

gricultural Research, Extension, and Education Reform Act of 1998, which in part comprises this chapter.

### Statutory Notes and Related Subsidiaries

#### 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.

### § 7614c. Budget submission and funding

#### (a) Definitions

In this section:

##### (1) Covered program

The term “covered program” means—

(A) each research program carried out by the Agricultural Research Service or the Economic Research Service for which annual appropriations are requested in the annual budget submission of the President; and

(B) each competitive program carried out by the National Institute of Food and Agriculture for which annual appropriations are requested in the annual budget submission of the President.

##### (2) Request for applications

The term “request for applications” means a funding announcement published by the National Institute of Food and Agriculture that provides detailed information on funding opportunities at the Institute, including the purpose, eligibility, restriction, focus areas, evaluation criteria, regulatory information, and instructions on how to apply for such opportunities.

#### (b) Budget request

The President shall submit to Congress, together with the annual budget submission of the President, a single budget line item reflecting the total amount requested by the President for funding for research, education, and extension activities of the Research, Education, and Economics mission area of the Department for that fiscal year and for the preceding 5 fiscal years.

#### (c) Capacity and infrastructure program request

Of the funds requested for capacity and infrastructure programs in excess of the capacity and infrastructure program critical base funding level, budgetary emphasis should be placed on enhancing funding for—

- (1) 1890 Institutions;
- (2) 1994 Institutions;
- (3) NLGCA Institutions;
- (4) Hispanic-serving agricultural colleges and universities; and
- (5) small 1862 Institutions.

#### (d) Competitive program request

Of the funds requested for competitive programs in excess of the competitive program critical base funding level, budgetary emphasis should be placed on—

- (1) enhancing funding for emerging problems; and

(2) finding solutions for those problems.

#### (e) Additional presidential budget submission requirement

##### (1) In general

Each year, the President shall submit to Congress for each funding request for a covered program—

(A) in the case of the information described in paragraph (2), such information together with the annual budget submission of the President; and

(B) in the case of any additional information described in paragraph (3), such additional information within a reasonable period that begins after the date of the annual budget submission of the President.

##### (2) Information described

The information described in this paragraph includes—

(A) baseline information, including with respect to each covered program—

(i) the funding level for the program for the fiscal year preceding the year for which the annual budget submission of the President is submitted;

(ii) the funding level requested in the annual budget submission of the President, including any increase or decrease in the funding level; and

(iii) an explanation justifying any change from the funding level specified in clause (i) to the level specified in clause (ii);

(B) with respect to each covered program that is carried out by the Economic Research Service or the Agricultural Research Service, the location and staff years of the program;

(C) the proposed funding levels to be allocated to, and the expected publication date, scope, and allocation level for, each request for applications to be published under or associated with—

(i) each grant and cooperative agreement awarded under subsection (d) of section 2279 of this title;

(ii) each priority area specified in subsection (b)(2) of section 3157 of this title;

(iii) each research and extension project carried out under section 5811(a) of this title;

(iv) each grant awarded under section 5925b(a) of this title; and

(v) each grant awarded under section 7632(d) of this title; and

(D) any other information the Secretary determines will increase congressional oversight with respect to covered programs.

##### (3) Additional information described

The additional information described in this paragraph is information that the Secretary, after consulting with the Committee on Agriculture of the House of Representatives, the Committee on Agriculture, Nutrition, and Forestry of the Senate, and the Subcommittees on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies of the Committee on Appropriations of

the House of Representatives and the Senate, determines is a necessary revision or clarification to the information described in paragraph (2).

#### (4) Prohibition

Unless the President submits the information described in paragraph (2)(C) for a fiscal year, the President may not carry out any program during that fiscal year that is authorized under—

- (A) subsection (d) of section 2279 of this title;
- (B) subsection (b) of section 3157 of this title;
- (C) section 5811 of this title;
- (D) section 5925b of this title; or
- (E) section 7632 of this title.

#### (f) Report of the Secretary of Agriculture

Each year on a date that is not later than the date on which the President submits the annual budget, the Secretary shall submit to Congress a report containing a description of the agricultural research, extension, and education activities carried out by the Federal Government during the fiscal year that immediately precedes the year for which the report is submitted, including—

- (1) a review of the extent to which those activities—
  - (A) are duplicative or overlap within the Department of Agriculture; or
  - (B) are similar to activities carried out by—
    - (i) other Federal agencies;
    - (ii) the States (including the District of Columbia, the Commonwealth of Puerto Rico and other territories or possessions of the United States);
    - (iii) institutions of higher education (as defined in section 1001 of title 20); or
    - (iv) the private sector; and
- (2) for each report submitted under this section on or after January 1, 2014, a 5-year projection of national priorities with respect to agricultural research, extension, and education, taking into account domestic needs.

