

**(d) Annual reports to President and Congress****(1) In general**

The Board shall submit to the President and the Congress of the United States an annual report on—

(A) the environmental and infrastructure projects referred to in subsection (a) of this section that have been implemented, and

(B) the need for the implementation of additional environmental and infrastructure projects.

**(2) Transmission of copies to Board members**

The Board shall—

(A) transmit to each member of the Board a copy of any report to be submitted pursuant to paragraph (1) at least 14 days before its submission, and

(B) allow each member of the Board to have 14 days within which to prepare and submit supplemental views with respect to the recommendations of the Board for inclusion in such report.

(Pub. L. 102-532, § 6, Oct. 27, 1992, 106 Stat. 3513.)

## CODIFICATION

Section was enacted as part of the Enterprise for the Americas Initiative Act of 1992, and not as part of subtitle F (§1471 et seq.) of title XIV of Pub. L. 101-624 which comprises this chapter.

## DELEGATION OF AUTHORITY

Authority of President under this section delegated to Administrator of Environmental Protection Agency by section 10 of Ex. Ord. No. 12916, May 13, 1994, 59 F.R. 25780, set out as a note under section 3473 of Title 19, Customs Duties.

## TERMINATION OF ADVISORY BOARDS

Advisory boards established after Jan. 5, 1973, to terminate not later than the expiration of the 2-year period beginning on the date of their establishment, unless, in the case of a board established by the President or an officer of the Federal Government, such board is renewed by appropriate action prior to the expiration of such 2-year period, or in the case of a board established by Congress, its duration is otherwise provided by law. See sections 3(2) and 14 of Pub. L. 92-463, Oct. 6, 1972, 86 Stat. 770, 776, set out in the Appendix to Title 5, Government Organization and Employees.

**§ 5405. Agricultural air quality research oversight****(a) Findings**

Congress finds that—

(1) various studies have alleged that agriculture is a source of PM-10 emissions;

(2) many of these studies have often been based on erroneous data;

(3) Federal research activities are currently being conducted by the Department of Agriculture to determine the true extent to which agricultural activities contribute to air pollution and to determine cost-effective ways in which the agricultural industry can reduce any pollution that exists; and

(4) any Federal policy recommendations that may be issued by any Federal agency to address air pollution problems related to agriculture or any other industrial activity should be based on sound scientific findings that are subject to adequate peer review and should take into account economic feasibility.

**(b) Purpose**

The purpose of this section is to encourage the Secretary of Agriculture to continue to strengthen vital research efforts related to agricultural air quality.

**(c) Oversight coordination****(1) Intergovernmental cooperation**

The Secretary shall, to the maximum extent practicable with respect to the Department of Agriculture and other Federal departments and agencies, ensure intergovernmental cooperation in research activities related to agricultural air quality and avoid duplication of the activities.

**(2) Correct data**

The Secretary shall, to the maximum extent practicable, ensure that the results of any research related to agricultural air quality conducted by Federal agencies not report erroneous data with respect to agricultural air quality.

**(d) Task force****(1) Establishment**

The Chief of the National Resources Conservation Service shall establish a task force to address agricultural air quality issues.

**(2) Composition**

The task force shall be comprised of employees of the Department of Agriculture, industry representatives, and other experts in the fields of agriculture and air quality.

**(3) Duties**

The task force shall advise the Secretary with respect to the role of the Secretary for providing oversight and coordination related to agricultural air quality.

(Pub. L. 104-127, title III, §391, Apr. 4, 1996, 110 Stat. 1025.)

## CODIFICATION

Section was enacted as part of the Federal Agriculture Improvement and Reform Act of 1996, and not as part of subtitle F (§1471 et seq.) of title XIV of Pub. L. 101-624 which comprises this chapter.

**CHAPTER 86—WATER QUALITY RESEARCH, EDUCATION, AND COORDINATION**

Sec.

