



**Conference Report to Accompany  
Food and Agriculture Act of 1977  
S. Rep. No. 95-418 (1977)**

**Part 6 of 6**

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(2) authorizes the Secretary to determine the types and varieties of commodities and their proportional amounts. The Secretary is required to report to the congressional agriculture committees any significant changes in these categories before implementing such changes.

(72) *Supplementary Nature of the Program*

The *Senate* bill declares the supplementary nature of the program and that it may be carried out in food stamp program areas and in connection with the food distribution program. The supplemental commodity food program could be carried out in the WIC project area but State and local agencies must provide safeguards to prevent participation by households or individuals in both programs.

The *House* amendment contains no comparable provision.

The *Conference* substitute deletes the *Senate* provision.

(73) *Disqualification of Children Because of Age*

The *Senate* bill declares that children under age six may not be denied the program if they are otherwise eligible.

The *House* amendment contains no comparable provision.

The *Conference* substitute deletes the *Senate* provision.

(74) *Regulations (Sec. 1304)*

The *Senate* bill authorizes the issuance of regulations to implement the commodity supplemental food program.

The *House* amendment contains no comparable provision.

The *Conference* substitute adopts the *Senate* provision.

## TITLE XIV—NATIONAL AGRICULTURAL RESEARCH, EXTENSION, AND TEACHING POLICY ACT OF 1977

(1) *Short Title (Sec. 1401)*

The *House* amendment provides that title XIV may be cited as the "National Agricultural Research, Extension, and Teaching Policy Act of 1977".

The *Senate* bill contains no comparable provision.

The *Conference* substitute adopts the *House* amendment.

### Subtitle A : Findings, Purposes, and Definitions

(2) *Findings (Sec. 1402)*

Both the *Senate* bill and the *House* amendment state several findings to the effect that the Nation's food and agricultural research and extension efforts should be expanded and improved. However, there are numerous specific differences in language.

Generally, the *Senate* bill states that—

(1) there are problems in coordinating research and extension efforts and disseminating research findings;

(2) Federal funding levels are not commensurate with research and extension needs; and

(3) specific Federal initiatives are needed in the areas of: finding alternative sources of energy, solving environmental problems caused by agricultural production, aquaculture, renewable resources, improving the extension programs, regional agriculture,

and weather and climate research. Research and extension related to human nutrition, animal health, and small scale farming are covered in other subtitles of the *Senate* bill.

The *House* amendment makes similar findings; however, the following findings do not appear in the *Senate* bill—

(1) there is a need to improve *teaching* in the food and agricultural sciences, as well as *research* and *extension* efforts;

(2) a strong research effort in the basic sciences is a prerequisite to breakthroughs in knowledge;

(3) the public wants plentiful supplies of nutritious foods from our lands and waters at reasonable prices; and

(4) expansion of agricultural exports depends on coordinated research efforts.

The *Conference* substitute adopts a statement of findings that combines—

(1) all the findings in the *Senate* bill, except those relating to the need for Federal research and extension initiatives in the areas of regional agriculture and improving extension programs for energy conservation and forestry;

(2) the findings in the *House* amendment relating to worldwide population demands for United States agricultural production, the need to improve the agricultural marketing system, the existing research system as the foundation for improving the research effort, the need for a strong research effort in the basic sciences, the importance of research oriented to the needs of small farmers, the importance of expanding our agricultural exports, and the reduction of wood products losses as a means of increasing the supply of wood products. In addition, the *Conferees* believe that research is needed to find more efficient and economical methods of controlling noxious brush in order to increase agricultural production and the availability of water in the Southwest;

(3) provisions contained in the purposes section of the *House* amendment relating to the need for research and extension with respect to human nutrition, the need to develop environmentally sound methods of agricultural production, the need for expanded programs of animal disease and health research and extension, the need for "new crop" research, and the need for research into the use of organic waste materials; and

(4) several provisions contained in the *House* amendment itemizing the priority missions for the Smith-Lever Act extension education program.

### (3) *Purposes* (Sec. 1403)

The *Senate* bill declares it to be the policy of the United States: that special measures be undertaken to improve the coordination, planning, and dissemination of food and agricultural research, identify needs and establish priorities for such research, and assure the full achievement of national food and agricultural research and extension objectives; and that the Secretary of Agriculture should have the primary role in the overall national food and agricultural research and extension effort.

The *House* amendment itemizes these purposes and also states as purposes of the title: the establishment of new programs of grants and

fellowships; to continue the existing programs in the food and agricultural sciences; to provide for examination of the feasibility of using organic waste material to improve soil tilth and fertility; and to provide for programs of "new crop" research.

The *Conference* substitute adopts a statement of purposes that combines—

(1) the declaration of policy in the *Senate* bill relating to the special measures to be undertaken;

(2) the purposes contained in the *House* amendment relating to: the establishment of the Department of Agriculture as the lead Federal agency for the food and agricultural sciences; emphasizing that research, extension, and teaching in the food and agricultural sciences are distinct missions of the Department of Agriculture; cooperation and coordination in the implementation of agricultural research programs; and the establishment of programs for competitive research grants, facilities support grants, and education grants and fellowships; and

(3) a provision contained in the *House* amendment relating to assuring the dissemination of research results.

#### (4) *Definitions (Sec. 1404)*

A. The *Senate* bill defines the term "food and agricultural research" to mean research in the fields of agriculture, forestry, aquaculture, associated marketing systems, water and soil resources, home economics, human nutrition, and animal health.

The *House* amendment defines agricultural research as research in the food and agricultural sciences, which, in turn, is broadly defined to include substantially the same subjects as contained in the *Senate* bill, plus plant and animal health, family life, and rural and community development.

The *Conference* substitute adopts the *House* amendment.

B. The *Senate* bill defines the term "extension" to mean the education programs conducted by State cooperative extension services.

The *House* amendment defines the term "extension" to mean the informal education process conducted by university personnel to extend information and identify problems.

The *Conference* substitute adopts the *Senate* provision, but the term is clarified to mean the informal education process and "in the States in cooperation with the Department of Agriculture" is substituted for "by State cooperative extension services".

C. The *House* amendment defines the terms "colleges and universities", "basic research", "applied research", "State", "aquaculture", "aquacultural species", and "teaching".

The *Senate* bill contains no comparable definitions.

The *Conference* substitute adopts the *House* amendment, but deletes the definitions of "basic research" and "applied research".

### Subtitle B: Coordination and Planning of Agricultural Research, Extension, and Teaching

#### (5) *Responsibilities of the Secretary (Sec. 1405)*

The *House* amendment, in a separate section of the title, designates the Department of Agriculture as the lead agency for agricultural research (except with respect to the biomedical aspects of nutrition),

extension, and teaching in the food and agricultural sciences, and charges the Secretary of Agriculture with fourteen specific responsibilities with respect to the coordination and planning of research, extension, and teaching activities.

The *Senate* bill does not contain a separate "coordination" section. The *Conference* substitute adopts the *House* amendment, but—

(1) the Department of Agriculture is designated as the lead agency of the Federal Government for agricultural research, except with respect to the biomedical aspects of human nutrition concerned with diagnosis or treatment of disease;

(2) the following specific requirements are deleted: that the Secretary utilize the Federal Coordinating Council for Science, Engineering, and Technology in coordinating research, extension, and teaching activities; assist recipients of Federal funds establish coordination of their programs; review the agricultural research, extension, and teaching requirements of agencies within the Department of Agriculture and other agencies and departments; assure that promising research products are developed to the point of practical use; and disseminate research findings; and

(3) the specific requirement that the Secretary of Agriculture consult with the Advisory Board on policies and priorities is changed to also require the Secretary to consult with other departmental advisory committees.

(6) *Federal Subcommittee on Food and Renewable Resources (Sec. 1406)*

Both the *Senate* bill and the *House* amendment amend section 401 (h) of the National Science and Technology Policy, Organization, and Priorities Act of 1976 to establish a standing Subcommittee on Food and Renewable Resources. The principal difference is in the membership of the Subcommittee.

The *Senate* bill provides that the Subcommittee will be composed of representatives of the following eight agencies: the Department of Agriculture, the Agency for International Development of the Department of State, the Department of the Interior, the Department of Health, Education, and Welfare, the National Oceanic and Atmospheric Administration of the Department of Commerce, the Energy Research and Development Administration, the National Science Foundation, and the Environmental Protection Agency.

The *House* amendment provides that the Subcommittee will include, but not be limited to, representatives of these agencies, and (1) specifies the Department of State rather than the Agency for International Development, and (2) includes, in addition, representatives of the Department of Defense and the Tennessee Valley Authority.

The *Conference* substitute adopts the *House* amendment. If the Federal Coordinating Council is abolished by a reorganization plan and its functions transferred to the President, the *Conferees* would expect the President in redelegating the functions of the Federal Coordinating Council to give most serious attention to the functions contained in this section, since the need for better coordination of agricultural research activities among the Federal agencies will remain strong.

(7) *Joint Council (Sec. 1407)*

A. The *Senate* bill provides for the establishment, by the Secretary of Agriculture, of a Joint Council on Food and Agricultural Research and Extension within the Department of Agriculture. The Council will have a five-year term.

The *House* amendment provides that the Secretary establish a Joint Council on Food and Agricultural Sciences subject to the provisions of the Federal Advisory Committee Act. (It would thus terminate at the end of two years, unless extended.)

The *Conference* substitute adopts the *Senate* provision but incorporates from the *House* amendment the title "Joint Council on Food and Agricultural Sciences".

B. The *Senate* bill provides that the Council will have 22 members as follows: 7 from the Department of Agriculture, including the Assistant Secretary in charge of research; 7 from other Federal agencies; and 8 non-Government representatives primarily from land-grant universities. The Council is to be co-chaired by the Assistant Secretary of Agriculture with responsibility for research and the representative from the Division of Agriculture of the National Association of State Universities and Land-Grant Colleges.

The *House* amendment gives the Secretary of Agriculture discretion to name the members of the Council and provides that the Assistant Secretary of Agriculture with the responsibility for research will be the Chairman.

The *Conference* substitute adopts the *House* amendment except that the Assistant Secretary of Agriculture with the responsibility for research and a person to be elected from among the non-Federal membership shall serve as co-chairmen.

C. The *Senate* bill requires that the Joint Council meet at least once every three months and that one meeting annually be a joint meeting with the Advisory Board.

The *House* amendment contains no comparable provision.

The *Conference* substitute adopts the *Senate* provision.

D. The *Senate* bill establishes the following functions for the Joint Council—

- (1) to serve as a forum for the interchange of information among the organizations represented on the Council which are involved in food and agricultural research and extension;

- (2) the development of a system for compiling and disseminating information on current research and extension work;

- (3) to develop and recommend to the Secretary of Agriculture methods to expand cooperation among the various organizations involved in food and agricultural research;

- (4) the development of a system to review and evaluate research and extension programs;

- (5) to develop and review guidelines to be used by the Secretary in making competitive grants; and

- (6) to review developments in food and agriculture in order to identify high priority needs and submit a report to the Secretary annually for use in making competitive grants.

The *House* amendment provides that the primary purpose of the Joint Council is to foster coordination of the research, extension, and teaching activities of the Federal Government, the States, colleges and

universities, and other public and private institutions and persons involved in the food and agricultural sciences. Under the *House* amendment, the Council's responsibilities are also as follows:

(1) to analyze and evaluate the impacts of research, extension, and teaching programs in the food and agricultural sciences conducted in the United States;

(2) to assist in developing, reviewing, and evaluating memoranda of understanding or other documents that detail terms and conditions between the Secretary and participants in programs under this Act and other Acts dealing with research, extension, and teaching in the food and agricultural sciences; and

(3) to assist the Secretary in carrying out his planning responsibilities under this Act.

