

**AGRICULTURAL RESEARCH, EXTENSION, AND
EDUCATION REFORM ACT OF 1998**

[Note: Only freestanding provisions are included in this compilation. Most of the research-related provisions of the Agricultural Research, Extension, and Education Reform Act of 1998 were amendments to other laws.]

[Public Law 105–185, June 23, 1998]

[As Amended Through Public Law 112–37, Effective Oct. 5, 2011]

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SECTION 1. [7 U.S.C. 7601 note] SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the “Agricultural Research, Extension, and Education Reform Act of 1998”.

(b) **TABLE OF CONTENTS**¹.—

SEC. 2. [7 U.S.C. 7601] DEFINITIONS.

In this Act:

(1) **1862 INSTITUTION.**—The term “1862 Institution” means a college or university eligible to receive funds under the Act of July 2, 1862 (12 Stat. 503, chapter 130; 7 U.S.C. 301 et seq.).

(2) **1890 INSTITUTION.**—The term “1890 Institution” means a college or university eligible to receive funds under the Act of August 30, 1890 (26 Stat. 419, chapter 841; 7 U.S.C. 321 et seq.), including Tuskegee University.

(3) **1994 INSTITUTION.**—The term “1994 Institution” means 1 of the 1994 Institutions (as defined in section 532 of the Equity in Educational Land-Grant Status Act of 1994 (Public Law 103-382; 7 U.S.C. 301 note)) (as amended by section 251(a)).

(4) **ADVISORY BOARD.**—The term “Advisory Board” means the National Agricultural Research, Extension, Education, and Economics Advisory Board established under section 1408 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3123).

¹This table of contents is up-to-date and is included for the convenience of the reader. The original table of contents as contained in the Act has not been kept up-to-date.

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(5) DEPARTMENT.—The term “Department” means the Department of Agriculture.

(6) HISPANIC-SERVING AGRICULTURAL COLLEGES AND UNIVERSITIES.—The term “Hispanic-serving agricultural colleges and universities” has the meaning given the term in section 1404 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3103).

(7) SECRETARY.—The term “Secretary” means the Secretary of Agriculture.

TITLE I—PRIORITIES, SCOPE, REVIEW, AND COORDINATION OF AGRICULTURAL RESEARCH, EXTENSION, AND EDUCATION

SEC. 101. [7 U.S.C. 7611] STANDARDS FOR FEDERAL FUNDING OF AGRICULTURAL RESEARCH, EXTENSION, AND EDUCATION.

(a) IN GENERAL.—The Secretary shall ensure that agricultural research, extension, or education activities described in subsection (b) address a concern that—

- (1) is a priority, as determined under section 102(a); and
- (2) has national, multistate, or regional significance.

(b) APPLICATION.—Subsection (a) applies to—

- (1) research activities conducted by the Agricultural Research Service; and
- (2) research, extension, or education activities administered, on a competitive basis, by the National Institute of Food and Agriculture.

SEC. 102. [7 U.S.C. 7612] PRIORITY SETTING PROCESS.

(a) ESTABLISHMENT.—Consistent with section 1402 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3101), the Secretary shall establish priorities for agricultural research, extension, and education activities conducted or funded by the Department.

(b) RESPONSIBILITIES OF SECRETARY.—In establishing priorities for agricultural research, extension, and education activities conducted or funded by the Department, the Secretary shall solicit and consider input and recommendations from persons who conduct or use agricultural research, extension, or education.

(c) RESPONSIBILITIES OF 1862, 1890, 1994 INSTITUTIONS AND HISPANIC-SERVING AGRICULTURAL COLLEGES AND UNIVERSITIES.—

(1) PROCESS.—Effective October 1, 1999, to obtain agricultural research, extension, or education formula funds from the Secretary, each 1862 Institution, 1890 Institution, 1994 Institution, and Hispanic-serving agricultural college and university shall establish and implement a process for obtaining input from persons who conduct or use agricultural research, extension, or education concerning the use of the funds.

(2) REGULATIONS.—The Secretary shall promulgate regulations that prescribe—

- (A) the requirements for an institution referred to in paragraph (1) to comply with paragraph (1); and

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(B) the consequences for an institution of not complying with paragraph (1), which may include the withholding or redistribution of funds to which the institution may be entitled until the institution complies with paragraph (1).

(d) **MANAGEMENT PRINCIPLES.**—To the maximum extent practicable, the Secretary shall ensure that federally supported and conducted agricultural research, extension, and education activities are accomplished in a manner that—

(1) integrates agricultural research, extension, and education functions to better link research to technology transfer and information dissemination activities;

(2) encourages regional and multistate programs to address relevant issues of common concern and to better leverage scarce resources; and

(3) achieves agricultural research, extension, and education objectives through multi-institutional and multifunctional approaches and by conducting research at facilities and institutions best equipped to achieve those objectives.

SEC. 103. [7 U.S.C. 7613] RELEVANCE AND MERIT OF AGRICULTURAL RESEARCH, EXTENSION, AND EDUCATION FUNDED BY THE DEPARTMENT.

(a) **REVIEW OF NATIONAL INSTITUTE OF FOOD AND AGRICULTURE.**—

(1) **PEER REVIEW OF RESEARCH GRANTS.**—The Secretary shall establish procedures that provide for scientific peer review of each agricultural research grant administered, on a competitive basis, by the National Institute of Food and Agriculture of the Department.

(2) **MERIT REVIEW OF EXTENSION AND EDUCATION GRANTS.**—

(A) **ESTABLISHMENT OF PROCEDURES.**—The Secretary shall establish procedures that provide for merit review of each agricultural extension or education grant administered, on a competitive basis, by the National Institute of Food and Agriculture.

(B) **CONSULTATION WITH ADVISORY BOARD.**—The Secretary shall consult with the Advisory Board in establishing the merit review procedures.

(3) **CONSIDERATION.**—Peer and merit review procedures established under paragraphs (1) and (2) shall not take the offer or availability of matching funds into consideration.