#### (g) Interchangeability of funds

Nothing in this section shall be construed so as to limit the authority of the Secretary under section 2257 of this title, with respect to the reprogramming or transfer of funds.

(Pub. L. 110-234, title VII, §7506, May 22, 2008, 122 Stat. 1259; Pub. L. 110-246, §4(a), title VII, §7506, June 18, 2008, 122 Stat. 1664, 2020; Pub. L. 113-79, title VII, §7513, Feb. 7, 2014, 128 Stat. 901; Pub. L. 115-334, title XII, §12301(a)(2)(C), Dec. 20, 2018, 132 Stat. 4950.)

#### Editorial Notes

##### 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.

Section was enacted as part of the Food, Conservation, and Energy Act of 2008, and not as part of the Agricultural Research, Extension, and Education Reform Act of 1998, which in part comprises this chapter.

#### AMENDMENTS

2018—Subsec. (e)(2)(C)(i). Pub. L. 115-334, §12301(a)(2)(C)(i)(III), added cl. (i). Former cl. (i) redesignated (ii).

Subsec. (e)(2)(C)(ii). Pub. L. 115-334, §12301(a)(2)(C)(i)(II), (IV), redesignated cl. (i) as (ii) and made technical amendment to reference in original act which appears in text as reference to subsection (b)(2) of section 3157 of this title. Former cl. (ii) redesignated (iii).

Subsec. (e)(2)(C)(iii) to (v). Pub. L. 115-334, §12301(a)(2)(C)(i)(I), (II), (V), redesignated cls. (ii) to (iv) as (iii) to (v), respectively, and struck out former cl. (v) which read as follows: “each grant awarded under section 3319f(c)(1) of this title; and”.

Subsec. (e)(4)(A). Pub. L. 115-334, §12301(a)(2)(C)(ii)(III), added subpar. (A). Former subpar. (A) redesignated (B).

Subsec. (e)(4)(B). Pub. L. 115-334, §12301(a)(2)(C)(ii)(II), (IV), redesignated subpar. (A) as (B) and made technical amendment to reference in original act which appears in text as reference to subsection (b) of section 3157 of this title. Former subpar. (B) redesignated (C).

Subsec. (e)(4)(C) to (E). Pub. L. 115-334, §12301(a)(2)(C)(ii)(I), (V), (VI), redesignated subpars. (B) to (D) as (C) to (E), respectively, and struck out former subpar. (E) which read as follows: “section 3319f of this title.”

2014—Subsec. (a). Pub. L. 113-79, §7513(1), added subsec. (a) and struck out former subsec. (a). Prior to amendment, text read as follows: “In this section, the term ‘competitive programs’ includes only competitive programs for which annual appropriations are requested in the annual budget submission of the President.”

Subsecs. (e) to (g). Pub. L. 113-79, §7513(2), added subsecs. (e) to (g).

#### Statutory Notes and Related Subsidiaries

##### 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.

#### SUBCHAPTER II—NEW AGRICULTURAL RESEARCH, EXTENSION, AND EDUCATION INITIATIVES

**§7621. Repealed. Pub. L. 110-234, title VII, §7406(b)(1), May 22, 2008, 122 Stat. 1251, and Pub. L. 110-246, §4(a), title VII, §7406(b)(1), June 18, 2008, 122 Stat. 1664, 2013**

Section, Pub. L. 105-185, title IV, §401, June 23, 1998, 112 Stat. 564; Pub. L. 105-277, div. A, §101(a) [title VII, §753(c)(2)], Oct. 21, 1998, 112 Stat. 2681, 2681-33; Pub. L. 107-171, title VII, §7205(a), May 13, 2002, 116 Stat. 439; Pub. L. 109-171, title I, §1501, Feb. 8, 2006, 120 Stat. 7, related to the Initiative for Future Agriculture and Food Systems.

#### Editorial Notes

##### CODIFICATION

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

#### Statutory Notes and Related Subsidiaries

##### EFFECTIVE DATE OF REPEAL

Repeal 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,