

109<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 5832

To establish the National Institute of Food and Agriculture, to provide funding for the support of fundamental agricultural research of the highest quality, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 19, 2006

Mr. GUTKNECHT (for himself, Mr. PETERSON of Minnesota, Mr. THOMPSON of Mississippi, Mr. CLAY, and Mr. AKIN) introduced the following bill; which was referred to the Committee on Agriculture

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## A BILL

To establish the National Institute of Food and Agriculture, to provide funding for the support of fundamental agricultural research of the highest quality, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “National Institute of  
5 Food and Agriculture Act of 2006”.

6 **SEC. 2. FINDINGS AND PURPOSES.**

7 (a) FINDINGS.—Congress finds that—

1 (1) the task force established under section  
2 7404 of the Farm Security and Rural Investment  
3 Act of 2002 (7 U.S.C. 3101 note; 116 Stat. 457)—

4 (A) conducted an exhaustive review of agri-  
5 cultural research in the United States; and

6 (B) evaluated the merits of establishing 1  
7 or more national institutes focused on dis-  
8 ciplines important to the progress of food and  
9 agricultural science; and

10 (2) according to findings and recommendations  
11 provided to Congress by the task force—

12 (A) agriculture in the United States faces  
13 critical challenges, including impending crises in  
14 the food, agricultural, and natural resource sys-  
15 tems of the United States;

16 (B) exotic diseases and pests threaten  
17 crops and livestock;

18 (C) obesity has reached epidemic propor-  
19 tions;

20 (D) agriculturally related environmental  
21 degradation is a serious problem for the United  
22 States and other parts of the world;

23 (E) certain animal diseases threaten  
24 human health; and

1           (F) agricultural producers of several pri-  
2           mary crops in the United States are no longer  
3           the world's lowest-cost producers.

4           (b) PURPOSE.—The purpose of this Act is to estab-  
5           lish a national institute—

6           (1) to ensure that the technological superiority  
7           of agriculture in the United States effectively serves  
8           the people of the United States in the coming dec-  
9           ades; and

10          (2) to support and promote fundamental agri-  
11          cultural research and science of the highest caliber  
12          to achieve the goals of—

13                (A) increasing the international competi-  
14                tiveness of agriculture in the United States;

15                (B) developing foods that improve health  
16                and combat obesity;

17                (C) creating new and more useful products  
18                from plants and animals;

19                (D) improving food safety and food secu-  
20                rity by protecting plants and animals in the  
21                United States from insects, diseases, and the  
22                threat of bioterrorism;

23                (E) enhancing agricultural sustainability;

24                (F) improving natural resources;

1 (G) strengthening the economies of rural  
2 communities in the United States;

3 (H) decreasing dependence of the United  
4 States on foreign sources of petroleum by devel-  
5 oping biobased fuels and products, enhancing  
6 methods of production at biobased fuels refin-  
7 eries, reducing energy consumption at biobased  
8 fuels refineries, and increasing the use of co-  
9 products of biobased fuels production;

10 (I) strengthening national security by im-  
11 proving the agricultural productivity of sustain-  
12 able farmers in developing countries to combat  
13 hunger and the political instability that hunger  
14 produces;

15 (J) assisting in modernizing and revital-  
16 izing the agricultural research facilities of the  
17 United States at institutions of higher edu-  
18 cation, independent, nonprofit research institu-  
19 tions, and consortia of those institutions,  
20 through capital investment;

21 (K) achieving such other goals, and meet-  
22 ing such other needs, as the Secretary or the  
23 Institute determines to be appropriate; and

1                   (L) ensuring the ability of United States  
2                   producers to successfully combat sanitary and  
3                   phytosanitary nontrade barriers.

4 **SEC. 3. DEFINITIONS.**

5           In this Act:

6           (1) COUNCIL.—The term “Council” means the  
7           Standing Council of Advisors established in section  
8           4.

9           (2) DEPARTMENT.—The term “Department”  
10          means the Department of Agriculture.

11          (3) DIRECTOR.—The term “Director” means  
12          the Director of the Institute.

