



## Food Agriculture Conservation and Trade Act of 1990

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### **Part 11 of 11**

**Title XXIV-Global Climate Change (pp. 4058-4078)**

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Global Climate  
Change  
Prevention Act  
of 1990.  
7 USC 6701 note.

## TITLE XXIV—GLOBAL CLIMATE CHANGE

### SEC. 2401. SHORT TITLE.

This title may be cited as the “Global Climate Change Prevention Act of 1990”.

7 USC 6701.

### SEC. 2402. GLOBAL CLIMATE CHANGE PROGRAM.

(a) **ESTABLISHMENT.**—For the purpose of having within the Department of Agriculture a focal point for coordinating all issues of climate change, the Secretary of Agriculture (hereafter in this title referred to as the “Secretary”) shall establish a Global Climate Change Program (hereafter in this section referred to as the “Program”). The Secretary shall designate a director of the Program who shall be responsible to the Secretary for carrying out the duties specified in subsections (b) and (c).

(b) **GENERAL DUTIES.**—The Director shall—

- (1) coordinate policy analysis, long range planning, research, and response strategies relating to climate change issues;
- (2) provide liaison with other Federal agencies, through the Office of Science and Technology Policy, regarding issues of climate change;
- (3) inform the Department of scientific developments and policy issues relating to the effects of climate change on agriculture and forestry, including broader issues that affect the impact of climate change on the farms and forests of the United States;
- (4) recommend to the Secretary alternative courses of action with which to respond to such scientific developments and policy issues; and
- (5) ensure that recognition of the potential for climate change is fully integrated into the research, planning, and decision-making processes of the Department.

(c) **SPECIFIC RESPONSIBILITIES.**—The Director shall—

- (1) coordinate the global climate change studies required by section 2403;
- (2) provide, through such other agencies as the Secretary determines appropriate, competitive grants for research in climatology relating to the potential impact of climate change on agriculture;
- (3) coordinate the participation of the Department in inter-agency climate-related activities;
- (4) consult with the National Academy of Sciences and private, academic, State, and local groups with respect to climate research and related activities;

(5) represent the Department to the Office of Science and Technology Policy and coordinate the activities of the Department in response to requirements of this title;

(6) represent the Department on the Intergovernmental Panel on Climate Change; and

(7) review all Department budget items relating to climate change issues, including specifically the research budget to be submitted by the Secretary to the Office of Science and Technology Policy and the Office of Management and Budget.

**SEC. 2403. STUDY OF GLOBAL CLIMATE CHANGE, AGRICULTURE, AND FORESTRY.** 7 USC 6702.

**(a) CROPS.—**

(1) **IN GENERAL.**—The Secretary shall study the effects of global climate change on agriculture and forestry. The study shall, at a minimum address—

(A) the effects of simultaneous increases in temperature and carbon dioxide on crops of economic significance;

(B) the effects of more frequent or more severe weather events on such crops;

(C) the effects of potential changes in hydrologic regimes on current crop yields;

(D) the economic effects of widespread and increased drought frequency in the south, midwest, and plains States; and

(E) changes in pest problems due to higher temperatures.

(2) **FURTHER STUDIES.**—If the results of the study conducted under paragraph (1) warrant, the Secretary shall conduct further studies that address the means of mitigating the effects of global climate change on crops of economic significance that shall, at a minimum—

(A) identify whether climate change tolerance can be bred into these crops, the amount of time necessary for any such breeding, and the effects on the income of farmers;

(B) evaluate existing genetic resource and breeding programs for crops for their ability to develop new varieties that can tolerate potential climate changes; and

(C) assess the potential for the development of crop varieties that are tolerant to climate changes and other environmental stresses, such as drought, pests, and salinity.

**(b) FORESTS.**—The Secretary shall conduct a study on the emissions of methane, nitrous oxide, and hydrocarbons from tropical and temperate forests, the manner in which such emissions may affect global climate change; the manner in which global climate change may affect such emissions; and the manner in which such emissions may be reduced through management practices. The study shall, at a minimum—

(1) obtain measurements of nitrous oxide, methane, and nonmethane hydrocarbons from tropical and temperate forests;

(2) determine the manner in which the nitrous oxide, methane, and nonmethane hydrocarbon emissions from temperate and tropical forest systems will respond due to climate change; and

(3) identify and address alternative management strategies for temperate and tropical forests that may mitigate any negative effects of global climate change.

(c) **REPORTS.**—The Secretary shall submit reports of the studies conducted under subsections (a) and (b) within 3 and 6 years, respectively, after the date of enactment of this Act to the Committee on Agriculture and the Committee on Science, Space, and Technology of the House of Representatives, and the Committee on Agriculture, Nutrition, and Forestry of the Senate. In addition, interim reports regarding such studies shall be provided by the Secretary to such Committees annually, with recommendations for actions which may be taken to mitigate the negative effects of global climate change and to adapt to global climate changes and related phenomena.

7 USC 6703.

**SEC. 2404. TECHNICAL ADVISORY COMMITTEE.**

(a) **ESTABLISHMENT.**—The Secretary of Agriculture shall establish a technical advisory committee to provide advice to the Secretary concerning the major study areas required under this title.

(b) **MEMBERS.**—The committee established under subsection (a) shall be composed of such representatives of universities, professional societies, government laboratories, and agricultural, environmental and other organizations as the Secretary of Agriculture, in consultation with the Office of Science and Technology Policy and the Administrator of the Environmental Protection Agency, determines appropriate based on an assessment by the Secretary of qualifications required for service on such committee. Appointments to such committee shall be made not later than 90 days after the date of the enactment of this Act. Such committee shall have a chairperson who shall be elected by the members of the committee from among such members.

7 USC 6704.

**SEC. 2405. OFFICE OF INTERNATIONAL FORESTRY.**

(a) **ESTABLISHMENT.**—The Secretary, acting through the Chief of the Forest Service, shall establish an Office of International Forestry within the Forest Service within six months after the date of enactment of this Act.

(b) **DEPUTY CHIEF DESIGNATION.**—The Chief shall appoint a Deputy Chief for International Forestry.

(c) **DUTIES.**—The Deputy Chief shall—

- (1) be responsible for the international forestry activities of the Forest Service;
- (2) coordinate the activities of the Forest Service in implementing the provisions of this title; and
- (3) serve as Forest Service liaison to the director for the program established pursuant to section 2402.

7 USC 6705.

**SEC. 2406. LINE ITEM.**

The President's proposed budget to Congress for the first fiscal year beginning after the date of enactment of this Act and for each subsequent fiscal year shall specifically identify funds to be spent on Forest Service international cooperation and assistance.