The *Conference* substitute incorporates substantially all of the responsibilities assigned to the Joint Council by both the *Senate* bill and the *House* amendment. The *Conferees* intend that the Joint Council should identify all high priority research areas and not simply those which would be of use to the Secretary in making competitive grants.

E. The *Senate* bill requires the Joint Council to make an annual report to the Secretary of Agriculture of its recommendations regarding funding of unified national, regional, or interstate research or extension projects, and which will also include status reports on all ongoing research and extension projects. The Secretary will submit copies of this report to the Subcommittee on Food and Renewable Resources, the Advisory Board, and to Congress.

The *House* amendment gives the Council responsibility for performing a comprehensive review of research, but does not specifically require an annual report.

The *Conference* substitute adopts the *Senate* provision.

#### (8) *Advisory Board* (Sec. 1408)

A. The *Senate* bill provides that the Secretary of Agriculture shall establish a 25 member Users Advisory Board for Food and Agricultural Research and Extension which is to have a term of five years. The Board will be composed of a specific number of representatives from each of eight designated categories. The chairperson and vice-chairperson will be elected by the members from the Board's membership.

The *House* amendment provides for a comparable 15-member advisory committee appointed by the President and to be known as the National Agricultural Research, Extension, and Teaching Policy Advisory Board, subject to the Federal Advisory Committee Act. (It would thus terminate at the end of two years, unless extended.) The Board will be composed of representatives from national organizations whose interests are similar to those designated in the *Senate* bill. The President will have the discretion to select the members of the Board from among such national organizations. The Assistant Secretary of Agriculture responsible for research will be the chairman.

The *Conference* substitute adopts the *Senate* provision but modifies it to rearrange and reduce the total membership to twenty-one, provide

a substitute title, the "National Agricultural Research and Extension Users Advisory Board", and provide for one member each representing three additional constituencies, to wit: persons engaged in transportation of food and agricultural products to domestic or foreign markets, labor organizations primarily concerned with the production, processing, distribution, or transportation of food and agricultural products, and private sector organizations involved in development programs and issues in developing countries.

B. The *Senate* bill requires that the Advisory Board meet at least once every four months and that one meeting annually be held jointly with the Joint Council.

The *House* amendment contains no comparable provision.

The *Conference* substitute adopts the *Senate* provision.

C. The *Senate* bill establishes five "working panels" within the Advisory Board whose responsibilities are to obtain the views of the public in the five following areas:

- (1) agricultural input requirements;
- (2) agricultural and food production;
- (3) food marketing;
- (4) human nutrition; and
- (5) forestry and renewable resources.

The panels will be required to submit the views of the public to the Secretary of Agriculture. They will meet at least once every four months. The chairpersons of the Advisory Board and of each working panel, and the vice chairperson of the Advisory Board will constitute an executive board to consult with the Secretary on Advisory Board staff personnel and related matters.

The *House* amendment provides that the Advisory Board may establish such panels as it deems appropriate to develop information, reports, advice, and recommendations for the use of the Advisory Board. Such panels may include members of the Advisory Board, Advisory Board staff members, Department personnel, and persons from other Federal agencies and the private sector. The *House* amendment makes no provision for an executive board.

The *Conference* substitute adopts the *House* amendment. However, the *Conferees* expect that the Advisory Board will promptly establish working panels to solicit and submit to the Secretary the views of the public in the five subject areas indicated in the *Senate* bill.

D. Both the *Senate* bill and the *House* amendment assign the Advisory Board similar responsibilities to review and assess ongoing programs in the food and agricultural sciences, and to make annual recommendations as to needs.

In the *Senate* bill there is a mandate, not contained in the *House* amendment, that the Advisory Board review private foundation and business research programs and their relationships to Federal programs.

In the *House* amendment there is a mandate, not contained in the *Senate* bill, that the Advisory Board be a forum for the exchange of information.

The *Conference* substitute adopts substantially all of the responsibilities outlined in both the *Senate* bill and the *House* amendment except for redundant provisions requiring the Advisory Board to re-



view and assess, or provide a forum for exchange of information on, the agricultural research programs of the Federal Government.

E. Both the *Senate* bill and the *House* amendment require the Advisory Board to submit annual reports concerning food and agricultural research efforts. Under the *Senate* bill, the report will be submitted to the Secretary of Agriculture for transmission to the Federal Coordinating Council for Science, Engineering, and Technology, and the Joint Council.

The *House* amendment provides that the Advisory Board will report directly to the President and to the House Committee on Agriculture, the House Committee on Appropriations, the Senate Committee on Agriculture, Nutrition, and Forestry, and the Senate Committee on Appropriations on all activities financed under this title during the preceding fiscal year and on research, extension, and teaching activities under other statutes administered by the Secretary.

The *Conference* substitute adopts the provisions of both the *Senate* bill and the *House* amendment and provides for two separate annual reports, one containing the Advisory Board's recommendations, and the other containing its appraisal of the Secretary's recommendations and the President's budget in the food and agricultural sciences.

#### (9) *Impact on Existing Programs (Sec. 1409)*

The *House* amendment contains a provision stating the intent of Congress to augment, coordinate, and supplement agricultural research programs existing prior to the enactment of this Act and disclaiming any intention to limit the authority of the Secretary of Health, Education, and Welfare under any Act which he administers.

The *Senate* bill contains no comparable provision.

The *Conference* substitute adopts the *House* amendment.

#### (10) *Secretary's Report (Sec. 1410)*

The *Senate* bill requires the Secretary of Agriculture to submit to Congress and the President, by February 15 of each year, an annual report of the recommendations of the Joint Council and Advisory Board as to priority needs for food and agricultural research and extension programs, and as to allocations of responsibilities and levels of funding among these programs. The fifth such report shall include a five-year plan.

The *House* amendment requires the Secretary to submit a report to the President and to Congress by December 31 of each year. The *House* amendment requires the Secretary to include in his report a 5-year plan, updated annually, covering present and future research, extension, teaching, and manpower development priorities, and a current annual inventory review of these activities organized into 3 categories as follows: statutory authorization and budget outlay; field of basic and applied science; and commodity and product category.

The *Conference* substitute adopts the *House* amendment but modifies it to require the Secretary's report to be submitted by February 1 of each year, to require the second and subsequent reports to include a five-year projection of national food and agricultural research, extension, and teaching priorities rather than a five-year program plan, and to require the report to include the statements of the recommendations of the Joint Council and Advisory Board.

(11) *Libraries and Information Network (Sec. 1411)*

The *House* amendment states that it is congressional policy to facilitate more effective utilization of agricultural libraries and to—

- (1) assure planning, coordination, and evaluation of agricultural research needs;
- (2) establish coordination of libraries;
- (3) provide access to information services for all colleges, universities, and Department of Agriculture personnel; and
- (4) strengthen or establish programs for training in information utilization.

In addition, the *House* amendment establishes within the National Agricultural Library a Food and Nutrition Information and Education Resources Center. Its responsibilities are—

- (1) assembling and collecting food and nutrition education, training, and other materials; and
- (2) maintaining such material and disseminating it on a regular basis to State educational agencies and other interested persons.

The Secretary of Agriculture is authorized to carry out this section through the use of grants, contracts, or such other means as he deems appropriate and to require matching funds.

This provision is designed to complement and facilitate the Secretary's responsibility to coordinate research and extension.

The *Senate* bill contains no comparable provision.

The *Conference* substitute adopts the *House* amendment.

(12) *Staff Support for Joint Council and Advisory Board (Sec. 1412)*

The *Senate* bill requires the Secretary to furnish the necessary clerical and staff assistance needed by the Council and the Advisory Board, and provides for the employment of a staff director for the Advisory Board by the Secretary of Agriculture.

The *House* amendment authorizes the Secretary to appoint up to 15 professional staff employees to assist the Joint Council in its duties. Compensation for these staff will be at rates not lower than those for grade GS-13 nor higher than those for grade GS-16, except that not more than 5 persons can be compensated at the rates for grade GS-16. The Executive Director of the staff will be compensated at the rates prescribed for grade GS-18. For the Advisory Board, the *House* amendment provides for an Executive Secretary at grade GS-18 and for up to 10 full-time professional staff employees (for terms not to exceed 4 years) at rates of pay not lower than those for grade GS-13 nor higher than those for grade GS-16, except that not more than 3 employees can be compensated at grade GS-16. The function of the Advisory Board's staff will be to examine matters of agricultural research, extension, and teaching policy.

The *Conference* substitute adopts the *Senate* provision but modifies it to provide that the Secretary is required to appoint a single staff organization consisting of up to five professional members and one executive director to support both the Joint Council and the Advisory Board. The rate of compensation for these positions is not specified and will be determined by the Secretary, except that the person holding the position of executive director may be compensated at a rate which shall not exceed the rate for grade GS-18. The Secretary will

also supply clerical assistance and staff personnel as may be required to assist the Joint Council and Advisory Board in carrying out their duties. The Joint Council and Advisory Board will be authorized, in addition, to obtain the assistance of employees of the Department and other agencies and other persons involved in the food and agricultural sciences in formulating their recommendations to the Secretary. The *Conferees* anticipate that of the 5 professional staff members, one will serve also in the capacity of executive secretary of the Joint Council and another in the capacity of executive secretary of the Advisory Board. The Secretary will be expected to supply such additional clerical and administrative support, and space, supplies, and equipment as are reasonable under the circumstances.

(13) *General Provisions (Sec. 1413)*

The *Senate* bill contains provisions, covering both the Joint Council and the Advisory Board, which govern the filling of vacancies and the delegation of functions, and which provide that members will serve without compensation if they are not otherwise officers or employees of the United States. In addition, members of the Joint Council are authorized to designate representatives to attend meetings of the Joint Council in their stead.

The *House* amendment provides that members of the Advisory Board will serve without compensation from the Federal Government, and authorizes the Board to obtain the assistance of employees of the Department of Agriculture and other agencies. However, the *House* amendment does not provide that members of the Joint Council will likewise serve without compensation from the Federal Government.

The *Conference* substitute adopts the *Senate* provision but deletes the authority to delegate functions or designate representatives to attend meetings.

(14) *Appropriations*

The *Senate* bill authorizes appropriations in such sums as necessary to carry out this subtitle.

The *House* amendment contains no comparable provision.

The *Conference* substitute deletes the *Senate* provision.

Subtitle C: Agricultural Research and Education Grants and Fellowships

(15) *Competitive Research Grants (Sec. 1414)*

The *Senate* bill amends section 2 of Public Law 89-106 to require the Secretary of Agriculture to establish a competitive grants program for high priority research to further the programs of the Department of Agriculture. Competition for these grants will be open to all, and the duration of individual grants will be limited to five years. The *Senate* bill authorizes the appropriation of such sums as are necessary to carry out the program.

The *House* amendment establishes a new provision of law requiring the Secretary to establish a program of competitive grants, open to all, for the purpose of conducting basic and applied research in agriculture, forestry, human nutrition, and development of new crops. The Secretary must give priority to research which promises to yield break-

throughs in new areas applicable to agriculture, human nutrition, aquaculture, and forestry. The Secretary must seek the widest participation of qualified scientists. The *House* amendment authorizes appropriations which range from \$25 million in fiscal year 1978 to \$50 million in fiscal year 1982.