(b) **ADVISORY BOARD REVIEW.**—On an annual basis, the Advisory Board shall review—

(1) the relevance to the priorities established under section 102(a) of the funding of all agricultural research, extension, or education activities conducted or funded by the Department; and

(2) the adequacy of the funding.

(c) **REQUESTS FOR PROPOSALS.**—

(1) **REVIEW RESULTS.**—As soon as practicable after the review is conducted under subsection (b) for a fiscal year, the Secretary shall consider the results of the review when formulating each request for proposals, and evaluating proposals, in-

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volving an agricultural research, extension, or education activity funded, on a competitive basis, by the Department.

(2) INPUT.—In formulating a request for proposals described in paragraph (1) for a fiscal year, the Secretary shall solicit and consider input from persons who conduct or use agricultural research, extension, or education regarding the prior year's request for proposals.

(d) SCIENTIFIC PEER REVIEW OF AGRICULTURAL RESEARCH.—

(1) PEER REVIEW PROCEDURES.—The Secretary shall establish procedures that ensure scientific peer review of all research activities conducted by the Department.

(2) REVIEW PANEL REQUIRED.—As part of the procedures established under paragraph (1), a review panel shall verify, at least once every 5 years, that each research activity of the Department and research conducted under each research program of the Department has scientific merit and relevance.

(3) MISSION AREA.—If the research activity or program to be reviewed is included in the research, educational, and economics mission area of the Department, the review panel shall consider—

(A) the scientific merit and relevance of the activity or research in light of the priorities established pursuant to section 102; and

(B) the national or multistate significance of the activity or research.

(4) COMPOSITION OF REVIEW PANEL.—

(A) IN GENERAL.—A review panel shall be composed of individuals with scientific expertise, a majority of whom are not employees of the agency whose research is being reviewed.

(B) SCIENTISTS FROM COLLEGES AND UNIVERSITIES.—To the maximum extent practicable, the Secretary shall use scientists from colleges and universities to serve on the review panels.

(5) SUBMISSION OF RESULTS.—The results of the panel reviews shall be submitted to the Advisory Board.

(e) MERIT REVIEW.—

(1) 1862 AND 1890 INSTITUTIONS.—Effective October 1, 1999, to be eligible to obtain agricultural research or extension funds from the Secretary for an activity, each 1862 Institution and 1890 Institution shall—

(A) establish a process for merit review of the activity; and

(B) review the activity in accordance with the process.

(2) 1994 INSTITUTIONS.—Effective October 1, 1999, to be eligible to obtain agricultural extension funds from the Secretary for an activity, each 1994 Institution shall—

(A) establish a process for merit review of the activity; and

(B) review the activity in accordance with the process.

(3) HISPANIC-SERVING AGRICULTURAL COLLEGES AND UNIVERSITIES.—To be eligible to obtain agricultural extension funds from the Secretary for an activity, each Hispanic-serving agricultural college and university shall—

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- (A) establish a process for merit review of the activity;
 - and
 - (B) review the activity in accordance with such process.
 - (f) REPEAL OF PROVISIONS FOR WITHHOLDING FUNDS.—
 - (1) SMITH-LEVER ACT.— **[Omitted-Amendment]**
 - (2) HATCH ACT OF 1887.— **[Omitted-Amendment]**
 - (3) NATIONAL AGRICULTURAL RESEARCH, EXTENSION, AND TEACHING POLICY ACT OF 1977.— **[Omitted-Amendment]**
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TITLE IV—NEW AGRICULTURAL RESEARCH, EXTENSION, AND EDUCATION INITIATIVES

SEC. 401.⁴⁰¹⁻¹

SEC. 402.⁴⁰²⁻¹

SEC. 403.⁴⁰³⁻¹

SEC. 404. [7 U.S.C. 7624] BIOBASED PRODUCTS.

(a) DEFINITION OF BIOBASED PRODUCT.—In this section, the term “biobased product” means a product suitable for food or nonfood use that is derived in whole or in part from renewable agricultural and forestry materials.

(b) COORDINATION OF BIOBASED PRODUCT ACTIVITIES.—The Secretary of Agriculture shall—

- (1) coordinate the research, technical expertise, economic information, and market information resources and activities of the Department to develop, commercialize, and promote the use of biobased products;
- (2) solicit input from private sector persons who produce, or are interested in producing, biobased products;
- (3) provide a centralized contact point for advice and technical assistance for promising and innovative biobased products; and
- (4) submit an annual report to Congress describing the coordinated research, marketing, and commercialization activities of the Department relating to biobased products.

(c) COOPERATIVE AGREEMENTS FOR BIOBASED PRODUCTS.—

(1) AGREEMENTS AUTHORIZED.—The Secretary may enter into cooperative agreements with private entities described in subsection (d), under which the facilities and technical expertise of the Agricultural Research Service and the Forest Service may be made available to operate pilot plants and other large-scale preparation facilities for the purpose of bringing

⁴⁰²⁻¹ This section repealed by section 7406(b)(1) of the Food, Conservation, and Energy Act of 2008 (122 Stat. 2013; P.L. 110-246; effective May 22, 2008).

⁴⁰²⁻¹ This section repealed by section 7302 of the Food, Conservation, and Energy Act of 2008 (122 Stat. 2003; P.L. 110-246; effective May 22, 2008).

⁴⁰³⁻¹ This section repealed by section 7303 of the Food, Conservation, and Energy Act of 2008 (122 Stat. 2003; P.L. 110-246; effective May 22, 2008).

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technologies necessary for the development and commercialization of new biobased products to the point of practical application.

(2) DESCRIPTION OF COOPERATIVE ACTIVITIES.—Cooperative activities may include—

(A) research on potential environmental impacts of a biobased product;

(B) methods to reduce the cost of manufacturing a biobased product; and

(C) other appropriate research.

(3) AUTHORITY OF SECRETARY.—To carry out a cooperative agreement with a private entity under paragraph (1), the Secretary may rent to the private entity equipment, the title of which is held by the Federal Government.

(d) ELIGIBLE PARTNERS.—The following entities shall be eligible to enter into a cooperative agreement under subsection (c):

(1) A party that has entered into a cooperative research and development agreement with the Secretary under section 12 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3710a).

