

Dec. 13, 1991, 105 Stat. 1864; Pub. L. 104-127, title VIII, § 862(b)(4), Apr. 4, 1996, 110 Stat. 1174; Pub. L. 105-185, title VI, § 606(f), June 23, 1998, 112 Stat. 604; Pub. L. 110-234, title VII, § 7511(c)(17), May 22, 2008, 122 Stat. 1269; Pub. L. 110-246, § 4(a), title VII, § 7511(c)(17), June 18, 2008, 122 Stat. 1664, 2030; Pub. L. 113-79, title VII, § 7204, Feb. 7, 2014, 128 Stat. 880; Pub. L. 115-334, title VII, § 7204, Dec. 20, 2018, 132 Stat. 4803.)

#### Editorial Notes

##### REFERENCES IN TEXT

Chapter 86 of this title, referred to in subsecs. (f) and (g), was in the original “subtitle G of title XIV”, meaning subtitle G (§§1481-1485) of title XIV of Pub. L. 101-624, which was repealed by Pub. L. 105-185, title III, § 302(c), June 23, 1998, 112 Stat. 563.

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 L. 110-234 were repealed by section 4(a) of Pub.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

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

2014—Subsec. (i). Pub. L. 113-79 amended subsec. (i) generally. Prior to amendment, text read as follows: “There are authorized to be appropriated \$20,000,000 for each fiscal year to carry out the National Training Program.”

2008—Subsec. (b). Pub. L. 110-246, § 7511(c)(17)(A), substituted “the National Institute of Food and Agriculture” for “the Extension Service” in first sentence.

Subsec. (h). Pub. L. 110-246, § 7511(c)(17)(B), substituted “National Institute of Food and Agriculture” for “Extension Service”.

1998—Subsec. (g). Pub. L. 105-185 struck out “section 5881 of this title,” before “and other appropriate research” in introductory provisions.

1996—Subsecs. (f), (g)(11). Pub. L. 104-127 struck out “section 5881 of this title,” before “and other appropriate”.

1991—Subsec. (c)(1). Pub. L. 102-237 substituted “ensure” for “insure”.

#### Statutory Notes and Related Subsidiaries

##### 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)(17) 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 II—NATIONAL GENETIC RESOURCES PROGRAM

### § 5841. Establishment, purpose, and functions of National Genetic Resources Program

#### (a) In general

The Secretary of Agriculture shall provide for a National Genetic Resources Program.

#### (b) Purpose

The program is established for the purpose of maintaining and enhancing a program providing for the collection, preservation, and dissemination of genetic material of importance to American food and agriculture production.

#### (c) Administration

The program shall be administered by the Secretary through the Agricultural Research Service.

#### (d) Functions

The Secretary, acting through the program, shall—

(1) provide for the collection, classification, preservation, and dissemination of genetic material of importance to the food and agriculture sectors of the United States;

(2) conduct research on the genetic materials collected and on methods for storage and preservation of those materials;

(3) coordinate the activities of the program with similar activities occurring domestically;

(4) unless otherwise prohibited by law, have the right to make available on request, without charge and without regard to the country from which the request originates, the genetic material that the program assembles;

(5) expand the types of genetic resources included in the program to develop a comprehensive genetic resources program which includes plants (including silvicultural species), animal, aquatic, insect, microbiological, and other types of genetic resources of importance to food and agriculture, as resources permit;

(6) develop and implement a national strategic germplasm and cultivar collection assessment and utilization plan that takes into consideration the resources and research necessary to address the significant backlog of characterization and maintenance of existing accessions considered to be critical to preserve the viability of, and public access to, germplasm and cultivars; and

(7) engage in such other activities as the Secretary determines appropriate and as the resources of the program permit.

(Pub. L. 101-624, title XVI, § 1632, Nov. 28, 1990, 104 Stat. 3744; Pub. L. 104-127, title VIII, § 832(a), Apr. 4, 1996, 110 Stat. 1168; Pub. L. 115-334, title VII, § 7205(a), Dec. 20, 2018, 132 Stat. 4803.)

#### Editorial Notes

##### AMENDMENTS

2018—Subsec. (d)(6), (7). Pub. L. 115-334 added par. (6) and redesignated former par. (6) as (7).

1996—Subsec. (d)(4). Pub. L. 104-127 added par. (4) and struck out former par. (4) which read as follows: “make available upon request, without charge and without regard to the country from which such request originates, the genetic material which the program assembles;”.

### § 5842. Appointment and authority of Director

#### (a) Director

There shall be at the head of the program an official to be known as the Director of the National Genetic Resources Program who shall be appointed by the Secretary. The Director shall perform such duties as are assigned to the Director by this subchapter and such other duties as the Secretary may prescribe.

#### (b) Administrative authority

In carrying out this subchapter, the Secretary, acting through the Director—