Puerto Rico.  
7 USC 6706.**SEC. 2407. INSTITUTES OF TROPICAL FORESTRY.**

The Secretary is authorized and directed to establish an Institute of Tropical Forestry in Puerto Rico and an Institute of Pacific Islands Forestry (hereafter in this section referred to as the "Institutes"). The Institutes shall conduct research on forest management and natural resources that shall include—

- (1) management and development of tropical forests;

- (2) the relationship between climate change and tropical forests;
- (3) threatened and endangered species;
- (4) recreation and tourism;
- (5) development of tropical forest resources on a sustained yield basis;
- (6) techniques to monitor the health and productivity of tropical forests;
- (7) tropical forest regeneration and restoration; and
- (8) the effects of tropical deforestation on biodiversity, global climate, wildlife, soils, and water.

**SEC. 2408. THE FOREST AND RANGELAND RENEWABLE RESOURCES PLANNING ACT OF 1974.**

(a) **RENEWABLE RESOURCE ASSESSMENT.**—Section 3(a) of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1601(a)) is amended—

- (1) in paragraph (3), by striking “and” at the end thereof;
- (2) in paragraph (4), by striking the period and inserting “; and”; and
- (3) by adding at the end thereof the following new paragraphs:
  - “(5) an analysis of the potential effects of global climate change on the condition of renewable resources on the forests and rangelands of the United States; and
  - “(6) an analysis of the rural and urban forestry opportunities to mitigate the buildup of atmospheric carbon dioxide and reduce the risk of global climate change.”

(b) **RENEWABLE RESOURCE PROGRAM.**—Section 4 of such Act (16 U.S.C. 1602) is amended in paragraph (5)—

- (1) by striking “and” at the end of subparagraph (D);
- (2) by striking the period at the end of subparagraph (E) and inserting “; and”; and
- (3) by adding at the end thereof the following new subparagraph:
  - “(F) account for the effects of global climate change on forest and rangeland conditions, including potential effects on the geographic ranges of species, and on forest and rangeland products.”

**SEC. 2409. URBAN FORESTRY DEMONSTRATION PROJECTS.**

7 USC 6707.

The Secretary is authorized to undertake, through the Forest Service’s Northeastern Area State and Private Forestry program, a study and pilot implementation project to demonstrate the benefits of retaining and integrating forests in urban development. The focus of such a study and implementation project should be to protect the environment and associated natural resource values, for current and future generations.

**SEC. 2410. BIOMASS ENERGY DEMONSTRATION PROJECTS.**

7 USC 6708.

The Secretary, in consultation with the Secretary of Energy, may carry out projects that demonstrate the potential of short-rotation silvicultural methods to produce wood for electricity production and industrial energy needs. In carrying out such projects, the Secretary shall cooperate with private industries, Federal and State agencies, and other organizations.

7 USC 6709. **SEC. 2411. INTERAGENCY COOPERATION TO MAXIMIZE BIOMASS GROWTH.**  
The Secretary may enter into an agreement with the Secretary of Defense to—

- (1) conduct a study of reforestation and improved management of Department of Defense military installations and lands; and
- (2) develop a program to manage such forests and lands so as to maximize their potential for biomass growth and sequestering carbon dioxide.

7 USC 6710. **SEC. 2412. AUTHORIZATION OF APPROPRIATIONS.**  
There are authorized to be appropriated such sums as may be necessary for each of the fiscal years 1991 through 1996, to carry out this title.

## TITLE XXV—OTHER RELATED PROVISIONS

7 USC 2279. **SEC. 2501. OUTREACH AND ASSISTANCE FOR SOCIALLY DISADVANTAGED FARMERS AND RANCHERS.**

**(a) OUTREACH AND ASSISTANCE.—**

(1) **IN GENERAL.**—The Secretary of Agriculture (hereafter referred to in this section as the “Secretary”) shall provide outreach and technical assistance to encourage and assist socially disadvantaged farmers and ranchers to own and operate farms and ranches and to participate in agricultural programs. This assistance should include information on application and bidding procedures, farm management, and other essential information to participate in agricultural programs.

(2) **GRANTS AND CONTRACTS.**—The Secretary may make grants and enter into contracts and other agreements in the furtherance of this section with the following entities—

**(A) any community based organization that—**

(i) has demonstrated experience in providing agricultural education or other agriculturally related services to socially disadvantaged farmers and ranchers;

(ii) provides documentary evidence of its past experience of working with socially disadvantaged farmers and ranchers during the two years preceding its application for assistance under this section; and

(iii) does not engage in activities prohibited under section 501(c)(3) of the Internal Revenue Code of 1986; and

**(B) 1890 Land-Grant Colleges** including Tuskegee Institute, Indian tribal community colleges and Alaska native cooperative colleges, Hispanic serving post-secondary educational institutions, and other post-secondary educational institutions with demonstrated experience in providing agriculture education or other agriculturally related services to socially disadvantaged family farmers and ranchers in their region.

(3) **FUNDING.**—There are authorized to be appropriated \$10,000,000 for each fiscal year to carry out this section.

**(b) DESIGNATION OF FEDERAL PERSONNEL.—**

Appropriation authorization.

(1) **IN GENERAL.**—The Secretary shall designate from existing Federal personnel resources in the county or region a qualified person who shall, in cooperation with the State cooperative extension services, implement the policies and programs established or modified in accordance with this section.

(2) **ADDITIONAL PERSONNEL.**—In counties or regions in which the number of socially disadvantaged farmers and ranchers exceeds 25 percent of the total number of farmers and ranchers in the county or region, the Secretary shall designate additional personnel to implement the policies and programs established or modified in accordance with this section.

(c) **REPORT TO CONGRESS.**—

(1) **IN GENERAL.**—Not later than September 30, 1992, and every two years thereafter, the Secretary shall report to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate, regarding—

(A) the efforts of the Secretary to enhance participation by members of socially disadvantaged groups in agricultural programs;

(B) the specific participation goals established for each agricultural program;

(C) the results achieved for each agricultural; and

(D) the progress of the Department towards meeting each of the purposes described in paragraph (2)(C).

(2) **CONTENTS.**—In addition to the information specified in paragraph (1), the report required by paragraph (1) shall include—

(A) a comparison of the participation goals and the actual participation rates of members of socially disadvantaged groups in each agricultural program;

(B) an analysis and explanation of the reasons for the success or failure of the Secretary to achieve the goals, and the overall purposes of this section;

(C) a listing, on a State-by-State and county-by-county basis, of—

(i) the amount of funds loaned to members of socially disadvantaged groups; and

(ii) the amount of funds used to guarantee loans to members of socially disadvantaged groups compared to the total amount of such guarantees;

(D) a breakdown in allocation of crop base in each program crop compared to the target participation rates established pursuant to sections 355(a)(1) and 355(c) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2003(a)(1)), on a State-by-State and county-by-county basis; and

(E) a review and analysis of participation by members of socially disadvantaged groups, compared to participation by all others, in agricultural programs, on a State-by-State and county-by-county basis, including a survey representative of all farmers and ranchers, including socially disadvantaged farmers and ranchers, to identify reasons for participation and nonparticipation in agricultural programs.