(2) A recipient of funding from the Biotechnology Research and Development Corporation.

(3) A recipient of funding from the Secretary under a Small Business Innovation Research Program established under section 9 of the Small Business Act (15 U.S.C. 638).

(e) PILOT PROJECT.—The Secretary, acting through the Agricultural Research Service, may establish and carry out a pilot project under which grants are provided, on a competitive basis, to scientists of the Agricultural Research Service to—

(1) encourage innovative and collaborative science; and

(2) during each of fiscal years 1999 through 2012, develop biobased products with promising commercial potential.

(f) SOURCE OF FUNDS.—

(1) IN GENERAL.—Except as provided in paragraph (2), to carry out this section, the Secretary may use—

(A) funds appropriated to carry out this section; and

(B) funds otherwise available for cooperative research and development agreements under the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3701 et seq.).

(2) EXCEPTION.—The Secretary may not use funds referred to in paragraph (1)(B) to carry out subsection (e).

(g) SALE OF DEVELOPED PRODUCTS.—For the purpose of determining the market potential for new biobased products produced at a pilot plant or other large-scale preparation facility under a cooperative agreement under this section, the Secretary shall authorize the private partner or partners to the agreement to sell the products.

(h) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this section for each of fiscal years 1999 through 2012.

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SEC. 405. [7 U.S.C. 7625] NATIONAL FOOD SAFETY TRAINING, EDUCATION, EXTENSION, OUTREACH, AND TECHNICAL ASSISTANCE PROGRAM.

(a) **IN GENERAL.**—The Secretary shall award grants under this section to carry out the competitive grant program established under section 1011(d) of the Federal Food, Drug, and Cosmetic Act, pursuant to any memoranda of understanding entered into under such section.

(b) **INTEGRATED APPROACH.**—The grant program described under subsection (a) shall be carried out under this section in a manner that facilitates the integration of food safety standards and guidance with the variety of agricultural production systems, encompassing conventional, sustainable, organic, and conservation and environmental practices.

(c) **PRIORITY.**—In awarding grants under this section, the Secretary shall give priority to projects that target small and medium-sized farms, beginning farmers, socially disadvantaged farmers, small processors, or small fresh fruit and vegetable merchant wholesalers.

(d) **PROGRAM COORDINATION.**—

(1) **IN GENERAL.**—The Secretary shall coordinate implementation of the grant program under this section with the National Integrated Food Safety Initiative.

(2) **INTERACTION.**—The Secretary shall—

(A) in carrying out the grant program under this section, take into consideration applied research, education, and extension results obtained from the National Integrated Food Safety Initiative; and

(B) in determining the applied research agenda for the National Integrated Food Safety Initiative, take into consideration the needs articulated by participants in projects funded by the program under this section.

(e) **GRANTS.**—

(1) **IN GENERAL.**—In carrying out this section, the Secretary shall make competitive grants to support training, education, extension, outreach, and technical assistance projects that will help improve public health by increasing the understanding and adoption of established food safety standards, guidance, and protocols.

(2) **ENCOURAGED FEATURES.**—The Secretary shall encourage projects carried out using grant funds under this section to include co-management of food safety, conservation systems, and ecological health.

(3) **MAXIMUM TERM AND SIZE OF GRANT.**—

(A) **IN GENERAL.**—A grant under this section shall have a term that is not more than 3 years.

(B) **LIMITATION ON GRANT FUNDING.**—The Secretary may not provide grant funding to an entity under this section after such entity has received 3 years of grant funding under this section.

(f) **GRANT ELIGIBILITY.**—

(1) **IN GENERAL.**—To be eligible for a grant under this section, an entity shall be—

(A) a State cooperative extension service;

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- (B) a Federal, State, local, or tribal agency, a nonprofit community-based or non-governmental organization, or an organization representing owners and operators of farms, small food processors, or small fruit and vegetable merchant wholesalers that has a commitment to public health and expertise in administering programs that contribute to food safety;
- (C) an institution of higher education (as defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a))) or a foundation maintained by an institution of higher education;
- (D) a collaboration of 2 or more eligible entities described in this subsection; or
- (E) such other appropriate entity, as determined by the Secretary.
- (2) **MULTISTATE PARTNERSHIPS.**—Grants under this section may be made for projects involving more than 1 State.
- (g) **REGIONAL BALANCE.**—In making grants under this section, the Secretary shall, to the maximum extent practicable, ensure—
- (1) geographic diversity; and
 - (2) diversity of types of agricultural production.
- (h) **TECHNICAL ASSISTANCE.**—The Secretary may use funds made available under this section to provide technical assistance to grant recipients to further the purposes of this section.
- (i) **BEST PRACTICES AND MODEL PROGRAMS.**—Based on evaluations of, and responses arising from, projects funded under this section, the Secretary may issue a set of recommended best practices and models for food safety training programs for agricultural producers, small food processors, and small fresh fruit and vegetable merchant wholesalers.
- (j) **AUTHORIZATION OF APPROPRIATIONS.**—For the purposes of making grants under this section, there are authorized to be appropriated such sums as may be necessary for fiscal years 2011 through 2015.

SEC. 406. [7 U.S.C. 7626] INTEGRATED RESEARCH, EDUCATION, AND EXTENSION COMPETITIVE GRANTS PROGRAM.

- (a) **PURPOSE.**—It is the purpose of this section to authorize the Secretary of Agriculture to establish an integrated research, education, and extension competitive grant program to provide funding for integrated, multifunctional agricultural research, extension, and education activities.
- (b) **COMPETITIVE GRANTS AUTHORIZED.**—Subject to the availability of appropriations to carry out this section, the Secretary may award grants to colleges and universities (as defined in section 1404 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3103)), 1994 Institutions, and Hispanic-serving agricultural colleges and universities on a competitive basis for integrated agricultural research, education, and extension projects in accordance with this section.
- (c) **CRITERIA FOR GRANTS.**—Grants under this section shall be awarded to address priorities in United States agriculture, determined by the Secretary in consultation with the Advisory Board, that involve integrated research, extension, and education activities.

