustainable agricultural methods, adopting alternative processing and marketing systems, and encouraging rural resources management, the Secretary is encouraged to designate at least one State agricultural experiment station and one Agricultural Research Service facility to examine these issues in an integrated and comprehensive manner, while conducting ongoing pilot projects contributing additional research through the Federal-State partnership.

(e) APPLICABILITY OF FEDERAL ADVISORY COMMITTEE ACT.—

(1) PUBLIC MEETINGS.—All meetings of any entity described in paragraph (3) shall be publicly announced in advance and shall be open to the public. Detailed minutes of meetings and other appropriate records of the activities of such an entity shall be kept and made available to the public on request.

(2) EXEMPTION.—The Federal Advisory Committee Act (5 U.S.C. App.) and title XVIII of this Act shall not apply to any entity described in paragraph (3).

(3) ENTITIES DESCRIBED.—This subsection shall apply to any committee, board, commission, panel, or task force, or similar entity that—

(A) is created for the purpose of cooperative efforts in agricultural research, extension, or teaching; and

(B) consists entirely of—

(i) full-time Federal employees; and

(ii) one or more individuals who are employed by, or are officials of—

(I) a State cooperative institution or State cooperative agency; or

(II) a public college or university or other postsecondary institution.

SECRETARY'S REPORT

SEC. 1410. [7 U.S.C. 3125] The Secretary shall submit to the President and Congress by January 1 of each year a report on the Nation's agricultural research, extension, and teaching activities, and such report shall include—

(1) a review covering the following three categories of activities of the Department of Agriculture with respect to agricultural research, extension, and teaching activities and the relationship of these activities to similar activities of other departments and agencies of the Federal Government, the State, colleges and universities, and the private sector—

(A) a current inventory of such activities organized by statutory authorization and budget outlay;

(B) a current inventory of such activities organized by field of basic and applied science; and

(C) a current inventory of such activities organized by commodity and product category;

(2) any recommendations of the Advisory Board; and

(3) in the second and succeeding years, a five-year projection of national priorities with respect to agricultural research, extension, and teaching, taking into account both domestic and international needs.

SEC. 1410A. [7 U.S.C. 3125a] NATIONAL AGRICULTURAL LIBRARY.

(a) PURPOSE.—The purpose of this section is to consolidate and expand the statutory authority for the operation of the library of the Department of Agriculture established pursuant to section 520 of the Revised Statutes (7 U.S.C. 2201) as the primary agricultural information resource of the United States.

(b) ESTABLISHMENT.—There is established in the Department of Agriculture the National Agricultural Library to serve as the primary agricultural information resource of the United States.

(c) DIRECTOR.—The Secretary shall appoint a Director for the National Agricultural Library who shall be subject to the direction of the Secretary.

(d) FUNCTIONS OF DIRECTOR.—The Director may—

(1) acquire, preserve, and manage information and information products and services in all phases of agriculture and allied sciences;

(2) organize agricultural information and information products and services by cataloging, indexing, bibliographical listing, and other appropriate techniques;

(3) provide agricultural information and information products and services to agencies of the Department of Agriculture and the Federal Government, public and private organizations, and individuals, within the United States and internationally;

(4) plan for, coordinate, and evaluate information and library needs related to agricultural research and education;

(5) cooperate with and coordinate efforts among agricultural college and university libraries, in conjunction with private industry and other agricultural library and information centers, toward the development of a comprehensive agricultural library and information network; and

(6) coordinate the development of specialized subject information services among the agricultural and library information communities.

(e) LIBRARY PRODUCTS AND SERVICES.—The Director may—

(1) make copies of the bibliographies prepared by the National Agricultural Library;

(2) make microforms and other reproductions of books and other library materials in the Department;

(3) provide any other library and information products and services; and

(4) sell those products and services at such prices (not less than the estimated total cost of disseminating the products and services) as the Secretary may determine appropriate.

(f) RECEIPTS.—Funds received from sales under subsection (e) shall be deposited in the Treasury of the United States to the credit of the applicable appropriation and shall remain available until expended.

(g) AGREEMENTS.—

(1) IN GENERAL.—The Director may enter into agreement with, and receive funds from any State, and other political subdivision, organization, business, or individual for the purpose of conducting activities to carry out this section.

(2) FUNDS.—Funds received under this subsection for payments for library products and services or other activities shall be deposited to the miscellaneous contributed fund account, and shall remain available until expended.

(h) Authorization of Appropriations.—There are authorized to be appropriated for each fiscal year such sums as may be necessary to carry out this section.

LIBRARIES AND INFORMATION NETWORK

SEC. 1411. [7 U.S.C. 3126] (a) It is hereby declared to be the policy of Congress that—

(1) cooperation and coordination among, and the more effective utilization of, disparate agricultural libraries and information units be facilitated;

(2) information and library needs related to agricultural research and education be effectively planned for, coordinated, and evaluated;

(3) a structure for the coordination of the agricultural libraries of colleges and universities, Department of Agriculture libraries, and their closely allied information gathering and disseminating units be established in close conjunction with private industry and other research libraries;

(4) effective access by all colleges and universities and Department of Agriculture personnel to literature and information regarding the food and agricultural sciences be provided;

(5) programs for training in information utilization with respect to the food and agricultural sciences, including research grants for librarians, information scientists, and agricultural scientists be established or strengthened; and

(6) the Department of Agriculture establish mutually valuable working relationships with international and foreign information and data programs.

(b) There is hereby established within the National Agricultural Library of the Department of Agriculture a Food and Nutrition Information and Education Resources Center. Such Center shall be responsible for—

(1) assembling and collecting food and nutrition education materials, including the results of nutrition research, training methods, procedures, and other materials related to the purpose of this title;

(2) maintaining such information and materials in a library; and

(3) providing notification about these collections on a regular basis to the State cooperative extension services, State educational agencies, and other interested persons.

(c) Funds are hereby authorized to be appropriated annually in such amounts as Congress may determine necessary to support the purpose of this section. The Secretary is authorized to carry out this section with existing facilities through the use of grants, contracts, or such other means as the Secretary deems appropriate and to require matching of funds. No funds appropriated to support the purposes of this section shall be used to purchase additional equipment unless specifically authorized by law subsequent to the date of enactment of this title.

SEC. 1412. [7 U.S.C. 3127] SUPPORT FOR ADVISORY BOARD.

(a) To assist the Advisory Board in the performance of its duties, the Secretary may appoint, after consultation with the chairperson of the Advisory Board—

(1) a full-time executive director who shall perform such duties as the chairperson of the Advisory Board may direct and who shall receive compensation at a rate not to exceed the rate payable for GS-18 of the General Schedule established in section 5332 of title 5, United States Code; and

(2) a professional staff of not more than five full-time employees qualified in the food and agricultural sciences, of which one shall serve as the executive secretary to the Advisory Board.

(b) The Secretary shall provide such additional clerical assistance and staff personnel as may be required to assist the Advisory Board in carrying out its duties.

(c) In formulating its recommendations to the Secretary, the Advisory Board may obtain the assistance of Department of Agriculture employees, and, to the maximum extent practicable, the assistance of employees of other Federal departments and agencies conducting related programs of agricultural research, extension, and teaching and of appropriate representatives of colleges and universities, including State agricultural experiment stations, cooperative extension services, and other non-Federal organizations conducting significant programs in the food and agricultural sciences.

GENERAL PROVISIONS

SEC. 1413. [7 U.S.C. 3128] (a) Any vacancy in the Advisory Board shall not affect its duties under this title and shall be filled in the same manner as the original position.

(b) Members of the Advisory Board 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 under this title, 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 of the United States Code.

(c) There are authorized to be appropriated annually such sums as Congress may determine necessary to carry out the provisions of section 1412 of this title and subsection (b) of this section.

SEC. 1413A. [7 U.S.C. 3129] ACCOUNTABILITY.

(a) REVIEW OF INFORMATION TECHNOLOGY SYSTEMS.—The Secretary shall conduct a comprehensive review of state-of-the-art information technology systems that are available for use in developing the system required by subsection (b).

(b) MONITORING AND EVALUATION SYSTEM.—The Secretary shall develop and carry out a system to monitor and evaluate agricultural research and extension activities conducted or supported by the Department of Agriculture that will enable the Secretary to measure the impact and effectiveness of research, extension, and education programs according to priorities, goals, and mandates established by law. In developing the system, the Secretary shall incorporate information transfer technologies to optimize public access to research information.

(c) CONSISTENCY WITH OTHER REQUIREMENTS.—The Secretary shall develop and implement the system in a manner consistent with the Government Performance and Results Act of 1993 (Public Law 103-62; 107 Stat. 285) and amendments made by the Act.

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this section.

SEC. 1413B. [7 U.S.C. 3129a] FEDERAL ADVISORY COMMITTEE ACT EXEMPTION FOR COMPETITIVE RESEARCH, EXTENSION, AND EDUCATION PROGRAMS.

The Federal Advisory Committee Act (5 U.S.C. App.) and title XVIII of this Act shall not apply to any committee, board, commission, panel, or task force, or similar entity, created solely for the purpose of reviewing applications or proposals requesting funding under any competitive research, extension, or education program carried out by the Secretary.

Subtitle C—Agricultural Research and Education Grants and Fellowships

【Section 1414 omitted—amendment】

SEC. 1415. [7 U.S.C. 3151] GRANTS TO ENHANCE RESEARCH CAPACITY IN SCHOOLS OF VETERINARY MEDICINE.

(a) **COMPETITIVE GRANT PROGRAM.**—The Secretary shall conduct a program of competitive grants to States for the purpose of meeting the costs of renovation, improving compliance with Federal regulations, employing faculty, acquiring equipment, and taking other action related to the improvement of schools of veterinary medicine to ensure agricultural competitiveness on a worldwide basis.

(b) **PREFERENCE.**—Except with respect to the States of Alaska and Hawaii, the Secretary shall give preference in awarding grants to States which file, with their application for funds under this section, assurances satisfactory to the Secretary that—

(1) the State has established a veterinary medical training program with one or more States without colleges of veterinary medicine which consists of appropriate cooperative agreements providing for a sharing of curriculum and costs by the individual States;

(2) the clinical training of the school to be improved shall emphasize care and preventive medical programs for food animals and companion animals (including horses) which support industries of major economic importance; and

(3) the Secretary may set aside a portion of funds appropriated for the award of grants under this section and make such amounts available only for grants to eligible colleges and universities that the Secretary determines have unique capabilities for achieving the objective of full participation of minority groups in research in the Nation's schools of veterinary medicine.

Notwithstanding clause (1) of this subsection, no State which the Secretary determines has made a reasonable effort to establish appropriate cooperative agreements shall be denied a grant or otherwise prejudiced because of its failure to establish such cooperative agreements.

(c) **APPORTIONMENT AND DISTRIBUTION OF FUNDS.**—Funds appropriated to carry out this section for any fiscal year shall be apportioned and distributed as follows:

(1) Five per centum shall be retained by the Department of Agriculture for administration, program assistance to eligible States, and program coordination.

(2) The remainder shall be apportioned and distributed by the Secretary to those States which have applied for funds under this section on such basis as the Secretary may deem appropriate.

SEC. 1415A. [7 U.S.C. 3151a] VETERINARY MEDICINE LOAN REPAYMENT.

(a) PROGRAM.—

(1) SERVICE IN SHORTAGE SITUATIONS.—The Secretary shall carry out a program of entering into agreements with veterinarians under which the veterinarians agree to provide, for a period of time as determined by the Secretary and specified in the agreement, veterinary services in veterinarian shortage situations. For each year of such service under an agreement under this paragraph, the Secretary shall pay an amount, as determined by the Secretary and specified in the agreement, of the principal and interest of qualifying educational loans of the veterinarians.

(2) SERVICE TO FEDERAL GOVERNMENT IN EMERGENCY SITUATIONS.—

(A) IN GENERAL.—The Secretary may enter into agreements of 1 year duration with veterinarians who have agreements pursuant to paragraph (1) for such veterinarians to provide services to the Federal Government in emergency situations, as determined by the Secretary, under terms and conditions specified in the agreement. Pursuant to an agreement under this paragraph, the Secretary shall pay an amount, in addition to the amount paid pursuant to the agreement in paragraph (1), as determined by the Secretary and specified in the agreement, of the principal and interest of qualifying educational loans of the veterinarians.

(B) REQUIREMENTS.—Agreements entered into under this paragraph shall include the following:

(i) A veterinarian shall not be required to serve more than 60 working days per year of the agreement.

(ii) A veterinarian who provides service pursuant to the agreement shall receive a salary commensurate with the duties and shall be reimbursed for travel and per diem expenses as appropriate for the duration of the service.

(b) DETERMINATION OF VETERINARIAN SHORTAGE SITUATIONS.—In determining “veterinarian shortage situations”, the Secretary may consider—

(1) geographical areas that the Secretary determines have a shortage of veterinarians; and

(2) areas of veterinary practice that the Secretary determines have a shortage of veterinarians, such as food animal medicine, public health, epidemiology, and food safety.

(c) ADMINISTRATION.—

(1) AUTHORITY.—The Secretary may carry out this program directly or enter into agreements with another Federal agency or other service provider to assist in the administration of this program.

(2) BREACH REMEDIES.—

(A) **IN GENERAL.**—Agreements with program participants shall provide remedies for any breach of an agreement by a participant, including repayment or partial repayment of financial assistance received, with interest.

(B) **AMOUNTS RECOVERED.**—Funds recovered under this subsection shall be credited to the account available to carry out this section and shall remain available until expended.

(3) **WAIVER.**—The Secretary may grant a waiver of the repayment obligation for breach of contract in the event of extreme hardship or extreme need, as determined by the Secretary.

(4) **AMOUNT.**—The Secretary shall develop regulations to determine the amount of loan repayment for a year of service by a veterinarian. In making the determination, the Secretary shall consider the extent to which such determination—

(A) affects the ability of the Secretary to maximize the number of agreements that can be provided under the Veterinary Medicine Loan Repayment Program from the amounts appropriated for such agreements; and

(B) provides an incentive to serve in veterinary service shortage areas with the greatest need.

(5) **QUALIFYING EDUCATIONAL LOANS.**—Loan repayments provided under this section may consist of payments on behalf of participating individuals of the principal and interest on government and commercial loans received by the individual for attendance of the individual at an accredited college of veterinary medicine resulting in a degree of Doctor of Veterinary Medicine or the equivalent, which loans were made for—

(A) tuition expenses;

(B) all other reasonable educational expenses, including fees, books, and laboratory expenses, incurred by the individual; or

(C) reasonable living expenses as determined by the Secretary.

(6) **REPAYMENT SCHEDULE.**—The Secretary may enter into an agreement with the holder of any loan for which payments are made under this section to establish a schedule for the making of such payments.

(7) **TAX LIABILITY.**—In addition to educational loan repayments, the Secretary shall make such additional payments to participants as the Secretary determines to be appropriate for the purpose of providing reimbursements to participants for individual tax liability resulting from participation in this program.

(8) **PRIORITY.**—In administering the program, the Secretary shall give priority to agreements with veterinarians for the practice of food animal medicine in veterinarian shortage situations.

(d) **USE OF FUNDS.**—None of the funds appropriated to the Secretary under subsection (f) may be used to carry out section 5379 of title 5, United States Code.

(e) **REGULATIONS.**—Notwithstanding subchapter II of chapter 5 of title 5, United States Code, not later than 270 days after the

date of enactment of this subsection, the Secretary shall promulgate regulations to carry out this section.

(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for carrying out this section such sums as may be necessary and such sums shall remain available to the Secretary for the purposes of this section until expended.

SEC. 1415B. [7 U.S.C. 3151b] VETERINARY SERVICES GRANT PROGRAM.

(a) DEFINITIONS.—In this section:

(1) QUALIFIED ENTITY.—The term “qualified entity” means—

(A) a for-profit or nonprofit entity located in the United States that, or an individual who, operates a veterinary clinic providing veterinary services—

(i) in a rural area, as defined in section 343(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1991(a)); and

(ii) in a veterinarian shortage situation;

(B) a State, national, allied, or regional veterinary organization or specialty board recognized by the American Veterinary Medical Association;

(C) a college or school of veterinary medicine accredited by the American Veterinary Medical Association;

(D) a university research foundation or veterinary medical foundation;

(E) a department of veterinary science or department of comparative medicine accredited by the Department of Education;

(F) a State agricultural experiment station; or

(G) a State, local, or tribal government agency.

