

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 L. 110-234 were repealed by section 4(a) of Pub.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—Pars. (6), (7). Pub. L. 110-246, §7129(c)(1), added par. (6) and redesignated former par. (6) as (7).

EFFECTIVE DATE OF 2008 AMENDMENT

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

SHORT TITLE

Pub. L. 105-185, §1(a), June 23, 1998, 112 Stat. 523, provided that: "This Act [see Tables for classification] may be cited as the 'Agricultural Research, Extension, and Education Reform Act of 1998'."

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

§ 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 7612(a) of this title; 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.

(Pub. L. 105-185, title I, §101, June 23, 1998, 112 Stat. 526; Pub. L. 110-234, title VII, §7511(c)(29), May 22, 2008, 122 Stat. 1270; Pub. L. 110-246, §4(a), title VII, §7511(c)(29), June 18, 2008, 122 Stat. 1664, 2031.)

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Pub. L. 110-234 and Pub. L. 110-246 made identical amendments to this section. The amendments by Pub. L. 110-234 were repealed by section 4(a) of Pub. L. 110-246.

AMENDMENTS

2008—Subsec. (b)(2). Pub. L. 110-246, §7511(c)(29), substituted "National Institute of Food and Agriculture" for "Cooperative State Research, Education, and Extension Service".

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)(29) 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.

§ 7612. Priority setting process**(a) Establishment**

Consistent with section 3101 of this title, 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, and 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
- (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.

(Pub. L. 105-185, title I, §102, June 23, 1998, 112 Stat. 526; Pub. L. 110-234, title VII, §7129(c)(2), May 22, 2008, 122 Stat. 1227; Pub. L. 110-246, §4(a), title VII, §7129(c)(2), June 18, 2008, 122 Stat. 1664, 1988.)

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. (c). Pub. L. 110-246, § 7129(c)(2), inserted “and Hispanic-serving agricultural colleges and universities” after “Institutions” in heading and substituted “1994 Institution, and Hispanic-serving agricultural college and university” for “and 1994 Institution” in par. (1).

EFFECTIVE DATE OF 2008 AMENDMENT

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

§ 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) Relevance and merit review of research, extension, and education grants

(A) Establishment of procedures

The Secretary shall establish procedures that provide for relevance and merit review of each agricultural research, 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 on a continuous basis.

(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 7612(a) of this title 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, involving 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 7612 of this title; 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