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(d) MATCHING OF FUNDS.—

(1) GENERAL REQUIREMENT.—If a grant under this section provides a particular benefit to a specific agricultural commodity, the Secretary shall require the recipient of the grant to provide funds or in-kind support to match the amount of funds provided by the Secretary in the grant.

(2) WAIVER.—The Secretary may waive the matching funds requirement specified in paragraph (1) with respect to a grant if the Secretary determines that—

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

(B) the project involves a minor commodity, the project deals with scientifically important research, and the grant recipient is unable to satisfy the matching funds requirement.

(e) TERM OF GRANT.—A grant under this section shall have a term of not more than 5 years.

(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this section for each of fiscal years 1999 through 2012.

SEC. 407. [7 U.S.C. 7627] COORDINATED PROGRAM OF RESEARCH, EXTENSION, AND EDUCATION TO IMPROVE VIABILITY OF SMALL AND MEDIUM SIZE DAIRY, LIVESTOCK, AND POULTRY OPERATIONS.

(a) PROGRAM AUTHORIZED.—The Secretary of Agriculture may carry out a coordinated program of research, extension, and education to improve the competitiveness, viability, and sustainability of small and medium size dairy, livestock, and poultry operations (referred to in this section as “operations”).

(b) COMPONENTS.—To the extent the Secretary elects to carry out the program, the Secretary shall conduct—

(1) research, development, and on-farm extension and education concerning low-cost production facilities and practices, management systems, and genetics that are appropriate for the operations;

(2) in the case of dairy and livestock operations, research and extension on management-intensive grazing systems for dairy and livestock production to realize the potential for reduced capital and feed costs through greater use of management skills, labor availability optimization, and the natural benefits of grazing pastures;

(3) research and extension on integrated crop and livestock or poultry systems that increase efficiencies (including improved use of energy inputs), reduce costs, and prevent environmental pollution to strengthen the competitive position of the operations;

(4) economic analyses and market feasibility studies to identify new and expanded opportunities for producers on the operations that provide tools and strategies to meet consumer demand in domestic and international markets, such as cooperative marketing and value-added strategies for milk, meat, and poultry production and processing; and

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(5) technology assessment that compares the technological resources of large specialized producers with the technological needs of producers on the operations to identify and transfer existing technology across all sizes and scales and to identify the specific research and education needs of the producers.

(c) ADMINISTRATION.—The Secretary may use the funds, facilities, and technical expertise of the Agricultural Research Service and the National Institute of Food and Agriculture and other funds available to the Secretary (other than funds of the Commodity Credit Corporation) to carry out this section.

SEC. 408. [7 U.S.C. 7628] SUPPORT FOR RESEARCH REGARDING DISEASES OF WHEAT, TRITICALE, AND BARLEY CAUSED BY FUSARIUM GRAMINEARUM OR BY TILLETIA INDICA.

(a) RESEARCH GRANTS AUTHORIZED.—The Secretary of Agriculture may make grants to consortia of land-grant colleges and universities to enhance the ability of the consortia to carry out multi-State research projects aimed at understanding and combating diseases of wheat, triticale, and barley caused by *Fusarium graminearum* and related fungi (referred to in this section as “wheat scab”) or by *Tilletia indica* and related fungi (referred to in this section as “Karnal bunt”).

(b) RESEARCH COMPONENTS.—Funds provided under this section shall be available for the following collaborative, multi-State research activities:

(1) Identification and understanding of the epidemiology of wheat scab or of Karnal bunt, and the toxicological properties of vomitoxin, a toxic metabolite commonly occurring in wheat, triticale, and barley infected with wheat scab.

(2) Development of crop management strategies to reduce the risk of wheat scab or Karnal bunt occurrence.

(3) Development of—

(A) efficient and accurate methods to monitor wheat, triticale, and barley for the presence of Karnal bunt or of wheat scab and resulting vomitoxin contamination;

(B) post-harvest management techniques for wheat, triticale, and barley infected with wheat scab or with Karnal bunt; and

(C) milling and food processing techniques to render wheat scab contaminated grain safe.

(4) Strengthening and expansion of plant-breeding activities to enhance the resistance of wheat, triticale, and barley to wheat scab and to Karnal bunt, including the establishment of a regional advanced breeding material evaluation nursery and a germplasm introduction and evaluation system.

(5) Development and deployment of alternative fungicide application systems and formulations to control wheat scab and Karnal bunt and consideration of other chemical control strategies to assist farmers until new more resistant wheat, triticale, and barley varieties are available.

(c) COMMUNICATIONS NETWORKS.—Funds provided under this section shall be available for efforts to concentrate, integrate, and disseminate research, extension, and outreach-orientated information regarding wheat scab or Karnal bunt.

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(d) **MANAGEMENT.**—To oversee the use of a grant made under this section, the Secretary may establish a committee composed of the directors of the agricultural experiment stations in the States in which land-grant colleges and universities that are members of the consortium are located.

(e) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out this section such sums as may be necessary for each of fiscal years 1999 through 2012.

SEC. 409. [7 U.S.C. 7629] BOVINE JOHNE'S DISEASE CONTROL PROGRAM.

(a) **ESTABLISHMENT.**—The Secretary of Agriculture, in coordination with State veterinarians and other appropriate State animal health professionals, may establish a program to conduct research, testing, and evaluation of programs for the control and management of Johnne's disease in livestock.

(b) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to the Secretary such sums as may be necessary to carry out this section for each of fiscal years 2003 through 2012.

SEC. 410. [7 U.S.C. 7630] GRANTS FOR YOUTH ORGANIZATIONS.

(a) **IN GENERAL.**—The Secretary, acting through the Director of the National Institute of Food and Agriculture, shall make grants to the Girl Scouts of the United States of America, the Boy Scouts of America, the National 4-H Council, and the National FFA Organization to establish pilot projects to expand the programs carried out by the organizations in rural areas and small towns (including, with respect to the National 4-H Council, activities provided for in Public Law 107-19 (115 Stat. 153)).