(2) VETERINARIAN SHORTAGE SITUATION.—The term “veterinarian shortage situation” means a veterinarian shortage situation as determined by the Secretary under section 1415A.

(b) ESTABLISHMENT.—

(1) COMPETITIVE GRANTS.—The Secretary shall carry out a program to make competitive grants to qualified entities that carry out programs or activities described in paragraph (2) for the purpose of developing, implementing, and sustaining veterinary services.

(2) ELIGIBILITY REQUIREMENTS.—A qualified entity shall be eligible to receive a grant described in paragraph (1) if the entity carries out programs or activities that the Secretary determines will—

(A) substantially relieve veterinarian shortage situations;

(B) support or facilitate private veterinary practices engaged in public health activities; or

(C) support or facilitate the practices of veterinarians who are providing or have completed providing services under an agreement entered into with the Secretary under section 1415A(a)(2).

(c) AWARD PROCESSES AND PREFERENCES.—

(1) APPLICATION, EVALUATION, AND INPUT PROCESSES.—In administering the grant program established under this section, the Secretary shall—

(A) use an appropriate application and evaluation process, as determined by the Secretary; and

(B) seek the input of interested persons.

(2) COORDINATION PREFERENCE.—In selecting recipients of grants to be used for any of the purposes described in subsection (d)(1), the Secretary shall give a preference to qualified entities that provide documentation of coordination with other qualified entities, with respect to any such purpose.

(3) CONSIDERATION OF AVAILABLE FUNDS.—In selecting recipients of grants to be used for any of the purposes described in subsection (d), the Secretary shall take into consideration the amount of funds available for grants and the purposes for which the grant funds will be used.

(4) NATURE OF GRANTS.—A grant awarded under this section shall be considered to be a competitive research, extension, or education grant.

(d) USE OF GRANTS TO RELIEVE VETERINARIAN SHORTAGE SITUATIONS AND SUPPORT VETERINARY SERVICES.—

(1) IN GENERAL.—Except as provided in paragraph (2), a qualified entity may use funds provided by a grant awarded under this section to relieve veterinarian shortage situations and support veterinary services for any of the following purposes:

(A) To promote recruitment (including for programs in secondary schools), placement, and retention of veterinarians, veterinary technicians, students of veterinary medicine, and students of veterinary technology.

(B) To allow veterinary students, veterinary interns, externs, fellows, and residents, and veterinary technician students to cover expenses (other than the types of expenses described in section 1415A(c)(5)) to attend training programs in food safety or food animal medicine.

(C) To establish or expand accredited veterinary education programs (including faculty recruitment and retention), veterinary residency and fellowship programs, or veterinary internship and externship programs carried out in coordination with accredited colleges of veterinary medicine.

(D) To provide continuing education and extension, including veterinary telemedicine and other distance-based education, for veterinarians, veterinary technicians, and other health professionals needed to strengthen veterinary programs and enhance food safety.

(E) To provide technical assistance for the preparation of applications submitted to the Secretary for designation as a veterinarian shortage situation under this section or section 1415A.

(2) QUALIFIED ENTITIES OPERATING VETERINARY CLINICS.—A qualified entity described in subsection (a)(1)(A) may only use funds provided by a grant awarded under this section to establish or expand veterinary practices, including—

- (A) equipping veterinary offices;
 - (B) sharing in the reasonable overhead costs of such veterinary practices, as determined by the Secretary; or
 - (C) establishing mobile veterinary facilities in which a portion of the facilities will address education or extension needs.
- (e) SPECIAL REQUIREMENTS FOR CERTAIN GRANTS.—
- (1) TERMS OF SERVICE REQUIREMENTS.—
- (A) IN GENERAL.—Funds provided through a grant made under this section to a qualified entity described in subsection (a)(1)(A) and used by such entity under subsection (d)(2) shall be subject to an agreement between the Secretary and such entity that includes a required term of service for such entity (including a qualified entity operating as an individual), as established by the Secretary.
- (B) CONSIDERATIONS.—In establishing a term of service under subparagraph (A), the Secretary shall consider only—
- (i) the amount of the grant awarded; and
 - (ii) the specific purpose of the grant.
- (2) BREACH REMEDIES.—
- (A) IN GENERAL.—An agreement under paragraph (1) shall provide remedies for any breach of the agreement by the qualified entity referred to in paragraph (1)(A), including repayment or partial repayment of the grant funds, with interest.
- (B) WAIVER.—The Secretary may grant a waiver of the repayment obligation for breach of contract if the Secretary determines that such qualified entity demonstrates extreme hardship or extreme need.
- (C) TREATMENT OF AMOUNTS RECOVERED.—Funds recovered under this paragraph shall—
- (i) be credited to the account available to carry out this section; and
 - (ii) remain available until expended without further appropriation.
- (f) PROHIBITION ON USE OF GRANT FUNDS FOR CONSTRUCTION.—Except as provided in subsection (d)(2), funds made available for grants under this section may not be used—
- (1) to construct a new building or facility; or
 - (2) to acquire, expand, remodel, or alter an existing building or facility, including site grading and improvement and architect fees.
- (g) REGULATIONS.—Not later than 1 year after the date of the enactment of this section, the Secretary shall promulgate regulations to carry out this section.
- (h) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary to carry out this section \$10,000,000 for fiscal year 2014 and each fiscal year thereafter, to remain available until expended.

【Section 1416 omitted—amendments】

SEC. 1417. [7 U.S.C. 3152] GRANTS AND FELLOWSHIPS FOR FOOD AND AGRICULTURAL SCIENCES EDUCATION.

(a) **HIGHER EDUCATION TEACHING PROGRAMS.**—The Secretary shall promote and strengthen higher education in the food and agricultural sciences by formulating and administering programs to enhance college and university teaching programs in agriculture, natural resources, forestry, veterinary medicine, home economics, disciplines closely allied to the food and agricultural system, and rural economic, community, and business development.

(b) **GRANTS.**—The Secretary may make competitive grants (or grants without regard to any requirement for competition) to land-grant colleges and universities (including the University of the District of Columbia), to colleges and universities having significant minority enrollments and a demonstrable capacity to carry out the teaching of food and agricultural sciences, and to other colleges and universities having a demonstrable capacity to carry out the teaching of food and agricultural sciences, for a period not to exceed 5 years—

(1) to strengthen institutional capacities, including curriculum, faculty, scientific instrumentation, instruction delivery systems, and student recruitment and retention, to respond to identified State, regional, national, or international educational needs in the food and agricultural sciences, or in rural economic, community, and business development;

(2) to attract and support undergraduate and graduate students in order to educate the students in national need areas of the food and agricultural sciences, or in rural economic, community, and business development;

(3) to facilitate cooperative initiatives between two or more eligible institutions, or between eligible institutions and units of State government or organizations in the private sector, to maximize the development and use of resources such as faculty, facilities, and equipment to improve food and agricultural sciences teaching programs, or teaching programs emphasizing rural economic, community, and business development;

(4) to design and implement food and agricultural programs, or programs emphasizing rural economic, community, and business development, to build teaching, research, and extension capacity at colleges and universities having significant minority enrollments;

(5) to conduct undergraduate scholarship programs to meet national and international needs for training food and agricultural scientists and professionals, or professionals in rural economic, community, and business development; and

(6) to conduct graduate and postdoctoral fellowship programs to attract highly promising individuals to research or teaching careers in the food and agricultural sciences.

(c) **PRIORITIES.**—In awarding grants under subsection (b), the Secretary shall give priority to—

(1) applications for teaching enhancement projects that demonstrate enhanced coordination among all types of institutions eligible for funding under this section; and

(2) applications for teaching enhancement projects that focus on innovative, multidisciplinary education programs, material, and curricula.

(d) ELIGIBILITY FOR GRANTS.—

(1) IN GENERAL.—To be eligible for a grant under subsection (b), a recipient institution must have a significant demonstrable commitment to higher education teaching programs in the food and agricultural sciences, or in rural economic, community, and business development, and to each specific subject area for which the grant is to be used.

(2) MINORITY GROUPS.—The Secretary may set aside a portion of the funds appropriated for the awarding of grants under subsection (b), and make such amounts available only for grants to eligible colleges and universities (including the University of the District of Columbia) that the Secretary determines have unique capabilities for achieving the objective of full representation of minority groups in the food and agricultural sciences workforce, or in the rural economic, community, and business development workforce, of the United States.

(3) RESEARCH FOUNDATIONS.—An eligible college or university under subsection (b) includes a research foundation maintained by the college or university.

(e) FOOD AND AGRICULTURAL EDUCATION INFORMATION SYSTEM.—From amounts made available for grants under this section, the Secretary may maintain a national food and agricultural education information system that contains—

(1) information on enrollment, degrees awarded, faculty, and employment placement in the food and agricultural sciences; and

(2) such other similar information as the Secretary considers appropriate.

(f) EVALUATION OF TEACHING PROGRAMS.—The Secretary shall conduct programs to develop, analyze, and provide to colleges and universities data and information that are essential to the evaluation of the quality of teaching programs and to facilitate the design of more effective programs comprising the food and agricultural sciences higher education system of the United States.

(g) CONTINUING EDUCATION.—The Secretary shall conduct special programs with colleges and universities, and with organizations in the private sector, to support educational initiatives to enable food and agricultural scientists and professionals to maintain their knowledge of changing technology, the expanding knowledge base, societal issues, and other factors that impact the skills and competencies needed to maintain the expertise base available to the agricultural system of the United States. The special programs shall include grants and technical assistance.

(h) TRANSFERS OF FUNDS AND FUNCTIONS.—Funds authorized in section 22 of the Act of June 29, 1935 (49 Stat. 439, chapter 338; 7 U.S.C. 329) are transferred to and shall be administered by the Secretary of Agriculture. There are transferred to the Secretary all the functions and duties of the Secretary of Education under such Act applicable to the activities and programs for which funds are made available under section 22 of such Act.

(i) NATIONAL FOOD AND AGRICULTURAL SCIENCES TEACHING, EXTENSION, AND RESEARCH AWARDS.—

(1) ESTABLISHMENT.—

(A) IN GENERAL.—The Secretary shall establish a National Food and Agricultural Sciences Teaching, Extension, and Research Awards program to recognize and promote excellence in teaching, extension, and research in the food and agricultural sciences at a college or university.

(B) MINIMUM REQUIREMENT.—The Secretary shall make at least 1 cash award in each fiscal year to a nominee selected by the Secretary for excellence in each of the areas of teaching, extension, and research of food and agricultural science at a college or university.

(2) FUNDING.—The Secretary may transfer funds from amounts appropriated for the conduct of any agricultural research, extension, or teaching program to an account established pursuant to this section for the purpose of making the awards. The Secretary may accept gifts in accordance with Public Law 95-442 (7 U.S.C. 2269) for the purpose of making the awards.

(j) SECONDARY EDUCATION, 2-YEAR POSTSECONDARY EDUCATION, AND AGRICULTURE IN THE K-12 CLASSROOM.—

(1) DEFINITIONS.—In this subsection:

(A) INSTITUTION OF HIGHER EDUCATION.—The term “institution of higher education” has the meaning given the term in section 101 of the Higher Education Act of 1965.

(B) SECONDARY SCHOOL.—The term “secondary school” has the meaning given the term in section 8101 of the Elementary and Secondary Education Act of 1965.

(2) AGRISCIENCE AND AGRIBUSINESS EDUCATION.—The Secretary shall—

(A) promote and strengthen secondary education and 2-year postsecondary education in agriscience and agribusiness in order to help ensure the existence in the United States of a qualified workforce to serve the food and agricultural sciences system; and

(B) promote complementary and synergistic linkages among secondary, 2-year postsecondary, and higher education programs in the food and agricultural sciences in order to promote excellence in education and encourage more young Americans to pursue and complete a baccalaureate or higher degree in the food and agricultural sciences.

(3) GRANTS.—The Secretary may make competitive or non-competitive grants, for grant periods not to exceed 5 years, to public secondary schools, institutions of higher education that award an associate’s degree, other institutions of higher education, and nonprofit organizations, that the Secretary determines have made a commitment to teaching agriscience and agribusiness—

(A) to enhance curricula in agricultural education;

(B) to increase faculty teaching competencies;

(C) to interest young people in pursuing higher education in order to prepare for scientific and professional careers in the food and agricultural sciences;

(D) to promote the incorporation of agriscience and agribusiness subject matter into other instructional programs, particularly classes in science, business, and consumer education;

(E) to facilitate joint initiatives by the grant recipient with other secondary schools, institutions of higher education that award an associate's degree, and institutions of higher education that award a bachelor's degree to maximize the development and use of resources, such as faculty, facilities, and equipment, to improve agriscience and agribusiness education;

(F) to support other initiatives designed to meet local, State, regional, or national needs related to promoting excellence in agriscience and agribusiness education; and

(G) to support current agriculture in the classroom programs for grades K-12.

(k) ADMINISTRATION.—The Federal Advisory Committee Act (5 U.S.C. App. 2) and title XVIII of the Food and Agriculture Act of 1977 (7 U.S.C. 2281 et seq.) shall not apply to a panel or board created for the purpose of reviewing applications and proposals for grants or nominations for awards submitted under this section.

(l) REPORT.—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 biennial report detailing the distribution of funds used to implement the teaching programs under subsection (j).

(m) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for carrying out this section—

- (1) \$60,000,000 for each of fiscal years 1990 through 2013; and
- (2) \$40,000,000 for each of fiscal years 2014 through 2018.

NATIONAL AGRICULTURAL SCIENCE AWARD

SEC. 1418. [7 U.S.C. 3153] (a) The Secretary shall establish the National Agricultural Science Award for research or advanced studies in the food and agricultural sciences, including the social sciences. Two such awards, one for each of the categories described in subsection (d) of this section, shall be made in each fiscal year.

(b) The awards shall not exceed \$50,000 per year for a period of not to exceed three years to support research or study by the recipient.

(c) The awards shall be open to persons in agricultural research, extension, teaching, or any combination thereof.

(d) Awards under this section shall be made in each fiscal year in two categories as follows:

- (1) to a scientist in recognition of outstanding contributions to the advancement of the food and agricultural sciences; and
- (2) to a research scientist in early career development or a graduate student, in recognition of demonstrated capability

and promise of significant future achievement in the food and agricultural sciences.

(e) The Secretary may establish such nominating and selection committees, to consist of scientists and others, to receive nominations and make recommendations for awards under this section, as the Secretary deems appropriate.

[SEC. 1419.²]

SEC. 1419A. [7 U.S.C. 3155] AGRICULTURAL AND FOOD POLICY RESEARCH CENTERS.

(a) **IN GENERAL.**—Consistent with this section, the Secretary shall, acting through the Office of the Chief Economist, make competitive grants to, or enter into cooperative agreements with, policy research centers described in subsection (b) to conduct research and education programs that are objective, operationally independent, and external to the Federal Government and that concern the effect of public policies and trade agreements on—

- (1) the farm and agricultural sectors (including commodities, livestock, dairy, and specialty crops);
- (2) the environment;
- (3) rural families, households, and economies; and
- (4) consumers, food, and nutrition.

(b) **ELIGIBLE RECIPIENTS.**—An entity eligible to apply for funding under subsection (a) is a State agricultural experiment station, college or university, or other public research institution or organization that has a history of providing—

- (1) unbiased, nonpartisan economic analysis to Congress on the areas specified in paragraphs (1) through (4) of subsection (a); or
- (2) objective, scientific information to Federal agencies and the public to support and enhance efficient, accurate implementation of Federal drought preparedness and drought response programs, including interagency thresholds used to determine eligibility for mitigation or emergency assistance.

(c) **PREFERENCE.**—In making awards under this section, the Secretary shall give a preference to policy research centers that have—

- (1) extensive databases, models, and demonstrated experience in providing Congress with agricultural market projections, rural development analysis, agricultural policy analysis, and baseline projections at the farm, multiregional, national, and international levels; or
- (2) information, analysis, and research relating to drought mitigation.

(d) **ACTIVITIES.**—Under this section, funding may be provided for disciplinary and interdisciplinary research and education concerning policy research activities consistent with this section, including activities that—

- (1) quantify the implications of public policies and regulations;
- (2) develop theoretical and applied research methods;

²Sec. 1419 repealed by Sec. 7110(a) of the Food, Conservation, and Energy Act of 2008 (P.L. 110-246; 122 Stat. 1980).

(3) collect, analyze, and disseminate data for policymakers, analysts, and individuals; and

(4) develop programs to train analysts.

