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**6. COMPETITIVE, SPECIAL AND FACILITIES RESEARCH  
GRANT ACT**

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Section 2 of the Act of August 4, 1965, Public Law 89-106

[As Amended Through P.L. 110-246, Effective May 22, 2008]

**SEC. 2. [7 U.S.C. 450i] COMPETITIVE, SPECIAL, AND FACILITIES RESEARCH GRANTS.**

(a) ESTABLISHMENT OF GRANT PROGRAM.—(1) In order to promote research in food, agriculture, and related areas, a research grants program is hereby established in the Department of Agriculture.

(2) SHORT TITLE.—This section may be cited as the “Competitive, Special, and Facilities Research Grant Act”.

(b) AGRICULTURE AND FOOD RESEARCH INITIATIVE.—

(1) ESTABLISHMENT.—There is established in the Department of Agriculture an Agriculture and Food Research Initiative under which the Secretary of Agriculture (referred to in this subsection as “the Secretary”) may make competitive grants for fundamental and applied research, extension, and education to address food and agricultural sciences (as defined under section 1404 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3103)).

(2) PRIORITY AREAS.—The competitive grants program established under this subsection shall address the following areas:

(A) PLANT HEALTH AND PRODUCTION AND PLANT PRODUCTS.—Plant systems, including—

(i) plant genome structure and function;

(ii) molecular and cellular genetics and plant biotechnology;

(iii) conventional breeding, including cultivar and breed development, selection theory, applied quantitative genetics, breeding for improved food quality, breeding for improved local adaptation to biotic stress and abiotic stress, and participatory breeding;

(iv) plant-pest interactions and biocontrol systems;

(v) crop plant response to environmental stresses;

(vi) unproved nutrient qualities of plant products;

and

(vii) new food and industrial uses of plant products.

(B) ANIMAL HEALTH AND PRODUCTION AND ANIMAL PRODUCTS.—Animal systems, including—

(i) aquaculture;

(ii) cellular and molecular basis of animal reproduction, growth, disease, and health;

(iii) animal biotechnology;

(iv) conventional breeding, including breed development, selection theory, applied quantitative genetics, breeding for improved food quality, breeding for improved local adaptation to biotic stress and abiotic stress, and participatory breeding;

(v) identification of genes responsible for improved production traits and resistance to disease;

(vi) improved nutritional performance of animals;

(vii) improved nutrient qualities of animal products and uses; and

(viii) the development of new and improved animal husbandry and production systems that take into account production efficiency, animal well-being, and animal systems applicable to aquaculture.

(C) FOOD SAFETY, NUTRITION, AND HEALTH.—Nutrition, food safety and quality, and health, including—

(i) microbial contaminants and pesticides residue relating to human health;

(ii) links between diet and health;

(iii) bioavailability of nutrients;

(iv) postharvest physiology and practices; and

(v) improved processing technologies.

(D) RENEWABLE ENERGY, NATURAL RESOURCES, AND ENVIRONMENT.—Natural resources and the environment, including—

(i) fundamental structures and functions of ecosystems;

(ii) biological and physical bases of sustainable production systems;

(iii) minimizing soil and water losses and sustaining surface water and ground water quality;

(iv) global climate effects on agriculture;

(v) forestry; and

(vi) biological diversity.

(E) AGRICULTURE SYSTEMS AND TECHNOLOGY.—Engineering, products, and processes, including—

(i) new uses and new products from traditional and nontraditional crops, animals, byproducts, and natural resources;

(ii) robotics, energy efficiency, computing, and expert systems;

(iii) new hazard and risk assessment and mitigation measures; and

(iv) water quality and management.

(F) AGRICULTURE ECONOMICS AND RURAL COMMUNITIES.—Markets, trade, and policy, including—

(i) strategies for entering into and being competitive in domestic and overseas markets;

(ii) farm efficiency and profitability, including the viability and competitiveness of small and medium-sized dairy, livestock, crop and other commodity operations;

(iii) new decision tools for farm and market systems;

(iv) choices and applications of technology;

(v) technology assessment; and

(vi) new approaches to rural development, including rural entrepreneurship.