13          (4) FUNDAMENTAL AGRICULTURAL RESEARCH  
14          AND SCIENCE.—The term “fundamental agricultural  
15          research and science” means research and science  
16          that, as determined by the Secretary—

17                  (A) advances the frontiers of knowledge so  
18                  as to lead to practical results or to further sci-  
19                  entific discovery; and

20                  (B) has an effect on agriculture, food,  
21                  human health, or another purpose of this Act  
22                  as described in section 2(b).

23          (5) INSTITUTE.—The term “Institute” means  
24          the National Institute of Food and Agriculture es-  
25          tablished by section 4.

1           (6) MULTIDISCIPLINARY GRANT.—The term  
2           “multidisciplinary grant” means a grant provided to  
3           2 or more collaborating investigators to carry out co-  
4           ordinated, multidisciplinary research programs in-  
5           volving multiple disciplines that have been approved  
6           by the Institute.

7           (7) PROJECT GRANT.—The term “project  
8           grant” means a grant provided to 1 or more prin-  
9           cipal investigators to conduct research that has been  
10          approved by the Institute.

11          (8) SECRETARY.—The term “Secretary” means  
12          the Secretary of Agriculture.

13          (9) STATE.—The term “State” means—

14                (A) each of the several States of the  
15                United States;

16                (B) the District of Columbia;

17                (C) the Commonwealth of Puerto Rico;

18                (D) Guam;

19                (E) American Samoa;

20                (F) the Commonwealth of the Northern  
21                Mariana Islands;

22                (G) the Federated States of Micronesia;

23                (H) the Republic of the Marshall Islands;

24                (I) the Republic of Palau; and

25                (J) the United States Virgin Islands.

1           (10) UNITED STATES.—The term “United  
2 States”, when used in a geographical sense, means  
3 all of the States.

4 **SEC. 4. ESTABLISHMENT; COMPOSITION.**

5           (a) ESTABLISHMENT.—There is established within  
6 the Department an agency to be known as the “National  
7 Institute of Food and Agriculture”.

8           (b) COMPOSITION.—The Institute shall be composed  
9 of the Council (including committees and offices estab-  
10 lished under section 5) and the Director.

11           (c) STANDING COUNCIL OF ADVISORS.—

12           (1) ESTABLISHMENT.—There is established a  
13 Standing Council of Advisors.

14           (2) COMPOSITION.—The Council shall be com-  
15 posed of 25 members, including—

16                   (A) the Director; and

17                   (B) 18 members appointed by the Sec-  
18 retary, with the concurrence of the Director, 3  
19 members appointed by the Committee on Agri-  
20 culture of the House of Representatives, and 3  
21 members appointed by the Committee on Agri-  
22 culture, Nutrition, and Forestry of the Senate,  
23 of whom—

24                           (i) 12 members shall be highly-quali-  
25 fied scientists who, 6 as determined and

1 appointed by the Secretary, 3 as deter-  
2 mined and appointed by the Committee on  
3 Agriculture of the House of Representa-  
4 tives, and 3 as determined and appointed  
5 by the Committee on Agriculture, Nutri-  
6 tion, and Forestry of the Senate—

7 (I) are not employees of the Fed-  
8 eral Government;

9 (II) have expertise in the fields of  
10 agricultural research, science, or re-  
11 lated appropriate fields;

12 (III) are appropriate for member-  
13 ship on the Council solely on the basis  
14 of established records of distinguished  
15 service; and

16 (IV) collectively represent the  
17 views of agricultural research and sci-  
18 entific leaders in all regions of the  
19 United States; and

20 (ii) 12 members shall be distinguished  
21 members of the public, as determined by  
22 the Secretary, including—

23 (I) representatives of agricultural  
24 organizations and industry; and



1 (II) individuals with expertise in  
2 natural resources, sustainable agri-  
3 culture, energy, and human health  
4 and disease.

5 (3) TERM.—The members of the Council shall  
6 serve staggered, 4-year terms, as determined by the  
7 Secretary and Congress .

8 (4) MEETINGS.—The Council shall meet at the  
9 call of the Director and the Secretary, but not less  
10 often than annually.