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section \$10,000,000 for each of fiscal years 2014 through 2018.

SEC. 1419B. [7 U.S.C. 3156] EDUCATION GRANTS TO ALASKA NATIVE SERVING INSTITUTIONS AND NATIVE HAWAIIAN SERVING INSTITUTIONS.

(a) EDUCATION GRANTS PROGRAM FOR ALASKA NATIVE SERVING INSTITUTIONS.—

(1) GRANT AUTHORITY.—The Secretary of Agriculture may make competitive grants to Alaska Native serving institutions for the purpose of promoting and strengthening the ability of Alaska Native serving institutions to carry out education, applied research, and related community development programs.

(2) USE OF GRANT FUNDS.—Grants made under this section shall be used—

(A) to support the activities of consortia of Alaska Native serving institutions to enhance educational equity for under represented students;

(B) to strengthen institutional educational capacities, including libraries, curriculum, faculty, scientific instrumentation, instruction delivery systems, and student recruitment and retention, in order to respond to identified State, regional, national, or international educational needs in the food and agriculture sciences;

(C) to attract and support undergraduate and graduate students from under represented groups in order to prepare them for careers related to the food, agricultural, and natural resource systems of the United States, beginning with the mentoring of students at the high school level including by village elders and continuing with the provision of financial support for students through their attainment of a doctoral degree; and

(D) to facilitate cooperative initiatives between two or more Alaska Native serving institutions, or between Alaska Native serving institutions and units of State government or the private sector, to maximize the development and use of resources, such as faculty, facilities, and equipment, to improve food and agricultural sciences teaching programs.

(3) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to make grants under this subsection \$10,000,000 in fiscal years 2001 through 2018.

(b) EDUCATION GRANTS PROGRAM FOR NATIVE HAWAIIAN SERVING INSTITUTIONS.—

(1) GRANT AUTHORITY.—The Secretary of Agriculture may make competitive grants to Native Hawaiian serving institutions for the purpose of promoting and strengthening the ability of Native Hawaiian serving institutions to carry out education, applied research, and related community development programs.

(2) USE OF GRANT FUNDS.—Grants made under this section shall be used—

(A) to support the activities of consortia of Native Hawaiian serving institutions to enhance educational equity for under represented students, including permitting consortia to designate fiscal agents for the members of the consortia and to allocate among the members funds made available under this section;

(B) to strengthen institutional educational capacities, including libraries, curriculum, faculty, scientific instrumentation, instruction delivery systems, and student recruitment and retention, in order to respond to identified State, regional, national, or international educational needs in the food and agriculture sciences;

(C) to attract and support undergraduate and graduate students from under represented groups in order to prepare them for careers related to the food, agricultural, and natural resource systems of the United States, beginning with the mentoring of students at the high school level and continuing with the provision of financial support for students through their attainment of a doctoral degree; and

(D) to facilitate cooperative initiatives between two or more Native Hawaiian serving institutions, or between Native Hawaiian serving institutions and units of State government or the private sector, to maximize the development and use of resources, such as faculty, facilities, and equipment, to improve food and agricultural sciences teaching programs.

(3) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to make grants under this subsection \$10,000,000 for each of fiscal years 2001 through 2018.

【Section 1420 omitted—amendment】

Subtitle D—National Food and Human Nutrition Research and Extension Program

FINDINGS AND DECLARATIONS

SEC. 1421. 【7 U.S.C. 3171】 (a) Congress hereby finds that there is increasing evidence of a relationship between diet and many of the leading causes of death in the United States; that improved nutrition is an integral component of preventive health care; that there is a serious need for research on the chronic effects of diet on degenerative diseases and related disorders; that nutrition and health considerations are important to United States agricultural policy; that there is insufficient knowledge concerning precise human nutritional requirements, the interaction of the various nutritional constituents of food, and differences in nutritional requirements among different population groups such as infants, children, adolescents, elderly men and women, and pregnant women; and that there is a critical need for objective data concerning food safety, the potential of food enrichment, and means to encourage better nutritional practices.

(b) It is hereby declared to be the policy of the United States that the Department of Agriculture conduct research in the fields of human nutrition and the nutritive value of foods and conduct human nutrition education activities, as provided in this subtitle.

DUTIES OF THE SECRETARY OF AGRICULTURE

SEC. 1422. [7 U.S.C. 3172] In order to carry out the policy of this subtitle, the Secretary shall develop and implement a national food and human nutrition research and extension program that shall include, but not be limited to—

- (1) research on human nutritional requirements;
- (2) research on the nutrient composition of foods and the effects of agricultural practices, handling, food processing, and cooking on the nutrients they contain;
- (3) surveillance of the nutritional benefits provided to participants in the food programs administered by the Department of Agriculture;
- (4) research on the factors affecting food preference and habits; and
- (5) the development of techniques and equipment to assist consumers in the home or in institutions in selecting food that supplies a nutritionally adequate diet.

RESEARCH BY THE DEPARTMENT OF AGRICULTURE

SEC. 1423. [7 U.S.C. 3173] (a) The Secretary shall establish research into food and human nutrition as a separate and distinct mission of the Department of Agriculture, and the Secretary shall increase support for such research to a level that provides resources adequate to meet the policy of this subtitle.

(b) The Secretary, in administering the food and human nutrition research program, shall periodically consult with the administrators of the other Federal departments and agencies that have responsibility for programs dealing with human food and nutrition, as to the specific research needs of those departments and agencies.

[Sections 1424 and 1424A were repealed by sections 7108 and 7109 of Public Law 113-79.]

SEC. 1425. [7 U.S.C. 3175] NUTRITION EDUCATION PROGRAM.

(a) DEFINITION OF 1862 INSTITUTION AND 1890 INSTITUTION.—In this section, the terms “1862 Institution” and “1890 Institution” have the meaning given those terms in section 2 of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7601).

(b) ESTABLISHMENT.—The Secretary shall establish a national education program which shall include, but not be limited to, the dissemination of the results of food and human nutrition research performed or funded by the Department of Agriculture.

(c) EMPLOYMENT AND TRAINING.—To enable low-income individuals and families to engage in nutritionally sound food purchase and preparation practices, the expanded food and nutrition education program conducted under section 3(d) of the Act of May 8, 1914 (7 U.S.C. 343(d)), shall provide for the employment and train-

ing of professional and paraprofessional aides to engage in direct nutrition education of low-income families and in other appropriate nutrition education programs. To the maximum extent practicable, such program aides shall be hired from the indigenous target population.

(d) ALLOCATION OF FUNDING.—Beginning with the fiscal year ending September 30, 1982—

(1) Any funds annually appropriated under section 3(d) of the Act of May 8, 1914, for the conduct of the expanded food and nutrition education program, up to the amount appropriated under such section for such program for the fiscal year ending September 30, 1981, shall be allocated to each State in the same proportion as funds appropriated under such section for the conduct of the program for the fiscal year ending September 30, 1981, are allocated among the States; with the exception that the Secretary may retain up to 2 per centum of such amount for the conduct of such program in States that did not participate in such program in the fiscal year ending September 30, 1981.

(2) Any funds appropriated annually under section 3(d) of the Act of May 8, 1914, for the conduct of the expanded food and nutrition education program in excess of the amount appropriated under such section for the conduct of the program for the fiscal year ending September 30, 1981, shall be allocated as follows:

(A) 4 per centum shall be available to the Secretary for administrative, technical, and other services necessary for the administration of the program.

(B) Notwithstanding section 3(d) of the Act of May 8, 1914 (7 U.S.C. 343(d)), the remainder shall be allocated among the States as follows:

(i) \$100,000 shall be distributed to each 1862 Institution and 1890 Institution.

(ii) Subject to clause (iii), the remainder shall be allocated to each State in an amount that bears the same ratio to the total amount to be allocated under this clause as—

(I) the population living at or below 125 percent of the income poverty guidelines (as prescribed by the Office of Management and Budget and as adjusted pursuant to section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2))) in the State; bears to

(II) the total population living at or below 125 percent of those income poverty guidelines in all States;

as determined by the most recent decennial census at the time at which each such additional amount is first appropriated.

(iii)(I) Before any allocation of funds under clause (ii), for any fiscal year for which the amount of funds appropriated for the conduct of the expanded food and nutrition education program exceeds the amount of funds appropriated for the program for fiscal year

2007, the following percentage of such excess funds for the fiscal year shall be allocated to the 1890 Institutions in accordance with subclause (II):

- (aa) 10 percent for fiscal year 2009.
- (bb) 11 percent for fiscal year 2010.
- (cc) 12 percent for fiscal year 2011.
- (dd) 13 percent for fiscal year 2012.
- (ee) 14 percent for fiscal year 2013.
- (ff) 15 percent for fiscal year 2014 and for each fiscal year thereafter.

(II) Funds made available under subclause (I) shall be allocated to each 1890 Institution in an amount that bears the same ratio to the total amount to be allocated under this clause as—

(aa) the population living at or below 125 percent of the income poverty guidelines (as prescribed by the Office of Management and Budget and as adjusted pursuant to section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2))) in the State in which the 1890 Institution is located; bears to

(bb) the total population living at or below 125 percent of those income poverty guidelines in all States in which 1890 Institutions are located; as determined by the most recent decennial census at the time at which each such additional amount is first appropriated.

(iv) Nothing in this subparagraph precludes the Secretary from developing educational materials and programs for persons in income ranges above the level designated in this subparagraph.

(e) **COMPLEMENTARY ADMINISTRATION.**—The Secretary shall ensure the complementary administration of the expanded food and nutrition education program by 1862 Institutions and 1890 Institutions in a State.

(f) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out the expanded food and nutrition education program established under section 3(d) of the Act of May 8, 1914 (7 U.S.C. 343(d)), and this section \$90,000,000 for each of fiscal years 2009 through 2018.

NUTRITIONAL STATUS MONITORING

SEC. 1428. [7 U.S.C. 3178] (a) The Secretary and the Secretary of Health and Human Services shall formulate and submit to Congress, within ninety days after the date of enactment of this title, a proposal for a comprehensive nutritional status monitoring system, to include:

- (1) an assessment system consisting of periodic surveys and continuous monitoring to determine; the extent of risk of nutrition-related health problems in the United States; which population groups or areas of the country face greatest risk; and the likely causes of risk and changes in the above risk factors over time;

(2) a surveillance system to identify remediable nutrition-related health risks to individuals or for local areas, in such a manner as to tie detection to direct intervention and treatment. Such system should draw on screening and other information from other health programs, including those funded under titles V, XVIII, and XIX of the Social Security Act and section 330 of the Public Health Service Act; and

(3) program evaluations to determine the adequacy, efficiency, effectiveness, and side effects of nutrition-related programs in reducing health risks to individuals and populations.

(b) The proposal shall provide for coordination of activities under existing authorities and contain recommendations for any additional authorities necessary to achieve a comprehensive monitoring system.

Subtitle E—Animal Health and Disease Research

SEC. 1429. [7 U.S.C. 3191] PURPOSES AND FINDINGS RELATING TO ANIMAL HEALTH AND DISEASE RESEARCH.

(a) PURPOSES.—The purposes of this subtitle are to—

(1) promote the general welfare through the improved health and productivity of domestic livestock, poultry, aquatic animals, and other income-producing animals that are essential to the food supply of the United States and the welfare of producers and consumers of animal products;

(2) improve the health of horses;

(3) facilitate the effective treatment of, and, to the extent possible, prevent animal and poultry diseases in both domesticated and wild animals that, if not controlled, would be disastrous to the United States livestock and poultry industries and endanger the food supply of the United States;

(4) improve methods for the control of organisms and residues in food products of animal origin that could endanger the human food supply;

(5) improve the housing and management of animals to improve the well-being of livestock production species;

(6) minimize livestock and poultry losses due to transportation and handling;

(7) protect human health through control of animal diseases transmissible to humans;

(8) improve methods of controlling the births of predators and other animals; and

(9) otherwise promote the general welfare through expanded programs of research and extension to improve animal health.

(b) FINDINGS.—Congress finds that—

(1) the total animal health and disease research and extension efforts of State colleges and universities and of the Federal Government would be more effective if there were close coordination between the efforts; and

(2) colleges and universities having accredited schools or colleges of veterinary medicine and State agricultural experiment stations that conduct animal health and disease research are especially vital in training research workers in animal health and related disciplines.

DEFINITIONS

SEC. 1430. [7 U.S.C. 3192] When used in this subtitle—

(1) the term “eligible institution” means an accredited school or college of veterinary medicine or a State agricultural experiment station that conducts animal health and disease research;

(2) the term “dean” means the dean of an accredited school or college of veterinary medicine;

(3) the term “director” means the director of a State agricultural experiment station which qualifies as an eligible institution; and

(4) the term “animal health research capacity” means the capacity of an eligible institution to conduct animal health and disease research, as determined by the Secretary.

SEC. 1431. [7 U.S.C. 3193] AUTHORIZATION TO THE SECRETARY OF AGRICULTURE.

(a) **AUTHORITY TO COOPERATE WITH, ENCOURAGE, AND ASSIST STATES.**—In order to carry out the purpose of this subtitle, the Secretary is hereby authorized to cooperate with, encourage, and assist the States in carrying out programs of animal health and disease research at eligible institutions under sections 1433(a) and 1434 in the manner hereinafter described in this subtitle.

(b) **STUDY OF ANIMAL CARE DELIVERY SYSTEM.**—(1) The Secretary shall commission the National Academy of Sciences, working through the Board on Agriculture of the National Research Council, to conduct a study of the delivery system utilized to provide farmers, including small and limited resource farmers, and ranchers with animal care and veterinary medical services, including animal drugs.

(2) The study required by this subsection shall assess opportunities to—

(A) improve the flow of information to producers regarding animal husbandry practices, and diagnostic and treatment methods, including the costs and conditions necessary for the effective use of such practices and methods;

(B) foster achievement of food safety goals; and

(C) advance the well-being and treatment of farm animals, with particular emphasis on disease prevention strategies.

(3) The study required by this subsection shall include recommendations for changes in research and extension policies or priorities, food safety programs and policies, and policies and procedures governing the approval, use, and monitoring of animal drugs.

[Section 1432 repealed by section 854 of P.L. 104-127, 110 Stat. 1172.]

SEC. 1433. [7 U.S.C. 3195] CONTINUING ANIMAL HEALTH AND DISEASE, FOOD SECURITY, AND STEWARDSHIP RESEARCH, EDUCATION, AND EXTENSION PROGRAMS.

(a) **CAPACITY AND INFRASTRUCTURE PROGRAM.**—

(1) **IN GENERAL.**—In each State with one or more accredited colleges of veterinary medicine, the deans of the accredited college or colleges and the director of the State agricultural experiment station shall develop a comprehensive animal health and disease research program for the State based on the ani-

mal health research capacity of each eligible institution in the State, which shall be submitted to the Secretary for approval and shall be used for the allocation of funds available to the State under this section.

(2) USE OF FUNDS.—An eligible institution allocated funds to carry out animal health and disease research under this section may only use such funds—

(A) to meet the expenses of conducting animal health and disease research, publishing and disseminating the results of such research, and contributing to the retirement of employees subject to the Act of March 4, 1940 (7 U.S.C. 331);

(B) for administrative planning and direction; and

(C) to purchase equipment and supplies necessary for conducting research described in subparagraph (A).

(3) COOPERATION AMONG ELIGIBLE INSTITUTIONS.—The Secretary, to the maximum extent practicable, shall encourage eligible institutions to cooperate in setting research priorities under this section through conducting regular regional and national meetings.

(b) COMPETITIVE GRANT PROGRAM.—

(1) IN GENERAL.—The Secretary, for purposes of addressing the critical needs of animal agriculture, shall award competitive grants to eligible entities under which such eligible entities—

(A) conduct research—

(i) to promote food security, such as by—

(I) improving feed efficiency;

(II) improving energetic efficiency;

(III) connecting genomics, proteomics, metabolomics and related phenomena to animal production;

(IV) improving reproductive efficiency; and

(V) enhancing pre- and post-harvest food safety systems; and

(ii) on the relationship between animal and human health, such as by—

(I) exploring new approaches for vaccine development;

(II) understanding and controlling zoonosis, including its impact on food safety;

(III) improving animal health through feed; and

(IV) enhancing product quality and nutritive value; and

(B) develop and disseminate to the public tools and information based on the research conducted under subparagraph (A) and sound science.

(2) ELIGIBLE ENTITIES.—An entity eligible to receive a grant under this subsection is any of the following:

(A) A State cooperative institution.

