

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 Repealed.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 available 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.

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

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;
- (2) describes how data collection agencies (such as the Agricultural Marketing Service and the National Agricultural Statistics Service) are coordinating with data user agencies (such as the Risk Management Agency) to ensure that data collected under this section can be used by data user agencies, including by the Risk Management Agency to offer price elections for all organic crops; and
- (3) identifies any additional production and marketing data needs.

(d) Funding**(1) Mandatory funding**

Of the funds of the Commodity Credit Corporation, the Secretary shall use to carry out this section, to remain available until expended—

(A) \$5,000,000 for each of the periods of fiscal years 2008 through 2012 and 2014 through 2018;

(B) \$5,000,000 for the period of fiscal years 2019 through 2023; and

(C) \$1,000,000 for fiscal year 2024.

(2) Discretionary funding

In addition to funds made available under paragraph (1), there are authorized to be appropriated to carry out this section not more than \$5,000,000 for each of fiscal years 2008 through 2023, to remain available until expended.

(Pub. L. 107-171, title VII, § 7407, May 13, 2002, 116 Stat. 461; Pub. L. 110-234, title X, § 10302, May 22, 2008, 122 Stat. 1347; Pub. L. 110-246, § 4(a), title X, § 10302, June 18, 2008, 122 Stat. 1664, 2108; Pub. L. 112-240, title VII, § 701(g)(4), Jan. 2, 2013, 126 Stat. 2366; Pub. L. 113-79, title X, § 10004(a), Feb. 7, 2014, 128 Stat. 941; Pub. L. 115-334, title X, § 10103, Dec. 20, 2018, 132 Stat. 4898; Pub. L. 118-22, Div. B, title I, § 102(d)(7)(A), Nov. 17, 2023, 137 Stat. 118.)

Editorial Notes

REFERENCES IN TEXT

The date of enactment of this subsection, referred to in subsec. (c), is the date of enactment of Pub. L. 110-246, which was approved June 18, 2008.

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.

Section was enacted as part of the Farm Security and Rural Investment Act of 2002, and not as part of subtitle H of title XVI of the Food, Agriculture, Conservation, and Trade Act of 1990 which comprises this subchapter.

AMENDMENTS

2023—Subsec. (d)(1)(C). Pub. L. 118-22 added subpar. (C).

2018—Subsec. (d)(1). Pub. L. 115-334, § 10103(1), struck out “through fiscal year 2012” after “funding” in heading, substituted “, to remain available until expended—” for “\$5,000,000, to remain available until expended.”, and added subpars. (A) and (B).

Subsec. (d)(2), (3). Pub. L. 115-334, § 10103(2)–(4), redesignated par. (3) as (2), substituted “paragraph (1)” for “paragraphs (1) and (2)” and “2023” for “2018”, and struck out former par. (2) which related to mandatory funding.

2014—Subsec. (c). Pub. L. 113-79, § 10004(a)(1), inserted “and annually thereafter” after “this subsection” in introductory provisions, added par. (2), and redesignated former par. (2) as (3).

Subsec. (d)(2), (3). Pub. L. 113-79, § 10004(a)(2), added par. (2), redesignated former par. (2) as (3), struck out “for fiscal years 2008 through 2012” after “Discretionary funding” in heading and substituted “paragraphs (1) and (2)” for “paragraph (1)” and “2018” for “2012” in text, and struck out former par. (3). Prior to amendment, text read as follows: “There is authorized to be appropriated to carry out this section \$5,000,000, to remain available until expended.”

2013—Subsec. (d)(1). Pub. L. 112-240, § 701(g)(4)(A), substituted “Mandatory funding through fiscal year 2012” for “In general” in heading.

Subsec. (d)(2). Pub. L. 112-240, § 701(g)(4)(B), substituted “Discretionary funding for fiscal years 2008 through 2012” for “Additional funding” in heading.

Subsec. (d)(3). Pub. L. 112-240, § 701(g)(4)(C), added par. (3)