The *Conference* substitute adopts the *Senate* provision but clarifies that all colleges and universities are eligible to compete for these grants and also incorporates provisions from the *House* amendment which require the Secretary to seek the widest participation of qualified scientists in submitting and in evaluating research proposals and require that grants be made without regard to matching funds. In addition, the *Conference* substitute incorporates the provision in the *House* amendment authorizing appropriations for these grants ranging from \$25 million in fiscal year 1978 to \$50 million in fiscal year 1982. While the *Conference* substitute provides flexibility for the determination of specific research efforts, the *Conferees* intend that the following types of research be given priority consideration in this program:

(1) basic research aimed at the discovery of new scientific principles and techniques that may be applicable in agriculture and forestry;

(2) research aimed at the development of new and innovative products, methods, and technologies relating to biological nitrogen fixation, photosynthesis, and other fields that will improve and increase the productivity of agriculture and forestry resources;

(3) basic and applied research in the field of human nutrition; and

(4) research to develop and demonstrate new, promising crops, including guayule and jojoba.

(16) *Special Research Grants (Sec. 1414)*

The *Senate* bill amends section 2 of Public Law 89-106 to add a new subsection (c) which authorizes the Secretary to make grants for periods of up to 5 years to State agricultural experiment stations and agricultural and mechanical colleges for special research programs. Such grants will be used to facilitate or expand ongoing State-Federal research programs which (1) support research which requires funding in excess of normal program levels; (2) promote excellence in research; (3) promote the development of regional research centers; or (4) promote the research partnership between the Department of Agriculture and the experiment stations or agricultural and mechanical colleges. The *Senate* bill permits the Secretary to limit overhead costs.

The *House* amendment establishes a new statutory provision which provides for such grants to land-grant colleges, State agricultural experiment stations, and all colleges and universities having a demonstrable capacity in agricultural research. The grants will be used to support promising breakthroughs in research in areas of national importance in the food and agricultural sciences. The *House* amendment prohibits use of grant funds for overhead costs and provides that no institution can receive more than one special grant in any fiscal year.

The *Conference* substitute amends section 2 of Public Law 89-106 to add a new subsection (c) which authorizes the Secretary to make grants for periods of up to five years without regard to matching funds, to—

(1) land-grant colleges and universities, State agricultural experiment stations, and all colleges and universities having a demonstrable capacity in agricultural research, as determined by the Secretary, to carry out research to facilitate or expand promising breakthroughs in knowledge; and

(2) land-grant colleges and universities and State agricultural experiment stations to facilitate or expand State-Federal research programs that (a) promote excellence in research, (b) promote development of regional research centers, or (c) promote the research partnership between the Department of Agriculture and such colleges or State agricultural experiment stations.

The *Conference* substitute does not limit the number of grants which an institution can receive under this section in any fiscal year but permits the Secretary to limit overhead costs.

(17) *Research Facilities Grants (Sec. 1414)*

The *Senate* bill amends section 2 of Public Law 89-106 by adding a new subsection (d) which establishes a new program for research facility grants to support purchases of land and equipment and construction or renovation of buildings. Under this program, each State agricultural experiment station is assured of an annual grant in the amount of \$100,000 or an amount equal to 10 percent of the agricultural research funds it receives under the Hatch Act and McIntire-Stennis Act, whichever is greater. There is a matching funds requirement for amounts in excess of \$50,000. Each experiment station and veterinary college will also receive an annual facilities grant equal to 10 percent of Federal animal health research funds it receives. The grantees can elect to defer receipt of annual grants under this program for up to five years, but can not defer more than \$1 million.

The *House* amendment contains a provision for expansion or construction of veterinary medical schools which is not tied to animal health research.

The *Conference* substitute adopts the *Senate* provision.

(18) *Construction or Expansion of Schools of Veterinary Medicine (Sec. 1415)*

The *House* amendment requires the Secretary of Agriculture to make grants to States on a 50-50 matching basis for the purpose of construction or expansion of new or existing schools of veterinary medicine. Not less than 50 percent of the grants must be made available to States which have accredited schools of veterinary medicine. Preference will be accorded to States which (1) make a reasonable effort to establish veterinary medical training programs with States without colleges of veterinary medicine, and (2) assure the Secretary that the clinical program of the school to be established or expanded will emphasize food-producing animals.

The *Senate* bill contains no provision for construction of new veterinary medical schools.

The *Conference* substitute adopts the *House* amendment.

(19) *Amendments to the Research Facilities Act of 1963 (Sec. 1416)*

Both the *Senate* bill and the *House* amendment amend the Research Facilities Act of 1963 to make eligible for research facility grants under that Act the Connecticut Agricultural Experiment Station at New Haven, the Ohio Agricultural Experiment Station at Wooster, and the colleges and universities eligible to receive funds under the Act of August 30, 1890, including the Tuskegee Institute. The *House* amendment, in addition, makes colleges, universities, and other legal entities eligible to receive benefits under the McIntire-Stennis Act, eligible for such grants.

The *Senate* bill also amends section 5 of this Act by adding at the end thereof a new sentence which provides that, in States having more than one eligible institution, the Secretary of Agriculture shall insure that facility proposals provide for a coordinated agricultural research program among such eligible institutions. The *House* amendment contains no comparable provision.

The *House* amendment also substantially revises sections 4 through 11 of the Act to provide, *inter alia*, for a new formula for distribution of funds under the Act, eliminate the requirement for matching funds, and add specific authorizations for appropriations ranging from \$15 million in fiscal year 1978 to \$31 million in fiscal year 1982. The *Senate* bill contains no comparable provision.

The *Conference* substitute adopts the *House* amendment but incorporates the *Senate* provision amending section 5 to require the Secretary to assure that there is a coordinated agricultural research program in States which have more than one eligible institution.

(20) *Grants and Fellowships for Food and Agricultural Science Education (Sec. 1417)*

The *House* amendment requires the Secretary to conduct a program of competitive grants for all colleges and universities to further education in the food and agricultural sciences. These grants will be made in the following categories:

(1) grants for up to four years to strengthen programs of training and research for scientists at the graduate and post-doctoral levels;

(2) grants for up to two years to strengthen undergraduate programs;

(3) pre-doctoral fellowships to graduate students for up to four years, to provide training and increase research capabilities in areas of need as identified by each State. At least three such fellowships must be awarded annually to students from each State; and

(4) post-doctoral fellowships for one to five years with priority to be given to individuals doing basic research.

Authorizations for the program range from \$25 million in fiscal year 1978 to \$50 million in fiscal year 1982.

In addition, the *House* amendment transfers administration of teaching funds authorized in section 22 of the Bankhead-Jones Act from the Secretary of the Department of Health, Education, and Welfare to the Secretary of Agriculture.

The *Senate* bill contains no comparable provision.

The *Conference* substitute adopts the *House* amendment.

(21) *National Agricultural Research Award (Sec. 1418)*

The *House* amendment requires the Secretary of Agriculture to establish a National Agricultural Research Award for research or advanced studies in the food and agricultural sciences. The award will not exceed \$50,000 per year, for up to three years, to support research or study by the recipient. Two awards shall be made in each fiscal year—

(1) one to a scientist in recognition of outstanding contributions; and

(2) one to a graduate student or post-doctoral research worker in recognition of demonstrated capability and promise of significant future achievements.

The *Senate* bill contains no comparable provision.

The *Conference* substitute adopts the *House* amendment but modifies it to make eligible for one of such awards each year a research scientist in early career development rather than a post-doctoral research worker.

(22) *Hydrocarbon and Alcohol Research and Development (Secs. 1419-1420).*

A. The *Senate* bill requires that the Secretary of Agriculture make grants to colleges and universities with capacity for agricultural research for the purpose of conducting research on producing and marketing (1) coal tar for the manufacture of agricultural chemicals and alcohol-blended motor fuel; and (2) industrial hydrocarbons from agricultural commodities and forest products.

The *House* amendment is identical to the *Senate* bill except that (1) grants may be made to any college or university; and (2) it provides, in addition, for research projects related to the production and marketing of producer gas and other coal derivatives for the manufacture of methanol and methyl fuel.

The *Conference* substitute adopts the *House* amendment.

B. The *Senate* bill requires the Secretary of Agriculture to provide loan guarantees for four pilot projects for the production of industrial hydrocarbons from agricultural commodities and forest products.

The *House* amendment is identical to the *Senate* bill except that it requires the Secretary to provide for pilot projects for the production of industrial hydrocarbons and alcohols from agricultural commodities and forest products.

The *Conference* substitute adopts the *House* amendment.

C. The *Senate* bill requires the Secretary of Agriculture to purchase such quantities of agricultural commodities as may be necessary to supply the pilot projects with commodities.

The *House* amendment requires that the Secretary supply such commodities from Commodity Credit Corporation stocks, or, to such extent and in such amounts as are provided in appropriation acts, through purchase.

The *Conference* substitute adopts the *House* amendment.

(23) *Subtitle D: National Food and Human Nutrition Research and Extension Program*

The *Senate* bill provides for a national food and human nutrition research and extension program. The Secretary of Agriculture is directed to establish nutrition research as a separate and distinct mission of the Department of Agriculture and increase support for nutrition research to a level adequate to meet needs. The subtitle also includes provisions for (1) a study assessing the feasibility of establishing regional food and nutrition research centers; (2) expansion of nutrition extension and education efforts by the Department; (3) development, within one year, of a comprehensive plan for implementing the subtitle; and (4) the development, within 90 days, of a comprehensive monitoring system to identify and assess nutrition-related health risks.

The *House* amendment contains no comparable subtitle.

The *Conference* substitute adopts the *Senate* subtitle, but deletes provisions within the subtitle specifically assigning certain program responsibilities to the Agricultural Research Service and the Extension Service of the Department of Agriculture and, instead, generally assigns them to the Secretary of Agriculture and the Department of Agriculture. However, the *Conferees* understand that the purpose of these changes is to provide the Secretary with flexibility, and that there is no intent to eliminate existing programs or to duplicate these efforts, specifically with reference to the work of the Extension Service expanded food and nutrition education program.

Subtitle E: Animal Health and Disease Research

(24) *Purpose (Sec. 1429)*

A. The *Senate* bill includes among the purposes of subtitle E to improve the health of companion animals and to improve methods of controlling the births of predators and other animals.

The *House* amendment contains no comparable provision.

The *Conference* substitute adopts the *Senate* provision, but deletes the purpose relating to companion animals.

B. The *House* amendment includes among the purposes of subtitle E to provide for research in the productive use of animal waste products and to provide for the health of horses.

The *Senate* bill contains no comparable provision.

The *Conference* substitute adopts the *House* amendment, but deletes the purpose relating to productive use of animal waste products.

C. In the statement of purpose in the *Senate* bill, recognition is given that (1) the total animal health research efforts of the State colleges and the Federal Government would be more effective if they were more closely coordinated; and (2) colleges of veterinary medicine and departments of veterinary science and animal pathology and units of the State agricultural experiment stations conducting animal health research are vital in training research workers in animal health.

The *House* amendment contains no comparable provision.



The *Conference* substitute adopts the *Senate* provision, except that language describing the institutions considered vital in training research workers is conformed with the *House* definition of "eligible institution."

(25) *Definitions (Sec. 1430)*

The *Senate* bill defines "eligible institution" to include (1) State agricultural experiment stations; and (2) accredited colleges of veterinary medicine.