(B) An NLGCA Institution.

(3) ADMINISTRATION.—In carrying out this subsection, the Secretary shall establish procedures—

(A) to seek and accept proposals for grants;

(B) to review and determine the relevance and merit of proposals, in consultation with representatives of the animal agriculture industry;

(C) to provide a scientific peer review of each proposal conducted by a panel of subject matter experts from Federal agencies, academic institutions, State animal health agencies, and the animal agriculture industry; and

(D) to award competitive grants on the basis of merit, quality, and relevance.

(c) FUNDING.—

(1) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section \$25,000,000 for each of fiscal years 2014 through 2018.

(2) RESERVATION OF FUNDS.—The Secretary shall reserve not less than \$5,000,000 of the funds made available under paragraph (1) to carry out the capacity and infrastructure program under subsection (a).

(3) INITIAL APPORTIONMENT.—The amounts made available under paragraph (1) that are remaining after the reservation of funds under paragraph (2), shall be apportioned as follows:

(A) 15 percent of such amounts shall be used to carry out the capacity and infrastructure program under subsection (a).

(B) 85 percent of such funds shall be used to carry out the competitive grant program under subsection (b).

(4) ADDITIONAL APPORTIONMENT.—The funds reserved under paragraph (2) and apportioned under paragraph (3)(A) to carry out the capacity and infrastructure program under subsection (a) shall be apportioned as follows:

(A) Four percent shall be retained by the Department of Agriculture for administration, program assistance to the eligible institutions, and program coordination.

(B) 48 percent shall be distributed among the several States in the proportion that the value of and income to producers from domestic livestock, poultry, and commercial aquaculture species in each State bears to the total value of and income to producers from domestic livestock, poultry, and commercial aquaculture species in all the States. The Secretary shall determine the total value of and income from domestic livestock, poultry, and commercial aquaculture species in all the States and the proportionate value of and income from domestic livestock, poultry, and commercial aquaculture species for each State, based on the most current inventory of all cattle, sheep, swine, horses, poultry, and commercial aquaculture species published by the Department of Agriculture.

(C) 48 percent shall be distributed among the several States in the proportion that the animal health research capacity of the eligible institutions in each State bears to the total animal health research capacity in all the States. The Secretary shall determine the animal health research capacity of the eligible institutions.

(5) SPECIAL RULES FOR APPORTIONMENT OF CERTAIN FUNDS.—With respect to funds reserved under paragraph (2) and apportioned under paragraph (3)(A) to carry out the capacity and infrastructure program under subsection (a), the following shall apply:

(A) When the amount available under this section for allotment to any State on the basis of domestic livestock, poultry, and commercial aquaculture species values and incomes exceeds the amount for which the eligible institution or institutions in the State are eligible on the basis of animal health research capacity, the excess may be used, at the discretion of the Secretary, for remodeling of facilities, construction of new facilities, or increase in staffing, proportionate to the need for added research capacity.

(B) Whenever a new college of veterinary medicine is established in a State and is accredited, the Secretary, after consultation with the dean of such college and the director of the State agricultural experiment station and where applicable, deans of other accredited colleges in the State, shall provide for the reallocation of funds available to the State pursuant to paragraph (4) between the new college and other eligible institutions in the State, based on the animal health research capacity of each eligible institution.

(C) Whenever two or more States jointly establish an accredited regional college of veterinary medicine or jointly support an accredited college of veterinary medicine serving the States involved, the Secretary is authorized to make funds which are available to such States pursuant to paragraph (4) available for such college in such amount that reflects the combined relative value of, and income from, domestic livestock, poultry, and commercial aquaculture species in the cooperating States, such amount to be adjusted, as necessary, pursuant to subsection (a)(1) and subparagraph (B).

APPROPRIATIONS FOR RESEARCH ON NATIONAL OR REGIONAL PROBLEMS

SEC. 1434. [7 U.S.C. 3196] (a) There are authorized to be appropriated such funds as Congress may determine necessary to support research on specific national or regional animal health or disease problems, or national or regional problems relating to pre-harvest, on-farm food safety, or animal well-being, but not to exceed \$35,000,000 for each of the fiscal years 1991 through 2012, and not in excess of such sums as may after the date of enactment of this title be authorized by law for any subsequent fiscal year.

(b) Notwithstanding the provisions of section 1435 of this title, funds appropriated under this section shall be awarded in the form of grants, for periods not to exceed five years, to State agricultural experiment stations, colleges and universities (including 1890 Institutions (as defined in section 2 of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7601))), other re-

search institutions and organizations, Federal agencies, private organizations or corporations, and individuals.

(c) In order to establish a national allocation of funds appropriated under this section, the Secretary shall establish annually priority lists of animal health and disease, food safety, and animal well-being problems of national or regional significance. Such lists shall be prepared after consultation with the Advisory Board. Any recommendations made in connection with such consultation shall not be controlling on the Secretary's determination of priorities. In establishing such priorities, the Secretary and the Advisory Board shall consider the following factors:

(1) any health or disease problem which causes or may cause significant economic losses to any part of the livestock production industry;

(2) any food safety problem that has a significant pre-harvest (on-farm) component and is recognized as posing a significant health hazard to the consuming public;

(3) issues of animal well-being related to production methods that will improve the housing and management of animals to improve the well-being of livestock production species;

(4) whether current scientific knowledge necessary to prevent, cure, or abate such a health or disease problem is adequate; and

(5) whether the status of scientific research is such that accomplishments may be anticipated through the application of scientific effort to such health or disease problem.

(d) Without regard to any consultation under subsection (c), the Secretary shall, to the extent feasible, award grants on the basis of the priorities assigned through a peer review system. Grantees shall be selected on a competitive basis in accordance with such procedures as the Secretary may establish.

(e) In the case of multiyear grants, the Secretary shall distribute funds to grant recipients on a schedule which is reasonably related to the timetable required for the orderly conduct of the research project involved.

(f) **APPLICABILITY OF FEDERAL ADVISORY COMMITTEE ACT.**—The Federal Advisory Committee Act (5 U.S.C. App.) and title XVIII of this Act shall not apply to a panel or board created solely for the purpose of reviewing applications or proposals submitted under this subtitle.

AVAILABILITY OF APPROPRIATED FUNDS

SEC. 1435. [7 U.S.C. 3197] Funds available to carry out sections 1433(a) and 1434 shall be paid to each State or eligible institution at such times and in such amounts as shall be determined by the Secretary. Funds shall remain available for payment of unliquidated obligations for one additional fiscal year following the year of appropriation.

WITHHOLDING OF APPROPRIATED FUNDS

SEC. 1436. [7 U.S.C. 3198] If the Secretary determines that a State is not entitled to receive its allocation of the annual appropriation under subsection (c) of section 1433 to carry out subsection

(a) of such section because of its failure to satisfy requirements of this subtitle or regulations issued under it, the Secretary shall withhold such amount. The facts and reasons concerning the determination and withholding shall be reported to the President; and the amount involved shall be kept separate in the Treasury until the close of the next Congress. If the next Congress does not direct such sum to be paid, it shall be carried to surplus.

REQUIREMENTS FOR USE OF FUNDS

SEC. 1437. [7 U.S.C. 3199] With respect to research projects on problems of animal health and disease to be performed at eligible institutions and supported with funds allocated to the States under subsection (c) of section 1433 to carry out subsection (a) of such section, the dean or director of each eligible institution shall cause to be prepared and shall review proposals for such research projects, which contain data showing compliance with the purpose in section 1429 of this title and the provisions for use of funds specified in section 1433 (a) of this title, and with general guidelines for project eligibility to be provided by the Secretary. Such research proposals that are approved by the dean or director shall be submitted to the Secretary prior to assignment of funds thereto with a brief summary showing compliance with the provisions of this subtitle and the Secretary's general guidelines.

MATCHING FUNDS

SEC. 1438. [7 U.S.C. 3200] No funds in excess of \$100,000, exclusive of the funds provided for research on specific national or regional animal health and disease problems under the provisions of section 1434 of this title, shall be paid by the Federal Government to any State under subsection (c) of section 1433 to carry out subsection (a) of such section during any fiscal year in excess of the amount from non-Federal sources made available to and budgeted for expenditure by eligible institutions in the State during the same fiscal year for animal health and disease research. The Secretary is authorized to make such payments in excess of \$100,000 on the certificate of the appropriate official of the eligible institution having charge of the animal health and disease research for which such payments are to be made. If any eligible institution certified for receipt of matching funds fails to make available and budget for expenditure for animal health and disease research in any fiscal year sums at least equal to the amount for which it is certified, the difference between the Federal matching funds available and the funds made available to and budgeted for expenditure by the eligible institution shall be reapportioned by the Secretary among other eligible institutions of the same State, if there are any which qualify therefor, and, if there are none, the Secretary shall reapportion such difference among the other States.

ALLOCATIONS UNDER THIS SUBTITLE NOT SUBSTITUTIONS

SEC. 1439. [7 U.S.C. 3201] The sums appropriated and allocated to States and eligible institutions under subsection (c) of section 1433 to carry out subsection (a) of such section or section 1434, as applicable, shall be in addition to, and not in substitution for,

sums appropriated or otherwise made available to such States and institutions pursuant to other provisions of law.

Subtitle F—Small Farm Research and Extension⁵

Subtitle G—1890 Land-Grant College Funding

SEC. 1444. [7 U.S.C. 3221] EXTENSION AT 1890 LAND-GRANT COLLEGES, INCLUDING TUSKEGEE UNIVERSITY.

(a) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There are hereby authorized to be appropriated annually such sums as Congress may determine necessary to support continuing agricultural and forestry extension at colleges eligible to receive funds under the Act of August 30, 1890 (26 Stat. 417–419, as amended; 7 U.S.C. 321–326 and 328), including Tuskegee University (hereinafter in this section referred to as “eligible institutions”).

(2) MINIMUM AMOUNT.—Beginning with fiscal year 2003, there shall be appropriated under this section for each fiscal year an amount that is not less than 20 percent of the total appropriations for such year under the Act of May 8, 1914 (7 U.S.C. 341 et seq.), and related acts pertaining to cooperative extension work at the land-grant institutions identified in the Act of May 8, 1914 (38 Stat. 372, chapter 79; 7 U.S.C. 341 et seq.), except that for the purpose of this calculation, the total appropriations shall not include amounts made available under section 3(d) of that Act (7 U.S.C. 343(d)).

(3) USES.—Funds appropriated under this section shall be used for expenses of conducting extension programs and activities, and for contributing to the retirement of employees subject to the provisions of the Act of March 4, 1940 (54 Stat. 30–40, as amended; 7 U.S.C. 331).

(4) CARRYOVER.—No more than 20 per centum of the funds received by an institution in any fiscal year may be carried forward to the succeeding fiscal year.

(b) Beginning with the fiscal year ending September 30, 1979—

(1) any funds annually appropriated under this section up to the amount appropriated for the fiscal year ending September 30, 1978, pursuant to section 3(d) of the Act of May 8, 1914, as amended, for eligible institutions, shall be allocated among the eligible institutions in the same proportion as funds appropriated under section 3(d) of the Act of May 8, 1914, as amended, for the fiscal year ending September 30, 1978, are allocated among the eligible institutions; and

(2) any funds appropriated annually under this section in excess of an amount equal to the amount appropriated under section 3(d) of the Act of May 8, 1914, for the fiscal year ending September 30, 1978, for eligible institutions, shall be distributed as follows:

(A) A sum equal to 4 per centum of the total amount appropriated each fiscal year under this section shall be

⁵This subtitle (consisting of sections 1440 through 1443) amended the Rural Development Act of 1972 (7 U.S.C. 2662 et seq.). That Act has a separate compilation, so the amendments made by this subtitle are omitted.

allotted to the National Institute of Food and Agriculture of the Department of Agriculture for administrative, technical, and other services, and for coordinating the extension work of the Department of Agriculture and the several States.

(B) Of the remainder, 20 per centum shall be allotted among the eligible institutions in equal proportions; 40 per centum shall be allotted among the eligible institutions in the proportion that the rural population of the State in which each eligible institution is located bears to the total rural population of all the States in which eligible institutions are located, as determined by the last preceding decennial census current at the time each such additional sum is first appropriated; and the balance shall be allotted among the eligible institutions in the proportion that the farm population of the State in which each eligible institution is located bears to the total farm population of all the States in which the eligible institutions are located, as determined by the last preceding decennial census current at the time each such additional sum is first appropriated.

In computing the distribution of funds allocated under paragraph (2) of this subsection, the allotments to Tuskegee University and Alabama Agricultural and Mechanical University shall be determined as if each institution were in a separate State.

(c) The State director of the cooperative extension service and the extension administrator at the eligible institution in each State where an eligible institution is located shall jointly develop, by mutual agreement, a comprehensive program of extension for such State to be submitted for approval by the Secretary within one year after the date of enactment of this title and each five years thereafter.

(d) ASCERTAINMENT OF ENTITLEMENT TO FUNDS; TIME AND MANNER OF PAYMENT; STATE REPORTING REQUIREMENTS; PLANS OF WORK.—

(1) ASCERTAINMENT OF ENTITLEMENT.—On or about the first day of October in each year after enactment of this title, the Secretary shall ascertain whether each eligible institution is entitled to receive its share of the annual appropriation for extension work under this section and the amount which it is entitled to receive. Before the funds herein provided shall become available to any eligible institution for any fiscal year, plans for the work to be carried out under this section shall be submitted, as part of the State plan of work, and approved by the Secretary.

(2) TIME AND MANNER OF PAYMENT; RELATED REPORTS.—The amount to which an eligible institution is entitled shall be paid in equal quarterly payments on or about October 1, January 1, April 1, and July 1 of each year to the treasurer or other officer of the eligible institution duly authorized to receive such payments and such officer shall be required to report to the Secretary on or about the first day of December of each year a detailed statement of the amount so received during the previous fiscal year and its disbursement, on forms prescribed by the Secretary.

(3) REQUIREMENTS RELATED TO PLAN OF WORK.—Each plan of work for an eligible institution required under this section shall contain descriptions of the following:

(A) The critical short-term, intermediate, and long-term agricultural issues in the State in which the eligible institution is located and the current and planned extension programs and projects targeted to address the issues.

(B) The process established to consult with extension users regarding the identification of critical agricultural issues in the State and the development of extension programs and projects targeted to address the issues.

(C) The efforts made to identify and collaborate with other colleges and universities within the State, and within other States, that have a unique capacity to address the identified agricultural issues in the State and the extent of current and emerging efforts (including regional extension efforts) to work with those other institutions.

(D) The manner in which research and extension, including research and extension activities funded other than through formula funds, will cooperate to address the critical issues in the State, including the activities to be carried out separately, the activities to be carried out sequentially, and the activities to be carried out jointly.

(E) The education and outreach programs already underway to convey currently available research results that are pertinent to a critical agricultural issue, including efforts to encourage multicounty cooperation in the dissemination of research results.

(4) EXTENSION PROTOCOLS.—

(A) IN GENERAL.—The Secretary shall develop protocols to be used to evaluate the success of multistate, multi-institutional, and multidisciplinary extension activities and joint research and extension activities in addressing critical agricultural issues identified in the plans of work submitted under this section.

(B) CONSULTATION.—The Secretary shall develop the protocols in consultation with the Advisory Board and land-grant colleges and universities.

(5) TREATMENT OF PLANS OF WORK FOR OTHER PURPOSES.—

To the maximum extent practicable, the Secretary shall consider a plan of work submitted under this section to satisfy other appropriate Federal reporting requirements.

(e) If any portion of the moneys received by any eligible institution for the support and maintenance of extension work as provided in this section shall by any action or contingency be diminished or lost or be misapplied, it shall be replaced by such institution and until so replaced no subsequent appropriation shall be apportioned or paid to such institution. No portion of such moneys shall be applied, directly or indirectly, to the purchase, erection, preservation, or repair of any building or buildings, or the purchase or rental of land, or in college course teaching, lectures in college, or any other purpose not specified in this section. It shall be the duty of such institution, annually, on or about the first day of January, to make to the Governor of the State in which it is located a full and de-

tailed report of its operations in extension work, including a detailed statement of receipts and expenditures from all sources for this purpose, a copy of which report shall be sent to the Secretary.

(f) To the extent that the official mail consists of correspondence, bulletins, and reports for furtherance of the purposes of this section, it shall be transmitted in the mails of the United States. Such items may be mailed from a principal place of business of each eligible institution or from an established subunit of such institution.

