

103^D CONGRESS
2^D SESSION

H. R. 4744

To provide for the coordination and implementation of a national aquaculture policy for the private sector by the Secretary of Agriculture, to establish an aquaculture commercialization research program, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 13, 1994

Ms. LAMBERT (for herself, Mr. THORNTON, Mr. EMERSON, Mr. STENHOLM, Mr. McCLOSKEY, Mr. HILLIARD, and Mr. BAKER of Louisiana) introduced the following bill; which was referred to the Committee on Agriculture

A BILL

To provide for the coordination and implementation of a national aquaculture policy for the private sector by the Secretary of Agriculture, to establish an aquaculture commercialization research program, and for other purposes.

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

3 **SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “National Aquaculture Development, Commercialization,
6 and Promotion Act of 1994”.

1 (b) TABLE OF CONTENTS.—The table of contents of
2 this Act is as follows:

- Sec. 1. Short title and table of contents.
- Sec. 2. Findings and purpose.
- Sec. 3. Definitions.
- Sec. 4. National aquaculture development plan.
- Sec. 5. National Aquaculture Information Center and assignment of new programs.
- Sec. 6. Coordination with the aquaculture industry.
- Sec. 7. Aquaculture commercialization program.
- Sec. 8. National policy for private aquaculture.
- Sec. 9. Water quality assessment.
- Sec. 10. Native American fishpond revitalization.
- Sec. 11. Disaster assistance for aquaculture farms.
- Sec. 12. Aquaculture education.
- Sec. 13. International aquaculture scientific exchange.
- Sec. 14. Authorization of appropriations.
- Sec. 15. Eligibility of aquaculture farmers for farm credit assistance.
- Sec. 16. International aquaculture information and data collection.
- Sec. 17. Eligibility of aquaculture farms for emergency conservation program.
- Sec. 18. Aquaculture information network report.
- Sec. 19. Voluntary certification of quality standards.
- Sec. 20. Implementation report.

3 **SEC. 2. FINDINGS AND PURPOSE.**

4 (a) FINDINGS.—Subsection (a) of section 2 of the
5 National Aquaculture Act of 1980 (16 U.S.C. 2801) is
6 amended to read as follows:

7 “(a) FINDINGS.—Congress finds the following:

8 “(1) The wild harvest or capture of certain sea-
9 food species exceeds levels of optimum sustainable
10 yield, thereby making it more difficult to meet the
11 increasing demand for aquatic food.

12 “(2) To satisfy the domestic market for aquatic
13 food, the United States imports more than 59 per-
14 cent of its seafood. This dependence on imports ad-
15 versely affects the national balance of payments and

1 contributes to the uncertainty of supplies and prod-
2 uct quality.

3 “(3) Although aquaculture currently contributes
4 approximately 16 percent by weight of world seafood
5 production, less than 9 percent by weight of current
6 United States seafood production results from aqua-
7 culture. As a result, domestic aquaculture produc-
8 tion has the potential for significant growth.

9 “(4) Aquaculture production of aquatic animals
10 and plants is a source of food, industrial materials,
11 pharmaceuticals, energy, and aesthetic enjoyment,
12 and can assist in the control and abatement of pollu-
13 tion.

14 “(5) The rehabilitation and enhancement of fish
15 and shellfish resources are desirable applications of
16 aquaculture technology.

17 “(6) The principal responsibility for the devel-
18 opment of aquaculture in the United States must
19 rest with the private sector.

20 “(7) Despite its potential, the development of
21 aquaculture in the United States has been inhibited
22 by many scientific, economic, legal, and production
23 factors, such as—

24 “(A) inadequate credit;

1 “(B) limited research and development and
2 demonstration programs;

3 “(C) diffused legal jurisdiction;

4 “(D) inconsistent interpretations between
5 Federal agencies;

6 “(E) the lack of management information;

7 “(F) the lack of supportive policies of the
8 Federal Government;

9 “(G) the lack of therapeutic compounds for
10 treatment of the diseases of aquatic animals
11 and plants; and

12 “(H) the lack of reliable supplies of seed
13 stock.