- |       |  |
|-------|--|
| 5501. | Short title, purpose, definitions, and authorization of appropriations. <ul style="list-style-type: none"> <li>(a) Short title.</li> <li>(b) Purpose.</li> <li>(c) Definitions.</li> <li>(d) Authorization of appropriations.</li> </ul>   |
| 5502. | Soil and water activities. <ul style="list-style-type: none"> <li>(a) Purpose.</li> <li>(b) Conservation plans.</li> <li>(c) Acquisition of water information through national resources inventory.</li> <li>(d) Annual report.</li> </ul>   |
| 5503. | State water quality coordination program. <ul style="list-style-type: none"> <li>(a) Establishment.</li> <li>(b) Membership.</li> <li>(c) Agencies.</li> <li>(d) Program leader.</li> <li>(e) Purpose.</li> <li>(f) Advisory panels.</li> <li>(g) State and regional research priorities.</li> </ul> |

- Sec.  
5504. Water quality and nutrient management research.  
    (a) Purposes.  
    (b) Coordination.  
    (c) Research.
5505. Repository of agriculture and ground water quality planning information.
5506. Water policy with respect to agrichemicals.  
    (a) Authority.  
    (b) Effect on existing authority.  
    (c) Participation.

## CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in sections 3222c, 5821, 5831, 5832 of this title.

**§ 5501. Short title, purpose, definitions, and authorization of appropriations**

**(a) Short title**

This chapter may be cited as the “Agriculture and Water Policy Coordination Act”.

**(b) Purpose**

It is the purpose of this chapter to ensure—

- (1) that the Department of Agriculture develops, implements, and sustains a coordinated, integrated, and comprehensive intra-agency program to protect waters from contamination from agricultural chemicals and production practices; and
- (2) increased efforts by the Department of Agriculture in extension, technical assistance, and research on the relations between agricultural production and the contamination of water.

**(c) Definitions**

For purpose of this chapter—

- (1) The term “contaminant” means any matter which, in its original form or as a metabolite, degradation, or waste product, as a constituent of water may impair the quality of water or may have a potential adverse effect on human health or the environment.
- (2) The term “Department” means the United States Department of Agriculture.
- (3) The term “food and agricultural councils” means those councils established by the policy of the Secretary in each State and made up of the leaders of programs within each State that represent agriculture.
- (4) The term “soil and water conservation committees” refers to the committees established within the respective States by State law and which include the leaders of appropriate State agencies that address soil and water conservation.
- (5) The term “Secretary” means the Secretary of Agriculture.
- (6) The term “State” means any of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, American Samoa, Guam, the Virgin Islands, and federally recognized Indian tribes.

**(d) Authorization of appropriations**

There are authorized to be appropriated such sums as may be necessary for fiscal years 1991 through 1997 to carry out this chapter.

(Pub. L. 101-624, title XIV, §1481, Nov. 28, 1990, 104 Stat. 3622; Pub. L. 104-127, title VIII, §831, Apr. 4, 1996, 110 Stat. 1168.)

## AMENDMENTS

1996—Subsec. (d). Pub. L. 104-127 substituted “1997” for “1995”.

**§ 5502. Soil and water activities**

**(a) Purpose**

The Congress declares that an additional purpose of the Soil Conservation Service and the Extension Service is to aid in protecting and improving the quality of water.

**(b) Conservation plans**

The Secretary, when reviewing conservation plans for compliance certification, shall determine the impact that such plans may have on agriculture and water quality planning. The Soil Conservation Service shall complete this determination by January 1, 2000.

**(c) Acquisition of water information through national resources inventory**

The Secretary shall determine within six months after November 28, 1990, whether the national resources inventory can be modified to acquire useful information on water conditions and surface conditions that affect water quality and supply. In making this determination, the Secretary shall consider—

- (1) the costs, limitations, opportunities, and capability of expanding the inventory to include water matters; and
- (2) whether the natural resources inventory can be integrated with alternative sources of data on water from Federal and State agencies.