SEC. 1445. [7 U.S.C. 3222] AGRICULTURAL RESEARCH AT 1890 LAND-GRANT COLLEGES, INCLUDING TUSKEGEE UNIVERSITY.

(a) **AUTHORIZATION OF APPROPRIATIONS.—**

(1) **IN GENERAL.—**There are hereby authorized to be appropriated annually such sums as Congress may determine necessary to support continuing agricultural research at colleges eligible to receive funds under the Act of August 30, 1890 (26 Stat. 417-419, as amended; 7 U.S.C. 321-326 and 328), including Tuskegee University (hereinafter referred to in this section as “eligible institutions”).

(2) **MINIMUM AMOUNT.—**Beginning with fiscal year 2003, there shall be appropriated under this section for each fiscal year an amount that is not less than 30 percent of the total appropriations for the fiscal year under section 3 of the Hatch Act of 1887 (7 U.S.C. 361c).

(3) **USES.—**Funds appropriated under this section shall be used for expenses of conducting agricultural research, printing, disseminating the results of such research, contributing to the retirement of employees subject to the provisions of the Act of March 4, 1940 (54 Stat. 39-40, as amended; 7 U.S.C. 331), administrative planning and direction, and purchase and rental of land and the construction, acquisition, alteration, or repair of buildings necessary for conducting agricultural research.

(4) **COORDINATION.—**The eligible institutions are authorized to plan and conduct agricultural research in cooperation with each other and such agencies, institutions, and individuals as may contribute to the solution of agricultural problems, and moneys appropriated pursuant to this section shall be available for paying the necessary expenses of planning, coordinating, and conducting such cooperative research.

(5) **CARRYOVER.—**

(A) **IN GENERAL.—**The balance of any annual funds provided to an eligible institution for a fiscal year under this section that remains unexpended at the end of the fiscal year may be carried over for use during the following fiscal year.

(B) **FAILURE TO EXPEND FULL AMOUNT.—**

(i) **IN GENERAL.—**If any unexpended balance carried over by an eligible institution is not expended by the end of the second fiscal year, an amount equal to the unexpended balance shall be deducted from the next succeeding annual allotment to the eligible institution.

(ii) **REDISTRIBUTION.—**Federal funds that are deducted under clause (i) for a fiscal year shall be redis-

tributed by the Secretary in accordance with the formula set forth in subsection (b)(2)(B) to those eligible institutions for which no deduction under clause (i) has been taken for that fiscal year.

(b) Beginning with the fiscal year ending September 30, 1979, the funds appropriated in each fiscal year under this section shall be distributed as follows:

(1) Three per centum shall be available to the Secretary for administration of this section. These administrative funds may be used for transportation of scientists who are not officers or employees of the United States to research meetings convened for the purpose of assessing research opportunities or research planning.

(2) The remainder shall be allotted among the eligible institutions as follows:

(A) Funds up to the total amount made available to all eligible institutions in the fiscal year ending September 30, 1978, under section 2 of the Act of August 4, 1965 (79 Stat. 431; 7 U.S.C. 450i), shall be allocated among the eligible institutions in the same proportion as funds made available under section 2 of the Act of August 4, 1965, for the fiscal year ending September 30, 1978, are allocated among the eligible institutions.

(B) Of funds in excess of the amount allocated under subparagraph (A) of this paragraph, 20 per centum shall be allotted among eligible institutions in equal proportions; 40 per centum shall be allotted among the eligible institutions in the proportion that the rural population of the State in which each eligible institution is located bears to the total rural population of all the States in which eligible institutions are located, as determined by the last preceding decennial census current at the time each such additional sum is first appropriated; and the balance shall be allotted among the eligible institutions in the proportion that the farm population of the State in which each eligible institution is located bears to the total farm population of all the States in which the eligible institutions are located, as determined by the last preceding decennial census current at the time each such additional sum is first appropriated. In computing the distribution of funds allocated under this subparagraph, the allotments to Tuskegee University and Alabama Agricultural and Mechanical University shall be determined as if each institution were in a separate State.

(c) PROGRAM AND PLANS OF WORK.—

(1) INITIAL COMPREHENSIVE PROGRAM OF AGRICULTURAL RESEARCH.—The director of the State agricultural experiment station in each State where an eligible institution is located and the research director specified in subsection (d) of this section in each of the eligible institutions in such State shall jointly develop, by mutual agreement, a comprehensive program of agricultural research in such State, to be submitted for approval by the Secretary within one year after the date of enactment of this title.

(2) PLAN OF WORK REQUIRED.—Before funds may be provided to an eligible institution under this section for any fiscal year, a plan of work to be carried out under this section shall be submitted by the research director specified in subsection (d) and shall be approved by the Secretary.

(3) REQUIREMENTS RELATED TO PLAN OF WORK.—Each plan of work required under paragraph (2) shall contain descriptions of the following:

(A) The critical short-term, intermediate, and long-term agricultural issues in the State in which the eligible institution is located and the current and planned research programs and projects targeted to address the issues.

(B) The process established to consult with users of agricultural research regarding the identification of critical agricultural issues in the State and the development of research programs and projects targeted to address the issues.

(C) Other colleges and universities within the State, and within other States, that have a unique capacity to address the identified agricultural issues in the State.

(D) The current and emerging efforts to work with those other institutions to build on each other's experience and take advantage of each institution's unique capacities.

(E) The manner in which research and extension, including research and extension activities funded other than through formula funds, will cooperate to address the critical issues in the State, including the activities to be carried out separately, the activities to be carried out sequentially, and the activities to be carried out jointly.

(4) RESEARCH PROTOCOLS.—

(A) IN GENERAL.—The Secretary shall develop protocols to be used to evaluate the success of multistate, multi-institutional, and multidisciplinary research activities and joint research and extension activities in addressing critical agricultural issues identified in the plans of work submitted under paragraph (2).

(B) CONSULTATION.—The Secretary shall develop the protocols in consultation with the Advisory Board and land-grant colleges and universities.

(5) TREATMENT OF PLANS OF WORK FOR OTHER PURPOSES.—To the maximum extent practicable, the Secretary shall consider a plan of work submitted under paragraph (2) to satisfy other appropriate Federal reporting requirements.

(d) Sums available for allotment to the eligible institutions under the terms of this section shall be paid to such institutions in equal quarterly payments beginning on or about the first day of October of each year upon vouchers approved by the Secretary. The President of each eligible institution shall appoint a research director who shall be responsible for administration of the program authorized herein. Each eligible institution shall designate a treasurer or other officer who shall receive and account for all funds allotted to such institution under the provisions of this section and shall report, with the approval of the chief administrative officer, to the Secretary on or before the first day of December of each year

a detailed statement of the amount received under the provisions of this section during the preceding fiscal year and its disbursement on schedules prescribed by the Secretary. If any portion of the allotted moneys received by any eligible institution shall by any action or contingency be diminished, lost, or misapplied, it shall be replaced by such institution and until so replaced no subsequent appropriation shall be allotted or paid to such institution. Funds made available to eligible institutions shall not be used for payment of negotiated overhead or indirect cost rates.

(e) Bulletins, reports, periodicals, reprints or articles, and other publications necessary for the dissemination of results of the research and experiments funded under this section including lists of publications available for distribution by the eligible institutions, shall be transmitted in the mails of the United States. Such publications may be mailed from the principal place of business of each eligible institution or from an established subunit of such institution.

(f) The Secretary shall be responsible for the proper administration of this section, and is authorized and directed to prescribe such rules and regulations as may be necessary to carry out its provisions. It shall be the duty of the Secretary to furnish such advice and assistance as will best promote the purposes of this section, including participation in coordination of research initiated under this section by the eligible institutions, from time to time to indicate such lines of inquiry as to the Secretary seem most important, and to encourage and assist in the establishment and maintenance of cooperation by and between the several eligible institutions, the State agricultural experiment stations, and between them and the Department of Agriculture.

(g) On or before the first day of October in each year after the enactment of this title, the Secretary shall ascertain whether each eligible institution is entitled to receive its share of the annual appropriations under this section and the amount which thereupon each is entitled, respectively, to receive.

(h) Nothing in this section shall be construed to impair or modify the legal relationship existing between any of the eligible institutions and the government of the States in which they are respectively located.

【Section 1446 repealed by section 855 of P.L. 104-127, 110 Stat. 1172.】

SEC. 1447. [7 U.S.C. 3222b] GRANTS TO UPGRADE AGRICULTURAL AND FOOD SCIENCES FACILITIES AT 1890 LAND-GRANT COLLEGES, INCLUDING TUSKEGEE UNIVERSITY.

(a) **PURPOSE.**—It is hereby declared to be the intent of Congress to assist the institutions eligible to receive funds under the Act of August 30, 1890, including Tuskegee University (hereafter referred to in this section as “eligible institutions”) in the acquisition and improvement of agricultural and food sciences facilities and equipment, including libraries, so that the eligible institutions may participate fully in the production of human capital.

(b) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to the Secretary of Agriculture for the purposes of carrying out the provisions of this section, \$25,000,000 for each

of fiscal years 2002 through 2018, and such sums shall remain available until expended.

(c) **USE OF GRANT FUNDS.**—Four percent of the sums appropriated pursuant to this section shall be available to the Secretary for administration of this grants program. The remaining funds shall be available for grants to eligible institutions for the purpose of assisting them in the purchase of equipment and land, the planning, construction, alteration, or renovation of buildings to strengthen their capacity in the production of human capital in the food and agricultural sciences and can be used at the discretion of the eligible institutions in the areas of research, extension, and resident instruction or any combination thereof.

(d) **METHOD OF AWARDING GRANTS.**—Grants awarded pursuant to this section shall be made in such amounts and under such terms and conditions as the Secretary shall determine necessary for carrying out the purposes of this section.

(e) **PROHIBITION OF CERTAIN USES.**—Federal funds provided under this section may not be utilized for the payment of any overhead costs of the eligible institutions.

(f) **REGULATIONS.**—The Secretary may promulgate such rules and regulations as the Secretary may consider necessary to carry out the provisions of this section.

SEC. 1447A. [7 U.S.C. 3222b-1] GRANTS TO UPGRADE AGRICULTURE AND FOOD SCIENCES FACILITIES AT THE DISTRICT OF COLUMBIA LAND-GRANT UNIVERSITY.

(a) **PURPOSE.**—It is the intent of Congress to assist the land-grant university in the District of Columbia established under section 208 of the District of Columbia Public Postsecondary Education Reorganization Act (Public Law 93-471; 88 Stat. 1428) in efforts to acquire, alter, or repair facilities or relevant equipment necessary for conducting agricultural research.

(b) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to carry out this section \$750,000 for each of fiscal years 2008 through 2012.

SEC. 1447B. [7 U.S.C. 3222b-2] GRANTS TO UPGRADE AGRICULTURE AND FOOD SCIENCES FACILITIES AND EQUIPMENT AND SUPPORT TROPICAL AND SUBTROPICAL AGRICULTURAL RESEARCH AT INSULAR AREA LAND-GRANT COLLEGES AND UNIVERSITIES.

(a) **PURPOSE.**—It is the intent of Congress to assist the land-grant colleges and universities in the insular areas in efforts to—

- (1) acquire, alter, or repair facilities or relevant equipment necessary for conducting agricultural research; and
- (2) support tropical and subtropical agricultural research, including pest and disease research.

(b) **METHOD OF AWARDING GRANTS.**—Grants awarded pursuant to this section shall be made in such amounts and under such terms and conditions as the Secretary determines necessary to carry out the purposes of this section.

(c) **REGULATIONS.**—The Secretary may promulgate such rules and regulations as the Secretary considers to be necessary to carry out this section.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$8,000,000 for each of fiscal years 2008 through 2018.

【Section 1486 repealed by section 7114 of P.L. 113-79.】

SEC. 1449. [7 U.S.C. 3222d] MATCHING FUNDS REQUIREMENT FOR RESEARCH AND EXTENSION ACTIVITIES AT ELIGIBLE INSTITUTIONS.

(a) DEFINITIONS.—In this section:

(1) ELIGIBLE INSTITUTION.—The term “eligible institution” means a college eligible to receive funds under the Act of August 30, 1890 (7 U.S.C. 321 et seq.) (commonly known as the “Second Morrill Act”), including Tuskegee University.

(2) FORMULA FUNDS.—The term “formula funds” means the formula allocation funds distributed to eligible institutions under sections 1444 and 1445.

(b) DETERMINATION OF NON-FEDERAL SOURCES OF FUNDS.—Not later than September 30, 1999, each eligible institution shall submit to the Secretary a report describing for fiscal year 1999—

(1) the sources of non-Federal funds made available by the State to the eligible institution for agricultural research, extension, and education to meet the requirements of this section; and

(2) the amount of such funds generally available from each source.

(c) MATCHING FORMULA.—Notwithstanding any other provision of this subtitle, the State shall provide equal matching funds from non-Federal sources.

(d) WAIVER AUTHORITY.—Notwithstanding subsection (f), the Secretary may waive the matching funds requirement under subsection (c) above the 50 percent level for any fiscal year for an eligible institution of a State if the Secretary determines that the State will be unlikely to satisfy the matching requirement.

(e) USE OF MATCHING FUNDS.—Under terms and conditions established by the Secretary, matching funds provided as required by subsection (c) may be used by an eligible institution for agricultural research, extension, and education activities.

(f) REDISTRIBUTION OF FUNDS.—

(1) REDISTRIBUTION REQUIRED.—Federal funds that are not matched by a State in accordance with subsection (c) for a fiscal year shall be redistributed by the Secretary to eligible institutions whose States have satisfied the matching funds requirement for that fiscal year.

(2) ADMINISTRATION.—Any redistribution of funds under this subsection shall be subject to the applicable matching requirement specified in subsection (c) and shall be made in a manner consistent with sections 1444 and 1445, as determined by the Secretary.

Subtitle H—Programs for Hispanic-Serving Institutions

SEC. 1455. [7 U.S.C. 3241] EDUCATION GRANTS PROGRAMS FOR HISPANIC-SERVING INSTITUTIONS.

(a) GRANT AUTHORITY.—The Secretary may make competitive grants to Hispanic-serving institutions for the purpose of promoting and strengthening the ability of Hispanic-serving institutions to carry out education, applied research, and related community development programs.

(b) USE OF GRANT FUNDS.—Grants made under this section shall be used—

(1) to support the activities of Hispanic-serving institutions to enhance educational equity for underrepresented students;

(2) to strengthen institutional educational capacities, including libraries, curriculum, faculty, scientific instrumentation, instruction delivery systems, and student recruitment and retention, in order to respond to identified State, regional, national, or international educational needs in the food and agricultural sciences;

(3) to attract and support undergraduate and graduate students from underrepresented groups in order to prepare them for careers related to the food, agricultural, and natural resource systems of the United States, beginning with the mentoring of students at the high school level and continuing with the provision of financial support for students through their attainment of a doctoral degree; and

(4) to facilitate cooperative initiatives between 2 or more Hispanic-serving institutions, or between Hispanic-serving institutions and units of State government or the private sector, to maximize the development and use of resources, such as faculty, facilities, and equipment, to improve food and agricultural sciences teaching programs.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to make grants under this section \$40,000,000 for each of fiscal years 1997 through 2018.

SEC. 1456. [7 U.S.C. 3243] HISPANIC-SERVING AGRICULTURAL COLLEGES AND UNIVERSITIES.

(a) DEFINITION OF ENDOWMENT FUND.—In this section, the term “endowment fund” means the Hispanic-Serving Agricultural Colleges and Universities Fund established under subsection (b).

(b) ENDOWMENT.—

(1) IN GENERAL.—The Secretary of the Treasury shall establish in accordance with this subsection a Hispanic-Serving Agricultural Colleges and Universities Fund.

(2) AGREEMENTS.—The Secretary of the Treasury may enter into such agreements as are necessary to carry out this subsection.

(3) DEPOSIT TO THE ENDOWMENT FUND.—The Secretary of the Treasury shall deposit in the endowment fund any—

(A) amounts made available through Acts of appropriations, which shall be the endowment fund corpus; and

(B) interest earned on the endowment fund corpus.

(4) INVESTMENTS.—The Secretary of the Treasury shall invest the endowment fund corpus and income in interest-bearing obligations of the United States.

(5) WITHDRAWALS AND EXPENDITURES.—

(A) CORPUS.—The Secretary of the Treasury may not make a withdrawal or expenditure from the endowment fund corpus.

