

Secretary a State plan to expand or sustain stress assistance programs described in that subsection that includes—

(A) a description of each activity and the estimated amount of funding to support each program and activity carried out through such a program;

(B) an estimated timeline for the operation of each such program and activity;

(C) the total amount of funding sought; and

(D) an assurance that the State department of agriculture will comply with the reporting requirement under subsection (e).

## **(2) Guidance**

Not later than 20 days after December 27, 2020, the Secretary shall issue guidance for States with respect to the submission of a State plan under paragraph (1) and the allocation criteria under subsection (b).

## **(3) Reallocation**

If, after the first grants are awarded pursuant to allocation under subsection (b), any funds made available under subsection (f) to carry out this subsection remain unobligated, the Secretary shall—

(A) inform States that submit plans as described in subsection (b), of such availability; and

(B) reallocate such funds among such States, as the Secretary determines to be appropriate and equitable.

## **(d) Collaboration**

The Secretary may issue guidance to encourage State departments of agriculture to use funds provided under this section to support programs described in subsection (a) that are operated by—

(1) Indian tribes (as defined in section 5304 of title 25);

(2) State cooperative extension services; and

(3) nongovernmental organizations.

## **(e) Reporting**

Not later than 180 days after the COVID-19 public health emergency ends, each State receiving additional grants under subsection (b) shall submit a report to the Secretary describing—

(1) the activities conducted using such funds;

(2) the amount of funds used to support each such activity; and

(3) the estimated number of individuals served by each such activity.

## **(f) Funding**

Out of the funds of the Treasury not otherwise appropriated, there is appropriated to carry out this section \$28,000,000, to remain available until expended.

## **(g) State defined**

In this section, the term “State” means—

(1) a State;

(2) the District of Columbia;

(3) the Commonwealth of Puerto Rico; and

(4) any other territory or possession of the United States.

(Pub. L. 116–260, div. N, title VII, § 766, Dec. 27, 2020, 134 Stat. 2118.)

## **Editorial Notes**

### **CODIFICATION**

Section was enacted as part of the Consolidated Appropriations Act, 2021, and not as part of subtitle H of title XVI of the Food, Agriculture, Conservation, and Trade Act of 1990 which comprises this subchapter.

## **Statutory Notes and Related Subsidiaries**

### **DEFINITIONS**

Pub. L. 116–260, div. N, title VII, § 760, Dec. 27, 2020, 134 Stat. 2109, provided that: “In this chapter [chapter 2 (§§ 760–766) of subtitle B of title VII of div. N of Pub. L. 116–260, enacting this section and sections 217b and 9071a of this title and section 473 of Title 21, Food and Drugs, and enacting provisions set out as a note under section 9056 of this title]:

“(1) The term ‘COVID-19’ means the disease caused by SARS-CoV-2, or any viral strain mutating therefrom with pandemic potential.

“(2) The term ‘COVID-19 public health emergency’ means the public health emergency declared by the Secretary of Health and Human Services under section 319 of the Public Health Service Act (42 U.S.C. 247d) on January 31, 2020, with respect to COVID-19 (or any renewal of that declaration).

“(3) The term ‘Secretary’ means the Secretary of Agriculture.”

## **§ 5937. Natural products research program**

### **(a) In general**

The Secretary shall establish within the Department a natural products research program.

### **(b) Duties**

In carrying out the program established under subsection (a), the Secretary shall coordinate research relating to natural products, including—

(1) research to improve human health and agricultural productivity through the discovery, development, and commercialization of products and agrichemicals from bioactive natural products, including products from plant, marine, and microbial sources;

(2) research to characterize the botanical sources, production, chemistry, and biological properties of plant-derived natural products; and

(3) other research priorities identified by the Secretary.

### **(c) Peer and merit review**

The Secretary shall—

(1) determine the relevance and merit of research under this section through a system of peer review established by the Secretary pursuant to section 7613 of this title; and

(2) approve funding for research on the basis of merit, quality, and relevance to advancing the purposes of this section.