**(d) Annual report**

The Secretary shall submit an annual report to the Committee on Agriculture of the House of Representatives and to the Committee on Agriculture, Nutrition, and Forestry of the Senate in conjunction with the report required under section 5403(c) of this title. The report shall specify the—

- (1) activities and accomplishments of the Soil Conservation Service during the preceding year, including measures taken to enhance the ability of the Service to address water contamination problems;
- (2) plans of the Secretary for the subsequent year, concerning measures expected to be taken to enhance the ability of the Service to address water contamination problems; and
- (3) progress made in carrying out the purpose stated in subsection (a) of this section.

(Pub. L. 101-624, title XIV, §1482, Nov. 28, 1990, 104 Stat. 3622.)

**§ 5503. State water quality coordination program**

**(a) Establishment**

The Secretary shall require the establishment of a water quality coordination program within each State. To the greatest extent possible, the Secretary shall use the expertise of the food and agricultural councils.

**(b) Membership**

Each State water quality coordination program shall involve those departmental agencies specified in subsection (c) of this section that

are operating within the State. For the purpose of coordination, the State water quality coordination program shall include, should they choose to participate, those State agencies with complementary water program authorities and programs. These State agency members should include the State agencies that are members of the respective State's soil and water conservation committees. The program shall also include the education program coordinator designated under section 5832(b) of this title.

**(c) Agencies**

The agencies referred to in subsection (b) of this section are: the Agricultural Research Service; the Agricultural Stabilization and Conservation Service; the Animal and Plant Health Inspection Service; the Cooperative State Research Service in conjunction with the system of State agricultural experiment stations; the Economic Research Service; the Extension Service, in conjunction with State and county cooperative extension services; the Forest Service; the National Agricultural Library; the National Agricultural Statistics Service; the Soil Conservation Service; and other agencies within the Department deemed appropriate by the Secretary.

**(d) Program leader**

The program leader of the State water quality coordination program shall be designated by the Secretary from among the Federal agency representatives in subsection (b) of this section.

**(e) Purpose**

The water quality coordination program within each State shall serve as the focal point for coordinating the Department's water programs with agencies of that State. In addition to other actions, each water quality coordination program shall—

- (1) serve as the focal point within the State for the coordination of Department-supported agricultural water programs with the water programs being conducted by other Federal agencies within the State;
- (2) coordinate departmental activities with other Federal activities, within the State with water quality plans developed by that State in accordance with applicable Federal and State laws;
- (3) review progress being made on identification and mapping of hydrologic units within that State; and
- (4) review the needs of that State to assess the Federal assistance required for State programs to address agricultural sources of water contamination.

**(f) Advisory panels**

The chair of the water quality coordination program in each State may establish an ad hoc advisory panel that shall include farmers, representatives of conservation groups, and advocates of sustainable agricultural practices, agribusiness, chemical and fertilizer industries, agricultural commodities, lending institutions, and trade organizations.

**(g) State and regional research priorities**

The water quality coordination program for each State shall request appropriate representa-

tive scientists from the Agricultural Research Service, the State agricultural experiment stations and the agricultural departments of the land-grant universities, to work with the water quality coordination program to establish a prioritized agriculture and water research agenda for the State. This agenda shall address the research topics identified in section 5504 of this title and the concerns or findings established by the activities described in subsection (e)(4) of this section. The State research priorities identified under this subsection shall be compiled and reviewed by the appropriate regional and area divisions of the Cooperative State Research Service and the Agricultural Research Service to develop coordinated regional research priorities.

(Pub. L. 101-624, title XIV, §1483, Nov. 28, 1990, 104 Stat. 3623; Pub. L. 102-237, title II, §201(e), Dec. 13, 1991, 105 Stat. 1847.)

AMENDMENTS

1991—Subsec. (c). Pub. L. 102-237 inserted "and" after "Animal".