14 “(8) Many areas of the United States are suit-
15 able for aquaculture, but are subject to land-use or
16 water-use management policies and regulations that
17 do not adequately consider the potential for aqua-
18 culture and may inhibit the development of aqua-
19 culture.

20 “(9) In 1990, the United States ranked only
21 tenth in the world in aquaculture production based
22 on total value of products.

23 “(10) Despite the current and increasing im-
24 portance of private aquaculture to the United States
25 economy and to rural areas in the United States,

1 Federal efforts to nurture aquaculture development
2 have failed to keep pace with the needs of fish and
3 aquatic plant farmers.

4 “(11) The United States has a premier oppor-
5 tunity to expand existing aquaculture production
6 and develop new aquaculture industries to serve na-
7 tional needs and the global marketplace.

8 “(12) United States aquaculture provides
9 wholesome products for domestic consumers and
10 contributes significantly to employment opportunities
11 and the quality of life in rural areas in the United
12 States.

13 “(13) Since 1980, the United States trade defi-
14 cit in edible fishery products has increased by 48
15 percent, from \$1,777,921,000 to \$2,634,738,000 in
16 1991.

17 “(14) Aquaculture is poised to become a major
18 growth industry of the 21st century. With global
19 seafood demand projected to increase 70 percent by
20 2025, and harvests from capture fisheries stable or
21 declining, aquaculture would have to increase pro-
22 duction by 700 percent, a total of 77 million metric
23 tons annually.

24 “(15) Private aquaculture production in the
25 United States has increased an average of 20 per-

1 cent by weight annually since 1980, and is one of
2 the fastest growing segments of United States and
3 world agriculture.

4 “(16) In 1990, private United States aqua-
5 culture production was 860,750,000 pounds, worth
6 \$761,500,000, up from 203,178,000 pounds, worth
7 \$191,977,000, in 1980.

8 “(17) Since 1960, per capita consumption of
9 aquatic foods in the United States has increased by
10 49 percent to 14.9 pounds in 1991, and could reach
11 20 pounds by the year 2000. Total United States
12 demand is projected to double by 2020.”.

13 (b) PURPOSE.—Subsection (b) of such section (16
14 U.S.C. 2801) is amended to read as follows:

15 “(b) PURPOSE.—It is the purpose of this Act to pro-
16 mote aquaculture in the United States by—

17 “(1) declaring a national aquaculture policy;

18 “(2) establishing private aquaculture as a form
19 of agriculture;

20 “(3) establishing cultivated aquatic animals,
21 plants, microorganisms, and their products produced
22 by private persons and moving in standard commod-
23 ity channels as agricultural livestock, crops, and
24 commodities;

1 “(4) establishing the Department as the lead
2 Federal agency for the development, implementation,
3 promotion, and coordination of national policy and
4 programs for private aquaculture by—

5 “(A) designating the Secretary as the per-
6 manent chairperson of a Federal interagency
7 aquaculture coordinating group;

8 “(B) assigning overall responsibility to the
9 Secretary for coordinating, developing, and car-
10 rying out policies and programs for private
11 aquaculture; and

12 “(C) authorizing the establishment of a
13 National Aquaculture Information Center with-
14 in the Department to support the United States
15 aquaculture industry; and

16 “(5) encouraging—

17 “(A) aquaculture activities and programs
18 in both the public and private sectors of the
19 economy of the United States;

20 “(B) the creation of new industries and job
21 opportunities related to aquaculture activities;

22 “(C) the reduction of the fisheries trade
23 deficit; and

24 “(D) other national policy benefits deriving
25 from aquaculture activities.”.