(d) **AFFIRMATIVE ACTION, APPEALS, AND CONTRACTING REVIEW.**—

(1) **PURPOSE.**—It is the purpose of this subsection to direct the Secretary to analyze within the Department of Agriculture the

design and implementation of affirmative action programs and policies, the appeals process for complaints of discrimination, and contracting and purchasing practices employed by the Department.

(2) SCOPE.—The study shall include—

(A) an assessment of the successes and failures of these affirmative action programs and policies;

(B) a review of the reasons for the successes and failures described in subparagraph (A);

(C) a review of procurement, contracting, and purchasing policies of the Department, the level of participation of socially disadvantaged businesses in such activities, and the impact of those policies on the participation of members of socially disadvantaged groups in such contracting with the Department;

(D) a review of the reasons for participation or lack of participation of businesses owned by members of socially disadvantaged groups in the activities described in subparagraph (C); and

(E) a review of the appeals process for all complaints or allegations regarding acts, practices, or patterns of discrimination filed with the Department by individuals or any other entities that shall include—

(i) the number of complaints or allegations regarding acts, practices, or patterns of discrimination;

(ii) the manner in which the complaints were investigated and resolved by the Department; and

(iii) the longest, shortest, and average periods of time taken to investigate and resolve the complaints or allegations regarding acts, practices, or patterns of discrimination.

(3) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall prepare and submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report containing the information described in paragraph (2).

(e) DEFINITIONS.—

(1) SOCIALLY DISADVANTAGED GROUP.—As used in this section, the term “socially disadvantaged group” means a group whose members have been subjected to racial or ethnic prejudice because of their identity as members of a group without regard to their individual qualities.

(2) SOCIALLY DISADVANTAGED FARMER OR RANCHER.—As used in this section, the term “socially disadvantaged farmer or rancher” means a farmer or rancher who is a member of a socially disadvantaged group.

(3) AGRICULTURE PROGRAMS.—As used in this section, the term “agriculture programs” are those established or authorized by—

(A) the Agricultural Act of 1949;

(B) the Consolidated Farm and Rural Development Act;

(C) the Agricultural Adjustment Act of 1938;

(D) the Soil Conservation Act;

(E) the Domestic Allotment Assistance Act;

(F) the Food Security Act of 1985; and

(G) other such Acts as the Secretary deems appropriate.



(f) AMENDMENT TO CONSOLIDATED FARM AND RURAL DEVELOPMENT ACT.—Section 355 of the Consolidated Farm and Rural Development Act is amended—

7 USC 2003.

- (1) by striking out subsection (d);
- (2) by redesignating subsection (c) as subsection (d);
- (3) by inserting after subsection (b) the following new subsection:

“(c) OPERATING LOANS.—

“(1) ESTABLISHMENT.—The Secretary shall establish annual target participation rates, that shall ensure that socially disadvantaged farmers or ranchers will receive loans made or insured under subtitle B. In establishing such target rates, the Secretary shall consider the number of socially disadvantaged farmers and ranchers in a State in proportion to the total number of farmers and ranchers in that State.

“(2) RESERVATION AND ALLOCATION.—The Secretary shall, to the greatest extent practicable, reserve and allocate the proportion of each State’s loan funds made available under subtitle B that is equal to that State’s target participation rate for use by the socially disadvantaged farmers or ranchers in that State. The Secretary shall, to the extent practicable, distribute the total so derived on a county by county basis according to the number of socially disadvantaged farmers or ranchers in the county. Any funds reserved and allocated for purposes of this paragraph, but not used shall be reallocated within such State.”; and

- (4) by inserting after subsection (d) (as so redesignated) the following new subsection:

“(e) DEFINITIONS.—

“(1) SOCIALLY DISADVANTAGED GROUP.—As used in this section, the term ‘socially disadvantaged group’ means a group whose members have been subjected to racial or ethnic prejudice because of their identity as members of a group without regard to their individual qualities.

“(2) SOCIALLY DISADVANTAGED FARMER OR RANCHER.—As used in this section, the term ‘socially disadvantaged farmer or rancher’ means a farmer or rancher who is a member of a socially disadvantaged group.”;

(g) RESERVATIONS.—

Indians.

(1) CONSOLIDATED SUBOFFICE.—The Secretary shall require the Agricultural Stabilization and Conservation Service, Soil Conservation Service, and Farmers Home Administration offices, and such other offices and functions the Secretary may choose to include, in each county that has a reservation within its borders, to establish a consolidated suboffice at the tribal headquarters of said reservation and to staff said suboffice as needed, using existing staff, but no less than one day a week or under such other arrangement agreed to by the tribe and the Department of Agriculture offices. The tribe shall be required to provide the necessary office space if it wishes to participate in this program.

(2) COOPERATIVE AGREEMENTS.—For those reservations that are located in more than one county, the Secretary, the relevant county offices and the tribe shall enter into a cooperative agreement to provide the services required by paragraph (1) that avoids duplication of effort.

**SEC. 2502. NARROWING THE DEFENSE EXCEPTION TO THE FARMLAND PROTECTION POLICY ACT.**

Section 1547(b) of the Farmland Protection Policy Act (7 U.S.C. 4208) is amended by inserting "during a national emergency" after "purposes".

**SEC. 2503. PROTECTION OF PETS.**

The Animal Welfare Act (7 U.S.C. 2131 et seq.) is amended—  
 (1) in section 16(c), (7 U.S.C. 2146) by inserting after "Act" the first place it appears the following: "and the regulations and standards promulgated under this Act"; and  
 (2) by adding at the end the following new section:

7 USC 2158.

**"SEC. 28. PROTECTION OF PETS.**

**"(a) HOLDING PERIOD.—**

**"(1) REQUIREMENT.—**In the case of each dog or cat acquired by an entity described in paragraph (2), such entity shall hold and care for such dog or cat for a period of not less than five days to enable such dog or cat to be recovered by its original owner or adopted by other individuals before such entity sells such dog or cat to a dealer.