EFFECTIVE DATE OF 1991 AMENDMENT

Amendment by Pub. L. 102-237 effective as if included in the provision of the Food, Agriculture, Conservation, and Trade Act of 1990, Pub. L. 101-624, to which the amendment relates, see section 1101(b)(1) of Pub. L. 102-237, set out as a note under section 1421 of this title.

**§5504. Water quality and nutrient management research**

**(a) Purposes**

It is the purpose of this section to establish a coordinated water quality and nutrient management research program at the Department of Agriculture. In carrying out this section, the Secretary shall undertake efforts to—

- (1) reduce the sources of contaminants of surface and ground water resources through the development of farm systems which replace or conserve the use of such contaminants while maintaining farm profitability;
- (2) develop information and technologies needed to formulate integrated farm chemical and plant nutrient and animal waste management strategies which avoid contamination of surface and ground water, especially in areas identified by State and Federal monitoring or regulatory efforts as having current or potential water quality problems; and
- (3) monitor and better evaluate the extent of water contamination caused by farm chemicals, plant nutrients, and animal wastes.

**(b) Coordination**

In carrying out this section, the Secretary shall ensure that all activities undertaken are coordinated with other programs within the Department of Agriculture, other Federal agencies, and with State governments.

**(c) Research**

Research projects on water quality funded in whole or in part by the Secretary under this section shall include research to help—

- (1) develop farming systems and practices which can prevent water contamination while maintaining and improving profitability, including—

- (A) integrated crop management systems;
  - (B) sustainable agricultural practices;
  - (C) best management practices for use of plant nutrients and animal wastes;
  - (D) alternative methods of pest and disease control designed to integrate biological, cultural, host-resistance, and judicious use of pesticides; and
  - (E) improved methods for the storage, use, and safe disposal of potential contaminants;
- (2) improve the understanding of the fate and transport of farm chemicals, plant nutrients, and animal wastes which can contaminate water and cause adverse human or environmental effects;
- (3) develop integrated crop production systems which are more productive, use inputs more efficiently, and are more protective of the environment, including research on—
- (A) nutrient management and use efficiency;
  - (B) soil and tissue testing and nutrient availability interactions with specific cropping systems;
  - (C) plant nutrient needs for nitrogen and elements in intensively managed cropping systems;
  - (D) enhancement of soil productivity;
  - (E) varietal and hybrid interactions with plant nutrient requirements and overall crop management;
  - (F) the relationship of soil microbial activity to nutrient management;
  - (G) suitability of cover crops in soil protection and nutrient conservation;
  - (H) the role of crop rotations in intensively managed cropping systems;
  - (I) legume management for nutrient conservation and environmental protection;
  - (J) interactions of improved nutrient use efficiency and efficient water use;
  - (K) nutrient availability interactions with soil physical conditions;
  - (L) nutrient balance effects on improved nitrogen use efficiency and lowered nitrate carryover in soils; and
  - (M) the importance of subsoil fertility in improved plant yields and nutrient use efficiency;
- (4) monitor and evaluate the extent of water contamination from agricultural production methods;
- (5) improve the understanding of the relationships between water use and the availability and quality of water;
- (6) improve the accuracy of yield and nutrient advisories;
- (7) improve the understanding of the ecological and biological aspects of agricultural production;
- (8) demonstrate the results of research conducted with funds provided under this section, undertaken in cooperation with the Extension Service, the Soil Conservation Service, and other entities;
- (9) reduce water contamination and improve water quality relating to the production of cut roses and other fresh cut flowers; and
- (10) meet other critical water quality research needs, as determined by the Secretary.

(Pub. L. 101-624, title XIV, §1484, Nov. 28, 1990, 104 Stat. 3624.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 5503 of this title.