(b) **FLEXIBILITY.**—The Secretary shall provide maximum flexibility in content delivery to each organization receiving funds under this section so as to ensure that the unique goals of each organization, as well as the local community needs, are fully met.

(c) **REDISTRIBUTION OF FUNDING WITHIN ORGANIZATIONS AUTHORIZED.**—Recipients of funds under this section may redistribute all or part of the funds received to individual councils or local chapters within the councils without further need of approval from the Secretary.

(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. 411. [7 U.S.C. 7631] AGRICULTURAL BIOTECHNOLOGY RESEARCH AND DEVELOPMENT FOR DEVELOPING COUNTRIES.

(a) **ELIGIBLE ENTITY.**—In this section, the term "eligible entity" means—

(A) an institution of higher education that offers a curriculum in agriculture or the biosciences;

(B) a nonprofit organization; or

(C) a consortium of for-profit institutions and agricultural research institutions.

(b) **GRANT PROGRAM.**—

(1) **IN GENERAL.**—The Secretary (acting through the Foreign Agricultural Service) shall establish and administer a program to make competitive grants to eligible entities to develop agricultural biotechnology for developing countries.

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(2) USE OF FUNDS.—Funds provided to an eligible entity under this section may be used for projects that use biotechnology to—

(A) enhance the nutritional content of agricultural products that can be grown in developing countries;

(B) increase the yield and safety of agricultural products that can be grown in developing countries;

(C) increase the yield of agricultural products that are drought- and stress-resistant and that can be grown in developing countries;

(D) extend the growing range of crops that can be grown in developing countries;

(E) enhance the shelf-life of fruits and vegetables grown in developing countries;

(F) develop environmentally sustainable agricultural products that can be grown in developing countries; and

(G) develop vaccines to immunize against life-threatening illnesses and other medications that can be administered by consuming genetically-engineered agricultural products.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out this section for each of fiscal years 2002 through 2012.

SEC. 412. [7 U.S.C. 7632] SPECIALTY CROP RESEARCH INITIATIVE.

(a) DEFINITIONS.—In this section:

(1) INITIATIVE.—The term “Initiative” means the specialty crop research and extension initiative established by subsection (b).

(2) SPECIALTY CROP.—The term “specialty crop” has the meaning given that term in section 3 of the Specialty Crops Competitiveness Act of 2004 (7 U.S.C. 1621 note; Public Law 108-465).

(b) ESTABLISHMENT.—There is established within the Department a specialty crop research and extension initiative to address the critical needs of the specialty crop industry by developing and disseminating science-based tools to address needs of specific crops and their regions, including—

(1) research in plant breeding, genetics, and genomics to improve crop characteristics, such as—

(A) product, taste, quality, and appearance;

(B) environmental responses and tolerances;

(C) nutrient management, including plant nutrient uptake efficiency;

(D) pest and disease management, including resistance to pests and diseases resulting in reduced application management strategies; and

(E) enhanced phytonutrient content;

(2) efforts to identify and address threats from pests and diseases, including threats to specialty crop pollinators;

(3) efforts to improve production efficiency, productivity, and profitability over the long term (including specialty crop policy and marketing);

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(4) new innovations and technology, including improved mechanization and technologies that delay or inhibit ripening; and

(5) methods to prevent, detect, monitor, control, and respond to potential food safety hazards in the production and processing of specialty crops, including fresh produce.

(c) ELIGIBLE ENTITIES.—The Secretary may carry out the Initiative through—

- (1) Federal agencies;
- (2) national laboratories;
- (3) colleges and universities;
- (4) research institutions and organizations;
- (5) private organizations or corporations;
- (6) State agricultural experiment stations;
- (7) individuals; or
- (8) groups consisting of 2 or more entities described in paragraphs (1) through (7).

(d) RESEARCH PROJECTS.—In carrying out this section, the Secretary shall award grants on a competitive basis.

(e) ADMINISTRATION.—

(1) IN GENERAL.—With respect to grants awarded under subsection (d), the Secretary shall—

(A) seek and accept proposals for grants;

(B) determine the relevance and merit of proposals through a system of peer and merit review in accordance with section 103; and

(C) award grants on the basis of merit, quality, and relevance.

(2) TERM.—The term of a grant under this section may not exceed 10 years.

(3) MATCHING FUNDS REQUIRED.—The Secretary shall require the recipient of a grant under this section to provide funds or in-kind support from non-Federal sources in an amount that is at least equal to the amount provided by the Federal Government.

(4) OTHER CONDITIONS.—The Secretary may set such other conditions on the award of a grant under this section as the Secretary determines to be appropriate.

(f) PRIORITIES.—In making grants under this section, the Secretary shall provide a higher priority to projects that—

(1) are multistate, multi-institutional, or multidisciplinary; and

(2) include explicit mechanisms to communicate results to producers and the public.

(g) BUILDINGS AND FACILITIES.—Funds made available under this section shall not be used for the construction of a new building or facility or the acquisition, expansion, remodeling, or alteration of an existing building or facility (including site grading and improvement, and architect fees).

(h) FUNDING.—

(1) IN GENERAL.—Of the funds of the Commodity Credit Corporation, the Secretary shall make available to carry out this section \$30,000,000 for fiscal year 2008 and \$50,000,000 for each of fiscal years 2009 through 2012, from which activi-

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ties under each of paragraphs (1) through (5) of subsection (b) shall be allocated not less than 10 percent.

(2) **AUTHORIZATION OF APPROPRIATIONS.**—In addition to funds made available under paragraph (1), there is authorized to be appropriated to carry out this section \$100,000,000 for each of fiscal years 2008 through 2012.

(3) **TRANSFER.**—Of the funds made available to the Secretary under paragraph (1) for fiscal year 2008 and authorized for use for payment of administrative expenses under section 1469(a)(3) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3315(a)(3)), the Secretary shall transfer, upon the date of enactment of this section, \$200,000 to the Office of Prevention, Pesticides, and Toxic Substances of the Environmental Protection Agency for use in conducting a meta-analysis relating to methyl bromide.

