

SHORT TITLE

Pub. L. 110-234, title XIV, §14101, May 22, 2008, 122 Stat. 1453, and Pub. L. 110-246, §4(a), title XIV, §14101, June 18, 2008, 122 Stat. 1664, 2215, provided that: “This subtitle [subtitle B (§§14101–14122) of title XIV of Pub. L. 110-246, enacting this chapter] may be cited as the ‘Agricultural Security Improvement Act of 2008.’”

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 L. 110-234 was repealed by section 4(a) of Pub.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

DEFINITION OF “SECRETARY”

“Secretary” as meaning the Secretary of Agriculture, see section 8701 of this title.

SUBCHAPTER I—AGRICULTURAL SECURITY

§ 8911. Repealed. Pub. L. 115-334, title XII, § 12201, Dec. 20, 2018, 132 Stat. 4944

Section, Pub. L. 110-234, title XIV, §14111, May 22, 2008, 122 Stat. 1454; Pub. L. 110-246, §4(a), title XIV, §14111, June 18, 2008, 122 Stat. 1664, 2216, related to Office of Homeland Security. See section 6922 of this title.

§ 8912. Agricultural biosecurity communication center

(a) Establishment

The Secretary shall establish a communication center within the Department to—

(1) collect and disseminate information and prepare for an agricultural disease emergency, agroterrorist act, or other threat to agricultural biosecurity; and

(2) coordinate activities described in paragraph (1) among agencies and offices within the Department.

(b) Relation to existing DHS communication systems

(1) Consistency and coordination

The communication center established under subsection (a) shall, to the maximum extent practicable, share and coordinate the dissemination of timely information with the Department of Homeland Security and other communication systems of appropriate Federal departments and agencies.

(2) Avoiding redundancies

Paragraph (1) shall not be construed to impede, conflict with, or duplicate the communications activities performed by the Secretary of Homeland Security under any provision of law.

(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 2008 through 2013; and

(2) \$2,000,000 for each of fiscal years 2014 through 2023.

(Pub. L. 110-234, title XIV, §14112, May 22, 2008, 122 Stat. 1455; Pub. L. 110-246, §4(a), title XIV, §14112, June 18, 2008, 122 Stat. 1664, 2217; Pub. L. 113-79, title VII, §7501, Feb. 7, 2014, 128 Stat. 900; Pub. L. 115-334, title VII, §7401, Dec. 20, 2018, 132 Stat. 4817.)

CODIFICATION

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

AMENDMENTS

2018—Subsec. (c)(2). Pub. L. 115-334 substituted “2023” for “2018”.

2014—Subsec. (c). Pub. L. 113-79 amended subsec. (c) generally. Prior to amendment, text read as follows: “There is authorized to be appropriated such sums as may be necessary to carry out this section for each of fiscal years 2008 through 2012.”

EFFECTIVE DATE

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

DEFINITION OF “SECRETARY”

“Secretary” as meaning the Secretary of Agriculture, see section 8701 of this title.

§ 8913. Assistance to build local capacity in agricultural biosecurity planning, preparedness, and response

(a) Advanced training programs

(1) Grant assistance

The Secretary shall establish a competitive grant program to support the development and expansion of advanced training programs in agricultural biosecurity planning and response for food science professionals and veterinarians.

(2) Authorization of appropriations

There are authorized to be appropriated to the Secretary to carry out this subsection—

(A) such sums as are necessary for each of fiscal years 2008 through 2013; and

(B) \$15,000,000 for each of fiscal years 2014 through 2023.

(b) Assessment of response capability

(1) Grant and loan assistance

The Secretary shall establish a competitive grant and low-interest loan assistance program to assist States in assessing agricultural disease response capability.

(2) Authorization of appropriations

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

(A) \$25,000,000 for each of fiscal years 2008 through 2013; and

(B) \$15,000,000 for each of fiscal years 2014 through 2023.

(Pub. L. 110-234, title XIV, §14113, May 22, 2008, 122 Stat. 1455; Pub. L. 110-246, §4(a), title XIV, §14113, June 18, 2008, 122 Stat. 1664, 2217; Pub. L. 113-79, title VII, §7502, Feb. 7, 2014, 128 Stat. 900; Pub. L. 115-334, title VII, §7402, Dec. 20, 2018, 132 Stat. 4817.)