**"(2) ENTITIES DESCRIBED.—**An entity subject to paragraph (1) is—

**"(A)** each State, county, or city owned and operated pound or shelter;

**"(B)** each private entity established for the purpose of caring for animals, such as a humane society, or other organization that is under contract with a State, county, or city that operates as a pound or shelter and that releases animals on a voluntary basis; and

**"(C)** each research facility licensed by the Department of Agriculture.

**"(b) CERTIFICATION.—**

**"(1) IN GENERAL.—**A dealer may not sell, provide, or make available to any individual or entity a random source dog or cat unless such dealer provides the recipient with a valid certification that meets the requirements of paragraph (2) and indicates compliance with subsection (a).

**"(2) REQUIREMENTS.—**A valid certification shall contain—

**"(A)** the name, address, and Department of Agriculture license or registration number (if such number exists) of the dealer;

**"(B)** the name, address, Department of Agriculture license or registration number (if such number exists), and the signature of the recipient of the dog or cat;

**"(C)** a description of the dog or cat being provided that shall include—

**"(i)** the species and breed or type of such;

**"(ii)** the sex of such;

**"(iii)** the date of birth (if known) of such;

**"(iv)** the color and any distinctive marking of such;

and

**"(v)** any other information that the Secretary by regulation shall determine to be appropriate;

**"(D)** the name and address of the person, pound, or shelter from which the dog or cat was purchased or otherwise acquired by the dealer, and an assurance that such

person, pound, or shelter was notified that such dog or cat may be used for research or educational purposes;

“(E) the date of the purchase or acquisition referred to in subparagraph (D);

“(F) a statement by the pound or shelter (if the dealer acquired the dog or cat from such) that it satisfied the requirements of subsection (b); and

“(G) any other information that the Secretary of Agriculture by regulation shall determine appropriate.

“(3) RECORDS.—The original certification required under paragraph (1) shall accompany the shipment of a dog or cat to be sold, provided, or otherwise made available by the dealer, and shall be kept and maintained by the research facility for a period of at least one year for enforcement purposes. The dealer shall retain one copy of the certification provided under this paragraph for a period of at least one year for enforcement purposes.

“(4) TRANSFERS.—In instances where one research facility transfers animals to another research facility a copy of the certificate must accompany such transfer.

“(5) MODIFICATION.—Certification requirements may be modified to reflect technological advances in identification techniques, such as microchip technology, if the Secretary determines that adequate information such as described in this section, will be collected, transferred, and maintained through such technology.

“(c) ENFORCEMENT.—

“(1) IN GENERAL.—Dealers who fail to act according to the requirements of this section or who include false information in the certification required under subsection (b), shall be subject to the penalties provided for under section 19.

“(2) SUBSEQUENT VIOLATIONS.—Any dealer who violates this section more than one time shall be subject to a fine of \$5,000 per dog or cat acquired or sold in violation of this section.

“(3) PERMANENT REVOCATIONS.—Any dealer who violates this section three or more times shall have such dealers license permanently revoked.

“(d) REGULATION.—Not later than 180 days after the date of enactment of this section, the Secretary shall promulgate regulations to carry out this section.

“SEC. 29. AUTHORITY TO APPLY FOR INJUNCTIONS.

7 USC 2159.

“(a) REQUEST.—Whenever the Secretary has reason to believe that any dealer, carrier, exhibitor, or intermediate handler is dealing in stolen animals, or is placing the health of any animal in serious danger in violation of this Act or the regulations or standards promulgated thereunder, the Secretary shall notify the Attorney General, who may apply to the United States district court in which such dealer, carrier, exhibitor, or intermediate handler resides or conducts business for a temporary restraining order or injunction to prevent any such person from operating in violation of this Act or the regulations and standards prescribed under this Act.

“(b) ISSUANCE.—The court shall, upon a proper showing, issue a temporary restraining order or injunction under subsection (a) without bond. Such injunction or order shall remain in effect until a complaint pursuant to section 19 is issued and dismissed by the Secretary or until an order to cease and desist made thereon by the

Secretary has become final and effective or is set aside on appellate review. Attorneys of the Department of Agriculture may, with the approval of the Attorney General, appear in the United States district court representing the Secretary in any action brought under this section.”

**SEC. 2504. CONTROL AND ERADICATION OF PLANT PESTS.**

Section 102(b) of the Department of Agriculture Organic Act of 1944 (7 U.S.C. 147a(b)) is amended—

- (1) by striking “all countries of the Western Hemisphere” and inserting “foreign countries”; and
- (2) by inserting “foreign or” before “international”.

**SEC. 2505. COOPERATION IN ANIMAL DISEASE CONTROL.**

Section 1 of chapter 8, of the Act of February 28, 1947 (21 U.S.C. 114b) is amended—

- (1) by striking “Mexico, Guatemala, El Salvador, Costa Rica, Honduras, Nicaragua, Belize, Panama, Colombia, and Canada, the Bahama Islands, the Greater Antilles, and the Lesser Antilles” and inserting “foreign countries”; and
- (2) by inserting “foreign or” before “international”.

21 USC 114i.

**SEC. 2506. PSEUDORABIES ERADICATION.**

(a) **FINDINGS.**—Congress finds that efforts to eradicate pseudorabies in United States swine populations by the Department of Agriculture in cooperation with State agencies and the pork industry have a high priority and should be continued until pseudorabies is completely eradicated in the United States.

(b) **ESTABLISHMENT OF PROGRAM.**—The Secretary of Agriculture shall establish and carry out a program for the eradication of pseudorabies in United States swine populations.

(c) **USE OF FUNDS FOR TESTING AND CONTROL OF PSEUDORABIES.**—The Secretary shall ensure that not less than 65 percent of the funds appropriated for the program established under subsection (b) shall be used for testing and screening of animals and for other purposes directly related to the eradication or control of pseudorabies. This requirement on the use of appropriated funds for this program shall not be implemented in a manner that would adversely affect any other animal or plant disease or pest eradication or control program.

(d) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated for each of the fiscal years 1991 through 1995 such sums as may be necessary for the purpose of carrying out the program established under subsection (b).

**SEC. 2507. REGULATION GOVERNING INSPECTION OF IMPORTED POULTRY.**

(a) **FINDINGS.**—Congress finds that—

- (1) in 1985 the Poultry Products Inspection Act, an Act to maintain the integrity and wholesomeness of this Nation’s food supply, was amended by the Food Security Act of 1985;
- (2) the 1985 amendment provided that poultry products offered for importation into the United States shall be subject to the same inspection, sanitary, quality, species verification, and residue standards applied to products produced in the United States and that such products shall have been processed in facilities and under conditions that are the same as those under which similar products are processed in the United States; and

(3) on October 30, 1989, the Secretary of Agriculture, through the Food Safety and Inspection Service, the agency in the Department of Agriculture charged with the responsibility of administering the provisions of the Poultry Products Inspection Act, promulgated a regulation implementing the 1985 amendment to that Act providing that a foreign inspection system seeking certification for export of poultry to the United States merely impose requirements at least equal to those applicable in the United States.