The *House* amendment defines the term to include these institutions and, in addition, all colleges and universities having a department of veterinary science or animal pathology.

The *Conference* substitute adopts the *House* amendment.

(26) *Animal Health Science Research Advisory Board (Sec. 1432)*

The *Senate* bill provides for the establishment of an advisory board for a term of five years to consult with and advise the Secretary of Agriculture with respect to the implementation of this subtitle and to recommend research priorities. It will be composed of eleven members as follows:

- (1) three representatives of the Department of Agriculture;
- (2) one representative of the Bureau of Veterinary Medicine of the Food and Drug Administration; and

- (3) seven members appointed by the Secretary, including two persons representing the veterinary colleges, two persons representing the State agricultural experiment stations, and three persons representing national livestock and poultry organizations.

The *House* amendment contains no comparable provision.

The *Conference* substitute adopts the *Senate* provision.

(27) *Appropriations for Continuing Research Programs (Sec. 1433)*

The *Senate* bill authorizes appropriations, not to exceed \$25 million annually, to support continuing animal health research programs at eligible institutions.

The *House* amendment authorizes general appropriations for carrying out agricultural research for fiscal years 1978 through 1982, without allocating any particular amount for animal health research.

The *Conference* substitute adopts the *Senate* provision.

(28) *Allocation of Funds Awarded for Continuing Programs Among Institutions (Sec. 1433)*

The *Senate* bill provides that in each State with one or more veterinary colleges, the deans of such colleges and the director of the State agricultural experiment station shall develop a comprehensive animal health research plan for the State. This program is to be used for the allocation of funds awarded to the State among the eligible institutions in the State.

The *House* amendment provides that, with respect to funds allocated among the States based on the value of livestock in each State, the Secretary shall distribute the funds to eligible institutions within a State in proportion to their relative capacity for research.

The *Conference* substitute adopts the *Senate* provision.

(29) *Use of Excess Funds (Sec. 1433)*

The *House* amendment provides that when funds available to an institution based on livestock values exceed the funds for which it is entitled based on research capacity, the excess may be used for remodeling or the construction of facilities or for an increase in staffing.

The *Senate* bill contains no comparable provision.

The *Conference* substitute adopts the *House* amendment, but the use of excess funds for remodeling facilities or constructing new facilities, as well as use of excess funds to increase staffing, is made subject to the approval of the Secretary.

(30) *Additional Appropriations in Future Years*

The *House* amendment provides that to the extent that total appropriations are increased in years subsequent to the first year in which funds are appropriated under this section, the additional funds are to be apportioned among States and institutions on the basis of data relating to livestock and poultry values and research capacities current at the time they are appropriated.

The *Senate* bill contains no comparable provision.

The *Conference* substitute deletes the *House* amendment.

(31) *Reallocation of Funding (Sec. 1433)*

The *Senate* bill provides for the reallocation of funding among institutions in a State whenever a new veterinary college is established.

The *House* amendment contains no comparable provision.

The *Conference* substitute adopts the *Senate* provision.

(32) *Regional Colleges and Jointly Supported Colleges (Sec. 1433)*

The *Senate* bill provides for the allocation of funds to regional colleges or colleges jointly supported by two or more States.

The *House* amendment contains no comparable provision.

The *Conference* substitute adopts the *Senate* provision.

(33) *Appropriations for Research on National or Regional Problems (Sec. 1434)*

A. The *Senate* bill provides that funds may be appropriated, in amounts not to exceed \$15 million annually, to support research on national or regional animal health problems.

The *House* amendment provides no limit on annual appropriations for such research.

The *Conference* substitute adopts the *Senate* provision.

B. The *Senate* bill provides that the Secretary shall, whenever possible, consult with the Advisory Board in developing plans for the use of these funds.

The *House* amendment contains no provisions relating to an Advisory Board.

The *Conference* substitute adopts the *Senate* provision.

(34) *Availability of Appropriated Funds (Sec. 1435)*

The *Senate* bill provides that funds available for allocation under this subtitle are to remain available for payment of unliquidated obligations for one additional fiscal year following the year of appropriation.

The *House* amendment contains no comparable provision.

The *Conference* substitute adopts the *Senate* provision.

(35) *Withholding of Appropriated Funds (Sec. 1436)*

The *Senate* bill provides for the purposes of this subtitle that, if funds are withheld from a State because of its failure to satisfy the requirements of this subtitle or regulations issued under it, the funds shall be kept separate in the Treasury until the end of the next Congress. If the next Congress does not direct the funds to be paid, they will be carried to surplus.

The *House* amendment contains a similar provision that applies to all of Title XIV. However, withheld funds must be directly deposited into miscellaneous receipts of the Treasury.

The *Conference* substitute adopts the *Senate* provision with respect to this subtitle.

(36) *Requirements for Use of Funds (Sec. 1437)*

The *Senate* bill provides that, with respect to continuing animal health research projects funded under this subtitle, the dean or director of the eligible institution performing the project must obtain and review factual proposals for such projects prior to assignment of funds thereto. The proposals must show compliance with the purpose of this subtitle and general guidelines for project eligibility provided by the Secretary of Agriculture. A summary of proposals that are accepted must be submitted to the Secretary.

The *House* amendment contains a similar provision which applies to all of title XIV and also provides that the Secretary must establish appropriate criteria and regulations governing grant and assistance approval.

The *Conference* substitute adopts the *Senate* provision with respect to this subtitle. However, the *Conferees* understand that the requirement to submit a summary of proposals to the Secretary is to keep him advised of projects and is not a prerequisite to the funding or commencement of work on projects at the State level.

(37) *Matching Funds (Sec. 1438)*

The *Senate* bill establishes a matching funds requirement with respect to grants awarded for continuing research programs. All amounts awarded to an institution annually in excess of \$100,000 are to be subject to a 50/50 match requirement.

The *House* amendment contains no comparable provision.

The *Conference* substitute adopts the *Senate* provision.

## Subtitle F: Small Farm Research and Extension

(38) *Research and Extension (Sec. 1440)*

There are several differences in wording.

A. The *Senate* bill states that the purpose of the small farm research program is "upgrading" small farmer operations.

The *House* amendment uses the phrase "initiate and upgrade".

The *Conference* substitute adopts the *House* amendment.

B. The *Senate* bill provides that small farm extension programs will consist of programs to "improve" small farm "marketing techniques".

The *House* amendment uses the phrases "initiate and improve" and "new products marketing techniques".

The *Conference* substitute adopts the language "initiate and improve" of the *House* amendment, but deletes the words "new products".

(39) *Allocation of Funds (Sec. 1441)*

The *Senate* bill provides for allocation of funds appropriated for small farm research and extension programs among the States in proportion to the number of small farmers in each State.

The *House* amendment leaves the allocation of such funds to the discretion of the Secretary of Agriculture.

The *Conference* substitute adopts the *House* amendment.

(40) *Report (Sec. 1443)*

The *Senate* bill requires the Secretary of Agriculture to report to Congress no later than February 1 of each year on the effectiveness of the small farm research and extension programs.

The *House* amendment requires that the report be submitted by April 1 of each year.

The *Conference* substitute adopts the *Senate* provision.

## Subtitle G: 1890 Land-Grant College Funding

(41) *Support of Extension Work (Sec. 1444)*

A. The *Senate* bill authorizes, beginning in fiscal year 1979, annual appropriations to support extension work at colleges eligible to receive funds under the Act of August 30, 1890, including Tuskegee Institute, *not in excess of* 4 percent of the total amount appropriated under the Smith-Lever Act.

The *House* amendment provides that there shall be appropriated under this section for each fiscal year, beginning in fiscal year 1979, an amount *not less than* 4 percent of the total appropriations for such year under the Smith-Lever Act, and further provides that the amount appropriated in fiscal year 1979 shall not be less than the amount made available to eligible institutions in fiscal year 1978 under section 3(d) of that Act. The *House* amendment also provides that no more than 20 percent of the funds received by an institution in any fiscal year may be carried forward to the succeeding fiscal year.

The *Conference* substitute adopts the *House* amendment.

B. The *Senate* bill provides that funds shall be distributed under a formula which reserves 4 percent to the Extension Service for administration and distributes the balance among eligible institutions as follows:

- (1) 20 percent equally;
- (2) 40 percent in proportion to rural population; and
- (3) 40 percent in proportion to farm population.

The *House* amendment provides that, beginning in fiscal year 1979, appropriations up to the level appropriated in fiscal year 1978 under section 3(d) of the Smith-Lever Act shall be allocated among the eligible institutions in the same relative proportion as under section 3(d) for fiscal year 1978. Any funds appropriated in addition to this amount shall be distributed by a formula which is substantially the same as the formula contained in the *Senate* bill.

The *Conference* substitute adopts the *House* amendment.

C. The *Senate* bill provides that the States will act as intermediaries with respect to the extension programs between the 1890 institutions and the Secretary of Agriculture in the same manner as currently exists for 1862 institutions.

The *House* amendment removes the States as intermediaries and provides for a direct relationship between the eligible institutions and the Secretary.

The *Conference* substitute adopts the *House* amendment.

D. The *Senate* bill provides that persons employed by the eligible institutions shall be deemed to be Federal employees for the purpose of eligibility for Federal health and life insurance, workman's compensation, and retirement benefits.

The *House* amendment contains no comparable provision.

The *Conference* substitute deletes the *Senate* provision.

(42) *Development of Research and Extension Programs (Sec. 1444 and Sec. 1445)*

A. Both the *Senate* bill and the *House* amendment provide that, in States in which 1890 schools are located, the extension program for each State is to be jointly developed by the Director of the State's co-operative extension service and the 1890 institution in the State.

The *House* amendment further requires that this program be mutually agreed to by these individuals and submitted to the Secretary of Agriculture for his approval within one year after the date of enactment of the bill.

The *Senate* bill contains no comparable provision.

The *Conference* substitute adopts the *House* amendment but deletes the phrase "administrative head of outreach" and substitutes therefor the phrase "administrative head for extension".

B. Both the *Senate* bill and the *House* amendment provide that, in States in which 1890 schools are located, a comprehensive program of research is to be jointly developed by the director of the State agricultural experiment station and the chief administrative research officer of the 1890 school in the State.

The *House* amendment further requires that the program be mutually agreed to by these individuals and that it be submitted to the Secretary for his approval within one year after the date of enactment of the bill.

The *Senate* bill contains no comparable provision.

The *Conference* substitute adopts the *House* amendment.

The *Conferees* understand that coordination and cooperation are imperative to achieve the objectives of this title and to insure maximum efficiency and productivity of the research and extension programs administered by the State agricultural experiment stations and extension services at the 1862 land-grant universities and those at the 1890 institutions. However, the *Conferees* do not intend that this coordination impinge on the self-determination of these institutions in project selection or specific program features. Nor are these provisions meant to extend jurisdiction of the Secretary or either of these institutions to programs and efforts funded with non-Department of Agriculture grants. The purpose of these provisions is recognized by the Department of Agriculture. This fact is clearly indicated

in a letter from Secretary Bob Bergland to Chairman Foley, dated July 14, 1977. The matter is further clarified by the colloquy on the House floor, as reported in the Congressional Record of July 28, 1977, on page H8035. Secretary Bergland's letter reads as follows:

DEPARTMENT OF AGRICULTURE,  
Washington, D.C., July 14, 1977.

HON. THOMAS S. FOLEY,  
U.S. House of Representatives,  
Washington, D.C.