11 (5) CHAIRPERSON AND VICE CHAIRPERSON.—  
12 The Council shall elect to 1 year terms a Chair-  
13 person and Vice Chairperson from among the mem-  
14 bers of the Council. One shall be elected from among  
15 the members described in paragraph (2)(i) and one  
16 shall be elected from among the members described  
17 in paragraph (2)(i)

18 (6) DUTIES.—The Council shall—

19 (A) assist the Director in—

20 (i) establishing research priorities of  
21 the Institute; and

22 (ii) reviewing, judging, and maintain-  
23 ing the relevance of the programs of the  
24 Institute;

1 (B) review all proposals approved by the  
2 scientific committees established under section  
3 5(a)(1) to ensure, to the maximum extent prac-  
4 ticable, that the purposes of this Act are being  
5 met; and

6 (C) through the meetings described in  
7 paragraph (4), provide an interface between sci-  
8 entists and stakeholders to ensure, to the max-  
9 imum extent practicable, that the Institute is  
10 coordinating national goals with realistic sci-  
11 entific opportunities.

12 (d) DIRECTOR.—

13 (1) IN GENERAL.—The Institute shall be head-  
14 ed by a Director, who shall be an individual who  
15 is—

16 (A) a distinguished agricultural researcher  
17 and scientist; and

18 (B) appointed by the President (after tak-  
19 ing into consideration recommendations pro-  
20 vided by the Council), by and with the advice  
21 and consent of the Senate.

22 (2) TERM.—The Director shall serve for a sin-  
23 gle, 6-year term.

24 (3) COMPENSATION.—The Director shall re-  
25 ceive basic pay at the rate provided for level II of

1 the Executive Schedule under section 5513 of title  
2 5, United States Code.

3 (4) SUPERVISION.—The Director shall report  
4 directly to the Secretary.

5 (5) AUTHORITY AND RESPONSIBILITIES OF DI-  
6 RECTOR.—

7 (A) IN GENERAL.—Except as otherwise  
8 specifically provided in this Act, the Director  
9 shall—

10 (i) exercise all of the authority pro-  
11 vided to the Institute by this Act (includ-  
12 ing any powers and functions delegated to  
13 the Director by the Council);

14 (ii) in consultation with the Council,  
15 formulate programs in accordance with  
16 policies adopted by the Institute;

17 (iii) establish committees and offices  
18 within the Institute in accordance with sec-  
19 tion 5;

20 (iv) establish procedures for the peer  
21 review of research funded by the Institute;

22 (v) establish procedures for the provi-  
23 sion and administration of grants by the  
24 Institute in accordance with this Act;

1           (vi) assess the personnel needs of ag-  
2           ricultural research in the areas supported  
3           by the Institute, and, if determined to be  
4           appropriate by the Director or the Sec-  
5           retary, for other areas of food and agricul-  
6           tural research; and

7           (vii) cooperate with the Council to  
8           plan programs that will help meet agricul-  
9           tural personnel needs in the future, includ-  
10          ing portable fellowship and training pro-  
11          grams in fundamental agricultural re-  
12          search and science.

13           (B) FINALITY OF ACTIONS.—An action  
14          taken by the Director in accordance with this  
15          Act (or in accordance with the terms of a dele-  
16          gation of authority from the Council) shall be  
17          final and binding upon the Institute.

18           (C) DELEGATION AND REDELEGATION OF  
19          FUNCTIONS.—

20           (i) IN GENERAL.—Except as provided  
21          in clauses (ii) and (iii), the Director may,  
22          from time to time and as the Director con-  
23          siders to be appropriate, authorize the per-  
24          formance by any other officer, agency, or  
25          employee of the Institute of any of the

1 functions of the Director under this Act,  
2 including functions delegated to the Direc-  
3 tor by the Council.

4 (ii) POLICYMAKING FUNCTIONS.—The  
5 Director may not redelegate policymaking  
6 functions delegated to the Director by the  
7 Council.

8 (iii) CONTRACTS, GRANTS, AND  
9 OTHER ARRANGEMENTS.—The Director  
10 may enter into contracts and other ar-  
11 rangements, and provide grants, in accord-  
12 ance with this Act—

13 (I) only with the prior approval  
14 of the Council or under authority del-  
15 egated by the Council; and

16 (II) subject to such conditions as  
17 the Council may specify.