(b) SENSE OF CONGRESS.—It is the sense of the Congress that—

(1) the regulation promulgated by the Secretary of Agriculture, through the Food Safety and Inspection Service, with respect to poultry products offered for importation into the United States does not reflect the intention of the Congress; and

(2) to urge the Secretary, through the Food Safety and Inspection Service of the Department of Agriculture, to repeal the October 30, 1989, regulation and promulgate a new regulation reflecting the intention of the Congress.

**SEC. 2508. ADDITIONAL INSPECTION SERVICES.**

21 USC 136.

The Secretary of Agriculture, in carrying out regulations prohibiting or restricting the entry of materials that may harbor pests, or diseases, is authorized to enter into agreements with operators or owners of vessels or aircraft for the purpose of providing inspection services at points of entry in the United States in addition to the regular or on-call basis currently available in connection with such vessels or aircraft. Any such agreement shall provide for the payment by the operator or owner of an amount determined by the Secretary to be necessary to defray the costs of providing additional service pursuant to such agreement.

**SEC. 2509. COLLECTION OF FEES FOR INSPECTION SERVICES.**

21 USC 136a.

(a) QUARANTINE, INSPECTION AND TRANSPORTATION FEES.—

(1) QUARANTINE AND INSPECTION.—The Secretary of Agriculture (hereafter referred to in this section as the “Secretary”) may prescribe and collect fees to cover the cost of providing agricultural quarantine and inspection services in connection with the arrival at a port in the customs territory of the United States, or the preclearance or preinspection at a site outside the customs territory of the United States, of a commercial vessel, commercial aircraft, commercial truck, or railroad car,

(2) TREASURY.—Any person who collects a fee under this subsection shall remit such fee to the Treasury of the United States prior to the date that is 31 days after the close of the calendar quarter in which such fee is collected.

(3) AGRICULTURAL QUARANTINE INSPECTION USER FEE ACCOUNT.—

(A) ESTABLISHMENT.—There is established in the Treasury of the United States a no-year fund, to be known as the “Agricultural Quarantine Inspection User Fee Account” (hereafter referred to in this section as the “Account”), for the use of the Secretary for quarantine or inspection services under this section.

(B) AMOUNTS IN ACCOUNT.—

(i) DEPOSITS.—All of the fees collected under this subsection shall be deposited in the Account.

(ii) REIMBURSEMENT.—The Secretary of Treasury shall use the Account to provide reimbursements to any appropriations accounts that incur the costs associated with the services authorized in paragraph (1).

(iii) PROCEDURE.—The Secretary of the Treasury shall make reimbursement under clause (ii) on a quarterly basis. Amounts required to be reimbursed under clause (ii), shall be made on the basis of estimates made by the Secretary of the expenses described in clause (ii) that are incurred by the Secretary in the 3-month period immediately preceding such reimbursement.

(iv) ADJUSTMENTS.—Adjustments of reimbursements made under clause (ii) shall be made to the extent necessary to correct prior estimates that were in excess of, or less than, the amount required to be reimbursed under clause (iii).

(4) ADJUSTMENT IN FEE AMOUNTS.—The Secretary shall adjust the amount of the fees to be assessed under this subsection to reflect the cost to the Secretary in administering such subsection, in carrying out the activities at ports in customs territory of the United States and preclearance and preinspection sites outside the customs territory of the United States in connection with the provision of agricultural quarantine inspection services, and in maintaining a reasonable balance in the Account.

(b) PLANT INSPECTION.—Subsection (f) of section 102 of the Act of September 21, 1944 (7 U.S.C. 147a(f)), is amended to read as follows:

“(f)(1) Notwithstanding paragraph (2), there are authorized to be appropriated such sums as may be necessary to carry out the provisions of this section. Unless otherwise specifically authorized or provided for in appropriations Acts, no part of such sums shall be used to pay the cost or value of property injured or destroyed.

“(2) The Secretary of Agriculture is authorized to prescribe and collect fees to recover the costs of providing for the inspection of plants and plant products offered for export or transiting the United States and certifying to shippers and interested parties as to the freedom of such plants and plant products from plant pests according to the phytosanitary requirements of the foreign countries to which such plants and plant products may be exported, or to the freedom from exposure to plant pests while in transit through the United States. Any person for whom such an activity is performed shall be liable for payment of fees assessed. Upon failure to pay such fees when due, the Secretary of Agriculture shall assess a late payment penalty, and such overdue fees shall accrue interest, as required by section 3717 of title 31, United States Code. All fees, late payment penalties, and accrued interest collected shall be credited to such accounts that incur the costs and shall remain available until expended without fiscal year limitation. The Secretary of Agriculture shall have a lien for the fees, any late payment penalty, and any accrued interest assessed against the plant or plant product for which services have been provided. In the case of any person who fails to make payment when due, the Secretary of Agriculture shall also have a lien against any plant or plant product thereafter attempted to be exported by such person. The Secretary of Agriculture may, in case of nonpayment of the fees, late payment penalty, or accrued interest, after giving reasonable notice of default to the person liable for payment of such assessments, sell at public sale after reasonable public notice, or otherwise dispose of, any such

Appropriation  
authorization.

plant or plant product upon which the Secretary of Agriculture has a lien pursuant to this section. If the sale proceeds exceed the fees due, any late payment penalty assessed, any accrued interest and the expenses of the sale, the excess shall be paid, in accordance with regulations of the Secretary of Agriculture, to the owner of the plant or plant product sold upon the owner making application therefore with proof of ownership, within six months after such sale, and otherwise the excess shall be credited to accounts that incur the costs and shall remain available until expended. The Secretary of Agriculture shall, pursuant to regulations as prescribed by the Secretary of Agriculture, suspend performance of services to persons who have failed to pay such fees, late payment penalty and accrued interest.”

(c) ANIMAL INSPECTION AND VETERINARY DIAGNOSTICS.—

(1) ANIMAL INSPECTION.—The Secretary may prescribe and collect fees to reimburse the Secretary for the cost of carrying out the provisions of the Federal Animal Quarantine Laws that relate to the importation, entry, and exportation of animals, articles, or means of conveyance.

(2) VETERINARY DIAGNOSTICS.—Section 11 of the Act of May 29, 1884 (58 Stat. 734, as amended, 21 U.S.C. 114a), is amended by inserting immediately following the first sentence: “The Secretary of Agriculture is authorized to prescribe and collect fees to recover the costs of carrying out the provisions of this section which relate to veterinary diagnostics.”

(3) FEES.—All fees collected pursuant to this subsection and any late payment penalties or accrued interest collected pursuant to this subsection shall be credited to the accounts that incur the cost and shall remain available until expended without fiscal year limitation.