DEAR MR. FOLEY: This letter is in response to your request for the Department's interpretation of the coordination provisions of Sections 1323 and 1325 of H.R. 7171. These sections provide continuous funding for research and extension to the 1890 land-grant colleges and universities and Tuskegee Institute. They bring these institutions in as full partners in the USDA-land-grant system for research and extension. The Department fully supports these sections.

The provisions for coordination of programs between the 1862 and 1890 institutions of each State are essential to ensure that the use of Federal funds will result in a single program tailored to the needs of the people of the State rather than two separate programs with potential duplication and fragmentation of effort. We expect this to be done by a reciprocal exchange of ideas between the institutions and by mutual agreement regarding the division of responsibilities and areas of active cooperation.

It is not intended that either the 1862 or the 1890 institutions would have veto power. We accept the statements of the 1890 Presidents to members of Congress and to our Department that this will not occur on their part and trust that the 1862 institutions also will avoid this abuse of the partnership. Furthermore, if this should occur despite the good intentions of both parties, the Secretary can monitor and correct such activity.

There is no reason to believe that these sections will impair the strong and continuing cooperative relationships between the Department and the States. The Secretary never has had jurisdiction over the use of State and local funds in agricultural research and extension and this will not change. Such information as the States submit on State appropriations is and will be voluntary and in the interest of cooperation.

These sections will not be carried out by the Department in a manner that will impinge on the present responsibilities of directors of State agricultural experiment stations or of cooperative extension to carry out the administration of Hatch or Smith-Lever funds for their State, or to coordinate and direct the State and local appropriations under their jurisdictions.

This information is offered as the Department's position and intent should the provisions of H.R. 7171 become law.

Sincerely,

BOB BERGLAND,  
Secretary.

(43) *Support of Research (Sec. 1445)*

A. The Senate bill authorizes annual appropriations, beginning in fiscal year 1979, to support continuing agricultural research at colleges

eligible to receive funds under the Act of August 30, 1890, including Tuskegee Institute, *not in excess of* 15 percent of the total amount appropriated under section 3 of the Hatch Act.

The *House* amendment provides that, beginning in fiscal year 1979, there shall be appropriated under this section to support continuing agricultural research at the 1890 institutions an amount *not less than* 15 percent of the total appropriations for such year under section 3 of the Hatch Act, and further provides that the amount appropriated in fiscal year 1979 shall not be less than the amount made available to such institutions in fiscal year 1978 under Public Law 89-106.

The *Conference* substitute adopts the *House* amendment.

B. The *Senate* bill provides for the distribution of funds as follows:

- (1) 3 percent to the Department of Agriculture for administrative purposes; and
- (2) the remainder among the eligible institutions—
  - (A) 20 percent in equal shares;
  - (B) 40 percent in proportion to the rural population of the State; and
  - (C) 40 percent in proportion to the farm population of the State.

The *House* amendment provides a distribution formula as follows:

- (1) 3 percent will be available to the Secretary of Agriculture for administration; and
- (2) the remainder is to be allocated among the eligible institutions as follows:
  - (A) \$100,000 to each; and
  - (B) of the remaining funds, one-half among the institutions in proportion to rural population and one-half among the institutions in proportion to farm population.

The *Conference* substitute adopts the *House* amendment.

C. The *Senate* bill provides that the governing board of each eligible institution is to designate the treasurer to receive and account for funds.

The *House* amendment provides for the direct appointment of a treasurer by the eligible institution.

The *Conference* substitute adopts the *House* amendment.

D. The *House* amendment provides that funds shall not be used for payment of negotiated overhead or indirect cost rates.

The *Senate* bill contains no comparable provision.

The *Conference* substitute adopts the *House* amendment.

E. The *Senate* bill provides for use of the U.S. mails for the dissemination of the results of projects funded under this section.

The *House* amendment authorizes use of the mails to disseminate the results of all research and experiments at the eligible institutions, not simply those funded under this section.

The *Conference* substitute adopts the *Senate* provision.

## Subtitle H: Solar Energy Research and Development

### (44) *Short Title*

The *House* amendment provides that the solar energy portion of the title may be cited as the "Agricultural Solar Energy Research, Development, and Demonstration Act of 1977".

The *Senate* bill contains no comparable provision.

The *Conference* substitute deletes the *House* amendment.

(45) *Definition of "Solar Energy"* (Secs. 1446-1448, 1457)

Both the *Senate* bill and the *House* amendment define "solar energy" for the purpose of this subtitle and add this definition to section 1 of the Bankhead-Jones Act of 1935, section 1 of the Smith-Lever Act, and section 312(a) of the Consolidated Farm and Rural Development Act.

The *Senate* bill defines the term to mean energy (other than energy derived from the fossilization process) obtained from solar radiation, including solar heat, wind, and biomass.

The *House* amendment defines the term to mean energy derived from sources (other than fossil fuels) and technologies included in the Federal Non-Nuclear Energy Research and Development Act of 1974, as amended.

The *Conference* substitute adopts the *House* amendment.

(46) *Farm Machinery*

The *Senate* bill specifies in several places in the subtitle that the term "farm machinery" shall include machinery used to cure crops, as well as other specified machinery.

The *House* amendment contains no comparable provision.

The *Conference* substitute adopts the *Senate* provision.

(47) *Agricultural Research*

The *House* amendment adds a new section 10(f) to the Bankhead-Jones Act of 1935, which provides that of the sums authorized to be appropriated for research for any fiscal year under section 10(a) of the Act, \$25,000,000 is authorized to be appropriated to carry out research and development relating to uses of solar energy with respect to farm buildings, farm homes, and farm machinery (including equipment used to dry crops and provide irrigation).

The *Senate* bill contains no comparable provision.

The *Conference* substitute deletes the *House* amendment. It was the judgment of the *Conferees* that the Department of Agriculture should, under existing authorizations for appropriations and to the extent practicable, annually allocate \$25,000,000 of its research appropriations to agriculture-related solar energy research projects. However, the \$25,000,000 will be reduced by any other funds made available to the Department of Agriculture for solar energy research.

(48) *Agricultural Extension*

The *House* amendment adds at the end of section 3(a) of the Smith-Lever Act a new sentence which provides that 5 percent of the sums authorized by that section to be appropriated for extension work for each fiscal year is authorized to be appropriated for extension work with respect to uses of solar energy.

The *Senate* bill contains no comparable provision.

The *Conference* substitute deletes the *House* amendment. It was the judgment of the *Conferees* that the Department of Agriculture should, to the extent practicable, devote 5 percent of the funds made available to it under the Smith-Lever Act to extension work relating to the uses of solar energy.



(49) *Rural Development (Sec. 1448)*

The *Senate* bill amends section 303 of the Consolidated Farm and Rural Development Act, which enumerates purposes for which Farmers Home Administration real estate loans may be made, by designating the existing language as subsection (a) and adding a new subsection (b) which defines—

(1) the term “improving farms” to include the acquisition and installation in a family farm home of any qualified solar energy thermal conversion system; and

(2) the term “qualified solar energy thermal conversion system” to mean solar heating and cooling equipment (within the meaning of the Solar Heating and Cooling Demonstration Act of 1974) which meets the Department of Housing and Urban Development minimum property standards.

The *House* amendment contains the same provision except that it refers to “qualified nonfossil energy system”, which is defined to mean any system which utilizes technologies to generate fuel, energy, or energy intensive products from products other than fossil fuels, as included in the Federal Non-Nuclear Energy Research and Development Act of 1974, as amended, and meets standards set by the Secretary of Agriculture, taking into consideration appropriate and available HUD standards.

The *Conference* substitute adopts the *House* amendment.

(50) *Competitive Grants Program (Sec. 1449)*

The *Senate* bill directs the Secretary of Agriculture to carry out a program of competitive grants (subject to the requirements and conditions for agricultural research grants provided for in subsections (e), (f), and (h) of section 2 of the Act of August 4, 1965, as amended by section 1414 of this title) for research and development relating to—

(1) uses of solar energy with respect to farm buildings, farm homes, and farm machinery (including equipment used to dry or cure farm and forest products); and

(2) uses of biomass derived from solar energy, including farm and forest products, byproducts, and residues, as substitutes for nonrenewable fuels and petrochemicals.

The *House* amendment contains no comparable provision.

The *Conference* substitute adopts the *Senate* provision.

(51) *Solar Energy Research Information System (Sec. 1450)*

Both the *Senate* bill and the *House* amendment require the Secretary of Agriculture to annually compile a list of solar energy projects.

A. The *Senate* bill requires a compilation of solar energy projects related to agriculture.

The *House* amendment requires a compilation of all solar energy projects.

The *Conference* substitute adopts the *Senate* provision.

B. The *House* amendment provides that, in making this compilation, the Secretary shall consult with appropriate agencies of the United States.

The *Senate* bill contains no comparable provision.

The *Conference* substitute adopts the *House* amendment.

C. The *Senate* bill provides for the compilation of projects relating to heating and cooling methods for curing barns.

The *House* amendment contains no comparable provision.

The *Conference* substitute adopts the *Senate* provision.

D. The *House* amendment provides for the compilation of projects involving electric vehicles.

The *Senate* bill contains no comparable provision.

The *Conference* substitute adopts the *House* amendment.

E. The *Senate* bill provides for the compilation of projects relating to new technology powered by solar energy.

The *House* amendment provides for the compilation of projects relating to new technology powered by other than fossil fuels or derivatives thereof.

The *Conference* substitute adopts the *House* amendment.

#### (52) *Advisory Committee (Sec. 1451)*

The *House* amendment authorizes the Secretary of Agriculture to establish an advisory committee or to utilize an existing advisory committee to:

- (1) meet with regional representatives of the State departments of agriculture to determine and to make recommendations concerning solar energy projects that are useful and beneficial to each State and region;

- (2) review and evaluate each solar energy model farm and demonstration farm project being carried out under this subtitle;

- (3) recommend which solar energy projects should be started, continued, continued with modifications, or discontinued;

- (4) make recommendations to the Secretary regarding applications for grants submitted by State departments of agriculture; and

- (5) submit to the Secretary and to each House of Congress an annual report of its recommendations and the results of its evaluations.

Provisions are made for administrative support of the advisory committee, for the procurement of services of consultants, for assistance by the Department of Agriculture and other Federal agencies, and for the acquisition of needed information concerning solar energy research projects. The advisory committee may not continue in existence beyond September 30, 1981, unless extended by act of Congress.

The *Senate* bill contains no comparable provision.

The *Conference* substitute adopts the *House* amendment authorizing the establishment of the advisory committee, but deletes the provisions relating to the membership of the committee, its specific functions, and administrative matters.

#### (53) *Grants for Model Farms and Demonstration Projects (Sec. 1452)*

A. The *Senate* bill directs the Secretary of Agriculture to distribute funds to State extension services, State agricultural experiment stations, forestry schools, and 1890 colleges, including Tuskegee Institute, for use in establishing model and demonstration farms.

The *House* amendment directs the Secretary to use 80 percent of the funds authorized to be appropriated for model farms and demonstration farms (which would be \$16 million for fiscal years 1978-1981)

to make grants to State departments of agriculture to establish the model farms and demonstration farms.

The *Conference* substitute adopts the *Senate* provision, but State departments of agriculture are included among those eligible to receive grants for use in establishing model farms and demonstration projects and the Secretary will choose one or more of those eligible in each State to receive the grant, rather than being required to distribute the funds among them.

B. The *House* amendment also contains a number of administrative provisions conditioning such grants, and limits the amount which any State department of agriculture may receive in any fiscal year to no more than 5 percent of the funds appropriated.