(4) **AVAILABILITY.**—Funds made available pursuant to this subsection for a fiscal year shall remain available until expended to pay for obligations incurred in that fiscal year.

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TITLE VI—MISCELLANEOUS PROVISIONS

Subtitle A—Existing Authorities

SEC. 601. RETENTION AND USE OF FEES.

(a) **ORGANIC CERTIFICATION.**— **[Omitted-Amendment]**

(b) **NATIONAL ARBORETUM.**— **[Omitted-Amendment]**

(c) **[7 U.S.C. 7641]PATENT CULTURE COLLECTION FEES.**—

(1) **RETENTION.**—All funds collected by the Agricultural Research Service of the Department of Agriculture in connection with the acceptance of microorganisms for deposit in, or the distribution of microorganisms from, the Patent Culture Collection maintained and operated by the Agricultural Research Service shall be credited to the appropriation supporting the maintenance and operation of the Patent Culture Collection.

(2) **USE.**—The collected funds shall be available to the Agricultural Research Service, without further appropriation or fiscal-year limitation, to carry out its responsibilities under law (including international treaties) with respect to the Patent Culture Collection.

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SEC. 604. [7 U.S.C. 7642] FOOD ANIMAL RESIDUE AVOIDANCE DATABASE PROGRAM.

(a) **CONTINUATION OF PROGRAM.**—The Secretary of Agriculture shall continue operation of the Food Animal Residue Avoidance Database program (referred to in this section as the “FARAD program”) through contracts, grants, or cooperative agreements with appropriate colleges or universities.

(b) **ACTIVITIES.**—In carrying out the FARAD program, the Secretary shall—

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(1) provide livestock producers, extension specialists, scientists, and veterinarians with information to prevent drug, pesticide, and environmental contaminant residues in food animal products;

(2) maintain up-to-date information concerning—

(A) withdrawal times on FDA-approved food animal drugs and appropriate withdrawal intervals for drugs used in food animals in the United States, as established under section 512(a) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360b(a));

(B) official tolerances for drugs and pesticides in tissues, eggs, and milk;

(C) descriptions and sensitivities of rapid screening tests for detecting residues in tissues, eggs, and milk; and

(D) data on the distribution and fate of chemicals in food animals;

(3) publish periodically a compilation of food animal drugs approved by the Food and Drug Administration;

(4) make information on food animal drugs available to the public through handbooks and other literature, computer software, a telephone hotline, and the Internet;

(5) furnish producer quality-assurance programs with up-to-date data on approved drugs;

(6) maintain a comprehensive and up-to-date, residue avoidance database;

(7) provide professional advice for determining the withdrawal times necessary for food safety in the use of drugs in food animals; and

(8) engage in other activities designed to promote food safety.

(c) **CONTRACT, GRANTS, AND COOPERATIVE AGREEMENTS.**—The Secretary shall offer to enter into a contract, grant, or cooperative agreement with 1 or more appropriate colleges and universities to operate the FARAD program. The term of the contract, grant, or cooperative agreement shall be 3 years, with options to extend the term of the contract triennially.

(d) **INDIRECT COSTS.**—Federal funds provided by the Secretary under a contract, grant, or cooperative agreement under this section shall be subject to reduction for indirect costs of the recipient of the funds in an amount not to exceed 19 percent of the total Federal funds provided under the contract, grant, or cooperative agreement.

(e) **AUTHORIZATION OF APPROPRIATIONS.**—In addition to any other funds available to carry out subsection (c), there is authorized to be appropriated to carry out this section \$2,500,000 for each of fiscal years 2008 through 2012.

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Subtitle B—New Authorities

SEC. 611. [7 U.S.C. 7651] NUTRIENT COMPOSITION DATA.

(a) **IN GENERAL.**—The Secretary of Agriculture shall update, on a periodic basis, nutrient composition data.

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(b) REPORT.—Not later than 180 days after the date of enactment of this Act, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes—

- (1) the method the Secretary will use to update nutrient composition data, including the quality assurance criteria that will be used and the method for generating the data; and
- (2) the timing for updating the data.

SEC. 612. NATIONAL SWINE RESEARCH CENTER.

Subject to the availability of appropriations to carry out this section, or through a reprogramming of funds provided for swine research to carry out this section pursuant to established procedures, during the period beginning on the date of enactment of this Act and ending December 31, 1998, the Secretary of Agriculture, acting through the Agricultural Research Service, may accept as a gift, and administer, the National Swine Research Center located in Ames, Iowa.

SEC. 613. [7 U.S.C. 7652] ROLE OF SECRETARY REGARDING FOOD AND AGRICULTURAL SCIENCES RESEARCH AND EXTENSION.

The Secretary of Agriculture shall be the principal official in the executive branch responsible for coordinating all Federal research and extension activities related to food and agricultural sciences.

SEC. 614. [7 U.S.C. 7653] OFFICE OF PEST MANAGEMENT POLICY.

(a) PURPOSE.—The purpose of this section is to establish an Office of Pest Management Policy to provide for the effective coordination of agricultural policies and activities within the Department of Agriculture related to pesticides and of the development and use of pest management tools, while taking into account the effects of regulatory actions of other government agencies.

(b) ESTABLISHMENT OF OFFICE; PRINCIPAL RESPONSIBILITIES.—The Secretary of Agriculture shall establish in the Department an Office of Pest Management Policy, which shall be responsible for—

- (1) the development and coordination of Department policy on pest management and pesticides;
- (2) the coordination of activities and services of the Department, including research, extension, and education activities, regarding the development, availability, and use of economically and environmentally sound pest management tools and practices;
- (3) assisting other agencies of the Department in fulfilling their responsibilities related to pest management or pesticides under the Food Quality Protection Act of 1996 (Public Law 104-170; 110 Stat. 1489), the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136 et seq.), the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.), and other applicable laws; and
- (4) performing such other functions as may be required by law or prescribed by the Secretary.

(c) INTERAGENCY COORDINATION.—In support of its responsibilities under subsection (b), the Office of Pest Management Policy shall provide leadership to ensure coordination of interagency ac-

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tivities with the Environmental Protection Agency, the Food and Drug Administration, and other Federal and State agencies.