(B) WITHDRAWALS.—On September 30, 2008, and each September 30 thereafter, the Secretary of the Treasury shall withdraw the amount of the income from the endowment fund for the fiscal year and warrant the funds to the Secretary of Agriculture who, after making adjustments for the cost of administering the endowment fund, shall distribute the adjusted income as follows:

(i) 60 percent shall be distributed among the Hispanic-serving agricultural colleges and universities on a pro rata basis based on the Hispanic enrollment count of each institution.

(ii) 40 percent shall be distributed in equal shares to the Hispanic-serving agricultural colleges and universities.

(6) ENDOWMENTS.—Amounts made available under this subsection shall be held and considered to be granted to Hispanic-serving agricultural colleges and universities to establish an endowment in accordance with this subsection.

(7) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary such sums as are necessary to carry out this subsection for fiscal year 2008 and each fiscal year thereafter.

(c) AUTHORIZATION FOR ANNUAL PAYMENTS.—

(1) IN GENERAL.—For fiscal year 2008 and each fiscal year thereafter, there are authorized to be appropriated to the Department of Agriculture to carry out this subsection an amount equal to the product obtained by multiplying—

(A) \$80,000; by

(B) the number of Hispanic-serving agricultural colleges and universities.

(2) PAYMENTS.—For fiscal year 2008 and each fiscal year thereafter, the Secretary of the Treasury shall pay to the treasurer of each Hispanic-serving agricultural college and university an amount equal to—

(A) the total amount made available by appropriations under paragraph (1); divided by

(B) the number of Hispanic-serving agricultural colleges and universities.

(3) USE OF FUNDS.—

(A) IN GENERAL.—Amounts authorized to be appropriated under this subsection shall be used in the same manner as is prescribed for colleges under the Act of August 30, 1890 (commonly known as the “Second Morrill Act”) (7 U.S.C. 321 et seq.).

(B) RELATIONSHIP TO OTHER LAW.—Except as otherwise provided in this subsection, the requirements of that

Act shall apply to Hispanic-serving agricultural colleges and universities under this section.

(d) INSTITUTIONAL CAPACITY-BUILDING GRANTS.—

(1) IN GENERAL.—For fiscal year 2008 and each fiscal year thereafter, the Secretary shall make grants to assist Hispanic-serving agricultural colleges and universities in institutional capacity building (not including alteration, repair, renovation, or construction of buildings).

(2) CRITERIA FOR INSTITUTIONAL CAPACITY-BUILDING GRANTS.—

(A) REQUIREMENTS FOR GRANTS.—The Secretary shall make grants under this subsection on the basis of a competitive application process under which Hispanic-serving agricultural colleges and universities may submit applications to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

(B) DEMONSTRATION OF NEED.—

(i) IN GENERAL.—As part of an application for a grant under this subsection, the Secretary shall require the applicant to demonstrate need for the grant, as determined by the Secretary.

(ii) OTHER SOURCES OF FUNDING.—The Secretary may award a grant under this subsection only to an applicant that demonstrates a failure to obtain funding for a project after making a reasonable effort to otherwise obtain the funding.

(C) PAYMENT OF NON-FEDERAL SHARE.—A grant awarded under this subsection shall be made only if the recipient of the grant pays a non-Federal share in an amount that is specified by the Secretary and based on assessed institutional needs.

(3) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary such sums as are necessary to carry out this subsection for fiscal year 2008 and each fiscal year thereafter.

(e) COMPETITIVE GRANTS PROGRAM.—

(1) IN GENERAL.—The Secretary shall establish a competitive grants program—

(A) to fund fundamental and applied research and extension at Hispanic-serving agricultural colleges and universities in agriculture, human nutrition, food science, bioenergy, and environmental science; and

(B) to award competitive grants to Hispanic-serving agricultural colleges and universities to provide for training in the food and agricultural sciences of Hispanic agricultural workers and Hispanic youth working in the food and agricultural sciences.

(2) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary such sums as are necessary to carry out this subsection for fiscal year 2008 and each fiscal year thereafter.

Subtitle I—International Research, Extension, and Teaching

SEC. 1458. [7 U.S.C. 3291] INTERNATIONAL AGRICULTURAL RESEARCH, EXTENSION, AND TEACHING.

(a) **AUTHORITY OF THE SECRETARY.**—To carry out the policy of this subtitle, the Secretary (in consultation with the Agency for International Development and subject to such coordination with other Federal officials, Departments, and agencies as the President may direct) may—

(1) expand the operational coordination of the Department of Agriculture with institutions and other persons throughout the world performing agricultural and related research, extension, and teaching activities by—

(A) exchanging research materials and results with the institutions or persons;

(B) conducting with the institutions or persons joint or coordinated research, extension, and teaching activities that address problems of significance to food and agriculture in the United States; and

(C) giving priority to those institutions with existing memoranda of understanding, agreements, or other formal ties to United States institutions, or Federal or State agencies;

(2) enter into cooperative arrangements with Departments and Ministries of Agriculture in other nations to conduct research, extension, and teaching activities in support of the development of a viable and sustainable global agricultural system, including efforts to establish a global system for plant genetic resources conservation;

(3) enter into agreements with land-grant colleges and universities, Hispanic-serving agricultural colleges and universities, the Agency for International Development, and international organizations (such as the United Nations, the World Bank, regional development banks, international agricultural research centers), or other organizations, institutions, or individuals with comparable goals, to promote and support—

(A) the development of a viable and sustainable global agricultural system;

(B) antihunger and improved international nutrition efforts; and

(C) increased quantity, quality, and availability of food;

(4) further develop within the Department highly qualified and experienced science and education experts who specialize in international programs, to be available to carry out the activities described in this section;

(5) work with transitional and more advanced countries in food, agricultural, and related research, development, teaching, and extension (including providing technical assistance, training, and advice to persons from the countries engaged in the activities and the stationing of scientists and other specialists at national and international institutions in the countries);

(6) expand collaboration and coordination with the Agency for International Development regarding food and agricultural research, extension, and teaching programs in developing countries;

(7) assist colleges and universities in strengthening their capabilities for food, agricultural, and related research, extension, and teaching programs relevant to agricultural development activities in other countries through—

(A) the provision of support to State universities, land-grant colleges and universities, and Hispanic-serving agricultural colleges and universities to do collaborative research with other countries on issues relevant to United States agricultural competitiveness;

(B) the provision of support for cooperative extension education in global agriculture and to promote the application of new technology developed in foreign countries to United States agriculture; and

(C) the provision of support for the internationalization of resident instruction programs of the universities and colleges described in subparagraph (A);

(8) continue, in cooperation with the Secretary of State, a program, coordinated through the International Arid Land Consortium, to enhance collaboration and cooperation between institutions possessing research, extension, and teaching capabilities applied to the development, management, and reclamation of arid lands;

(9) make competitive grants for collaborative projects that—

(A) involve Federal scientists or scientists from land-grant colleges and universities, Hispanic-serving agricultural colleges and universities, or other colleges and universities with scientists at international agricultural research centers in other nations, including the international agricultural research centers of the Consultative Group on International Agriculture Research;

(B) focus on developing and using new technologies and programs for—

(i) increasing the production of food and fiber, while safeguarding the environment worldwide and enhancing the global competitiveness of United States agriculture; or

(ii) training scientists;

(C) are mutually beneficial to the United States and other countries; and

(D) encourage private sector involvement and the leveraging of private sector funds;

(10) establish a program, to be coordinated by the National Institute of Food and Agriculture and the Foreign Agricultural Service, to place interns from United States colleges and universities at Foreign Agricultural Service field offices overseas; and

(11) establish a program for the purpose of providing fellowships to United States or foreign students to study at for-

eign agricultural colleges and universities working under agreements provided for under paragraph (3).

(b) ENHANCING LINKAGES.—The Secretary shall draw upon and enhance the resources of the land-grant colleges and universities, and other colleges and universities, for developing linkages among these institutions, the Federal Government, international research centers, counterpart research, extension, and teaching agencies and institutions in both the developed and less-developed countries to serve the purposes of agriculture and the economy of the United States and to make a substantial contribution to the cause of improved food and agricultural progress throughout the world.

(c) PROVISION OF SPECIALIZED OR TECHNICAL SERVICES.—The Secretary may provide specialized or technical services, on an advance of funds or a reimbursable basis, to United States colleges and universities and other nongovernmental organizations carrying out international food, agricultural, and related research, extension, and teaching development projects and activities. All funds received in payment for furnishing such specialized or technical services shall be deposited to the credit of the appropriation from which the cost of providing such services has been paid or is to be charged.

(d) REPORTS.—The Secretary shall provide biennial reports to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate on efforts of the Federal Government—

(1) to coordinate international agricultural research within the Federal Government; and

(2) to more effectively link the activities of domestic and international agricultural researchers, particularly researchers of the Agricultural Research Service.

(e) FULL PAYMENT OF FUNDS MADE AVAILABLE FOR CERTAIN BINATIONAL PROJECTS.—Notwithstanding any other provision of law, the full amount of any funds appropriated or otherwise made available to carry out cooperative projects under the arrangement entered into between the Secretary and the Government of Israel to support the Israel-United States Binational Agricultural Research and Development Fund shall be paid directly to the Fund.

【Section 1458A repealed by section 856 of P.L. 104-127, 110 Stat. 1172.】

SEC. 1459. [7 U.S.C. 3292a] UNITED STATES-MEXICO JOINT AGRICULTURAL RESEARCH.

(a) RESEARCH AND DEVELOPMENT PROGRAM.—The Secretary may provide for an agricultural research and development program with the United States/Mexico Foundation for Science. The program shall focus on binational problems facing agricultural producers and consumers in the 2 countries, in particular pressing problems in the areas of food safety, plant and animal pest control, and the natural resources base on which agriculture depends.

(b) ADMINISTRATION.—Grants under the research and development program shall be awarded competitively through the Foundation.

(c) MATCHING REQUIREMENTS.—The provision of funds to the Foundation by the United States Government shall be subject to

the condition that the Government of Mexico match, on at least a dollar-for-dollar basis, any funds provided by the United States Government.

(d) **LIMITATION ON USE OF FUNDS.**—Funds provided under this section may not be used for the planning, repair, rehabilitation, acquisition, or construction of a building or facility.

SEC. 1459A. [7 U.S.C. 3292b] COMPETITIVE GRANTS FOR INTERNATIONAL AGRICULTURAL SCIENCE AND EDUCATION PROGRAMS.

(a) **COMPETITIVE GRANTS AUTHORIZED.**—The Secretary may make competitive grants to colleges and universities in order to strengthen United States economic competitiveness and to promote international market development.

(b) **PURPOSE OF GRANTS.**—Grants under this section shall be directed to agricultural research, extension, and teaching activities that will—

(1) enhance the international content of the curricula in colleges and universities so as to ensure that United States students acquire an understanding of the international dimensions and trade implications of their studies;

(2) ensure that United States scientists, extension agents, and educators involved in agricultural research and development activities outside of the United States have the opportunity to convey the implications of their activities and findings to their peers and students in the United States and to the users of agricultural research, extension, and teaching;

(3) enhance the capabilities of colleges and universities to do collaborative research with other countries, in cooperation with other Federal agencies, on issues relevant to United States agricultural competitiveness;

(4) enhance the capabilities of colleges and universities to provide cooperative extension education to promote the application of new technology developed in foreign countries to United States agriculture; and

(5) enhance the capability of United States colleges and universities, in cooperation with other Federal agencies, to provide leadership and educational programs that will assist United States natural resources and food production, processing, and distribution businesses and industries to compete internationally, including product market identification, international policies limiting or enhancing market production, development of new or enhancement of existing markets, and production efficiencies.

(c) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to carry out this section—

(1) such sums as are necessary for each of fiscal years 1999 through 2013; and

(2) \$5,000,000 for each of fiscal years 2014 through 2018.

Subtitle J—Studies⁶

Subtitle K—Funding and Miscellaneous Provisions

SEC. 1462. [7 U.S.C. 3310] LIMITATION ON INDIRECT COSTS FOR AGRICULTURAL RESEARCH, EDUCATION, AND EXTENSION PROGRAMS.

(a) **IN GENERAL.**—Except as otherwise provided in law, indirect costs charged against any agricultural research, education, or extension grant awarded under this Act or any other Act pursuant to authority delegated to the Under Secretary of Agriculture for Research, Education, and Economics shall not exceed 22 percent of the total Federal funds provided under the grant award, as determined by the Secretary.

(b) **EXCEPTION.**—Subsection (a) shall not apply to a grant awarded competitively under section 9 of the Small Business Act (15 U.S.C. 638).

AUTHORIZATION FOR APPROPRIATIONS FOR EXISTING AND CERTAIN
NEW AGRICULTURAL RESEARCH PROGRAMS

SEC. 1463. [7 U.S.C. 3311] (a) Notwithstanding any authorization for appropriations for agricultural research in any Act enacted prior to the date of enactment of this title, there are hereby authorized to be appropriated for the purposes of carrying out the provisions of this title, except sections 1417, 1420, and the competitive grants program provided for in section 1414, and except that the authorization for moneys provided under the Act of March 2, 1887 (24 Stat. 440–442, as amended; 7 U.S.C. 361a–361i), is excluded and is provided for in subsection (b) of this section, such sums as may be necessary for each of fiscal years 1991 through 2018.

(b) Notwithstanding any authorization for appropriations for agricultural research at State agricultural experiment stations in any Act enacted prior to the date of enactment of this title, there are hereby authorized to be appropriated for the purpose of conducting agricultural research at State agricultural experiment stations pursuant to the Act of March 2, 1887 (24 Stat. 440–442, as amended; 7 U.S.C. 361a–361i), such sums as may be necessary for each of fiscal years 1991 through 2018.

(c) Notwithstanding any other provision of law effective beginning October 1, 1983, not less than 25 per centum of the total funds appropriated to the Secretary in any fiscal year for the conduct of the cooperative research program provided for under the Act of March 2, 1887, commonly known as the Hatch Act (7 U.S.C. 361a et seq.); the cooperative forestry research program provided for under the Act of October 10, 1962, commonly known as the McIntire-Stennis Act (16 U.S.C. 582a et seq.); the special and competitive grants programs provided for in sections 2(b) and 2(c) of the Act of August 4, 1965 (7 U.S.C. 450i); the animal health research program provided for under sections 1433(a) and 1434 of this title; the native latex research program provided for in the Native Latex Commercialization and Economic Development Act of

⁶No existing sections. Former sections (7 U.S.C. 3301–3304) were repealed by Public Law 99-198.

1978⁷ (7 U.S.C. 178 et seq.); and the research provided for under various statutes for which funds are appropriated under the Agricultural Research heading or a successor heading, shall be appropriated for research at State agricultural experiment stations pursuant to the provision of the Act of March 2, 1887.

AUTHORIZATION FOR APPROPRIATIONS FOR EXTENSION EDUCATION

SEC. 1464. [7 U.S.C. 3312] Notwithstanding any authorization for appropriations for the Cooperative Extension Service in any Act enacted prior to the date of enactment of this title, there are hereby authorized to be appropriated for the purposes of carrying out the extension programs of the Department of Agriculture such sums as may be necessary for each of fiscal years 1991 through 2018.

PAYMENT OF FUNDS

SEC. 1467. [7 U.S.C. 3313] Except as provided elsewhere in this Act or any other Act of Congress, funds available for allotment under this title shall be paid to each eligible institution or State at such time and in such amounts as shall be determined by the Secretary.

[Section 1468 repealed by section 103(f)(3)(C) of P.L. 105-185, 112 Stat. 528.]

SEC. 1469. [7 U.S.C. 3315] **AUDITING, REPORTING, BOOKKEEPING, AND ADMINISTRATIVE REQUIREMENTS.**

(a) **IN GENERAL.**—Except as provided elsewhere in this Act or any other Act of Congress—

(1) assistance provided under this title shall be subject to the provisions of sections 2(e), 2(f), and 2(h) of the Act of August 4, 1965 (79 Stat. 431; 7 U.S.C. 450i), as amended by section 1414 of this title;

(2) the Secretary shall provide that each recipient of assistance under this title shall submit an annual report, at such times and on such forms as the Secretary shall prescribe, stating the accomplishments of projects (on a project-by-project basis) for which such assistance was used and accounting for the use of all such assistance. If the Secretary determines that any portion of funds made available under this title has been lost or applied in a manner inconsistent with the provisions of this title or regulations issued thereunder the recipient of such funds shall reimburse the Federal Government for the funds lost or so applied, and the Secretary shall not make available to such recipient any additional funds under this Act until the recipient has so reimbursed the Federal Government;

(3) the Secretary may retain up to 4 percent of amounts made available for agricultural research, extension, and teaching assistance programs for the administration of those programs authorized under this Act or any other Act; and

⁷The Native Latex Commercialization and Economic Development Act of 1978, as amended by P.L. 98-284, 98 Stat. 181, is known as the Critical Agricultural Materials Act. A separate compilation exists of that Act.

