

and other rights-of-way; educational gardens; use of integrated vegetation and pest management; increased native vegetation; and application of pollinator-friendly best management practices and seed mixes. Task Force member agencies shall also review any new or renewing land management contracts and grants for the opportunity to include requirements for enhancing pollinator habitat.

(b) Task Force member agencies shall evaluate permit and management practices on power line, pipeline, utility, and other rights-of-way and easements, and, consistent with applicable law, make any necessary and appropriate changes to enhance pollinator habitat on Federal lands through the use of integrated vegetation and pest management and pollinator-friendly best management practices, and by supplementing existing agreements and memoranda of understanding with rights-of-way holders, where appropriate, to establish and improve pollinator habitat.

(c) Task Force member agencies shall incorporate pollinator health as a component of all future restoration and reclamation projects, as appropriate, including all annual restoration plans.

(d) The Council on Environmental Quality and the General Services Administration shall, within 90 days of the date of this memorandum, revise their respective guidance documents for designed landscapes and public buildings to incorporate, as appropriate, pollinator-friendly practices into site landscape performance requirements to create and maintain high quality habitats for pollinators. Future landscaping projects at all Federal facilities shall, to the maximum extent appropriate, use plants beneficial to pollinators.

(e) The Departments of Agriculture and the Interior shall, within 90 days of the date of this memorandum, develop best management practices for executive departments and agencies to enhance pollinator habitat on Federal lands.

(f) The Departments of Agriculture and the Interior shall establish a reserve of native seed mixes, including pollinator-friendly plants, for use on post-fire rehabilitation projects and other restoration activities.

(g) The Department of Agriculture shall, as appropriate and consistent with applicable law, substantially increase both the acreage and forage value of pollinator habitat in the Department's conservation programs, including the Conservation Reserve Program, and provide technical assistance, through collaboration with the land-grant university-based cooperative extension services, to executive departments and agencies, State, local, and tribal governments, and other entities and individuals, including farmers and ranchers, in planting the most suitable pollinator-friendly habitats.

(h) The Department of the Interior shall assist States and State wildlife organizations, as appropriate, in identifying and implementing projects to conserve pollinators at risk of endangerment and further pollinator conservation through the revision and implementation of individual State Wildlife Action Plans. The Department of the Interior shall, upon request, provide technical support for these efforts, and keep the Task Force apprised of such collaborations.

(i) The Department of Transportation shall evaluate its current guidance for grantees and informational resources to identify opportunities to increase pollinator habitat along roadways and implement improvements, as appropriate. The Department of Transportation shall work with State Departments of Transportation and transportation associations to promote pollinator-friendly practices and corridors. The Department of Transportation shall evaluate opportunities to make railways, pipelines, and transportation facilities that are privately owned and operated aware of the need to increase pollinator habitat.

(j) The Department of Defense shall, consistent with law and the availability of appropriations, support habitat restoration projects for pollinators, and shall direct military service installations to use, when possible, pollinator-friendly native landscaping and minimize use of pesticides harmful to pollinators through integrated vegetation and pest management practices.

(k) The Army Corps of Engineers shall incorporate conservation practices for pollinator habitat improvement on the 12 million acres of lands and waters at resource development projects across the country, as appropriate.

(l) The Environmental Protection Agency shall assess the effect of pesticides, including neonicotinoids, on bee and other pollinator health and take action, as appropriate, to protect pollinators; engage State and tribal environmental, agricultural, and wildlife agencies in the development of State and tribal pollinator protection plans; encourage the incorporation of pollinator protection and habitat planting activities into green infrastructure and Superfund projects; and expedite review of registration applications for new products targeting pests harmful to pollinators.

(m) Executive departments and agencies shall, as appropriate, take immediate measures to support pollinators during the 2014 growing season and thereafter. These measures may include planting pollinator-friendly vegetation and increasing flower diversity in plantings, limiting mowing practices, and avoiding the use of pesticides in sensitive pollinator habitats through integrated vegetation and pest management practices.

SEC. 4. *General Provisions.* (a) This memorandum shall be implemented consistent with applicable law and subject to the availability of appropriations.