CODIFICATION

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

AMENDMENTS

2018—Subsec. (a)(2)(B). Pub. L. 115-334, §7402(1), substituted “2023” for “2018”.

Subsec. (b)(2)(B). Pub. L. 115-334, §7402(2), substituted “2023” for “2018”.

2014—Subsec. (a)(2). Pub. L. 113-79, §7502(1), struck out “such sums as may be necessary” after “Sec-

retary”, substituted “subsection—” for “subsection for each of fiscal years 2008 through 2012.”, and added subpars. (A) and (B).

Subsec. (b)(2). Pub. L. 113–79, §7502(2), substituted “are authorized to be appropriated to carry out this subsection—” for “is authorized to be appropriated to carry out this subsection \$25,000,000 for each of fiscal years 2008 through 2012.” and added subpars. (A) and (B).

EFFECTIVE DATE

Enactment of this section and repeal of Pub. L. 110–234 by Pub. L. 110–246 effective May 22, 2008, the date of enactment of Pub. L. 110–234, see section 4 of Pub. L. 110–246, set out as a note under section 8701 of this title.

DEFINITION OF “SECRETARY”

“Secretary” as meaning the Secretary of Agriculture, see section 8701 of this title.

§ 8914. Agriculture and food defense

(a) Definitions

In this section:

(1) Animal

The term “animal” has the meaning given the term in section 8302 of this title.

(2) Disease or pest of concern

The term “disease or pest of concern” means a plant or animal disease or pest that—

(A) is—

- (i) a transboundary disease; or
- (ii) an established disease; and

(B) is likely to pose a significant risk to the food and agriculture critical infrastructure sector that warrants efforts at prevention, protection, mitigation, response, and recovery.

(3) Established disease

The term “established disease” means a plant or animal disease or pest that—

(A)(i) if it becomes established, poses an imminent threat to agriculture in the United States; or

(ii) has become established, as defined by the Secretary, within the United States; and (B) requires management.

(4) High-consequence plant transboundary disease

The term “high-consequence plant transboundary disease” means a transboundary disease that is—

- (A)(i) a plant disease; or
- (ii) a plant pest; and

(B) of high consequence, as determined by the Secretary.

(5) Pest

The term “pest”—

(A) with respect to a plant, has the meaning given the term “plant pest” in section 7702 of this title; and

(B) with respect to an animal, has the meaning given the term in section 8302 of this title.

(6) Plant

The term “plant” has the meaning given the term in section 7702 of this title.

(7) Plant health management strategy

The term “plant health management strategy” means a strategy to timely control and

eradicate a plant disease or plant pest outbreak, including through mitigation (such as chemical control), surveillance, the use of diagnostic products and procedures, and the use of existing resistant seed stock.

(8) Transboundary disease

(A) In general

The term “transboundary disease” means a plant or animal disease or pest that is within 1 or more countries outside of the United States.

(B) Inclusion

The term “transboundary disease” includes a plant or animal disease or pest described in subparagraph (A) that—

- (i) has emerged within the United States; or
- (ii) has been introduced within the United States.

(9) Veterinary countermeasure

The term “veterinary countermeasure” has the meaning given such term in section 8302 of this title.

(b) Disease or Pest of Concern Response Planning

(1) In general

The Secretary shall—

(A) establish a list of diseases or pests of concern by—

(i) developing a process to solicit and receive expert opinion and evidence relating to the diseases or pests of concern entered on the list; and

(ii) reviewing all available evidence relating to the diseases or pests of concern entered on the list, including classified information; and

(B) periodically update the list established under subparagraph (A).

(2) Response plans

(A) Comprehensive strategic response plan or plans

The Secretary shall develop, in collaboration with appropriate Federal, State, regional, and local officials, a comprehensive strategic response plan or plans, as appropriate, for the diseases or pests of concern that are entered on the list established under paragraph (1).

(B) State or region response plan or plans

The Secretary shall provide information to a State or region to assist in producing a response plan or plans that shall include a concept of operations for a disease or pest of concern or a platform concept of operations for responses to similar diseases or pests of concern that are determined to be a priority to the State or region that shall, as appropriate—

(i) describe the appropriate interactions among, and roles of—

(I) Federal, State, Tribal, and units of local government; and

(II) plant or animal industry partners;

(ii) include a decision matrix or dynamic decision modeling tools that, as appropriate, include—