(4) the Secretary shall establish appropriate criteria for grant and assistance approval and necessary regulations pertaining thereto.

(b) **AGREEMENTS WITH FORMER AGRICULTURAL RESEARCH FACILITIES OF THE DEPARTMENT.**—To the maximum extent practicable, the Secretary, for purposes of supporting ongoing research and information dissemination activities, including supporting research and those activities through co-locating scientists and other technical personnel, sharing of laboratory and field equipment, and providing financial support, shall enter into grants, contracts, cooperative agreements, or other legal instruments with former Department of Agriculture agricultural research facilities.

(c) **COMMUNITY FOOD PROJECTS.**—The Secretary may retain, for the administration of community food projects under section 25 of the Food and Nutrition Act of 2008 (7 U.S.C. 2034), 4 percent of amounts available for the projects, notwithstanding the availability of any appropriation for administrative expenses of the projects.

(d) **PEER PANEL EXPENSES.**—Notwithstanding any other provision of law regarding a competitive research, education, or extension grant program of the Department of Agriculture, the Secretary may use grant program funds, as necessary, to supplement funds otherwise available for program administration, to pay for the costs associated with peer review of grant proposals under the program.

(e) **DEFINITION OF IN-KIND SUPPORT.**—In any law relating to agricultural research, education, or extension activities administered by the Secretary, the term “in-kind support”, with regard to a requirement that the recipient of funds provided by the Secretary match all or part of the amount of the funds, means contributions such as office space, equipment, and staff support.

SEC. 1469A. [7 U.S.C. 3315a] AVAILABILITY OF COMPETITIVE GRANT FUNDS.

Except as otherwise provided by law, funds made available to the Secretary to carry out a competitive agricultural research, education, or extension grant program under this or any other Act shall be available for obligation for a 2-year period beginning on October 1 of the fiscal year for which the funds are made available.

RULES AND REGULATIONS

SEC. 1470. [7 U.S.C. 3316] The Secretary is authorized to issue such rules and regulations as the Secretary deems necessary to carry out the provisions of this title.

PROGRAM EVALUATION STUDIES

SEC. 1471. [7 U.S.C. 3317] (a) The Secretary shall regularly conduct program evaluations to meet the purposes of this title and the responsibilities assigned to the Secretary and the Department of Agriculture in this title. Such evaluations shall be designed to provide information that may be used to improve the administration and effectiveness of agricultural research, extension, and teaching programs in achieving their stated objectives.

(b) The Secretary is authorized to encourage and foster the regular evaluation of agricultural research, extension, and teaching

programs within the State agricultural experiment stations, cooperative extension services, and colleges and universities, through the development and support of cooperative evaluation programs and program evaluation centers and institutes.

GENERAL AUTHORITY TO ENTER INTO CONTRACTS, GRANTS, AND
COOPERATIVE AGREEMENTS

SEC. 1472. [7 U.S.C. 3318] (a) The purpose of this section is to confer upon the Secretary general authority to enter into contracts, grants, and cooperative agreements to further the research, extension, or teaching programs in the food and agricultural sciences of the Department of Agriculture. This authority supplements all other laws relating to the Department of Agriculture and is not to be construed as limiting or repealing any existing authorities.

(b)(1) Notwithstanding chapter 63 of title 31, United States Code, the Secretary may use a cooperative agreement as the legal instrument reflecting a relationship between the Secretary and a State cooperative institution, State department of agriculture, college, university, other research or educational institution or organization, Federal or private agency or organization, individual, or any other party, if the Secretary determines that—

(A) the objectives of the agreement will serve a mutual interest of the parties to the agreement in agricultural research, extension, and teaching activities, including statistical reporting; and

(B) all parties will contribute resources to the accomplishment of those objectives.

(2) Notwithstanding any other provision of law, any Federal agency may participate in any such cooperative agreement by contributing funds through the appropriate agency of the Department of Agriculture or otherwise if it is mutually agreed that the objectives of the agreement will further the authorized programs of the contributing agency.

(c) The Secretary may enter into contracts, grants, or cooperative agreements, for periods not to exceed five years, with State agricultural experiment stations, State cooperative extension services, all colleges and universities, other research or education institutions and organizations, Federal and private agencies and organizations, individuals, and any other contractor or recipient, either foreign or domestic, to further research, extension, or teaching programs in the food and agricultural sciences of the Department of Agriculture.

(d) The Secretary may vest title to expendable and nonexpendable equipment and supplies and other tangible personal property in the contractor or recipient when the contractor or recipient purchases such equipment, supplies, and property with contract, grant, or cooperative agreement funds and the Secretary deems such vesting of title a furtherance of the agricultural research, extension, or teaching objectives of the Department of Agriculture.

(e) Unless otherwise provided in this title, the Secretary may enter into contracts, grants, or cooperative agreements, as authorized by this section, without regard to any requirements for com-

petition, the provisions of section 3709 of the Revised Statutes (41 U.S.C. 5), and the provisions of section 3648 of the Revised Statutes (31 U.S.C. 529).

RESTRICTION ON TREATMENT OF INDIRECT COSTS AND TUITION
REMISSION

SEC. 1473. [7 U.S.C. 3319] Funds made available by the Secretary under established Federal-State partnership arrangement to State cooperative institutions under the Acts referred to in section 1404(18) and funds made available under subsection (c)(1)(B) of section 2 of the Act of August 4, 1965 (7 U.S.C. 450i) shall not be subject to reduction for indirect costs or for tuition remission. No indirect costs or tuition remission shall be charged against funds in connection with cooperative agreements between the Department of Agriculture and State cooperative institutions if the cooperative program or project involved is of mutual interest to all the parties and if all the parties contribute to the cooperative agreement involved. The prohibition on the use of such funds for the reimbursement of indirect costs shall not apply to funds for international agricultural programs conducted by a State cooperative institution and administered by the Secretary or to funds provided by a Federal agency for such cooperative program or project through a fund transfer, advance, or reimbursement. The Secretary shall limit the amount of such reimbursement to an amount necessary to carry out such program or agreement.

COST-REIMBURSABLE AGREEMENTS

SEC. 1473A. [7 U.S.C. 3319a] Notwithstanding any other provision of law, the Secretary of Agriculture may enter into cost-reimbursable agreements with State cooperative institutions or other colleges and universities without regard to any requirement for competition, for the acquisition of goods or services, including personal services, to carry out agricultural research, extension, or teaching activities of mutual interest. Reimbursable costs under such agreements shall include the actual direct costs of performance, as mutually agreed on by the parties, and the indirect costs of performance, not exceeding 10 percent of the direct cost.

SEC. 1473B. [7 U.S.C. 3319b] JOINT REQUESTS FOR PROPOSALS.

(a) IN GENERAL.—In carrying out any competitive agricultural research, education, or extension grant program authorized under this or any other Act, the Secretary may cooperate with 1 or more other Federal agencies (including the National Science Foundation) in issuing joint requests for proposals, awarding grants, and administering grants, for similar or related research, education, or extension projects or activities.

(b) ADMINISTRATION.—

(1) SECRETARY.—The Secretary may delegate authority to issue requests for proposals, make grant awards, or administer grants, in whole or in part, to a cooperating Federal agency.

(2) COOPERATING FEDERAL AGENCY.—The cooperating Federal agency may delegate to the Secretary authority to issue requests for proposals, make grant awards, or administer grants, in whole or in part.

(c) REGULATIONS.—The Secretary and a cooperating Federal agency may agree to make applicable to recipients of grants—

(1) the post-award grant administration regulations applicable to recipients of grants from the Secretary; or

(2) the post-award grant administration regulations applicable to recipients of grants from the cooperating Federal agency.

(d) JOINT PEER REVIEW PANELS.—Subject to section 1413B, the Secretary and a cooperating Federal agency may establish joint peer review panels for the purpose of evaluating grant proposals.

SUPPLEMENTAL AND ALTERNATIVE CROPS

SEC. 1473D. [7 U.S.C. 3319d] (a) Notwithstanding any other provision of law, during the period beginning October 1, 1986, and ending September 30, 2018, the Secretary shall develop and implement a research project for the development of supplemental and alternative crops, using such funds as are appropriated to the Secretary each fiscal year under this title.

(b) The development of supplemental and alternative crops is of critical importance to producers of agricultural commodities whose livelihood is threatened by the decline in demand experienced with respect to certain of their crops due to changes in consumption patterns or other related causes.

(c)(1) The Secretary shall make competitive grants to further the purposes of this section in the implementation of a comprehensive and integrated program.

(2) The program developed and implemented by the Secretary shall include—

(A) an examination of the adaptation of supplemental and alternative crops;

(B) the establishment and extension of various methods of planting, cultivating, harvesting, and processing supplemental and alternative crops;

(C) the transfer of such applied research to on-farm practice as soon as practicable;

(D) the establishment through grants, cooperative agreements, or other means of such processing, storage, and transportation facilities for supplemental and alternative crops as the Secretary determines will facilitate the achievement of a successful program; and

(E) the application of such other resources and expertise as the Secretary considers appropriate to support the program.

(3) The program may include, but shall not be limited to, agreements, grants, and other arrangements—

(A) to conduct comprehensive resource and infrastructure assessments;

(B) to develop and introduce supplemental and alternative income-producing crops;

(C) to develop and expand domestic and export markets for such crops;

(D) to provide technical assistance to farm owners and operators, marketing cooperative, and others;

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

(F) to participate with colleges and universities, other Federal agencies, and private sector entities in conducting research described in subparagraph (E).

(d) The Secretary shall use the expertise and resources of the Agricultural Research Service, the National Institute of Food and Agriculture, and the land-grant colleges and universities for the purpose of carrying out this section.

(e) There are authorized to be appropriated to carry out this section—

- (1) such sums as are necessary for fiscal year 2013; and
- (2) \$1,000,000 for each of fiscal years 2014 through 2018.

SEC. 1473E. [7 U.S.C. 3319e] NEW ERA RURAL TECHNOLOGY PROGRAM.

(a) **DEFINITION OF COMMUNITY COLLEGE.**—In this section, the term “community college” means an institution of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001))—

(1) that admits as regular students individuals who—

(A) are beyond the age of compulsory school attendance in the State in which the institution is located; and

(B) have the ability to benefit from the training offered by the institution;

(2) that does not provide an educational program for which the institution awards a bachelor’s degree or an equivalent degree; and

(3) that—

(A) provides an educational program of not less than 2 years that is acceptable for full credit toward such a degree; or

(B) offers a 2-year program in engineering, technology, mathematics, or the physical, chemical, or biological sciences, designed to prepare a student to work as a technician or at the semiprofessional level in engineering, scientific, or other technological fields requiring the understanding and application of basic engineering, scientific, or mathematical principles of knowledge.

(b) **FUNCTIONS.**—

(1) **ESTABLISHMENT.**—

(A) **IN GENERAL.**—The Secretary shall establish a program to be known as the “New Era Rural Technology Program”, to make grants available for technology development, applied research, and training to aid in the development of an agriculture-based renewable energy workforce.

(B) **SUPPORT.**—The initiative under this section shall support the fields of—

(i) bioenergy;

(ii) pulp and paper manufacturing; and

(iii) agriculture-based renewable energy resources.

(2) **REQUIREMENTS FOR FUNDING.**—To receive funding under this section, an entity shall—

- (A) be a community college or advanced technological center, located in a rural area and in existence on the date of the enactment of this section, that participates in agricultural or bioenergy research and applied research;
- (B) have a proven record of development and implementation of programs to meet the needs of students, educators, and business and industry to supply the agriculture-based, renewable energy or pulp and paper manufacturing fields with certified technicians, as determined by the Secretary; and
- (C) have the ability to leverage existing partnerships and occupational outreach and training programs for secondary schools, 4-year institutions, and relevant nonprofit organizations.
- (c) GRANT PRIORITY.—In providing grants under this section, the Secretary shall give preference to eligible entities working in partnership—
- (1) to improve information-sharing capacity; and
 - (2) to maximize the ability to meet the requirements of this section.
- (d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as are necessary for each of fiscal years 2008 through 2012.

SEC. 1473F. [7 U.S.C. 3319i] CAPACITY BUILDING GRANTS FOR NLGCA INSTITUTIONS.

(a) GRANT PROGRAM.—

(1) IN GENERAL.—The Secretary shall make competitive grants to NLGCA Institutions to assist the NLGCA Institutions in maintaining and expanding the capacity of the NLGCA Institutions to conduct education, research, and outreach activities relating to—

- (A) agriculture;
- (B) renewable resources; and
- (C) other similar disciplines.

(2) USE OF FUNDS.—An NLGCA Institution that receives a grant under paragraph (1) may use the funds made available through the grant to maintain and expand the capacity of the NLGCA Institution—

- (A) to successfully compete for funds from Federal grants and other sources to carry out educational, research, and outreach activities that address priority concerns of national, regional, State, and local interest;
- (B) to disseminate information relating to priority concerns to—
 - (i) interested members of the agriculture, renewable resources, and other relevant communities;
 - (ii) the public; and
 - (iii) any other interested entity;
- (C) to encourage members of the agriculture, renewable resources, and other relevant communities to participate in priority education, research, and outreach activities by providing matching funding to leverage grant funds; and
- (D) through—

- (i) the purchase or other acquisition of equipment and other infrastructure (not including alteration, repair, renovation, or construction of buildings);
- (ii) the professional growth and development of the faculty of the NLGCA Institution; and
- (iii) the development of graduate assistantships.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as are necessary for each of fiscal years 2008 through 2018.

SEC. 1473G. [7 U.S.C. 3319j] BORLAUG INTERNATIONAL AGRICULTURAL SCIENCE AND TECHNOLOGY FELLOWSHIP PROGRAM.

(a) FELLOWSHIP PROGRAM.—

(1) IN GENERAL.—The Secretary shall establish a fellowship program, to be known as the “Borlaug International Agricultural Science and Technology Fellowship Program,” to provide fellowships for scientific training and study in the United States to individuals from eligible countries (as described in subsection (b)) who specialize in agricultural education, research, and extension.

(2) PROGRAMS.—The Secretary shall carry out the fellowship program by implementing 3 programs designed to assist individual fellowship recipients, including—

(A) a graduate studies program in agriculture to assist individuals who participate in graduate agricultural degree training at a United States institution;

(B) an individual career improvement program to assist agricultural scientists from developing countries in upgrading skills and understanding in agricultural science and technology; and

(C) a Borlaug agricultural policy executive leadership course to assist senior agricultural policy makers from eligible countries, with an initial focus on individuals from sub-Saharan Africa and the independent states of the former Soviet Union.

(b) ELIGIBLE COUNTRIES.—An eligible country is a developing country, as determined by the Secretary using a gross national income per capita test selected by the Secretary.

(c) PURPOSE OF FELLOWSHIPS.—A fellowship provided under this section shall—

(1) promote food security and economic growth in eligible countries by—

(A) educating a new generation of agricultural scientists;

(B) increasing scientific knowledge and collaborative research to improve agricultural productivity; and

(C) extending that knowledge to users and intermediaries in the marketplace; and

(2) shall support—

(A) training and collaborative research opportunities through exchanges for entry level international agricultural research scientists, faculty, and policymakers from eligible countries;

(B) collaborative research to improve agricultural productivity;

(C) the transfer of new science and agricultural technologies to strengthen agricultural practice; and

(D) the reduction of barriers to technology adoption.

(d) FELLOWSHIP RECIPIENTS.—

(1) ELIGIBLE CANDIDATES.—The Secretary may provide fellowships under this section to individuals from eligible countries who specialize or have experience in agricultural education, research, extension, or related fields, including—

(A) individuals from the public and private sectors; and

(B) private agricultural producers.

(2) CANDIDATE IDENTIFICATION.—The Secretary shall use the expertise of United States land-grant colleges and universities and similar universities, international organizations working in agricultural research and outreach, and national agricultural research organizations to help identify program candidates for fellowships under this section from the public and private sectors of eligible countries.