(b) Nothing in this memorandum shall be construed to impair or otherwise affect:

(i) the authority granted by law to any agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(c) Nothing in this memorandum shall be construed to require the disclosure of confidential business information or trade secrets, classified information, law enforcement sensitive information, or other information that must be protected in the interest of national security or public safety.

(d) This memorandum is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

(e) The Secretary of Agriculture is hereby authorized and directed to publish this memorandum in the Federal Register.

BARACK OBAMA.

§ 5925a. Repealed. Pub. L. 113–79, title VII, § 7210, Feb. 7, 2014, 128 Stat. 885

Section, Pub. L. 101–624, title XVI, § 1672A, as added Pub. L. 105–185, title II, § 243, June 23, 1998, 112 Stat. 554; amended Pub. L. 107–171, title VII, § 7120, May 13, 2002, 116 Stat. 434; Pub. L. 110–234, title VII, § 7205, May 22, 2008, 122 Stat. 1238; Pub. L. 110–246, § 4(a), title VII, § 7205, June 18, 2008, 122 Stat. 1664, 1999, related to nutrient management research and extension initiative.

Statutory Notes and Related Subsidiaries

STUDY OF NUTRIENT BANKING

Pub. L. 107–171, title VII, § 7411, May 13, 2002, 116 Stat. 462, provided that the Secretary of Agriculture may conduct study to evaluate nutrient banking for purpose of enhancing health and viability of watersheds in areas with large concentrations of animal producing units, prior to repeal by Pub. L. 113–79, title VII, § 7408(c), Feb. 7, 2014, 128 Stat. 898.

§ 5925b. Organic agriculture research and extension initiative

(a) Competitive specialized research and extension grants authorized

In consultation with the National Agricultural Research, Extension, Education, and Economics

Advisory Board, using funds made available under subsection (e), the Secretary of Agriculture (referred to in this section as the “Secretary”) may make competitive grants in each of fiscal years 2019 through 2023 to support research, education, and extension activities regarding organically grown and processed agricultural commodities for the purposes of—

- (1) facilitating the development and improvement of organic agriculture production, breeding, and processing methods;
- (2) evaluating the potential economic benefits of organic agricultural production and methods to producers, processors, and rural communities;
- (3) exploring international trade opportunities for organically grown and processed agricultural commodities;
- (4) determining desirable traits for organic commodities;
- (5) identifying marketing and policy constraints on the expansion of organic agriculture;
- (6) conducting advanced on-farm research and development that emphasizes observation of, experimentation with, and innovation for working organic farms, including research relating to production, marketing, food safety, socioeconomic conditions, and farm business management;
- (7) examining optimal conservation, soil health, and environmental outcomes relating to organically produced agricultural products; and
- (8) developing new and improved seed varieties that are particularly suited for organic agriculture.

(b) Grant types and process, prohibition on construction

Paragraphs (4), (7), (8), and (11)(B) of subsection (b) of section 3157 of this title shall apply with respect to the making of grants under this section.

(c) Matching requirement

(1) In general

Subject to paragraph (3), an entity receiving a grant under subsection (a) shall provide non-Federal matching funds (including funds from an agricultural commodity promotion, research, and information program) equal to not less than the amount of the grant.

(2) In-kind support

Non-Federal matching funds described in paragraph (1) may include in-kind support.

(3) Waiver

The Secretary may waive the matching funds requirement under paragraph (1) with respect to a research project if the Secretary determines that—

- (A) the results of the project are of a particular benefit to a specific agricultural commodity, but those results are likely to be applicable to agricultural commodities generally; or
- (B)(i) the project—
 - (I) involves a minor commodity; and
 - (II) deals with scientifically important research; and

- (ii) the recipient is unable to satisfy the matching funds requirement.

(d) Partnerships encouraged

Following the completion of a peer review process for grant proposals received under this section, the Secretary may provide a priority to those grant proposals, found in the peer review process to be scientifically meritorious, that involve the cooperation of multiple entities.

(e) Funding

On October 1, 2003, and each October 1 thereafter through October 1, 2007, out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer \$3,000,000 to the Secretary of Agriculture for this section.