18 (iv) REPORTING.—The Director shall  
19 promptly report each contract or other ar-  
20 rangement entered into, each grant award-  
21 ed, and each other action of the Director  
22 taken, under clause (iii) to the Committee  
23 on Agriculture, Nutrition, and Forestry of  
24 the Senate and the Committee on Agri-  
25 culture of the House of Representatives.

1 (6) STATUS ON COUNCIL.—

2 (A) IN GENERAL.—The Director shall be  
3 an ex officio member of the Council.

4 (B) COMPENSATION AND TENURE.—Ex-  
5 cept with respect to compensation and tenure,  
6 the service of the Director on the Council shall  
7 be coordinated with the service of other mem-  
8 bers of the Council.

9 (C) VOTING; ELECTION.—The Director  
10 shall be—

11 (i) a voting member of the Council;

12 and

13 (ii) eligible for election by the Council  
14 as Chairperson or Vice Chairperson of the  
15 Council.

16 (7) STAFF.—

17 (A) IN GENERAL.—Subject to this para-  
18 graph, the Director shall recruit and hire such  
19 senior staff and other personnel as are nec-  
20 essary to assist the Director in carrying out  
21 this Act.

22 (B) SENIOR STAFF.—Each individual hired  
23 as senior staff of the Director shall—

1 (i) be a highly accomplished agricul-  
2 tural researcher and scientist, as deter-  
3 mined by the Director;

4 (ii) be recruited from the active agri-  
5 cultural research and science community;  
6 and

7 (iii) be appointed and serve on the  
8 basis of 4-year, rotating appointments.

9 (C) TEMPORARY STAFF.—Staff hired by  
10 the Director under this paragraph may include  
11 agricultural researchers and scientists and other  
12 technical and professional personnel hired for  
13 limited terms, or on temporary bases, including  
14 individuals on leave of absence from academic,  
15 industrial, research, or science institutions to  
16 work for the Institute.

17 (D) COMPENSATION.—

18 (i) IN GENERAL.—Except as provided  
19 in clause (ii), subject to such policies as  
20 the Council shall periodically prescribe, the  
21 Director may fix the compensation of staff  
22 hired under this paragraph without regard  
23 to the provisions of chapter 51 and sub-  
24 chapter III of chapter 53 of title 5, United

1 States Code, relating to classification of  
2 positions and General Schedule pay rates.

3 (ii) MAXIMUM RATE OF PAY.—The  
4 rate of pay for an individual hired under  
5 this paragraph shall not exceed the rate  
6 payable for level V of the Executive Sched-  
7 ule under section 5316 of title 5, United  
8 States Code.

9 (8) REPORTING AND CONSULTATION.—The Di-  
10 rector shall—

11 (A) periodically report to the Secretary  
12 with respect to activities carried out by the In-  
13 stitute; and

14 (B) consult regularly with the Secretary to  
15 ensure, to the maximum extent practicable,  
16 that—

17 (i) research of the Institute is relevant  
18 to agriculture in the United States and  
19 otherwise serves the national interest; and

20 (ii) the research of the Institute sup-  
21 plements and enhances, and does not re-  
22 place, research conducted or funded by—

23 (I) other agencies of the Depart-  
24 ment;



- 1 (II) the National Science Foun-  
2 dation; or  
3 (III) the National Institutes of  
4 Health.

5 **SEC. 5. COMMITTEES AND OFFICES OF INSTITUTE.**

6 (a) **STANDING SCIENTIFIC COMMITTEES.**—

7 (1) **IN GENERAL.**—The Director may establish  
8 such number of standing scientific committees with-  
9 in the Institute as the Director determines to be ap-  
10 propriate.

11 (2) **COMPOSITION.**—A standing scientific com-  
12 mittee established under paragraph (1) shall consist  
13 of such members of the Council appointed under sec-  
14 tion 4(d)(2)(B)(i) as the Director may select.