**§ 5505. Repository of agriculture and ground water quality planning information**

The Secretary, acting through the Director of the National Agricultural Library, shall establish at such Library, a repository for all reports prepared and submitted, in accordance with this chapter, to the Director, the Secretary, or Committees of Congress. The Director of the Library, in administering such repository, shall—

- (1) compile other planning documents concerning agriculture and ground water protection that are produced by the Secretary and other Federal, regional, and State agencies;
- (2) compile and catalog all Federal statutes relevant to the protection of ground water from agricultural production; and
- (3) identify, list, and provide information concerning access to data bases and informational sources relating to ground water and agricultural production that are available through the Secretary, the United States Geological Survey, the Environmental Protection Agency, the Department of Commerce, the National Oceanic and Atmospheric Administration, the Tennessee Valley Authority, private industry, nonprofit organizations, and other sources.

(Pub. L. 101-624, title XIV, §1485, Nov. 28, 1990, 104 Stat. 3626; Pub. L. 102-237, title II, §201(f), Dec. 13, 1991, 105 Stat. 1847; Pub. L. 104-66, title I, §1011(r), Dec. 21, 1995, 109 Stat. 710.)

AMENDMENTS

1995—Pub. L. 104-66 struck out subsec. (a) designation and heading before “The Secretary, acting” and struck out subsec. (b) which required Secretary to prepare and submit report to Congress on measures necessary to develop national database on agricultural practices and water resources.

1991—Subsec. (a). Pub. L. 102-237, §201(f)(1), substituted “Director” for “Administrator” before “of the” in two places in introductory provisions.

Subsec. (a)(3). Pub. L. 102-237, §201(f)(2), substituted “Atmospheric Administration” for “Atmospheric Agency”.

Subsec. (b)(3). Pub. L. 102-237, §201(f)(3), substituted “this subsection” for “subsection (a)”.

EFFECTIVE DATE OF 1991 AMENDMENT

Amendment by Pub. L. 102-237 effective as if included in the provision of the Food, Agriculture, Conservation, and Trade Act of 1990, Pub. L. 101-624, to which the amendment relates, see section 1101(b)(1) of Pub. L. 102-237, set out as a note under section 1421 of this title.

**§ 5506. Water policy with respect to agricultural chemicals**

**(a) Authority**

The Department of Agriculture shall be the principal Federal agency responsible and accountable for the development and delivery of educational programs, technical assistance, and research programs for the users and dealers of agricultural chemicals to insure that—

- (1) the use, storage, and disposal of agricultural chemicals by users is prudent, economical, and environmentally sound; and

(2) agrichemical users, dealers, and the general public understand the implications of their actions and the potential effects on water.

The Secretary is authorized to undertake such programs and assistance in cooperation with other Federal, State, and local governments and agencies, and appropriate nonprofit organizations. The Secretary shall disseminate the results of efforts in extension, technical assistance, research, and related activities. The Secretary shall undertake activities under this subtitle in coordination with the Office of Agricultural Environmental Quality in section 5402 of this title.

**(b) Effect on existing authority**

The authority granted in subsection (a) of this section does not alter or effect the responsibility of the Environmental Protection Agency under the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136 et seq.).

**(c) Participation**

The following agencies shall participate in the Department's water program: the Agricultural Research Service; the Agricultural Stabilization and Conservation Service; the Animal and Plant Health Inspection Service; the Cooperative State Research Service in conjunction with the system of State agricultural experiment stations; the Economic Research Service; the Extension Service, in conjunction with State and county cooperative extension services; the Forest Service; the National Agricultural Library; the National Agricultural Statistics Service; the Soil Conservation Service; and other agencies within the Department deemed appropriate by the Secretary.

(Pub. L. 101-624, title XIV, §1499, Nov. 28, 1990, 104 Stat. 3632; Pub. L. 102-237, title II, §201(g), Dec. 13, 1991, 105 Stat. 1847; Pub. L. 104-127, title VIII, §859(b), Apr. 4, 1996, 110 Stat. 1173.)