(3) TERM.—The term of a competitive grant made under this subsection may not exceed 10 years.

(4) GENERAL ADMINISTRATION.—In making grants under this subsection, the Secretary shall—

(A) seek and accept proposals for grants;

(B) determine the relevance and merit of proposals through a system of peer and merit review in accordance with section 103 of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7613);

(C) award grants on the basis of merit, quality, and relevance;

(D) solicit and consider input from persons who conduct or use agricultural research, extension, or education in accordance with section 102(b) of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7612(b)); and

(E) in seeking proposals for grants under this subsection and in performing peer review evaluations of such proposals, seek the widest participation of qualified individuals in the Federal Government, colleges and universities, State agricultural experiment stations, and the private sector.

(5) ALLOCATION OF FUNDS.—In making grants under this subsection, the Secretary shall allocate funds to the Agriculture and Food Research Initiative to ensure that, of funds allocated for research activities—

(A) not less than 60 percent is made available to make grants for fundamental research (as defined in subsection (f)(1) of section 251 of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6971)), of which—

(i) not less than 30 percent is made available to make grants for research to be conducted by multidisciplinary teams; and

(ii) not more than 2 percent is used for equipment grants under paragraph (6)(A); and

(B) not less than 40 percent is made available to make grants for applied research (as defined in subsection (f)(1) of section 251 of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6971)).

(6) SPECIAL CONSIDERATIONS.—In making grants under this subsection, the Secretary may assist in the development of capabilities in the agricultural, food, and environmental sciences by providing grants—

(A) to an institution to allow for the improvement of the research, development, technology transfer, and education capacity of the institution through the acquisition of special research equipment and the improvement of agricultural education and teaching, except that the Secretary shall use not less than 25 percent of the funds made available for grants under this subparagraph to provide fellowships to outstanding pre- and post-doctoral students for research in the agricultural sciences;

(B) to a single investigator or coinvestigators who are beginning research careers and do not have an extensive research publication record, except that, to be eligible for a grant under this subparagraph, an individual shall be within 5 years of the beginning of the initial career track position of the individual;

(C) to ensure that the faculty of small, mid-sized, and minority-serving institutions who have not previously been

successful in obtaining competitive grants under this subsection receive a portion of the grants; and

(D) to improve research, extension, and education capabilities in States (as defined in section 1404 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3103)) in which institutions have been less successful in receiving funding under this subsection, based on a 3-year rolling average of funding levels.

(7) ELIGIBLE ENTITIES.—The Secretary may make grants to carry out research, extension, and education under this subsection to—

- (A) State agricultural experiment stations;
- (B) colleges and universities;
- (C) university research foundations;
- (D) other research institutions and organizations;
- (E) Federal agencies;
- (F) national laboratories;
- (G) private organizations or corporations;
- (H) individuals; or
- (I) any group consisting of 2 or more of the entities described in subparagraphs (A) through (H).

(8) CONSTRUCTION PROHIBITED.—Funds made available for grants under this subsection 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).

(9) MATCHING FUNDS.—

(A) EQUIPMENT GRANTS.—

(i) IN GENERAL.—Except as provided in clause (ii), in the case of a grant made under paragraph (6)(A), the amount provided under this subsection may not exceed 50 percent of the cost of the special research equipment or other equipment acquired using funds from the grant.

(ii) WAIVER.—The Secretary may waive all or part of the matching requirement under clause (i) in the case of a college, university, or research foundation maintained by a college or university that ranks in the lowest  $\frac{1}{3}$  of such colleges, universities, and research foundations on the basis of Federal research funds received, if the equipment to be acquired using funds from the grant costs not more than \$25,000 and has multiple uses within a single research project or is usable in more than 1 research project.

(B) APPLIED RESEARCH.—As a condition of making a grant under paragraph (5)(B), the Secretary shall require the funding of the grant to be matched with equal matching funds from a non-Federal source if the grant is for applied research that is—

- (i) commodity-specific; and
- (ii) not of national scope.