### **(d) Buildings and facilities**

Funds made available under this section shall not be used for the construction of a new building or facility or the acquisition, expansion, remodeling, or alteration of an existing building or facility (including site grading and improvement and architect fees).

### **(e) Authorization of appropriations**

There are authorized to be appropriated to carry out this section \$7,000,000 for each of fiscal years 2014 through 2023.

(Pub. L. 110-234, title VII, § 7525, May 22, 2008, 122 Stat. 1273; Pub. L. 110-246, § 4(a), title VII, § 7525, June 18, 2008, 122 Stat. 1664, 2035; Pub. L. 113-79, title VII, § 7515, Feb. 7, 2014, 128 Stat. 903; Pub. L. 115-334, title VII, § 7413, Dec. 20, 2018, 132 Stat. 4819.)

#### 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 subtitle H of title XVI of the Food, Agriculture, Conservation, and Trade Act of 1990 which comprises this subchapter.

##### AMENDMENTS

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

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

#### 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.

#### § 5938. Repealed. Pub. L. 113-79, title VII, § 7518, Feb. 7, 2014, 128 Stat. 904

Section, Pub. L. 110-234, title VII, § 7529, May 22, 2008, 122 Stat. 1278; Pub. L. 110-246, § 4(a), title VII, § 7529, June 18, 2008, 122 Stat. 1664, 2040, related to agricultural and rural transportation research and education.

#### § 5939. Foundation for Food and Agriculture Research

##### (a) Definitions

In this section:

###### (1) Board

The term “Board” means the Board of Directors described in subsection (e).

###### (2) Department

The term “Department” means the Department of Agriculture.

###### (3) Foundation

The term “Foundation” means the Foundation for Food and Agriculture Research established under subsection (b).

###### (4) Secretary

The term “Secretary” means the Secretary of Agriculture.

##### (b) Establishment

###### (1) In general

The Secretary shall establish a nonprofit corporation to be known as the “Foundation for Food and Agriculture Research”.

##### (2) Status

The Foundation shall not be an agency or instrumentality of the United States Government.

##### (c) Purposes

The purposes of the Foundation shall be—

(1) to advance the research mission of the Department by supporting agricultural research activities focused on addressing key problems of national and international significance including—

(A) plant health, production, and plant products;

(B) animal health, production, and products;

(C) food safety, nutrition, and health;

(D) renewable energy, natural resources, and the environment;

(E) agricultural and food security;

(F) agriculture systems and technology; and

(G) agriculture economics and rural communities; and

(2) to foster collaboration with agricultural researchers from the Federal Government, State (as defined in section 3103 of this title) governments, institutions of higher education (as defined in section 1001 of title 20), industry, and nonprofit organizations.

##### (d) Duties

###### (1) In general

The Foundation shall—

(A) award grants to, or enter into contracts, memoranda of understanding, or cooperative agreements with, scientists and entities, which may include agricultural research agencies in the Department, university consortia, public-private partnerships, institutions of higher education, nonprofit organizations, and industry, to efficiently and effectively advance the goals and priorities of the Foundation;

(B) in consultation with the Secretary—

(i) identify existing and proposed Federal intramural and extramural research and development programs relating to the purposes of the Foundation described in subsection (c); and

(ii) coordinate Foundation activities with those programs so as to minimize duplication of existing efforts and to avoid conflicts, specifically at the Department of Agriculture; and

(iii) document the consultation process and include a summary of the results in the annual report required in subsection (f)(3)(B)<sup>1</sup>

(C) identify unmet and emerging agricultural research needs after reviewing the roadmap for agricultural research, education, and extension authorized by section 7614a of this title;

(D) facilitate technology transfer and release of information and data gathered from the activities of the Foundation to the agricultural research community and agriculture stakeholders;

<sup>1</sup> So in original. Probably should be followed by a period.