(f) Funding

(1) Mandatory funding

Of the funds of the Commodity Credit Corporation, the Secretary shall make available to carry out this section—

- (A) \$18,000,000 for fiscal year 2009;
- (B) \$20,000,000 for each of fiscal years 2010 through 2012;
- (C) \$20,000,000 for each of fiscal years 2014 through 2018; and¹
- (D) \$20,000,000 for each of fiscal years 2019 through 2020;
- (E) \$25,000,000 for fiscal year 2021;
- (F) \$30,000,000 for fiscal year 2022; and
- (G) \$50,000,000 for fiscal year 2023 and each fiscal year thereafter.

(2) Discretionary funding

In addition to amounts made available under paragraph (1), there is authorized to be appropriated to carry out this section \$25,000,000 for each of fiscal years 2014 through 2023.

(3) Fiscal year 2013

There is authorized to be appropriated to carry out this section \$25,000,000 for fiscal year 2013.

(Pub. L. 101-624, title XVI, § 1672B, as added Pub. L. 105-185, title II, § 244, June 23, 1998, 112 Stat. 555; amended Pub. L. 107-171, title VII, § 7218, May 13, 2002, 116 Stat. 449; Pub. L. 110-234, title VII, §§ 7206(a), 7406(d)(3), May 22, 2008, 122 Stat. 1238, 1252; Pub. L. 110-246, § 4(a), title VII, §§ 7206(a), 7406(d)(3), June 18, 2008, 122 Stat. 1664, 1999, 2013; Pub. L. 112-240, title VII, § 701(e)(1), Jan. 2, 2013, 126 Stat. 2364; Pub. L. 113-79, title VII, §§ 7128(b)(2)(D), 7211, Feb. 7, 2014, 128 Stat. 879, 885; Pub. L. 115-334, title VII, § 7210, 7614(b)(2)(D), Dec. 20, 2018, 132 Stat. 4811, 4835.)

Editorial Notes

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. (a). Pub. L. 115-334, § 7210(1)(A), in introductory provisions, inserted “using funds made avail-

¹ So in original. The word “and” probably should not appear.

able under subsection (e),” after “Board,” and “in each of fiscal years 2019 through 2023” after “grants”.

Subsec. (a)(7). Pub. L. 115-334, §7210(1)(B), inserted “, soil health,” after “conservation”.

Subsecs. (c) to (e). Pub. L. 115-334, §7614(b)(2)(D), added subsec. (c) and redesignated former subsecs. (c) and (d) as (d) and (e), respectively. Former subsec. (e) redesignated (f).

Subsec. (e)(1)(D) to (G). Pub. L. 115-334, §7210(2)(A), added subpars. (D) to (G).

Subsec. (e)(2). Pub. L. 115-334, §7210(2)(B), in heading, struck out “for fiscal years 2014 through 2018” after “funding”, and in text, substituted “2023” for “2018”.

Subsec. (f). Pub. L. 115-334, §7614(b)(2)(D)(i), redesignated subsec. (e) as (f).

2014—Subsec. (a). Pub. L. 113-79, §7211(1)(A), inserted “, education,” after “support research” in introductory provisions.

Subsec. (a)(1). Pub. L. 113-79, §7211(1)(B), inserted “and improvement” after “development”.

Subsec. (a)(2). Pub. L. 113-79, §7211(1)(C), substituted “of organic agricultural production and methods to producers, processors, and rural communities” for “to producers and processors who use organic methods”.

Subsec. (a)(6). Pub. L. 113-79, §7211(1)(D), substituted “, marketing, food safety, socioeconomic conditions, and farm business management” for “and marketing and to socioeconomic conditions”.

Subsecs. (c), (d). Pub. L. 113-79, §7128(b)(2)(D), redesignated subsecs. (d) and (e) as (c) and (d), respectively, and struck out former subsec. (c) which related to matching funds requirement.

Subsec. (e). Pub. L. 113-79, §7128(b)(2)(D)(ii), redesignated subsec. (f) as (e).

Subsec. (e)(1). Pub. L. 113-79, §7211(2)(A)(i), struck out “for fiscal years 2009 through 2012” after “funding” in heading.

Subsec. (e)(1)(C). Pub. L. 113-79, §7211(2)(A)(ii)–(iv), added subpar. (C).