The *Senate* bill contains no comparable provisions.

The *Conference* substitute deletes the *House* amendment.

#### (54) *Model Farms (Sec. 1452)*

A. The *Senate* bill provides that the eligible institutions in each State are to, by mutual agreement, determine which solar energy projects will be demonstrated in that State. The *Senate* bill requires that the eligible institutions in each State establish, in cooperation with the State department of agriculture and local nonprofit research groups in the State, at least one large model farm on which to demonstrate the solar energy projects.

The *House* amendment requires that, after receiving recommendations from the Secretary of Agriculture as to solar energy projects to be carried out in the State with grants made available under this subtitle, each State department of agriculture will meet with its regional representative and select the projects to be carried out in that State during such fiscal year. The *House* amendment requires that during the first fiscal year for which a State department of agriculture receives a grant under this subtitle it establish (working with the Extension Service of the Department of Agriculture and with State agricultural experiment stations, agricultural institutes of higher education, and private and nonprofit institutions which are located in the State and which carry out solar energy research projects in the State) a model farm on which to demonstrate the solar energy projects.

The *Conference* substitute adopts the *Senate* provision, but the model farm in each State will be established by the recipient of the grant, rather than by the eligible institutions in the State. Also, selection of the solar energy projects to be demonstrated on the farm will be made by the Secretary, in consultation with the recipient, rather than by mutual agreement among the eligible institutions.

B. The *Senate* bill requires that the model farm be located in the State on land owned or operated by the State, if practicable, on State agricultural experiment station farm land.

The *House* amendment requires that the farm be located in the State on land owned by the State.

The *Conference* substitute adopts the *Senate* provision.

C. The *Senate* bill requires that the model farm demonstrate the use of solar energy as a means of heating, cooling, drying crops, and providing other farming needs.

The *House* amendment requires that the model farm demonstrate new and improved methods of agriculture.

The *Conference* substitute adopts both the *Senate* provision and the *House* amendment.

D. The *Senate* bill requires that the products of the model farms be sold and the proceeds deposited into the miscellaneous receipts of the State agricultural experiment station of the land-grant college or university in such State.

The *House* amendment permits the sale of any livestock and crops produced by the model farms and requires that the proceeds be deposited into the miscellaneous receipts of the Treasury of the United States through the Department of Agriculture.

The *Conference* substitute adopts the *House* amendment, with an amendment that only the pro rata share of proceeds resulting from Federal grants will be paid to the Secretary, and that the funds will then be deposited into a fund for use in carrying out the model farm program, instead of being deposited into miscellaneous receipts.

E. The *House* amendment requires that persons touring model farms be provided, on request, with information concerning the operation of model farms and the demonstration projects.

The *Senate* bill contains no comparable provision.

The *Conference* substitute adopts the *House* amendment.

F. The *Senate* bill requires that a report be compiled and submitted to the Secretary of Agriculture annually concerning each model farm.

The *House* amendment has the same reporting requirement, except that the reports are to be submitted to the regional representatives who shall submit the reports at the next meeting of the advisory committee.

The *Conference* substitute adopts the *Senate* provision.

G. The *Senate* bill requires that the results obtained from each model farm which prove to be economically practical be extended to other farms in each State through the State cooperative extension service as part of its ongoing energy management and conservation education program.

The *House* amendment contains no comparable provision.

The *Conference* substitute adopts the *Senate* provision.

#### (55) *Demonstration Projects (Sec. 1453)*

A. The *Senate* bill requires that during each calendar year after the first two calendar years for which eligible institutions in a State receive grants under this part, such eligible institutions must, by mutual agreement, select from among the projects demonstrated on the model farm not less than ten demonstrations of solar energy projects to be carried out on farms which are already operating in the State.

The *House* amendment is the same as the *Senate* bill except that (1) the demonstration project must be selected and established by the State's department of agriculture, and (2) reference is made to fiscal years rather than calendar years.

The *Conference* substitute adopts the *Senate* provision, but the demonstration projects will be selected and established by the recipients of the grants in each State, rather than by the eligible institutions,

and the recipients will consult with the Secretary of Agriculture in selecting the demonstration projects.

B. The *House* amendment requires that a State department of agriculture enter into a written agreement with any person who owns a farm selected by the department and who is willing to carry out a demonstration of solar energy projects, which shall include the following provisions:

(1) the owner must carry out such projects for five years, report monthly on his findings, conclusions, and recommendations, keep a monthly record of data relating to the projects, and give tours of the farm and provide persons touring the farm a summary of the costs of carrying out such projects;

(2) the State department of agriculture must provide agricultural production materials needed for the projects (if they are not commonly being used on farms) and provide the owner technical assistance concerning such projects;

(3) the owner shall have all right, title, and interest to any agricultural commodity produced on such farm as a result of such projects; and

(4) the owner shall, at the end of the five-year period, have all right, title, and interest to materials provided by the State department of agriculture.

The *Senate* bill contains no comparable provision.

The *Conference* substitute adopts the *House* amendment, but the recipient of the grant in each State, rather than the State department of agriculture, will enter into the agreements, and the agreements will be for such period of time as the Secretary determines to be necessary to fairly demonstrate the projects, rather than for five years.

(56) *Authorizations for Appropriations (Secs. 1454-1456)*

The *Senate* bill generally authorizes such appropriations as are needed to carry out the provisions of the solar energy subtitle.

The *House* amendment authorizes to be appropriated for model farms and demonstration projects: \$20 million for the four year period covered by fiscal years 1978, 1979, 1980, and 1981; and thereafter such sums as may be authorized by Congress.

The *Conference* substitute adopts the *House* amendment but retains the *Senate* provision for a general authorization with respect the balance of the subtitle.

(57) *Regional Solar Energy Research and Development Centers (Sec. 1455)*

Both the *Senate* bill and the *House* amendment provide for the establishment of 3 to 5 regional solar energy research and development centers in the United States, to be variously located so as to reflect the unique solar characteristics of different latitudes and climatic regions within the United States. It was the judgment of the *Conferees* that the regional centers be established as soon as possible and that, although no funding level is provided for the establishment of the Centers, a reasonable funding level be made available by the Secretary of Agriculture for each Center. Also, the *Conferees* reaffirmed the intent of the sponsors of this section that funds for the establishment of the Centers be available for new structures as well as the renovation

of existing facilities over the next two years, but that future operating funds not be available for new structures.

(58) *Definitions (Sec. 1457)*

The *House* amendment contains definitions of the terms "institute of higher education", "region", "State", and "State agricultural experiment station".

The *Senate* bill contains no comparable definitions.

The *Conference* substitute adopts the *House* definition of "State", but deletes the definitions of "institute of higher education", "region", and "State agricultural experiment station".

(59) *Subtitle I—International Agricultural Research and Extension*

The *House* amendment authorizes the Secretary of Agriculture to expand the operational coordination of the Department of Agriculture with agricultural research and extension activities around the world. The Secretary is also authorized to work with developed countries, assist AID programs in developing countries, assist in strengthening research and extension capabilities relevant to agricultural development activities overseas at colleges and universities in the United States, and further develop within the Department a staff of highly qualified experienced scientists who specialize in international agricultural programs.

The *Senate* bill contains no comparable provision.

The *Conference* substitute adopts the *House* amendment.

Subtitle J—Studies

(60) *Extension Education; Small Farms, Nutrition, Energy Conservation, Water Conservation, Forestry, and Animal Diseases*

The *House* amendment directs the State cooperative extension services to give increasing attention to education programs in the areas of small farm operations, human nutrition, energy and water conservation, forestry and natural resources, animal disease and health care, and the utilization of organic waste materials to improve soil tilth and fertility.

The *Senate* bill contains no comparable provision, but does identify similar needs in other sections of this title.

The *Conference* substitute deletes the *House* amendment, but includes mention of the need for increased attention in these areas in the findings in section 1402 and other appropriate sections of this title.

(61) *Evaluation of the Extension Service and the State Cooperative Extension Services (Sec. 1459)*

The *House* amendment directs the Secretary of Agriculture to transmit to Congress not later than March 31, 1979, an evaluation of the economic and social consequences of the programs of the Extension Service and the State cooperative extension services. Not less than \$1,500,000, nor more than \$2,500,000, of the funds appropriated for the purposes of carrying out the extension programs of the Department of Agriculture will be used for this evaluation.

The *Senate* bill contains no comparable provision.

The *Conference* substitute adopts the *House* amendment, but deletes

the provision which earmarks between \$1,500,000 and \$2,500,000 of the appropriations for extension for the evaluation.

(62) *Weather and Water Allocation Study (Sec. 1460)*

The *House* amendment requires the Secretary of Agriculture to conduct a comprehensive study of the effects of changing climate and weather on crop and livestock productivity and, within 12 months of the enactment of this Act, to submit a report and recommendations to the President and to Congress. The study will include:

- (1) an assessment of the impact of changes in weather on our economy and on future food and feed availability and prices;
- (2) a review of Federal and State water allocation policies; and
- (3) a consideration of strategies and techniques for dealing with water shortages.

The *Senate* bill contains no comparable provision.

The *Conference* substitute adopts the *House* amendment.

(63) *Organic Farming Study (Sec. 1461)*

The *House* amendment requires the Secretary of Agriculture to conduct, and, within 12 months after the date of enactment of this Act, submit to the President and to Congress a report containing the results of his recommendations concerning, an investigation and analysis of the practicability, desirability, and feasibility of collecting and using organic waste materials to improve soil tilth and fertility. The analysis will include the projected cost of collection, transportation, and placement of organic waste material in accordance with sound locally approved soil and water conservation practices.

The *Senate* bill contains no comparable provision.

The *Conference* substitute adopts the *House* amendment.

(64) *Agricultural Research Facilities Study (Sec. 1462)*

The *House* amendment directs the Secretary of Agriculture to conduct a comprehensive study of agricultural research facilities and to report within 14 months to the President and Congress on his findings. The Secretary may appoint a committee of not to exceed 13 persons to assist him. The report is to cover agricultural research facilities and materials and include an analysis of the operation and impact of the Research Facilities Act of 1963 and recommendations for a modern and efficient system of research facilities.

The *Senate* bill contains no comparable provision.

The *Conference* substitute adopts the *House* amendment, but deletes the authority for the Secretary to appoint a committee to assist him and reimburse them for their travel expenses, and omits as unnecessary the specific reference to the Research Facilities Act of 1963 since the study includes facilities provided for under this Act.

## Subtitle K—Funding and Miscellaneous Provisions

(65) *Funding Targets (Secs. 1463 and 1464)*

A. The *Senate* bill expresses the sense of Congress that minimum Federal funding for food and agricultural research and extension should equal, in any fiscal year, an amount not less than  $\frac{1}{2}$  of 1 percent of—

- (1) the total value of personal consumption expenditures for food in the United States, and

(2) the gross value of United States agricultural exports, for the preceding calendar year.

For fiscal year 1978 this calculation would be:  $.005 \times (\$224.4 \text{ billion} + \$23 \text{ billion}) = \$1.237 \text{ billion}$ .

The *House* amendment contains no comparable provision.

The *Conference* substitute deletes the Senate provision.