(10) PROGRAM ADMINISTRATION.—To the maximum extent practicable, the Director of the National Institute of Food and Agriculture, in coordination with the Under Secretary for Research, Education, and Economics, shall allocate grants under this subsection to high-priority research, taking into consider-

ation, when available, the determinations made by the National Agricultural Research, Extension, Education, and Economics Advisory Board (as established under section 1408 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3123)).

(11) AUTHORIZATION OF APPROPRIATIONS.—

(A) IN GENERAL.—There is authorized to be appropriated to carry out this subsection \$700,000,000 for each of fiscal years 2008 through 2012, of which—

(i) not less than 30 percent shall be made available for integrated research pursuant to section 406 of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7626); and

(ii) not more than 4 percent may be retained by the Secretary to pay administrative costs incurred by the Secretary in carrying out this subsection.

(B) AVAILABILITY.—Funds made available under this paragraph shall—

(i) be available for obligation for a 2-year period beginning on October 1 of the fiscal year for which the funds are first made available; and

(ii) remain available until expended to pay for obligations incurred during that 2-year period.

(c) SPECIAL GRANTS.—(1) The Secretary of Agriculture may make grants, for periods not to exceed 3 years—

(A) to State agricultural experiment stations, all colleges and universities, other research institutions and organizations, Federal agencies, private organizations or corporations, and individuals for the purpose of conducting research, extension, or education activities to facilitate or expand promising breakthroughs in areas of the food and agricultural sciences of importance to the United States; and

(B) to State agricultural experiment stations, land-grant colleges and universities, research foundations established by land-grant colleges and universities, colleges and universities receiving funds under the Act of October 10, 1962 (16 U.S.C. 582a et seq.), and accredited schools or colleges of veterinary medicine for the purpose of facilitating or expanding ongoing State-Federal food and agricultural research, extension, or education programs that—

(i) promote excellence in research, extension, or education on a regional and national level;

(ii) promote the development of regional research centers;

(iii) promote the research partnership between the Department of Agriculture, colleges and universities, research foundations, and State agricultural experiment stations for regional research efforts; and

(iv) facilitate coordination and cooperation of research, extension, or education among States through regional grants.

(2) LIMITATIONS.—The Secretary may not make a grant under this subsection—

(A) for any purpose for which a grant may be made under subsection (d); or

(B) for the planning, repair, rehabilitation, acquisition, or construction of a building or facility.

(3) MATCHING FUNDS.—Grants made under this subsection shall be made without regard to matching funds.

(4) SET ASIDES.—Of amounts appropriated for a fiscal year to carry out this subsection—

(A) ninety percent of such amounts shall be used for grants for regional research projects; and

(B) four percent of such amounts may be retained by the Secretary to pay administrative costs incurred by the Secretary to carry out this subsection.

(5) REVIEW REQUIREMENTS.—

(A) RESEARCH ACTIVITIES.—The Secretary shall make a grant under this subsection for a research activity only if the activity has undergone scientific peer review arranged by the grantee in accordance with regulations promulgated by the Secretary.

(B) EXTENSION AND EDUCATION ACTIVITIES.—The Secretary shall make a grant under this subsection for an extension or education activity only if the activity has undergone merit review arranged by the grantee in accordance with regulations promulgated by the Secretary.

(6) REPORTS.—

(A) IN GENERAL.—A recipient of a grant under this subsection shall submit to the Secretary on an annual basis a report describing the results of the research, extension, or education activity and the merit of the results.

(B) PUBLIC AVAILABILITY.—

(i) IN GENERAL.—Except as provided in clause (ii), on request, the Secretary shall make the report available to the public.

(ii) EXCEPTIONS.—Clause (i) shall not apply to the extent that making the report, or a part of the report, available to the public is not authorized or permitted by section 552 of title 5, United States Code, or section 1905 of title 18, United States Code.