Subsec. (e)(2). Pub. L. 113-79, §7211(2)(B), substituted “2014 through 2018” for “2009 through 2012” in heading and text.

Subsec. (f). Pub. L. 113-79, §7128(b)(2)(D)(ii), redesignated subsec. (f) as (e).

2013—Subsec. (f)(1). Pub. L. 112-240, §701(e)(1)(A), substituted “Mandatory funding for fiscal years 2009 through 2012” for “In general” in heading.

Subsec. (f)(2). Pub. L. 112-240, §701(e)(1)(B), substituted “Discretionary funding for fiscal years 2009 through 2012” for “Additional funding” in heading.

Subsec. (f)(3). Pub. L. 112-240, §701(e)(1)(C), added par. (3).

2008—Subsec. (a)(7), (8). Pub. L. 110-246, §7206(a)(1), added pars. (7) and (8).

Subsec. (b). Pub. L. 110-246, §7406(d)(3), substituted “Paragraphs (4), (7), (8), and (11)(B)” for “Paragraphs (1), (6), (7), and (11)”.

Subsec. (f). Pub. L. 110-246, §7206(a)(2), added subsec. (f).

2002—Subsec. (a)(1). Pub. L. 107-171, §7218(1)(A), inserted “, breeding,” after “production”.

Subsec. (a)(4) to (6). Pub. L. 107-171, §7218(1)(B)–(D), added pars. (4) to (6).

Subsec. (e). Pub. L. 107-171, §7218(2), amended heading and text of subsec. (e) generally. Prior to amendment, text read as follows: “There are authorized to be appropriated such sums as are necessary to carry out this section for each of fiscal years 1999 through 2002.”

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2018 AMENDMENT

Amendment by section 7614(b)(2)(D) of Pub. L. 115-334 applicable to grants, cooperative agreements, or other awards made after Dec. 20, 2018, with matching funds requirement in effect on Dec. 20, 2018, to continue to apply to such grant, cooperative agreement, or other award, see section 7614(c) of Pub. L. 115-334, set out as a note under section 3151 of this title.

EFFECTIVE DATE OF 2013 AMENDMENT

Amendment by Pub. L. 112-240 effective Sept. 30, 2012, see section 701(j) of Pub. L. 112-240, set out in a 1-Year Extension of Agricultural Programs note under section 8701 of this title.

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 7406(d)(3) of Pub. L. 110-246 inapplicable to any solicitation for grant applications issued by the Cooperative State Research, Education, and Extension Service before June 18, 2008, see section 7406(c) of Pub. L. 110-246, set out as a note under section 3157 of this title.

COORDINATION OF PROJECTS AND ACTIVITIES

Pub. L. 110-234, title VII, §7206(b), May 22, 2008, 122 Stat. 1239, and Pub. L. 110-246, §4(a), title VII, §7206(b), June 18, 2008, 122 Stat. 1664, 2000, provided that: “In carrying out the amendment made by this section [amending this section], the Secretary [of Agriculture] shall ensure that the Division Chief of the applicable Research, Education, and Extension Office established under section 251 of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6971) coordinates projects and activities under this section to ensure, to the maximum extent practicable, that unnecessary duplication of effort is eliminated or minimized.”

[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.]

REPORT ON PRODUCERS AND HANDLERS OF ORGANIC AGRICULTURAL PRODUCTS

Pub. L. 107-171, title VII, §7409, May 13, 2002, 116 Stat. 461, related to report on producers and handlers of organic agricultural products, prior to repeal by Pub. L. 113-79, title VII, §7408(a), Feb. 7, 2014, 128 Stat. 898.

§ 5925c. Organic production and market data initiatives

(a) In general

The Secretary shall collect and report data on the production and marketing of organic agricultural products.

(b) Requirements

In carrying out subsection (a), the Secretary shall, at a minimum—

(1) collect and distribute comprehensive reporting of prices relating to organically produced agricultural products;

(2) conduct surveys and analysis and publish reports relating to organic production, handling, distribution, retail, and trend studies (including consumer purchasing patterns); and

(3) develop surveys and report statistical analysis on organically produced agricultural products.

(c) Report

Not later than 180 days after the date of enactment of this subsection and annually thereafter, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that—

(1) describes the progress that has been made in implementing this section;