(d) **OUTREACH.**—The Office of Pest Management Policy shall consult with agricultural producers that may be affected by pest management or pesticide-related activities or actions of the Department or other agencies as necessary in carrying out the Office's responsibilities under this section.

(e) **DIRECTOR.**—The Office of Pest Management Policy shall be under the direction of a Director appointed by the Secretary, who shall report directly to the Secretary or a designee of the Secretary.

(f) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated such sums as are necessary to carry out this section for each of fiscal years 1999 through 2012.

SEC. 615. [7 U.S.C. 7654] FOOD SAFETY RESEARCH INFORMATION OFFICE.

(a) **ESTABLISHMENT.**—The Secretary of Agriculture shall establish a Food Safety Research Information Office at the National Agricultural Library.

(b) **PURPOSE.**—The Office shall provide to the research community and the general public information on publicly funded, and to the maximum extent practicable, privately funded food safety research initiatives for the purpose of—

(1) preventing unintended duplication of food safety research; and

(2) assisting the executive and legislative branches of the Federal Government and private research entities to assess food safety research needs and priorities.

(c) **COOPERATION.**—The Office shall carry out this section in cooperation with the National Institutes of Health, the Food and Drug Administration, the Centers for Disease Control and Prevention, public institutions, and, on a voluntary basis, private research entities.

SEC. 616. [7 U.S.C. 7655] SAFE FOOD HANDLING EDUCATION.

The Secretary of Agriculture shall continue to develop a national program of safe food handling education for adults and young people to reduce the risk of food-borne illness. The national program shall be suitable for adoption and implementation through State cooperative extension services and school-based education programs.

[Section 617 repealed by section 7302 of P.L. 107-171, 116 Stat. 455.]

SEC. 618. [7 U.S.C. 7656] DESIGNATION OF CRISIS MANAGEMENT TEAM WITHIN DEPARTMENT.

(a) **DESIGNATION OF CRISIS MANAGEMENT TEAM.**—The Secretary of Agriculture shall designate a Crisis Management Team within the Department of Agriculture, which shall be—

(1) composed of senior departmental personnel with strong subject matter expertise selected from each relevant agency of the Department; and

(2) headed by a team leader with management and communications skills.

(b) **DUTIES OF CRISIS MANAGEMENT TEAM.**—The Crisis Management Team shall be responsible for the following:

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(1) Developing a Department-wide crisis management plan, taking into account similar plans developed by other government agencies and other large organizations, and developing written procedures for the implementation of the crisis management plan.

(2) Conducting periodic reviews and revisions of the crisis management plan and procedures developed under paragraph (1).

(3) Ensuring compliance with crisis management procedures by personnel of the Department and ensuring that appropriate Department personnel are familiar with the crisis management plan and procedures and are encouraged to bring information regarding crises or potential crises to the attention of members of the Crisis Management Team.

(4) Coordinating the Department's information gathering and dissemination activities concerning issues managed by the Crisis Management Team.

(5) Ensuring that Department spokespersons convey accurate, timely, and scientifically sound information regarding crises or potential crises that can be easily understood by the general public.

(6) Cooperating with, and coordinating among, other Federal agencies, States, local governments, industry, and public interest groups, Department activities regarding a crisis.

(c) **ROLE IN PRIORITIZING CERTAIN RESEARCH.**—The Crisis Management Team shall cooperate with the Advisory Board in the prioritization of agricultural research conducted or funded by the Department regarding animal health, natural disasters, food safety, and other agricultural issues.

(d) **COOPERATIVE AGREEMENTS.**—The Secretary shall seek to enter into cooperative agreements with other Federal departments and agencies that have related programs or activities to help ensure consistent, accurate, and coordinated dissemination of information throughout the executive branch in the event of a crisis, such as, in the case of a threat to human health from food-borne pathogens, developing a rapid and coordinated response among the Department, the Centers for Disease Control, and the Food and Drug Administration.

SEC. 619. DESIGNATION OF KIKA DE LA GARZA SUBTROPICAL AGRICULTURAL RESEARCH CENTER, WESLACO, TEXAS.

(a) **DESIGNATION.**—The Federal facilities located at 2413 East Highway 83, and 2301 South International Boulevard, in Weslaco, Texas, and known as the “Subtropical Agricultural Research Center”, shall be known and designated as the “Kika de la Garza Subtropical Agricultural Research Center”.

(b) **REFERENCES.**—Any reference in a law, map, regulation, document, paper, or other record of the United States to the Federal facilities referred to in subsection (a) shall be deemed to be a reference to the “Kika de la Garza Subtropical Agricultural Research Center”.

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SEC. 620. [7 U.S.C. 7657] SENIOR SCIENTIFIC RESEARCH SERVICE.

(a) **IN GENERAL.**—There is established in the Department of Agriculture the Senior Scientific Research Service (referred to in this section as the “Service”).

(b) **MEMBERS.**—

(1) **IN GENERAL.**—Subject to paragraphs (2) through (4), the Secretary shall appoint the members of the Service.

(2) **QUALIFICATIONS.**—To be eligible for appointment to the Service, an individual shall—

(A) have conducted outstanding research in the field of agriculture or forestry;

(B) have earned a doctoral level degree at an institution of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)); and

(C) meet qualification standards prescribed by the Director of the Office of Personnel Management for appointment to a position at level GS–15 of the General Schedule.

(3) **NUMBER.**—Not more than 100 individuals may serve as members of the Service at any 1 time.

(4) **OTHER REQUIREMENTS.**—

(A) **IN GENERAL.**—Subject to subparagraph (B) and subsection (d)(2), the Secretary may appoint and employ a member of the Service without regard to—

(i) the provisions of title 5, United States Code, governing appointments in the competitive service;

(ii) the provisions of subchapter I of chapter 35 of title 5, United States Code, relating to retention preference;

(iii) the provisions of chapter 43 of title 5, United States Code, relating to performance appraisal and performance actions;

(iv) the provisions of chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification and General Schedule pay rates; and

(v) the provisions of chapter 75 of title 5, United States Code, relating to adverse actions.