B. The *House* amendment makes specific overall authorizations for the five fiscal year period 1978–1982, for research, extension, and Hatch Act programs. For research, the overall authorizations range from \$505 million in fiscal year 1978 to \$780 million in fiscal year 1982. These totals do not include authorizations for Hatch Act or extension programs, nor do they include the authorizations for the competitive grants, educational grants and fellowships, hydrocarbon and alcohol research, solar energy research, or facilities grants under the Research Facilities Act of 1963, all of which are subject to separate authorizations. For extension, the overall authorizations range from \$260 million in fiscal year 1978 to \$350 million in fiscal year 1982. For Hatch Act programs, the overall authorizations range from \$120 million in fiscal year 1978 to \$220 million in fiscal year 1982.

The *Senate* bill contains no comparable provision.

The *Conference* substitute adopts the *House* amendment. This provision is not intended by the *Conferees* to result in the termination of these programs after 1982. The *Conference* substitute clearly sets forth the need for expanding existing research and extension programs. The *Conferees* intend that early oversight hearings be held and that funding levels for these programs for future years will be considered and enacted well before fiscal year 1982.

(66) *Extension Programs for Guam and the Virgin Islands of the United States (Sec. 1465)*

The *House* amendment provides that the matching funds provision of section 3 of the Smith-Lever Act will be deemed to have been satisfied for fiscal years 1978 and 1979 for Guam and the Virgin Islands of the United States if the amounts budgeted and available for expenditure by Guam and the Virgin Islands of the United States in such years equal the amounts budgeted and available for expenditure by them in fiscal year 1977.

The *Senate* bill contains no comparable provision.

The *Conference* substitute adopts the *House* amendment.

(67) *Amendment to the Hatch Act (Sec. 1466)*

The *House* amendment amends section 3(c)(5) of the Hatch Act to permit the use of administrative funds reserved to the Secretary of Agriculture for transportation of non-Federal scientists to research meetings for purposes of assessing research opportunities and for research planning.

The *Senate* bill contains no comparable provision.

The *Conference* substitute adopts the *House* amendment.

(68) *Technical Provisions (Secs. 1467–1470)*

A. The *House* amendment gives the Secretary of Agriculture discretion to determine when to pay and withhold funds available for allotment under this title.

The *Senate* bill contains no comparable provision.



The *Conference* substitute adopts the *House* amendment.

B. The *House* amendment provides for rulemaking, reporting requirements, and audits with respect to grants awarded under this title. The *Senate* bill contains no comparable provision.

The *Conference* substitute adopts the *House* amendment.

C. The *House* amendment provides for the retention by the Secretary of Agriculture of 3 percent of the funds appropriated under this title, for grant administration purposes, and limits allowable overhead.

The *Senate* bill contains no comparable provision.

The *Conference* substitute adopts the *House* amendment.

D. The *Senate* bill provides that the Secretary of Agriculture and the Comptroller General of the United States will have access to books and records of recipients of Federal assistance for animal health and disease research for three years after the completion of the projects in which Federal funds are used.

The *House* amendment provides for access to records with respect to all of this title, and sets no time limit on such access.

The *Conference* substitute adopts the *House* amendment.

E. The *Senate* bill authorizes the Secretary of Agriculture to prescribe rules and regulations necessary to carry out subtitles A, D, and E of this title.

The *House* amendment contains no comparable provision.

The *Conference* substitute adopts the *Senate* provisions, but substitutes a single provision to apply to the entire title.

## TITLE XV—RURAL DEVELOPMENT AND CONSERVATION

### (1) *Agricultural Conservation Program (Sec. 1501)*

The *Senate* bill amends section 8(b) of the Soil Conservation and Domestic Allotment Act, which authorizes the making of payments to agricultural producers for purposes of conservation treatment and pollution control. The *Senate* bill amends section 8(b) to specify that financial assistance will be provided to agricultural producers for carrying out enduring conservation and environmental enhancement measures. Eligibility for financial assistance would be determined by the existence of conservation or environmental problems that reduce the productive capacity of the land and water or that cause environmental degradation. Financial assistance would be a portion of the cost of the installation of conservation measures. The Secretary of Agriculture would be given discretion to set the level of payment based on a number of considerations relating to the level and distribution of benefits and costs accruing from the conservation problem and the applied remedy, including (1) the farmer's inability to carry out the needed measures with his own resources, (2) the level of expected benefits to society, (3) the total cost of the conservation practice, (4) the degree to which the farmer benefits from other conservation programs, and (5) the degree to which conservation would be applied in the absence of financial assistance. The Secretary would be required to consider national and local needs and priorities in developing a national cost-share assistance program.

The *Senate* bill would also amend section 8(e) of the Act. As amended, section 8(e) would establish the policy for dividing pay-

ments among landlords, tenants, and sharecroppers for conservation measures. The provisions for payment allocation related to allotment and production adjustment activities would be deleted. The provision for making small cost-share increase payments would be deleted. The Secretary would be given the authority to establish a payment limitation.

With respect to appropriations, funds would remain available until expended. A specified percentage or part of the total appropriated would have to be allocated to long-term conservation agreements. The allocation of funds among States would be based on conservation needs, as determined by the Secretary.

The *House* amendment contains no comparable provision.

The *Conference* substitute adopts the *Senate* provision with two amendments. The first amendment deletes the requirement for consideration to be given to the producer's inability to carry out the needed measures with his own resources—it being the intent of the *Conferees* that cost-share assistance under the program should not be predicated on a financial means test. The second amendment clarifies the intent that, in determining the level of assistance to be provided under the program, consideration is to be given to the extent that the producer obtains benefits from other government programs which would duplicate benefits under the Agricultural Conservation Program.

It is the intent of the *Conferees* that the local ASC committees continue to be used in accordance with provisions of the Act and criteria established by the Secretary to determine the types of conservation problems that exist on farms and ranches, the priority of such problems, and the practices needed to solve them.

The Secretary is encouraged to provide cost-share assistance under the program for the establishment of shelter belts in the Midwest. Many of the shelter belts established in the aftermath of the devastating droughts of the 1930's have been plowed up and land used for crop production. The amount of such land has been estimated to total 28 million acres. This land is once again subject to blowing dust and serious erosion. The establishment of shelter belts is needed to conserve the remaining soil resources of the Nation.

It is also expected that assistance under the program will be provided for controlling mesquite and other noxious brush in the Southwest. The Soil Conservation Service estimates that in Texas alone over 92 million acres of rangeland are infested with noxious brush and an additional 2 to 3 million acres are becoming infested each year. The SCS further estimates that this brush annually wastes 20 times as much water as is used by all industry, municipalities, and irrigation farmers in the State of Texas. A similar situation exists in many other Southwestern and Western States.

(2) *Inclusion of Agriculture and Human Nutrition Among the Basic Functions of the Department of Agriculture (Sec. 1502)*

The *Senate* bill amends sections 520 and 526(a) of the Revised Statutes to include fresh water aquaculture and human nutrition as basic functions of the Department of Agriculture.

The *House* amendment contains no comparable provision.

The *Conference* substitute adopts the *Senate* provision with an

amendment deleting "fresh water" in the reference made to aquaculture.

(3) *Aquaculture Loan Authority (Sec. 1503)*

A. The *Senate* bill amends the Bankhead-Jones Farm Tenant Act, as amended, to provide authority for the Secretary to cooperate with Federal, State, territorial, and other public agencies, and nonprofit organizations, in developing plans for a program for the conservation, development, and utilization of water for aquacultural purposes. Aquaculture is defined to mean the culture or husbandry of aquatic animals and plants.

The *House* amendment contains no comparable provision.

The *Conference* substitute adopts the *Senate* provision.

B. The *Senate* bill amends the Consolidated Farm and Rural Development Act to clarify that "aquaculture" is an authorized loan purpose under the business and industrial loan program of the Farmers Home Administration.

The *Conference* substitute adopts the *Senate* provision.

(4) *Disposition of Excess Federal Property to Rural Fire Forces (Sec. 1504)*

The *Senate* bill requires the Secretary, with cooperation and assistance from the Administrator of General Services, to encourage the use of Federal excess personal property by rural fire forces, and to closely coordinate the assistance provided under the rural community fire protection program with assistance provided under other fire protection and rural development programs which he administers.

The *House* amendment contains no comparable provision.

The *Conference* substitute adopts the *Senate* provision.

(5) *Reports to Congress on the Rural Community Fire Protection Program*

The *Senate* bill requires the Secretary to report to Congress by March 1 of each year regarding the operation of the rural community fire protection program.

The *House* amendment contains no comparable provision.

The *Conference* substitute deletes the *Senate* provision.

(6) *Congressional Approval of Watershed Protection and Flood Prevention Projects (Sec. 1506)*

The *Senate* bill raises from \$5 million to \$10 million the amount a any project under the Watershed Protection and Flood Prevention Act requiring congressional approval, transmittal to Congress of the watershed or subwatershed area plan, and transmission of certain plans and recommendations to Congress.

The *House* amendment raises the threshold to \$500,000.

The *Conference* substitute adopts the *Senate* provision.

(7) *Watershed Loan Authority (Sec. 1508)*

The *Senate* bill raises from \$5 million to \$10 million the amount a local watershed district may borrow from the Farmers Home Administration to finance the local share of a watershed project.

The *House* amendment contains no comparable provision.

The *Conference* substitute adopts the *Senate* provision.

(8) *Multiyear Set-Aside Contracts (Sec. 1509)*

The *Senate* bill extends through the 1982 crop the Secretary's authority to establish multiyear set-aside contracts for feed grains, wheat, and cotton.

The *House* amendment extends this authority through the 1981 crop and prohibits livestock grazing, except in areas determined to be a major disaster if the Secretary finds that such grazing is needed as a result of the disaster.

The *Conference* substitute adopts the *House* amendment.

(9) *Authority to Defer Payments on Certain Emergency Farm Loans (Sec. 1510)*

The *Senate* bill provides specific authority for the Secretary to defer for up to three years principal and interest payments on any Farmers Home Administration loan in an area eligible for Farmers Home Administration emergency loans.

The *House* amendment amends sections 309 and 309A of the Consolidated Farm and Rural Development Act to provide specific authority for the Secretary to use funds contained in the Agricultural Credit Insurance Fund and the Rural Development Insurance Fund to pay installments of the principal and interest to holders of notes of Farmers Home Administration borrowers whose payments of principal and interest have been deferred by the Secretary.

The *Conference* substitute adopts the *House* amendment.

(10) *Critical Lands Resource Conservation Program (Sec. 1511)*

The *House* amendment authorizes the Secretary to provide, for the purpose of promoting conservation of soil and water, incentive payments of up to \$30 per acre for farmers in the Great Plains Conservation Program area under two-year agreements to convert certain cropland from soil depleting crops to soil conserving cover crops. Up to 50 percent of a farmer's acreage which had been planted to any soil depleting crop or crops in any of the two preceding years would be eligible. The agreement will be annually renewable after the first two years.

The *House* amendment authorizes the Secretary to provide for preservation of cropland, crop acreage, and allotment history for acreages diverted to vegetative cover for the purpose of a Federal program under which history is used as a basis for an allotment or for participation in a program.

Appropriations for this program would be authorized through fiscal year 1981.

The *Senate* bill contains no comparable provision.

The *Conference* substitute adopts the *House* amendment.

(11) *Rural Water Program Assessment*

The *House* amendment declares it to be the policy of Congress that citizens and all levels of government should become aware of programs concerned with water resources that may impact on agricultural pro-

duction and other aspects of rural life. The *House* amendment requires the Secretary to conduct a study to:

(1) Identify governmental programs concerned with assessing water resource supplies which have an impact on agriculture and life in rural areas;

(2) Identify geographical areas which may suffer shortages in either quantity or quality of water;

(3) Describe water conservation, storage, and allocation methods and procedures that may be pursued to relieve water shortages; and

(4) Assess the extent and manner in which important water related information is disseminated to users. The Secretary would cooperate with Federal, State, and local governmental agencies in carrying out this study. The Secretary would be required to complete the study and submit a report to the agriculture committees of Congress within 180 days of the enactment of this bill. Effective October 1, 1977, \$160,000 would be authorized to be appropriated to carry out the study.