15 (3) **TERM.**—Members of a standing scientific  
16 committee established under paragraph (1) shall  
17 serve for staggered, 4-year terms, as determined by  
18 the Director.

19 (4) **REVIEW OF PROPOSALS.**—

20 (A) **IN GENERAL.**—A standing scientific  
21 committee shall apply rigorous merit review to  
22 research proposals received by the Institute to  
23 ensure, to the maximum extent practicable, that  
24 research funded by the Institute is scientifically  
25 of high quality.

1           (B) DETERMINATION OF SCIENTIFIC  
2 MERIT.—A research proposal received by the  
3 Institute and reviewed by a standing scientific  
4 committee under subparagraph (A) shall be—

5           (i) assigned a score based on the sci-  
6 entific merit of the proposal, as determined  
7 by the standing scientific committee; and

8           (ii) if approved by the standing sci-  
9 entific committee, forwarded, along with  
10 the score, to the Council for final review.

11       (C) DECLINATION OF PROPOSALS.—If the  
12 Council determines that a research proposal  
13 forwarded under this paragraph does not meet  
14 standards of scientific review established by a  
15 standing scientific committee or any similar  
16 standard established by the Director, the Coun-  
17 cil shall decline to recommend the research pro-  
18 posal for funding by the Institute.

19       (5) AD HOC REVIEW MEMBERS.—The Director  
20 may supplement a standing scientific committee  
21 under this subsection with 1 or more ad hoc review-  
22 ers in a case in which a research proposal received  
23 by the Institute requires specialized knowledge not  
24 represented on that or any other standing scientific  
25 committee.

1 (b) OFFICES.—

2 (1) OFFICE OF ADVANCED SCIENCE AND APPLI-  
3 CATION.—

4 (A) ESTABLISHMENT.—The Director shall  
5 establish within the Institute an Office of Ad-  
6 vanced Science and Application (referred to in  
7 this paragraph as the “Office”).

8 (B) DUTIES.—The Office shall—

9 (i) closely monitor national needs and  
10 advances in fundamental agricultural re-  
11 search and science with the goal of identi-  
12 fying pressing problems for which solutions  
13 are realistically achievable through funda-  
14 mental agricultural research and science;

15 (ii) coordinate creative talent from di-  
16 verse disciplines to bridge potential gaps  
17 between fundamental agricultural research  
18 and science and high-priority, practical  
19 needs; and

20 (iii) recommend to the Director ways  
21 in which existing fundamental agricultural  
22 research and science may be applied to the  
23 most urgent problems addressed by the In-  
24 stitute.

25 (C) STAFF.—

1 (i) IN GENERAL.—The Office shall  
2 employ a small, focused staff of rotating  
3 experts in agricultural research and  
4 science.

5 (ii) TALENT POOL; TERM.—Primary  
6 staff of the Office—

7 (I) shall be appointed from the  
8 ranks of active agricultural research-  
9 ers and scientists; and

10 (II) shall serve terms of not to  
11 exceed 3 years.

12 (D) INTENSIVE STUDY GROUPS.—The Of-  
13 fice shall—

14 (i) focus primarily on the most urgent  
15 problems addressed by the Institute; and

16 (ii) assemble such intensive study  
17 groups as are necessary to address those  
18 problems.

19 (E) REPORTS.—The Office shall submit to  
20 the Director and the Council periodic reports  
21 that—

22 (i) describe the activities being carried  
23 out by the Office; and

24 (ii) recommended new research prior-  
25 ities for the Office, as appropriate.

1           (2) OFFICE OF SCIENTIFIC ASSESSMENT AND  
2           LIAISON.—

3           (A) ESTABLISHMENT.—The Director shall  
4           establish within the Institute an Office of Sci-  
5           entific Assessment and Liaison (referred to in  
6           this paragraph as the “Office”).

7           (B) DUTIES.—The Office shall—

8           (i) monitor the effectiveness of the sci-  
9           entific expenditures by the Institute;

10          (ii) oversee the coordination of re-  
11          search efforts of the Institute with those of  
12          other programs;

13          (iii) assess the effectiveness of pro-  
14          grams of the Institute by evaluating—

15               (I) the quality of the science  
16               funded by the Institute, using such  
17               tools as are readily available; and

18               (II) the contributions of the In-  
19               stitute to the national research effort,  
20               including ways in which the Institute  
21               collaborates and cooperates with the  
22               Department and with other Federal  
23               agencies; and

1 (iv) encourage cooperative approaches  
2 among various research agencies within the  
3 Federal Government.