(4) LIABILITY.—Any person for whom an activity related to the importation, entry, or exportation of an animal, article, or means of conveyance or relating to veterinary diagnostics, is performed pursuant to the section, shall be liable for payment of fees assessed. Upon failure to pay such fees when due, the Secretary shall assess a late payment penalty, and such overdue fees shall accrue interest, as required by section 3717 of title 31, United States Code. All fees, late payment penalties, and accrued interest collected shall be credited to such accounts that incur the costs and shall remain available until expended without fiscal year limitation.

(5) LIENS.—

(A) IN GENERAL.—The Secretary shall have a lien against the animal, article, means of conveyance, or facility for which services have been provided under this section for the fees, any late payment penalty, and any accrued interest assessed under this subsection.

(B) OTHER ANIMALS, ETC.—In the case of any person who fails to make payment when due under this subsection, the Secretary shall have a lien against any animal, article, or means of conveyance thereafter imported, moved in interstate commerce, or attempted to be exported by the person after the date of such failure until the date on which such owner or operator make full payment to the Secretary under this subsection.

(C) SALES OF ANIMALS, ETC.—

(i) **AUTHORITY.**—The Secretary may, if a person does not pay fees, late payment penalties, or accrued interest on such, after providing reasonable notice of default to such person, sell at public sale after reasonable public notice, or otherwise dispose of, any such animal, article, means of conveyance or facility on which the Secretary has a lien under this paragraph.

(ii) **EXCESS PROCEEDS.**—If the sale proceeds under clause (i) exceed the fees due, any late payment penalty assessed, any accrued interest on such, and the expenses associated with the sale, such excess shall be paid to the owner of the animal, article, means of conveyance, or facility if such owner submits an application for such excess together with proof of ownership not later than 6 months after the date of such sale. If no such application is made, such excess shall be credited to accounts that incur the costs associated with the fees collected and shall remain available until expended, without fiscal year limitation. The Secretary shall suspend performance of services to persons who have failed to pay fees, late payment penalty, or accrued interest under this section.

(d) **REGULATIONS.**—The Secretary may prescribe such regulations as the Secretary determines necessary to carry out the provisions of this section.

(e) **RECOVERY OF AMOUNTS OWED.**—An action may be brought for the recovery of fees, late payment penalties, and accrued interest which have not been paid in accordance with this section against any person obligated for payment of such assessments under this section in any United States district court or other United States court for any territory or possession in any jurisdiction in which such person is found or resides or transacts business, and such court shall have jurisdiction to hear and decide such action.

(f) **DEFINITIONS.**—

(1) **ANIMAL QUARANTINE LAWS.**—For purposes of this section, the term “animal quarantine laws” means—

(A) section 306 of the Tariff Act of 1930 (19 U.S.C. 1306);

(B) sections 6 through 10 of the Act of August 30, 1890 (26 Stat. 416, chapter 839; 21 U.S.C. 101-105);

(C) section 2 of the Act of February 2, 1903 (32 Stat. 792, chapter 349; 21 U.S.C. 111);

(D) the Act of May 29, 1884 (23 Stat. 32, chapter 60; 21 U.S.C. 112 to 114a-1, 115, 117-119, and 130) (commonly known as the “Animal Industry Act”);

(E) the Act of February 28, 1947 (61 Stat. 7, chapter 8; 21 U.S.C. 114b, 114c, and 114d-1);

(F) the Act of June 16, 1948 (62 Stat. 458, chapter 477; 21 U.S.C. 114e and 114f);

(G) Public Law 87-209 (21 U.S.C. 114g and 114h);

(H) the Act of May 31, 1920 (41 Stat. 699, chapter 217; 21 U.S.C. 116);

(I) the Act of February 2, 1903 (32 Stat. 791, chapter 349; 21 U.S.C. 112 and 120-122) (commonly known as the “Cattle Contagious Diseases Act of 1903”);

(J) the Act of March 3, 1905 (33 Stat. 1264, chapter 1496; 21 U.S.C. 123-127) (commonly known as the “Cattle Contagious Diseases Act of 1905”);



(K) the matter under the heading “Bureau of Animal Industry” of the Act of June 30, 1914 (38 Stat. 419, chapter 131; 21 U.S.C. 128);

(L) section 101 of Public Law 92-73 (21 U.S.C. 129);

(M) the matter under the heading “Miscellaneous” of the Act of May 26, 1910 (36 Stat. 440, chapter 256; 21 U.S.C. 131);

(N) sections 1 through 6 and 11 through 13 of Public Law 87-518 (21 U.S.C. 134-134h); or

(O) any other Act administered by the Secretary relating to plant or animal diseases or pests, other than the first section of Public Law 91-239 (21 U.S.C. 135).

(2) **CUSTOMS TERRITORY.**—For the purposes of subsection (a), the term “customs territory of the United States” means the 50 States, the District of Columbia, and Puerto Rico.

(3) **PERSON.**—For the purposes of this section, the term “person” means an individual, corporation, partnership, trust, association, or any other public or private entity, or any officer, employee, or agent thereof.

(4) **UNITED STATES.**—For the purposes of subsection (b), the term “United States” means the several States of the United States, the District of Columbia, Guam, the Commonwealth of the Northern Mariana Islands, the Commonwealth of Puerto Rico, the Virgin Islands of the United States, and all other territories and possessions of the United States.

(5) **VESSEL.**—For the purposes of subsection (a), the term “vessel” does not include any ferry.

#### **SEC. 2510. USER FEES FOR REPORTS, PUBLICATIONS, AND SOFTWARE.**

Section 1121 of the Agriculture and Food Act of 1981 (7 U.S.C. 2242a) is amended by adding at the end the following new subsection:

“(d) **INVESTMENT.**—Any fees collected, late payment penalties, and interest earned shall be credited to the account referred to in this section and may be invested by the Secretary of Agriculture in insured or fully-collateralized interest-bearing accounts or, at the discretion of the Secretary of Agriculture, by the Secretary of the Treasury in United States Government debt instruments. Fees and charges, including late payment penalties and interest earned from the investment of such funds shall be credited to such account.”.

#### **SEC. 2511. TOBACCO ADJUSTMENT ACT OF 1983.**

Section 213(d) of the Tobacco Adjustment Act of 1983 (7 U.S.C. 511r) is amended by adding at the end the following new sentences: “Any fees collected, late payment penalties, and interest earned shall be credited to the account referred to in this section and may be invested by the Secretary of Agriculture in insured or fully-collateralized interest-bearing accounts or, at the discretion of the Secretary of Agriculture, by the Secretary of the Treasury in United States Government debt instruments. Fees and charges, including late payment penalties, and interest earned from the investment of such funds shall be credited to the account referred to in this section.”.

