

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

EFFECTIVE DATE OF 2008 AMENDMENT

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

Amendment by section 7511(c)(19) of Pub. L. 110-246 effective Oct. 1, 2009, see section 7511(c) of Pub. L. 110-246, set out as a note under section 1522 of this title.

§ 5855. Funding

(a) Allocation of funds

(1) Cooperative work

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

(2) Competitive grants program

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

(3) Weather information systems

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

(4) Other purposes

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

(b) Limitations on use of funds

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

(c) Authorization of appropriations

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

(Pub. L. 101-624, title XVI, §1641, Nov. 28, 1990, 104 Stat. 3750; Pub. L. 104-127, title VIII, §833, Apr. 4, 1996, 110 Stat. 1168; Pub. L. 110-234, title VII, §§7202, 7511(c)(20), May 22, 2008, 122 Stat. 1233, 1269; Pub. L. 110-246, §4(a), title VII, §§7202, 7511(c)(20), June 18, 2008, 122 Stat. 1664, 1994, 2030.)

CODIFICATION

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

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

AMENDMENTS

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

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

Subsec. (c). Pub. L. 110-246, §7202, substituted “2008 through 2012” for “1991 through 1997”.

1996—Subsec. (c). Pub. L. 104-127 substituted “1997” for “1995”.

EFFECTIVE DATE OF 2008 AMENDMENT

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

Amendment by section 7511(c)(20) of Pub. L. 110-246 effective Oct. 1, 2009, see section 7511(c) of Pub. L. 110-246, set out as a note under section 1522 of this title.

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

§§ 5871 to 5874. Repealed. Pub. L. 104-127, title VIII, § 861, Apr. 4, 1996, 110 Stat. 1174

Section 5871, Pub. L. 101-624, title XVI, §1644, Nov. 28, 1990, 104 Stat. 3751, provided for establishment of research and grant program.

Section 5872, Pub. L. 101-624, title XVI, §1645, Nov. 28, 1990, 104 Stat. 3752, related to advisory committee and grant process.

Section 5873, Pub. L. 101-624, title XVI, §1646, Nov. 28, 1990, 104 Stat. 3753, provided for reports to Congress.

Section 5874, Pub. L. 101-624, title XVI, §1647, Nov. 28, 1990, 104 Stat. 3754, provided for appropriations for research and grant program.

SUBCHAPTER V—PLANT AND ANIMAL PEST AND DISEASE CONTROL PROGRAM

§§ 5881 to 5885. Repealed. Pub. L. 104-127, title VIII, § 862(a), Apr. 4, 1996, 110 Stat. 1174

Section 5881, Pub. L. 101-624, title XVI, §1650, Nov. 28, 1990, 104 Stat. 3754, related to plant and animal pest and disease control program.

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

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

Section 5884, Pub. L. 101-624, title XVI, §1653, Nov. 28, 1990, 104 Stat. 3755, provided for study of biology and behavior of chinch bugs.

Section 5885, Pub. L. 101-624, title XVI, §1654, Nov. 28, 1990, 104 Stat. 3756, authorized appropriations for plant, pest, and disease control program.

SUBCHAPTER VI—ALTERNATIVE AGRICULTURAL RESEARCH AND COMMERCIALIZATION

§§ 5901 to 5909. Repealed. Pub. L. 107-171, title VI, § 6201(a), May 13, 2002, 116 Stat. 418

Section 5901, Pub. L. 101-624, title XVI, §1657, Nov. 28, 1990, 104 Stat. 3756; Pub. L. 104-127, title VII, §721, Apr. 4, 1996, 110 Stat. 1112, provided that this subchapter

may be cited as the “Alternative Agricultural Research and Commercialization Act of 1990” and specified purpose of and definitions relating to this subchapter.

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

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

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

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

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

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

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

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

DISPOSITION AND USE OF ASSETS

Pub. L. 107-171, title VI, §201(b), (c), May 13, 2002, 116 Stat. 418, 419, provided that:

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

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

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

“(c) USE OF ASSETS.—

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

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

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

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

BUSINESS PLAN AND FEASIBILITY STUDY AND REPORT

Pub. L. 104-127, title VII, §730, Apr. 4, 1996, 110 Stat. 1122, provided for a business plan for, and a feasibility study and report on, the Alternative Agricultural Research and Commercialization Corporation, prior to repeal by Pub. L. 107-171, title VI, §201(d)(2), May 13, 2002, 116 Stat. 419.

SUBCHAPTER VII—MISCELLANEOUS RESEARCH PROVISIONS

§ 5921. Biotechnology risk assessment research

(a) Purpose

It is the purpose of this section—

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

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

(b) Grant program

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

(c) Research priorities

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

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

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

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

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

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

(d) Eligibility requirements

Grants under this section shall be—

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

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

(e) Consultation

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