4 (3) OFFICE OF SCIENTIFIC PERSONNEL.—

5 (A) ESTABLISHMENT.—The Director shall  
6 establish within the Institute an Office of Sci-  
7 entific Personnel (referred to in this paragraph  
8 as the “Office”).

9 (B) DUTIES.—The Office shall—

10 (i) cooperate with scientific and agri-  
11 cultural experts to assess—

12 (I) the number of scientists in  
13 agriculture and related fields in the  
14 United States; and

15 (II) how many additional sci-  
16 entists in agriculture and related  
17 fields are needed to meet the purposes  
18 of this Act; and

19 (ii) generate and maintain data that  
20 may assist the Director and the Council in  
21 planning appropriate Institute fellowship  
22 and training programs.

23 (4) ADDITIONAL OFFICES.—The Director may  
24 establish such additional offices within the Institute  
25 as the Director or the Council determines to be nec-

1        essary to carry out the duties of the Institute under  
2        this Act.

3 **SEC. 6. DUTIES.**

4        (a) IN GENERAL.—The Institute shall provide com-  
5        petitive, peer-reviewed grants in accordance with section  
6        8(b) to support and promote the highest quality of funda-  
7        mental agricultural research and science, including grants  
8        to fund research proposals submitted by—

9                (1) individual scientists;

10               (2) research centers composed of a single insti-  
11        tution or multiple institutions; and

12               (3) other individuals and entities from the pri-  
13        vate and public sectors, including researchers of the  
14        Department and other Federal agencies.

15        (b) REPORT TO CONGRESS.—Not later than Decem-  
16        ber 31, 2007, and biennially thereafter, the Institute shall  
17        submit to the Secretary, the Committee on Agriculture,  
18        Nutrition, and Forestry of the Senate, and the Committee  
19        on Agriculture of the House of Representatives a com-  
20        prehensive report that describes the research funded and  
21        other activities carried out by the Institute during the pe-  
22        riod covered by the report.

1 **SEC. 7. POWERS.**

2 (a) IN GENERAL.—The Institute shall have such au-  
3 thority as is necessary to carry out this Act, including the  
4 authority—

5 (1) to promulgate such regulations as the Insti-  
6 tute considers to be necessary for governance of op-  
7 erations, organization, and personnel;

8 (2) to make such expenditures as are necessary  
9 to carry out this Act;

10 (3) to enter into contracts or other arrange-  
11 ments, or modifications of contracts or other ar-  
12 rangements—

13 (A) to provide for the conduct, by organi-  
14 zations or individuals in the United States (in-  
15 cluding other agencies of the Department, Fed-  
16 eral agencies, and agencies of foreign coun-  
17 tries), of such fundamental agricultural re-  
18 search and science, or related activities as the  
19 Institute considers to be necessary to carry out  
20 this Act; and

21 (B) at the request of the Secretary, for the  
22 conduct of such specific fundamental agricul-  
23 tural research and science as is in the national  
24 interest or is otherwise of critical importance,  
25 as determined by the Secretary, with the con-  
26 currence of the Institute;



1           (4) to make advance, progress, and other pay-  
2           ments relating to research and scientific activities  
3           without regard to subsections (a) and (b) of section  
4           3324 of title 31, United States Code;

5           (5) to acquire by purchase, lease, loan, gift, or  
6           condemnation, and to hold and dispose of by grant,  
7           sale, lease, or loan, real and personal property of all  
8           kinds necessary for, or resulting from, the exercise  
9           of authority under this Act;

10          (6) to receive and use donated funds, if the  
11          funds are donated without restriction other than  
12          that the funds be used in furtherance of 1 or more  
13          of the purposes of the Institute;