The *Senate* bill contains no comparable provision.

The *Conference* substitute deletes the *House* amendment with the understanding that the Secretary has a more comprehensive study with regard to rural water resources already underway making use of his existing authority. The Secretary is encouraged by the *Conferees* to expedite completion of the study, to include the objectives of the *House* amendment in the study, and to report the results thereof to Congress upon its completion.

## TITLE XVI—FEDERAL GRAIN INSPECTION

### (1) *Supervision Fees (Sec. 1602)*

The *Senate* bill repeals the provisions in current law requiring that Federal field supervision of inspection or weighing under the United States Grain Standards Act be supported by fees. Supervision would, instead, be financed by appropriated funds.

The *House* amendment provides for an equal (50/50) sharing of the costs for Federal field supervision of inspection and weighing under the Act. Fifty percent of the costs would be covered by appropriated funds and 50 percent by fees charged to those to whom services are provided.

The *Conference* substitute adopts the *Senate* provision.

### (2) *Definition of "Supervision of Weighing" (Sec. 1604)*

The *Senate* bill amends the definition of "supervision of weighing" in section 3(y) of the Act to include "certification of the weight of the grain" as a part of the supervision process. Under the current definition, the issuance of weight certificates is not authorized as part of the certification process.

The *House* amendment does not expand the definition to include issuance of weight certificates, but does amend it to require supervision adequate to reasonably assure the integrity and accuracy of weight certificates.

The *Conference* substitute adopts the *House* amendment.

(3) *Authorization for Expansion in Responsibilities of the Federal Grain Inspection Service (Sec. 1604)*

The *House* amendment amends section 3A of the Act, which authorizes the creation of the Federal Grain Inspection Service to administer the Act. The Secretary of Agriculture would be authorized to delegate to the FGIS the additional responsibilities of performing related functions for grain and similar commodities and products under other statutes administered by the Department of Agriculture. Also, the Secretary would be authorized to appoint 4 individuals to grade GS-16 positions in the FGIS.

The *Senate* bill contains no comparable provision.

The *Conference* substitute adopts the *House* amendment.

(4) *Standards or Procedures for Grain Weighing (Sec. 1604)*

The *House* amendment amends section 4(a) of the Act to authorize the Administrator of the FGIS to establish procedures as well as standards for accurate weighing and weight certification.

The *Senate* bill contains no comparable provision.

The *Conference* substitute adopts the *House* amendment.

(5) *Official Inspection and Weighing in Canadian Ports (Sec. 1604)*

Both the *Senate* bill and the *House* amendment amend sections 7(i) and 7A(d) of the Act to permit non-Service personnel (including Canadian nationals), under contract to the FGIS, to perform Federal inspection and weighing of American export grain being transshipped through Canadian ports.

The *House* amendment also adds provisions, not contained in the *Senate* bill, prohibiting the contract personnel from performing appeal inspection or weighing.

The *Conference* substitute adopts the *House* amendment.

(6) *Official Weighing at Interior Locations (Sec. 1604)*

Both the *Senate* bill and the *House* amendment amend section 7A(b) of the Act to authorize the Administrator to cause "official weighing", as well as "supervision of weighing", to be performed at interior inspection points.

Under the *Senate* bill, this would be a general authorization.

Under the *House* amendment, the Administrator could implement "official weighing" at any interior facility only at the request of the operator of the facility. Also, the *House* amendment would make a technical amendment to make clear that official weighing is required at "export elevators at export port locations" rather than at export port locations.

The *Conference* substitute adopts the *Senate* provision and the technical amendment made by the *House* amendment.

(7) *Fees for Equipment Testing (Sec. 1604)*

The *House* amendment adds new provisions to (1) require that regulations issued by the Administrator provide for the charging and collection of reasonable fees to cover the costs to the FGIS incident to equipment testing; and (2) direct that such fees be deposited in the fund created by section 7(j) of the Act. The Act now requires the

Administrator to provide for the periodic testing of all sampling, grading, inspection, and weighing equipment used in the official inspection, official weighing, or supervision of the weighing of grain under the Act.

The *Senate* bill contains no comparable provision.

The *Conference* substitute adopts the *House* amendment.

(8) *Reporting Requirements (Sec. 1604)*

The *House* amendment amends section 17B(b) of the Act, which requires the Administrator to notify the agriculture committees of Congress within 30 days whenever the Secretary or the Administrator receives notice that a contract for the export of more than 100,000 tons of grain has been cancelled. A clause would be added to section 17B(b) providing that this notification would be required notwithstanding the provisions of section 812 of the Agricultural Act of 1970, as added by the Agriculture and Consumer Protection Act of 1973. Section 812 states that reports made to the Secretary by exporters shall, individually, remain confidential.

The *Senate* bill contains no comparable provision.

The *Conference* substitute adopts the *House* amendment.

(9) *Studies of Grain Inspection and Weighing (Sec. 1605)*

The *House* amendment amends section 8(b) of the United States Grain Standards Act of 1976 to extend the time schedule for the completion of the studies of inspection and weighing procedures and management practices in the interior marketing areas mandated by section 8(b). Each reporting agency (the Federal Grain Inspection Service, Office of the Inspector General, and General Accounting Office) would be given an additional year to complete its work.

The *Senate* bill contains no comparable provision.

The *Conference* substitute adopts the *House* amendment.

(10) *Hard Red Winter Wheat*

The *Senate* bill prohibits any person acting under a license or authority under the United States Grain Standards Act from certifying or performing any analysis to determine (1) the subclass of Hard Red Winter wheat on the basis of color or on the basis of dark, hard, and vitreous kernel content, or (2) the percentage of dark, hard, and vitreous kernels in Hard Red Winter wheat. This provision would become effective on May 1, 1977, but such certifications or analyses may be performed after that date if required by a contract for the sale of wheat entered into prior to the date of enactment of the bill.

The *House* amendment contains no comparable provision.

The *Conference* substitute deletes the *Senate* provision.

(11) *Conflict of Interest—Establishment of Criteria*

The *House* amendment amends section 11(b) (5) of the Act which authorizes the Administrator to waive the conflict of interest rules for inspection agencies whenever the Administrator determines that any conflict of interest which may exist is not such as to jeopardize the integrity or the effective and objective operation of the functions performed by the agency. A new provision would be added which

would require the Administrator, in determining whether or not to grant a waiver, to consider:

(1) the historical record of integrity of the organization and its employees;

(2) whether there exists a balance of buyers and sellers on the governing body of the inspection service provided by the organization;

(3) whether there exists an autonomous committee or other governing body to manage the inspection service; or

(4) such other criteria as the Administrator may decide are necessary and proper after consultation with the grain trade industry.

The *Senate* bill contains no comparable provision.

The *Conference* substitute deletes the *House* amendments. However, the Administrator of the Federal Grain Inspection Service may apply these criteria in determining whether to grant waivers under the provisions of current law.

#### (12) *Miscellaneous Amendments (Secs. 1606-1607)*

The *House* amendment makes several technical and conforming changes to the United States Grain Standards Act.

The *Senate* bill contains no comparable provision.

The *Conference* substitute adopts the *House* amendment.

#### (13) *Retention of Designations Following Convictions (Sec. 1608)*

The *House* amendment amends section 27(2) of the United States Grain Standards Act of 1976, which provides that during the implementation period of the 1976 Act, existing agencies may continue to perform official inspection or weighing functions without a designation or delegation under the 1976 Act *unless* the agency, or two or more members or employees thereof, have been convicted of any offense under the Act or other Federal law relating to the handling, weighing, or official inspection of grain. The *House* amendment adds a proviso to this provision which states that the Administrator may allow the agency to continue to provide official inspection or weighing, notwithstanding the convictions, if he determines that such continued operations are necessary or desirable. The Administrator must, within 30 days after making such a determination, report to the agriculture committees of Congress on the factual basis for the determination.

The *Senate* bill contains no comparable provision.

The *Conference* substitute adopts the *House* amendment.

## TITLE XVII—WHEAT AND WHEAT FOODS RESEARCH AND NUTRITION EDUCATION ACT

The *Senate* bill establishes a new program whereby wheat producers, processors, and product manufacturers, and consumers of wheat foods can work together in a Wheat Industry Council in a coordinated program of research and education to promote and improve human nutrition through the use of wheat and wheat foods. The program will be supported by an annual assessment on end product manufacturers at a rate of not more than 5 cents per hundredweight of processed wheat purchased. The program is contingent on approval by end product



manufacturers in a referendum. The *Senate* bill provides end product manufacturers, subject to the assessment, the right to obtain a refund of their assessment.

The *House* amendment contains no comparable provision.

The *Conference* substitute adopts the *Senate* provision with an amendment. The amendment provides that all retail bakers shall be exempt from the provisions of the title. The exemption is a matter of statutory right with no regulatory conditions thereon. The amendment defines "retail bakers" as end product manufacturers who sell end products directly to ultimate consumers. End product manufacturers who derive less than 10 percent of gross end product sales revenues from sales to ultimate consumers are excluded from the definition so that wholesale bakers who do some minor retail sales will remain subject to the provisions of the title. End product manufacturers who derive 10 percent or more of gross food sales revenues from sales of products manufactured or produced by others are excluded from the definition of retail baker, so that large chain store bakery operations will remain subject to the title. It is the intent of the *Conferees* that the Secretary of Agriculture endeavor to keep any recordkeeping or reporting obligations imposed under the program to the absolute minimum necessary, consistent with achievement of the objectives of the title, so as not to constitute a burden on those subject to the title.

## TITLE XVIII—DEPARTMENT OF AGRICULTURE ADVISORY COMMITTEES

The *Senate* bill—

(1) prohibits the establishment of any advisory committee by the Department of Agriculture unless the Secretary of Agriculture determines that it serves an essential function, its membership is balanced, its work cannot be carried out by an existing committee, the proposed budget reflects its anticipated costs, and it is in the public interest;

(2) directs the Secretary to insure that all advisory committees comply with all provisions of law relating to advisory committees, submit their reports in written form, retain responses made by the Department on their recommendations, and not exceed their proposed budgets unless approved by the Secretary;

(3) with respect to the membership of such committees, establishes a 6-consecutive year limit for service on committees; a limit on simultaneous service on more than one committee; reporting requirements for members as to full name, place of residence, occupation, and sources of income; and a prohibition against more than one official of a business entity serving on the same advisory committee at the same time;

(4) requires advisory committees to provide the Secretary specific estimates as to their cost of operation;

(5) requires advisory committees to make annual reports to the Secretary and the appropriate committees of Congress detailing their activities and expenditures; and

(6) directs the Secretary to terminate any advisory committee that is not complying with the requirements of the Federal Advisory Com-

mittee Act or the bill, that is not performing an essential function, or that is inactive.

The *House* amendment contains no comparable provision.

The *Conference* substitute adopts the *Senate* provision. The provision does not apply generally to any advisory committee established by statute, reorganization plan, or the President.

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<sup>1</sup> On issues involving Public Law 480—Title XII, International Research—Title XIV, and provisions of S. 275 on international reserves.