REFERENCES IN TEXT

This subtitle, referred to in subsec. (a), means subtitle H (§§1491-1499) of title XIV of Pub. L. 101-624, Nov. 28, 1990, 104 Stat. 3627, which enacted sections 136i-1 and 5506 of this title, amended sections 136a, 136a-1, 136d, 136w-3, and 450i of this title, and enacted provisions set out as a note under section 136a of this title. For complete classification of this subtitle to the Code, see Tables.

The Federal Insecticide, Fungicide, and Rodenticide Act, referred to in subsec. (b), is act June 25, 1947, ch. 125, as amended generally by Pub. L. 92-516, Oct. 21, 1972, 86 Stat. 973, which is classified generally to subchapter II (§136 et seq.) of chapter 6 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 136 of this title and Tables.

CODIFICATION

Section was not enacted as part of the Agriculture and Water Policy Coordination Act which comprises this chapter.

AMENDMENTS

1996—Subsec. (b). Pub. L. 104-127 struck out “and section 3125c of this title” before “does not alter”.

1991—Subsec. (a). Pub. L. 102-237, §201(g)(1), inserted “Agricultural” before “Environmental Quality” and substituted “section 5402 of this title” for “section 1612 of this Act”.

Subsec. (b). Pub. L. 102-237, §201(g)(2), substituted “Effect” for “Affect” in heading and inserted reference to section 3125c of this title.

Subsec. (c). Pub. L. 102-237, §201(g)(3), inserted “and” after “Animal”.

EFFECTIVE DATE OF 1991 AMENDMENT

Amendment by Pub. L. 102-237 effective as if included in the provision of the Food, Agriculture, Conservation, and Trade Act of 1990, Pub. L. 101-624, to which the amendment relates, see section 1101(b)(1) of Pub. L. 102-237, set out as a note under section 1421 of this title.

**CHAPTER 87—EXPORT PROMOTION**

**SUBCHAPTER I—GENERAL PROVISIONS**

Sec.	Purpose.
5601.	Definitions.
5602.	Agricultural export promotion strategy.
5603.	(a) In general.
	(b) Purpose of strategy.
	(c) Goals of strategy.
	(d) Priority markets.
5604.	Preservation of traditional markets.
5605.	Independence of authorities.
5606.	Implementation of commitments under Uruguay Round Agreements.

**SUBCHAPTER II—AGRICULTURAL EXPORT PROGRAMS**

**PART A—PROGRAMS**

5621.	Direct credit sales program.
	(a) Short-term program.
	(b) Intermediate-term program.
	(c) Determinations.
	(d) Use of program.
	(e) Terms of credit assistance.
	(f) Restrictions.
5622.	Export credit guarantee program.
	(a) Short-term credit guarantees.
	(b) Intermediate-term credit guarantees.
	(c) Required determinations.
	(d) Purpose of program.
	(e) Restrictions on use of credit guarantees.
	(f) Restrictions.
	(g) Terms.
	(h) United States agricultural commodities.
	(i) Ineligibility of financial institutions.
	(j) Conditions for fish and processed fish products.
	(k) Processed and high-value products.
5623.	Market access program.
	(a) In general.
	(b) Type of assistance.
	(c) Requirements for participation.
	(d) Eligible trade organizations.
	(e) Approved marketing plan.
	(f) Other terms and conditions.
	(g) Level of marketing assistance.
5624.	Barter of agricultural commodities.
	(a) In general.
	(b) Eligible commodities.
	(c) Barter by exporters of agricultural commodities.
	(d) Transfer of foreign products to other Government agencies.
	(e) Corporation authority not limited.
	(f) Prohibited activities.
5625.	Combination of programs.

**PART B—IMPLEMENTATION**

5641.	Funding levels.
	(a) Direct credit programs.
	(b) Export credit guarantee programs.
	(c) Market access programs.