14          (7) to publish or arrange for the publication of  
15          research and scientific information to further the  
16          full dissemination of information of scientific value  
17          consistent with the national interest, without regard  
18          to section 501 of title 44, United States Code;

19          (8)(A) to accept and use the services of vol-  
20          untary and uncompensated personnel; and

21          (B) to provide such transportation and subsist-  
22          ence as are authorized by section 5703 of title 5,  
23          United States Code, for individuals serving without  
24          compensation;

1           (9) to prescribe, with the approval of the Comp-  
2           troller General of the United States, the extent to  
3           which vouchers for funds expended under contracts  
4           for scientific or engineering research shall be subject  
5           to itemization or substantiation prior to payment,  
6           without regard to the limitations of other laws relat-  
7           ing to the expenditure and accounting of public  
8           funds;

9           (10) to arrange with and reimburse the Sec-  
10          retary, and the heads of other Federal agencies, for  
11          the performance of any activity that the Institute is  
12          authorized to conduct; and

13          (11) to enter into contracts, at the request of  
14          the Secretary, for the carrying out of such specific  
15          agricultural research as is in the national interest or  
16          otherwise of critical importance, as determined by  
17          the Secretary, with the consent of the Institute.

18          (b) TRANSFER OF RESEARCH FUNDS OF OTHER DE-  
19          PARTMENTS OR AGENCIES.—If the Committee on Agri-  
20          culture, Nutrition, and Forestry of the Senate, the Com-  
21          mittee on Agriculture of the House of Representatives,  
22          and any other Committees of jurisdiction are notified not  
23          less than 30 days in advance of any transfer, funds avail-  
24          able to the Secretary, or any other department or agency

1 of the Federal Government, for agricultural or scientific  
2 research shall be—

3 (1) available for transfer, with the approval of  
4 the Secretary or the head of the other appropriate  
5 department or agency involved, in whole or in part,  
6 to the Institute for use in providing grants in ac-  
7 cordance with the purposes for which the funds were  
8 made available; and

9 (2) if so transferred, expendable by the Insti-  
10 tute for those purposes.

11 (c) RESTRICTION ON ACTIVITIES.—The Institute—

12 (1) shall be a grant-making entity only; and

13 (2) shall not—

14 (A) conduct fundamental agricultural re-  
15 search or research relating to fundamental  
16 science; or

17 (B) operate any laboratory or pilot facility.

18 **SEC. 8. BUDGET CONSIDERATIONS.**

19 (a) BUDGETARY MANAGEMENT GOALS.—The Direc-  
20 tor, in coordination with the Secretary, shall manage the  
21 budget of the Institute to achieve the goals of—

22 (1) providing sufficient funds over a period of  
23 time to achieve the purposes of this Act;

1           (2) fostering outstanding scientific talent, and  
2           directing that talent toward work on issues relating  
3           to agriculture; and

4           (3) adequately reimbursing grant-receiving in-  
5           stitutions for costs to encourage the pursuit of fun-  
6           damental agricultural research and science.

7           (b) BUDGETARY GUIDELINES FOR GRANTS.—

8           (1) IN GENERAL.—To achieve the goals de-  
9           scribed in subsection (a), the Institute shall, to the  
10          maximum extent practicable, ensure that grants  
11          awarded for each fiscal year comply with the guide-  
12          lines described in paragraphs (2) and (3).

13          (2) PROJECT GRANTS.—With respect to project  
14          grants, to the maximum extent practicable—

15                (A) the Institute shall award approxi-  
16                mately 1,000 new project grants annually;

17                (B) the average project grant amount, in-  
18                cluding overhead, shall be approximately  
19                \$225,000 for each fiscal year, as adjusted in ac-  
20                cordance with the Consumer Price Index for all-  
21                urban consumers, United States city average,  
22                as published by the Bureau of Labor Statistics;

23                (C) a project grant shall be provided for a  
24                maximum period of 5 years, with an average  
25                award duration of 3.5 years;

1 (D) the Institute shall require the recipi-  
2 ents of a project grant to submit appropriate  
3 reports on research carried out using funds  
4 from the project grant; and

5 (E) the Institute shall provide such num-  
6 ber of training project grants as the Director or  
7 the Institute determines to be appropriate.