#### **SEC. 2512. COSTS OF PRODUCTION.**

7 USC 1421b.

(a) **IMPROVING THE ACCURACY OF COMMODITY PROGRAM BUDGET FORECASTS.**—Congress finds that, to improve the accuracy of

commodity program benefit forecasts, the Secretary of Agriculture should designate a single organization to manage its commodity program forecasting and establish a quality control program to—

- (1) systematically identify the source of forecasting errors;
- (2) maintain records of data used for supply and demand forecasts;
- (3) document its forecasting methods; and
- (4) correct weaknesses in its various forecasting components.

Reports.

(b) **RETURN ON ASSETS.**—The Secretary of Agriculture shall annually publish a report analyzing the return on assets resulting from the production of upland cotton, rice, wheat, corn, oats, barley, grain sorghum, soybeans, peanuts, sugar from sugar beets, and raw sugar from sugar cane. In conducting this analysis, the Secretary shall consider returns from agricultural price support programs, the effects of agricultural price support programs on cost of production, the factors currently used in Department of Agriculture cost of production data, current value of land, and any other information that he considers necessary to reflect accurately return on the production of such crops.

7 USC 1421c.

**SEC. 2513. FARM VALUE OF AGRICULTURAL PRODUCTS.**

(a) **IN GENERAL.**—The Secretary of Agriculture (hereafter in this section referred to as the “Secretary”) shall develop a system for informing the ultimate consumer of the approximate amount of money (in terms of United States currency) paid the agricultural producer for each primary commodity, contained in retail products. For the purposes of this subsection, the term “primary commodity” means any of 135 United States agricultural commodities the Secretary determines are of dietary significance (including all of the commodities for which Federal agricultural programs exist under the Agricultural Act of 1949).

(b) **ANNUAL REPORT BY SECRETARY.**—The Secretary shall annually submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate, by type of commodity or product, a report containing the information required to be made available to the consumer under subsection (a). In developing such report, the Secretary may seek assistance from such persons as the Secretary deems appropriate.

7 USC 1421d.

**SEC. 2514. COMMODITY REPORTS.**

(a) **CROP REPORTS.**—The Secretary of Agriculture (hereafter in this section referred to as the “Secretary”) shall gather data from producers to be used to develop crop reports to be distributed by the Secretary during the growing season. The report shall contain statements of the conditions of those crops by State, with such explanations, comparisons, and information as may be useful for illustrating such reports.

(b) **SPECIAL REPORTS.**—

(1) **IN GENERAL.**—In addition to the reports compiled pursuant to subsection (a), the Secretary shall annually survey producers for information for reports regarding supply, acreage, production, disposition, and prices for the following commodities as determined by the Secretary:

- (A) 25 fresh market vegetables;
- (B) 3 processing vegetables;
- (C) 6 fruits and nuts;
- (D) 17 forage and turf seeds;

- (E) 50 vegetable seeds; and
- (F) maple syrup.

(2) **ADMINISTRATIVE.**—The Secretary shall annually prepare a report containing results of the surveys described in paragraph (1) in such States as determined by the Secretary. Such reports shall be submitted to and officially approved by the Secretary of Agriculture before being issued or published.

(c) **TREE INVENTORIES.**—The Secretary shall survey producers for information for reports regarding fruit and nut tree inventories. Such surveys and reports shall be conducted, printed, and distributed on a regular basis every 3 to 5 years as determined by the Secretary. Reports shall be submitted to and officially approved by the Secretary before being issued or published.

(d) **CONFORMING AMENDMENTS.**—The proviso under the heading “Bureau of Crop Estimates” in the Act of March 4, 1917 (ch. 179; 39 Stat. 1157) and the first proviso under the heading of the “Bureau of Statistics” in the Act of March 4, 1909 (ch. 301; 35 Stat. 1053) (7 U.S.C. 411a) are repealed.

(e) **AUTHORIZATION.**—There are authorized to be appropriated such sums as may be necessary to carry out this section.

**SEC. 2515. SCARCE FEDERAL RESOURCES.**

7 USC 1421 note.

Notwithstanding any other provision of this Act, to conserve scarce Federal resources, the Secretary of Agriculture may after concurrence with the Chairman and Ranking Member of the Committee on Agriculture, Nutrition, and Forestry of the Senate and the Chairman and Ranking Member of the Committee on Agriculture of the House of Representatives, rank by priority the studies or reports authorized by this Act and determine which of those studies or reports shall be completed. The Secretary shall complete at least 12 such studies or reports.

Reports.

**SEC. 2516. RECORDKEEPING IMPROVEMENT.**

(a) **SHORT TITLE.**—This section may be cited as the “Agricultural Program Reporting and Recordkeeping Improvement Act of 1990”.

(b) **GOAL.**—To the extent practicable, it shall be the goal of this section to bring about, within 3 years following the date of enactment of this Act, a substantial reduction in the volume of documentation, and in the amount of time devoted and the number of visits to Department of Agriculture offices, that are necessary to complete paperwork required of the typical producer participating in programs administered by the Secretary of Agriculture.

Agricultural  
Program  
Reporting and  
Recordkeeping  
Improvement  
Act of 1990.  
7 USC 1421 note.

(c) **REPORTED.**—Not later than 240 days after the date of enactment of this Act, the Secretary of Agriculture (hereafter referred to in this section as the “Secretary”) shall prepare and submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report containing specific proposals for reducing and simplifying the recordkeeping and other paperwork required of agricultural producers and cooperatives (hereinafter referred to in this section as “producers”) who apply for participation in, or in complying with the requirements of—

- (1) agricultural price and income support programs administered by the Secretary, including programs under the Agricultural Act of 1949 (7 U.S.C. 1421, et seq.);

- (2) voluntary or mandatory soil or water conservation programs administered by the Secretary, including programs under the Food Security Act of 1985 (7 U.S.C. 1281, note, et seq.); and
- (3) any other related programs administered by the Secretary, including programs under the Consolidated Farm and Rural Development Act (7 U.S.C. 1981, et. seq.) and programs of crop insurance under the Federal Crop Insurance Corporation.

(d) CONTENTS OF REPORT.—

(1) IN GENERAL.—In the report required by subsection (c), the Secretary shall set forth the results of a thorough examination of the feasibility of reducing current levels of paperwork and recordkeeping required of producers by providing such producers with access to a computerized departmental network or system (including the utilization of computer capability and equipment which has been or will be acquired by the Department of Agriculture) that could be used by producers to—

(A) communicate by voice, data, video, or a combination thereof for the purpose of submitting electronically all of, or a significant portion of, any necessary and appropriate applications, reports, or other documentation; and

(B) provide updated electronic information and data pertinent to the producer's agricultural operation and marketing activities, or information sharing by means of video conferencing.