(e) INTER-REGIONAL RESEARCH PROJECT NUMBER 4.—(1) The Secretary of Agriculture shall establish an Inter-Regional Research Project Number 4 (hereinafter referred to in this subsection as the “IR-4 Program”) to assist in the collection of residue and efficacy data in support of—

(A) the registration or reregistration of minor use pesticides under the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136 et seq.); and

(B) tolerances for residues of minor use chemicals in or on raw agricultural commodities under sections 408 and 409 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 346a, 348).

(2) The Secretary shall carry out the IR-4 Program in cooperation with the Administrator of the Environmental Protection Agency, State agricultural experiment stations, colleges and universities, extension services, private industry, and other interested parties.

(3) In carrying out the IR-4 Program, the Secretary shall give priority to registrations, reregistrations, and tolerances for pesticide uses related to the production of agricultural crops for food use.

(4) As part of carrying out the IR-4 Program, the Secretary shall—

(A) participate in research activities aimed at reducing residues of pesticides registered for minor agricultural use;

(B) develop analytical techniques applicable to residues of pesticides registered for minor agricultural use, including automation techniques and validation of analytical methods; and

(C) coordinate with other programs within the Department of Agriculture and the Environmental Protection Agency designed to develop and promote biological and other alternative control measures.

(5) The Secretary shall prepare and submit, to appropriate Committees of Congress, a report on an annual basis that contains—

(A) a listing of all registrations, reregistrations, and tolerances for which data has been collected in the preceding year;

(B) a listing of all registrations, reregistrations, and tolerances for which data collection is scheduled to occur in the following year, with an explanation of the priority system used to develop this list; and

(C) a listing of all activities the IR-4 Program has carried out pursuant to paragraph (4).

(6) The Secretary shall submit to Congress not later than November 28, 1991, a report detailing the feasibility of requiring recoupment of the costs of developing residue data for registrations, reregistrations, or tolerances under this program. Such recoupment shall only apply to those registrants which make a profit on such registration, reregistration, or tolerance subsequent to residue data development under this program. Such report shall include:

(A) an analysis of possible benefits to the IR-4 Program of such a recoupment;

(B) an analysis of the impact of such a payment on the availability of registrants to pursue registrations or reregistrations of minor use pesticides; and

(C) recommendations for implementation of such a recoupment policy.

(7) There are authorized to be appropriated \$25,000,000 for fiscal year 1991, and such sums as are necessary for subsequent fiscal years to carry out this subsection.

(f) RECORD KEEPING.—Each recipient of assistance under this section shall keep such records as the Secretary of Agriculture shall, by regulation, prescribe, including records which fully disclose the amount and disposition by such recipient of the proceeds of such grants, the total cost of the project or undertaking in connection with which such funds are given or used, and the amount of that portion of the costs of the project or undertaking in connection with which such funds are given or used, and the amount of that portion of the costs of the project or undertaking supplied by other sources, and such other records as will facilitate an effective audit. The Secretary of Agriculture and the Comptroller General of the United States or any of their duly authorized representatives shall have access for the purpose of audit and examination to any books, documents, papers, and records of the recipients that are pertinent to the grants received under this section.

(g) LIMITS ON OVERHEAD COSTS.—The Secretary of Agriculture shall limit allowable overhead costs, with respect to grants awarded under this section, to those necessary to carry out the purposes of the grants.

(h) AUTHORIZATION OF APPROPRIATIONS.—Except as otherwise provided in subsections (b) and (e), there are hereby authorized to be appropriated such sums as are necessary to carry out this section.

(i) RULES.—The Secretary of Agriculture may issue such rules and regulations as the Secretary deems necessary to carry out this section.

(j) APPLICATION OF OTHER LAWS.—The Federal Advisory Committee Act (5 U.S.C. App. 2) and title XVIII of the Food and Agriculture Act of 1977 (7 U.S.C. 2281 et seq.) shall not apply to a panel or board created for the purpose of reviewing applications or proposals submitted under this section.

(k) EMPHASIS ON SUSTAINABLE AGRICULTURE.—The Secretary of Agriculture shall ensure that grants made under subsections (b) and (c) are, where appropriate, consistent with the development of systems of sustainable agriculture. For purposes of this section, the term “sustainable agriculture” has the meaning given that term in section 1404 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3103).