(e) USE OF FELLOWSHIPS.—A fellowship provided under this section shall be used—

(1) to promote collaborative programs among agricultural professionals of eligible countries, agricultural professionals of the United States, the international agricultural research system, and, as appropriate, United States entities conducting research; and

(2) to support fellowship recipients through programs described in subsection (a)(2).

(f) PROGRAM IMPLEMENTATION.—The Secretary shall provide for the management, coordination, evaluation, and monitoring of the Borlaug International Agricultural Science and Technology Fellowship Program and for the individual programs described in subsection (a)(2), except that the Secretary may contract out to 1 or more collaborating universities the management of 1 or more of the fellowship programs.

(g) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this section, to remain available until expended.

Subtitle L—Aquaculture

PURPOSE

SEC. 1474. [7 U.S.C. 3321] It is the purpose of this subtitle to promote research and extension activities of the institutions hereinafter referred to in section 1475(b), and to coordinate their efforts as an integral part in the implementation of the National Aquaculture Act of 1980 (16 U.S.C. 2801 et seq.) by encouraging landowners, individuals, and commercial institutions to develop aquaculture production and facilities and sound aquacultural practices that will, through research and technology transfer programs, provide for the increased production and marketing of aquacultural food products.

AQUACULTURE ASSISTANCE PROGRAMS

SEC. 1475. [7 U.S.C. 3322] (a) RESEARCH AND EXTENSION PROGRAM.—The Secretary may develop and implement a cooperative research and extension program to encourage the development, management, and production of important aquatic food species within the several States and territories of the United States and to enhance further the safety of food products derived from the aquaculture industry, in accordance with the national aquaculture development plan, and revisions thereto, developed under the National Aquaculture Act of 1980.

(b) GRANTS.—The Secretary may make competitive grants to—

- (1) land-grant and seagrant colleges and universities;
- (2) State agricultural experiment stations;
- (3) colleges, universities, and Federal laboratories having a demonstrable capacity to conduct aquacultural research, as determined by the Secretary; and
- (4) nonprofit private research institutions;

for research and extension to facilitate or expand promising advances in the production and marketing of aquacultural food species and products and to enhance further the safety and wholesomeness of those species and products, including the development of reliable supplies of seed stock and thereapeutic compounds.

(c) AQUACULTURE DEVELOPMENT PLANS.—The Secretary may assist States to formulate aquaculture development plans for the enhancement of the production and marketing of aquacultural species and products from such States and may make grants to States on a matching basis, as determined by the Secretary. The aggregate amount of the grants made to any one State under this subsection may not exceed \$50,000. The plans shall be consistent with the national aquaculture development plan, and revisions thereto, developed under the National Aquaculture Act of 1980.

(d) AQUACULTUREAL CENTERS.—To provide for aquacultural research, development, and demonstration projects having a national or regional application, the Secretary may establish in existing Federal facilities or in cooperation with any of the non-Federal entities specified in subsection (b) up to five aquacultural research, development, and demonstration centers in the United States for the performance of aquacultural research, extension work, and demonstration projects. Funds made available for the operation of such regional centers may be used for the rehabilitation of existing buildings or facilities to house such centers, but may not be used for the construction or acquisition of new buildings or facilities. To the extent practicable, the aquaculture research, development, and demonstration centers established under this subsection shall be geographically located so that they are representative of the regional aquaculture opportunities in the United States. To the extent practicable, the Secretary shall ensure that equitable efforts are made at these centers in addressing the research needs of those segments of the domestic aquaculture industry located within that region.

(e) LISTING OF LAWS ON AQUACULTURE.—The interagency aquaculture coordinating group established under section 6(a) of the National Aquaculture Act of 1980 (16 U.S.C. 2805(a)) shall, in

consultation with appropriate Federal and State agencies, compile a listing of Federal and State laws, rules, and regulations materially affecting the production, processing, marketing, and transportation of aquaculturally produced commodities and the products thereof. The interagency aquaculture coordinating group shall make such listing available to the public not later than January 1, 1992, and shall update and revise such listing not later than January 1, 1996, to show such laws, rules, and regulations as in effect on that date.

(f) **FISH DISEASE PROGRAM.**—The Secretary shall implement, in consultation with the Joint Subcommittee on Aquaculture referred to in section 6 of the National Aquaculture Act of 1980 (16 U.S.C. 2805), a fish disease program to include the development of new diagnostic procedures for fish diseases, the determination of the effect of water environment on the development of the fish immune system, and the development of therapeutic, synthetic, or natural systems, for the control of fish diseases.

【Section 1476 repealed by section 302(a) of P.L. 105-185, 112 Stat. 563.】

SEC. 1477. [7 U.S.C. 3324] AUTHORIZATION OF APPROPRIATIONS.

(a) **IN GENERAL.**—There are authorized to be appropriated to carry out this subtitle—

(1) \$7,500,000 for each of fiscal years 1991 through 2013;

and

(2) \$5,000,000 for each of fiscal years 2014 through 2018.

(b) **PROHIBITION ON USE.**—Funds made available under this section may not be used to acquire or construct a building.

Subtitle M—Rangeland Research

PURPOSE

SEC. 1478. [7 U.S.C. 3331] It is the purpose of this subtitle to promote the general welfare through improved productivity of the Nation's rangelands, which comprise 60 per centum of the land area of the United States. Most of these rangelands are unsuited for cultivation, but produce a great volume of forage that is inedible by humans but readily converted, through an energy efficient process, to high quality food protein by grazing animals. These native grazing lands are located throughout the United States and are important resources for major segments of the Nation's livestock industry. In addition to the many livestock producers directly dependent on rangelands, other segments of agriculture are indirectly dependent on range-fed livestock and on range-produced forage that can be substituted for grain in times of grain scarcity. Recent resource assessments indicate that forage production of rangeland can be increased at least 100 per centum through development and application of improved range management practices while simultaneously enhancing wildlife, watershed, recreational, and aesthetic values and reducing hazards of erosion and flooding.

RANGELAND RESEARCH PROGRAM

SEC. 1479. [7 U.S.C. 3332] The Secretary may develop and implement a cooperative rangeland research program in coordination

with the program carried out under the Renewable Resources Extension Act of 1978 to improve the production and quality of desirable native forages or introduced forages which are managed in a similar manner to native forages for livestock and wildlife. The program shall include studies of: (1) management of rangelands and agricultural lands as integrated systems for more efficient utilization of crops and waste products in the production of food and fiber; (2) methods of managing rangeland watersheds to maximize efficient use of water and improve water yield, water quality, and water conservation, to protect against onsite and offsite damage of rangeland resources from floods, erosion, and other detrimental influences, and to remedy unsatisfactory and unstable rangeland conditions; (3) revegetation and rehabilitation of rangelands including the control of undesirable species of plants; and (4) such other matters as the Secretary considers appropriate.

SEC. 1480. [7 U.S.C. 3333] RANGELAND RESEARCH GRANTS.

The Secretary may make grants to—

(1) land-grant colleges and universities, State agricultural experiment stations, and colleges, universities, and Federal laboratories having a demonstrable capacity in rangeland research, as determined by the Secretary, to carry out rangeland research; and

(2) the Joe Skeen Institute for Rangeland Restoration for the purposes of facilitating and expanding ongoing State-Federal range management, animal husbandry, and agricultural research, education, and extension programs to meet the targeted, emerging, and future needs of western United States rangelands and associated natural resources.

[Sections 1481 and 1482 repealed by section 857 of P.L. 104-127, 110 Stat. 1173.]

APPROPRIATIONS

SEC. 1483. [7 U.S.C. 3336] (a) There are authorized to be appropriated, to implement the provisions of this subtitle—

(1) \$10,000,000 for each of fiscal years 1991 through 2013; and

(2) \$2,000,000 for each of fiscal years 2014 through 2018.

(b) Funds appropriated under this section shall be allocated by the Secretary to eligible institutions for work to be done as mutually agreed upon between the Secretary and the eligible institution or institutions.

Subtitle N—Biosecurity

SEC. 1484. [7 U.S.C. 3351] SPECIAL AUTHORIZATION FOR BIOSECURITY PLANNING AND RESPONSE.

(a) **AUTHORIZATION OF APPROPRIATIONS.**—In addition to amounts for agricultural research, extension, and education under this Act, there are authorized to be appropriated for agricultural research, education, and extension activities for biosecurity planning and response—

(1) such sums as are necessary for each of fiscal years 2002 through 2013; and

(2) \$20,000,000 for each of fiscal years 2014 through 2018.

(b) USE OF FUNDS.—Using any authority available to the Secretary, the Secretary shall use funds made available under this section to carry out agricultural research, education, and extension activities (including through competitive grants) for the following:

(1) To reduce the vulnerability of the United States food and agricultural system to chemical or biological attack.

(2) To continue partnerships with institutions of higher education and other institutions to help form stable, long-term programs to enhance the biosecurity of the United States, including the coordination of the development, implementation, and enhancement of diverse capabilities for addressing threats to the Nation's agricultural economy and food supply with special emphasis on planning, training, outreach, and research activities related to vulnerability analyses, incident response, and detection and prevention technologies.

(3) To make competitive grants to universities and qualified research institutions for research on counterbioterrorism.

(4) To counter or otherwise respond to chemical or biological attack.

SEC. 1485. [7 U.S.C. 3352] AGRICULTURE RESEARCH FACILITY EXPANSION AND SECURITY UPGRADES.

(a) IN GENERAL.—To enhance the security of agriculture in the United States against threats posed by bioterrorism, the Secretary shall make expansion or security upgrade grants on a competitive basis to colleges and universities (as defined in section 1404(4)).

(b) LIMITATION ON GRANTS.—Grants to a recipient under this section shall not exceed \$10,000,000 in any fiscal year.

(c) REQUIREMENTS FOR GRANTS.—The Secretary shall make a grant under this section only if the grant applicant provides satisfactory assurances to the Secretary that—

(1) sufficient funds are available to pay the non-Federal share of the cost of the proposed expansion or security upgrades; and

(2) the proposed expansion or security upgrades meet such reasonable qualifications as may be established by the Secretary with respect to biosafety and biosecurity requirements necessary to protect facility staff, members of the public, and the food supply.

(d) ADDITIONAL REQUIREMENTS FOR GRANTS FOR FACILITY EXPANSION.—The Secretary shall make a grant under this section for the expansion, renovation, remodeling, or alteration (collectively referred to in this section as “expansion”) of a facility only if the grant applicant provides such assurances as the Secretary determines to be satisfactory to ensure the following:

(1) For not less than 20 years after the grant is awarded, the facility shall be used for the purposes of the research for which the facility was expanded, as described in the grant application.

(2) Sufficient funds will be available, as of the date of completion of the expansion, for the effective use of the facility for

the purposes of the research for which the facility was expanded.

- (3) The proposed expansion—
- (A) will increase the capability of the applicant to conduct research for which the facility was expanded; or
 - (B) is necessary to improve the quality of the research of the applicant.
- (e) AMOUNT OF GRANT.—The amount of a grant awarded under this section shall be determined by the Secretary.
- (f) FEDERAL SHARE.—The Federal share of the cost of any expansion or security upgrade carried out using funds from a grant provided under this section shall not exceed 50 percent.
- (g) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as are necessary for each fiscal year.

Subtitle O—Institutions of Higher Education in Insular Areas

SEC. 1489. [7 U.S.C. 3361] DEFINITION.

For the purposes of this subtitle, the term “eligible institution” means an institution of higher education (as defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)) in an insular area that has demonstrable capacity to carry out teaching and extension programs in the food and agricultural sciences.

SEC. 1490. [7 U.S.C. 3362] DISTANCE EDUCATION GRANTS FOR INSULAR AREAS.

- (a) IN GENERAL.—The Secretary may make competitive grants to eligible institutions in insular areas to strengthen the capacity of such institutions to carry out distance food and agricultural education programs using digital network technologies.
- (b) USE.—Grants made under this section shall be used—
- (1) to acquire the equipment, instrumentation, networking capability, hardware and software, digital network technology, and infrastructure necessary to teach students and teachers about technology in the classroom;
 - (2) to develop and provide educational services (including faculty development) to prepare students or faculty seeking a degree or certificate that is approved by the State or a regional accrediting body recognized by the Secretary of Education;
 - (3) to provide teacher education, library and media specialist training, and preschool and teacher aid certification to individuals who seek to acquire or enhance technology skills in order to use technology in the classroom or instructional process;
 - (4) to implement a joint project to provide education regarding technology in the classroom with a local educational agency, community-based organization, national nonprofit organization, or business; or
 - (5) to provide leadership development to administrators, board members, and faculty of eligible institutions with institutional responsibility for technology education.

(c) **LIMITATION ON USE OF GRANT FUNDS.**—Funds provided under this section shall not be used for the planning, acquisition, construction, rehabilitation, or repair of a building or facility.

(d) **ADMINISTRATION OF PROGRAM.**—The Secretary may carry out this section in a manner that recognizes the different needs and opportunities for eligible institutions in the Atlantic and Pacific Oceans.

(e) **MATCHING REQUIREMENT.**—

(1) **IN GENERAL.**—The Secretary may establish a requirement that an eligible institution receiving a grant under this section shall provide matching funds from non-Federal sources in an amount equal to not less than 50 percent of the grant.

(2) **WAIVERS.**—If the Secretary establishes a matching requirement under paragraph (1), the Secretary shall retain an option to waive the requirement for an eligible institution for any fiscal year if the Secretary determines that the institution will be unlikely to meet the matching requirement for the fiscal year.

(f) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out this section—

(1) such sums as are necessary for each of fiscal years 2002 through 2013; and

(2) \$2,000,000 for each of fiscal years 2014 through 2018.

SEC. 1491. [7 U.S.C. 3363] RESIDENT INSTRUCTION GRANTS FOR INSULAR AREAS.

(a) **IN GENERAL.**—The Secretary of Agriculture shall make competitive grants to eligible institutions to—

(1) strengthen institutional educational capacities, including libraries, curriculum, faculty, scientific instrumentation, instruction delivery systems, and student recruitment and retention, in order to respond to identified State, regional, national, or international education needs in the food and agricultural sciences;

(2) attract and support undergraduate and graduate students in order to educate them in identified areas of national need in the food and agriculture sciences;

(3) facilitate cooperative initiatives between two or more insular area eligible institutions, or between those institutions and units of State Government or organizations in the private sector, to maximize the development and use of resources such as faculty, facilities, and equipment to improve food and agricultural sciences teaching programs; and

(4) conduct undergraduate scholarship programs to assist in meeting national needs for training food and agricultural scientists.

(b) **GRANT REQUIREMENTS.**—

(1) The Secretary of Agriculture shall ensure that each eligible institution, prior to receiving grant funds under subsection (a), shall have a significant demonstrable commitment to higher education programs in the food and agricultural sciences and to each specific subject area for which grant funds under this section are to be used.

(2) The Secretary of Agriculture may require that any grant awarded under this section contain provisions that re-

quire funds to be targeted to meet the needs identified in section 1402.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section—

- (1) such sums as are necessary for each of fiscal years 2002 through 2013; and
- (2) \$2,000,000 for each of fiscal years 2014 through 2018.

Subtitle P—General Provisions

SEC. 1492. [7 U.S.C. 3371] MATCHING FUNDS REQUIREMENT.

(a) IN GENERAL.—The recipient of a competitive grant that is awarded by the Secretary under a covered law shall provide funds, in-kind contributions, or a combination of both, from sources other than funds provided through such grant in an amount that is at least equal to the amount of such grant.

(b) EXCEPTION.—The matching funds requirement under subsection (a) shall not apply to grants awarded—

- (1) to a research agency of the Department of Agriculture;

or

- (2) to an entity eligible to receive funds under a capacity and infrastructure program (as defined in section 251(f)(1)(C) of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6971(f)(1)(C))), including a partner of such entity.

(c) WAIVER.—The Secretary may waive the matching funds requirement under subsection (a) for a year with respect to a competitive grant that involves research or extension activities that are consistent with the priorities established by the National Agricultural Research, Extension, Education, and Economics Advisory Board under section 1408(c)(1)(B) for the year involved.

(d) COVERED LAW.—In this section, the term “covered law” means each of the following provisions of law:

- (1) This title.
- (2) Title XVI of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5801 et seq.).
- (3) The Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7601 et seq.).
- (4) Part III of subtitle E of title VII of the Food, Conservation, and Energy Act of 2008.
- (5) The Competitive, Special, and Facilities Research Grant Act (7 U.S.C. 450i).