For the purpose of preparing the report required by this subsection, the Secretary is authorized to retain the consulting service of at least one private sector business firm having experience and possessing technical expertise in the fields of wide area computer network design, function, installation, and maintenance, integrated video conferencing, and data base management systems.

(2) SCHEDULE OF FEES.—In determining the feasibility and costs of providing a computerized network or system as described in paragraph (1), the Secretary may recommend a schedule of nominal fees which could be charged to producers and others for a pro rata share of a portion of the costs associated with the producers' access to and use of such system. Such fees would partially or entirely defray the costs (after taking into consideration any ongoing savings to the Department of Agriculture) associated with the operation and maintenance and future expansion of such portion of the network or system and its capabilities, but shall not be applied in a manner that would include any reimbursement for existing equipment and capabilities or for the costs associated with the initial establishment of the network or system. The report should also contain recommendations outlining additional categories of users who might be permitted access to the network or system for a fee, and the types of safeguards which would be reasonably necessary to limit file access as may be necessitated in accordance with provisions of the Privacy Act of 1974 (5 U.S.C. 552a) and other relevant authorities governing the disclosure of individual or proprietary information.

(e) RECOMMENDATIONS OF NATIONAL COMMISSION.—

(1) GENERALLY.—To the maximum extent practicable, in preparing the report required by subsection (c), the Secretary shall take into consideration and incorporate the recommendations of the commission created by title V, section 501 of the

Farm Credit Amendments Act of 1985 as contained in the Report of the National Commission on Agricultural Finance, dated February 22, 1989, to the extent that such recommendations relate to the need to develop a universal loan application form and uniform accounting standards for farm businesses. In considering such recommendations, the Secretary shall attempt to design and adopt forms and standards that are as brief and succinct as possible, and shall consult with representatives of the Farm Credit System, the commercial banking system, and other significant providers of farm ownership and operating credit.

(2) **PAPERWORK REDUCTION.**—In order to increase the efficiency of agricultural programs administered by the Secretary and to reduce the burden of paperwork on participants in such programs, the Secretary shall design and adopt, to the maximum extent practicable, one brief application form to be used by applicants for participation in the agricultural programs administered by the Secretary, including, the programs described in subsection (c). The report required by subsection (c) shall include information with regard to the progress made by the Department toward compliance with this subsection, and shall also identify any statutory impediments to the use of such single brief form.

(f) **INTEGRATION OF DATA BASES.**—Notwithstanding any other provisions of this section, the Secretary of Agriculture shall take appropriate action to integrate the various data bases of the Department of Agriculture relating to agricultural program data, and shall facilitate the sharing of relevant data among the various agencies of the Department of Agriculture.

**SEC. 2517. STUDY OF THE TRANSPORTATION OF FERTILIZER AND AGRICULTURAL CHEMICALS TO FARMERS.**

(a) **STUDY.**—The Secretary of Agriculture shall conduct a study regarding the transportation of fertilizer, agricultural pesticides, and agricultural use hazardous materials such as fuel to the farm. Such study shall include a review and analysis of—

(1) the transportation of fertilizer, fuels (such as liquid propane gas, diesel, gasoline heating oil, methane, and others), and agricultural pesticides to farms by farmers, hired farm labor, and agribusiness, including—

(A) safety practices used, the type of the equipment used, roads traveled, and employees engaged in such transportation; and

(B) any significant distinctions between transportation by retail dealers and transportation by farmers;

(2) Federal and State requirements imposed on the transportation of fertilizer, fuels, and agricultural pesticides by farmers, hired farm labor, and agribusiness retail dealers to farms (and exemptions, exclusions or waivers authorized under such requirements), including—

(A) commercial driver's license requirements;

(B) driver qualification requirements;

(C) alcohol and drug testing requirements; and

(D) worker safety requirements;

(3) the compliance by farmers and retail dealers and their employees with such Federal and State requirements and the costs associated with compliance;

(4) the safety history associated with the transport of fertilizers, fuel, and pesticides by farmers and retail dealers and their employees; and

(5) the impact on rural communities, employment, and the cost and availability of fertilizer, fuel, and agricultural pesticides associated with complying with such Federal and State requirements.

(b) **REPORT.**—Not later than 18 months after the date of the enactment of this Act, the Secretary of Agriculture shall publish a report of such study and analyses (including comments on the adequacy of existing Federal and State requirements or exemptions) and submit the report to the appropriate committees of Congress.

(c) **AUTHORIZATION OF APPROPRIATIONS.**—For the purpose of fulfilling the study, analyses, and reporting requirements under this section, there is authorized to be appropriated not more than \$75,000.

15 USC 714.

**SEC. 2518. ESTABLISHING QUALITY AS A GOAL FOR COMMODITY CREDIT CORPORATION PROGRAMS.**

In carrying out its activities the Commodity Credit Corporation shall, to the extent practicable, provide for program provisions that promote quality in the production and marketing of crops and livestock in the United States.

7 USC 1421 note.

**SEC. 2519. SEVERABILITY.**

If any provision of this Act or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of this Act which can be given effect without regard to the invalid provision or application, and to this end the provisions of this Act are severable.

Approved November 28, 1990.

**LEGISLATIVE HISTORY—S. 2830 (H.R. 3581) (H.R. 3950) (H.R. 4077):**

**HOUSE REPORTS:** No. 101-413 accompanying H.R. 4077 and No. 101-415 accompanying H.R. 3581 both from (Comm. on Agriculture); No. 101-569, Pt. 1 (Comm. on Agriculture), Pt. 2 (Comm. on Foreign Affairs), Pt. 3 (Comm. on Agriculture), Pt. 4 (Comm. on Education and Labor), and Pt. 5 (Comm. on Ways and Means), all accompanying H.R. 3950; and No. 101-916 (Comm. of Conference).

**SENATE REPORTS:** No. 101-357 (Comm. on Agriculture, Nutrition, and Forestry).  
**CONGRESSIONAL RECORD**, Vol. 136 (1990):

Mar. 6, H.R. 4077 considered and passed House.

Mar. 14, 15, 22, H.R. 3581 considered and passed House.

July 19, 20, 23-27, S. 2830 considered and passed Senate.

July 23-25, 27, Aug. 1, H.R. 3950 considered and passed House.

Aug. 3, S. 2830 considered and passed House, amended, in lieu of H.R. 3581, H.R. 3950, and H.R. 4077.

Oct. 23, House agreed to conference report.

Oct. 25, Senate agreed to conference report.

**WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS**, Vol. 26 (1990):

Nov. 28, Presidential remarks and statement.