8 (3) MULTIDISCIPLINARY GRANTS.—With re-  
9 spect to multidisciplinary grants, to the maximum  
10 extent practicable—

11 (A) for each of fiscal years 2007 through  
12 2010, the Institute shall provide 10 multidisci-  
13 plinary grants;

14 (B) for fiscal year 2011 and subsequent  
15 fiscal years, the Institute shall provide multi-  
16 disciplinary grants to fund not fewer than 40  
17 research centers, on the conditions that—

18 (i) sufficient funds are available; and

19 (ii) a sufficient number of qualified  
20 research proposals are received;

21 (C) the research centers provided multi-  
22 disciplinary grants may be composed of a single  
23 institution or multiple institutions;

24 (D) the average multidisciplinary grant  
25 amount, including overhead, shall be approxi-

1           mately \$3,000,000 for each fiscal year, as ad-  
2           justed in accordance with the Consumer Price  
3           Index for all-urban consumers, United States  
4           city average, as published by the Bureau of  
5           Labor Statistics;

6           (E) a multidisciplinary grant shall be pro-  
7           vided for a maximum period of 5 years;

8           (F) in the aggregate, multidisciplinary  
9           grants provided under this paragraph for a fis-  
10          cal year shall represent approximately 15 per-  
11          cent of the total grants provided by the Insti-  
12          tute for the fiscal year, on the condition that a  
13          sufficient number of qualified research pro-  
14          posals are received for the fiscal year; and

15          (G) merit review of the research proposal  
16          relating to the multidisciplinary grant is con-  
17          ducted to ensure, to the maximum extent prac-  
18          ticable, that only quality research proposals are  
19          funded.

20          (c) INDIRECT COSTS.—As part of a project grant or  
21          multidisciplinary grant provided under this Act, the Insti-  
22          tute shall pay indirect costs of conducting research, in-  
23          cluding the costs of overhead, to the recipient of the grant  
24          at a rate that is not less than any standard negotiated  
25          rate applicable to similar grants made by the National In-

stitutes of Health or the National Science Foundation, as of the date of enactment of this Act, as determined by the Secretary.

**SEC. 9. FUNDING.**

(a) **AUTHORIZATION.**—The following funds, facilities, and authorities of the Commodity Credit Corporation are authorized to be used to carry out this Act:

(1) For fiscal year 2007, \$245,000,000 for project grants, of which not more than \$20,000,000 shall be made available for administrative expenses incurred by the Institute.

(2) For fiscal year 2008, \$515,000,000, of which—

(A) not less than \$450,000,000 shall be made available for project grants;

(B) not less than \$30,000,000 shall be made available for multidisciplinary grants; and

(C) not more than \$35,000,000 shall be available for administrative expenses incurred by the Institute.

(3) For fiscal year 2009, \$780,000,000, of which—

(A) not less than \$675,000,000 shall be made available for project grants;

1 (B) not less than \$60,000,000 shall be  
2 made available for multidisciplinary grants; and

3 (C) not more than \$45,000,000 shall be  
4 made available for administrative expenses in-  
5 curred by the Institute.

6 (4) For fiscal year 2010, \$935,000,000, of  
7 which—

8 (A) not less than \$800,000,000 shall be  
9 made available for project grants;

10 (B) not less than \$90,000,000 shall be  
11 made available for multidisciplinary grants; and

12 (C) not more than \$45,000,000 shall be  
13 made available for administrative expenses in-  
14 curred by the Institute.

15 (5) For fiscal year 2011 and each fiscal year  
16 thereafter, \$966,000,000, of which—

17 (A) not less than \$800,000,000 shall be  
18 made available for project grants;

19 (B) not less than \$120,000,000 shall be  
20 made available for multidisciplinary grants; and

21 (C) not more than \$46,000,000 shall be  
22 made available for administrative expenses in-  
23 curred by the Institute.

24 (b) LIMITATION.—For fiscal year 2011 and each sub-  
25 sequent fiscal year, administrative expenses paid by the



1 Institute shall not exceed 5 percent of the total expendi-  
2 tures of the Institute for the fiscal year.

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