(B) **EXCEPTION.**—A member of the Service appointed and employed by the Secretary under subparagraph (A) shall have the same right of appeal to the Merit Systems Protection Board and the same right to file a complaint with the Office of Special Counsel as an employee appointed to a position at level GS–15 of the General Schedule.

(c) **PERFORMANCE APPRAISAL SYSTEM.**—The Secretary shall develop a performance appraisal system for members of the Service that is designed to—

(1) provide for the systematic appraisal of the employment performance of the members; and

(2) encourage excellence in employment performance by the members.

(d) **COMPENSATION.**—

(1) **IN GENERAL.**—Subject to paragraph (2), the Secretary shall determine the compensation of members of the Service.

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(2) LIMITATIONS.—The rate of pay for a member of the Service shall—

(A) not be less than the minimum rate payable for a position at level GS-15 of the General Schedule; and

(B) not be more than the rate payable for a position at level I of the Executive Schedule, unless the rate is approved by the President under section 5377(d)(2) of title 5, United States Code.

(e) RETIREMENT CONTRIBUTIONS.—

(1) IN GENERAL.—On the request of a member of the Service who was an employee of an institution of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)) immediately prior to appointment as a member of the Service and who retains the right to continue to make contributions to the retirement system of the institution, the Secretary may contribute an amount not to exceed 10 percent of the basic pay of the member to the retirement system of the institution on behalf of the member.

(2) FEDERAL RETIREMENT SYSTEM.—

(A) IN GENERAL.—Subject to subparagraph (B), a member for whom a contribution is made under paragraph (1) shall not, as a result of serving as a member of the Service, be covered by, or earn service credit under, chapter 83 or 84 of title 5, United States Code.

(B) ANNUAL LEAVE.—Service of a member of the Service described in subparagraph (A) shall be creditable for determining years of service under section 6303(a) of title 5, United States Code.

(f) INVOLUNTARY SEPARATION.—

(1) IN GENERAL.—Subject to paragraph (2) and notwithstanding the provisions of title 5, United States Code, governing appointment in the competitive service, in the case of an individual who is separated from the Service involuntarily and without cause—

(A) the Secretary may appoint the individual to a position in the competitive civil service at level GS-15 of the General Schedule; and

(B) the appointment shall be a career appointment.

(2) EXCEPTED CIVIL SERVICE.—In the case of an individual described in paragraph (1) who immediately prior to appointment as a member of the Service was not a career appointee in the civil service or the Senior Executive Service, the appointment of the individual under paragraph (1)—

(A) shall be to the excepted civil service; and

(B) may not exceed a period of 2 years.

Subtitle C—Studies

SEC. 631. [7 U.S.C. 7671] EVALUATION AND ASSESSMENT OF AGRICULTURAL RESEARCH, EXTENSION, AND EDUCATION PROGRAMS.

(a) EVALUATION.—The Secretary of Agriculture shall conduct a performance evaluation to determine whether federally funded ag-

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gricultural research, extension, and education programs result in public goods that have national or multistate significance.

(b) **CONTRACT.**—The Secretary shall enter into a contract with 1 or more entities with expertise in research assessment and performance evaluation to provide input and recommendations to the Secretary with respect to federally funded agricultural research, extension, and education programs.

(c) **GUIDELINES FOR PERFORMANCE MEASUREMENT.**—The contractor selected under subsection (b) shall develop and propose to the Secretary practical guidelines for measuring performance of federally funded agricultural research, extension, and education programs. The guidelines shall be consistent with the Government Performance and Results Act of 1993 (Public Law 103–62) and amendments made by that Act.

SEC. 632. [7 U.S.C. 7672] STUDY OF FEDERALLY FUNDED AGRICULTURAL RESEARCH, EXTENSION, AND EDUCATION.

(a) **STUDY.**—Not later than January 1, 1999, the Secretary of Agriculture shall request the National Academy of Sciences to conduct a study of the role and mission of federally funded agricultural research, extension, and education.

(b) **REQUIREMENTS.**—The study shall—

(1) evaluate the strength of science conducted by the Agricultural Research Service and the relevance of the science to national priorities;

(2) examine how the work of the Agricultural Research Service relates to the capacity of the agricultural research, extension, and education system of the United States;

(3) examine the appropriateness of the formulas for the allocation of funds under the Smith-Lever Act (7 U.S.C. 341 et seq.) and the Hatch Act of 1887 (7 U.S.C. 361a et seq.) with respect to current conditions of the agricultural economy and other factors of the various regions and States of the United States and develop recommendations to revise the formulas to more accurately reflect the current conditions; and

(4) examine the system of competitive grants for agricultural research, extension, and education.

(c) **REPORTS.**—The Secretary shall prepare and submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate—

(1) not later than 18 months after the commencement of the study, a report that describes the results of the study as it relates to paragraphs (1) and (2) of subsection (b), including any appropriate recommendations; and

(2) not later than 3 years after the commencement of the study, a report that describes the results of the study as it relates to paragraphs (3) and (4) of subsection (b), including the recommendations developed under paragraph (3) of subsection (b) and other appropriate recommendations.

Subtitle D—Senses of Congress

SEC. 641. SENSE OF CONGRESS REGARDING AGRICULTURAL RESEARCH SERVICE EMPHASIS ON FIELD RESEARCH REGARDING METHYL BROMIDE ALTERNATIVES.

It is the sense of Congress that, of the Agricultural Research Service funds made available for a fiscal year for research regarding the development for agricultural use of alternatives to methyl bromide, the Secretary of Agriculture should use a substantial portion of the funds for research to be conducted in real field conditions, especially pre-planting and post-harvest conditions, so as to expedite the development and commercial use of methyl bromide alternatives.

SEC. 642. SENSE OF CONGRESS REGARDING IMPORTANCE OF SCHOOL-BASED AGRICULTURAL EDUCATION.

It is the sense of Congress that the Secretary of Agriculture and the Secretary of Education should collaborate and cooperate in providing both instructional and technical support for school-based agricultural education.