1 **SEC. 3. DEFINITIONS.**

2 Section 3 of the National Aquaculture Act of 1980
3 (16 U.S.C. 2802) is amended—

4 (1) in the matter before the paragraphs, by
5 striking “requires—” and inserting “requires.”;

6 (2) by striking paragraph (1) and inserting the
7 following new paragraph:

8 “(1) The term ‘aquaculture’ means the con-
9 trolled cultivation of aquatic plants, animals, and
10 microorganisms. Such term does not include private
11 cultivation of Pacific salmon for profit in those
12 States where such cultivation is prohibited by law.”;

13 (3) in paragraph (3), by inserting before the pe-
14 riod at the end the following: “or microorganism”;

15 (4) by redesignating paragraphs (7) through
16 (9) as paragraphs (9) through (11), respectively;

17 (5) by redesignating paragraphs (5) and (6) as
18 paragraphs (6) and (7), respectively;

19 (6) by inserting after paragraph (4) the follow-
20 ing new paragraph:

21 “(5) The term ‘Department’ means the United
22 States Department of Agriculture.”; and

23 (7) by inserting before paragraph (9) (as redес-
24 igned by paragraph (4)) the following new para-
25 graph:

1 “(8) The term ‘private aquaculture’ means the
2 controlled cultivation of aquatic plants, animals, and
3 microorganisms other than cultivation carried out by
4 the Federal Government or any State or local gov-
5 ernment.”.

6 **SEC. 4. NATIONAL AQUACULTURE DEVELOPMENT PLAN.**

7 Section 4 of the National Aquaculture Act of 1980
8 (16 U.S.C. 2803) is amended—

9 (1) in the second sentence of subsection (c)—

10 (A) in subparagraph (A), by adding “and”
11 at the end;

12 (B) in subparagraph (B), by striking “;
13 and” and inserting a period; and

14 (C) by striking subparagraph (C);

15 (2) in the second sentence of subsection (d), by
16 striking “Secretaries determine” and inserting “Sec-
17 retary, in consultation with the other Secretaries,
18 determines”;

19 (3) in subsection (e)—

20 (A) by striking “Secretaries” and inserting
21 “Secretary”; and

22 (B) by inserting “and in consultation with
23 the other Secretaries and representatives of
24 other Federal agencies” after “coordinating
25 group”; and

1 (4) by adding at the end the following new sub-
2 section:

3 “(f) ACCOMPLISHMENTS IN AQUACULTURE PRO-
4 GRAMS.—Not later than December 31, 1994, the Sec-
5 retary, in consultation with the Secretary of Commerce
6 and the Secretary of the Interior, shall submit to Congress
7 a report evaluating the actions taken in accordance with
8 subsection (d) with respect to the Plan, and making rec-
9 ommendations for updating and modifying the Plan. The
10 report shall also contain a compendium on Federal regula-
11 tions relating to aquaculture.”.

12 **SEC. 5. NATIONAL AQUACULTURE INFORMATION CENTER**
13 **AND ASSIGNMENT OF NEW PROGRAMS.**

14 Section 5 of the National Aquaculture Act of 1980
15 (16 U.S.C. 2804) is amended—

16 (1) in subsection (b)(3), by striking “Secretar-
17 ies deem” and inserting “Secretary, in consultation
18 with the other Secretaries, considers”;

19 (2) in subsection (c)(1)(B)—

20 (A) by striking clause (i) and inserting the
21 following new clause:

22 “(i) establish, within the Department,
23 within the National Agricultural Library, a Na-
24 tional Aquaculture Information Center that
25 shall—

1 “(I) serve as a repository and clear-
2 inghouse for the information collected
3 under subparagraph (A) and other provi-
4 sions of this Act;

5 “(II) carry out a program to notify
6 organizations, institutions, and individuals
7 known to be involved in aquaculture of the
8 existence of the Center and the kinds of in-
9 formation that the Center can make avail-
10 able to the public; and

11 “(III) make available, on request, in-
12 formation described in subclause (I) (in-
13 cluding information collected under sub-
14 section (e));” and

15 (B) in clause (ii), by striking the comma
16 and inserting a semicolon;

17 (3) in the first sentence of subsection (d), by
18 striking “Interior,,” and inserting “Interior,,”; and

19 (4) by adding at the end the following new sub-
20 section:

21 “(e) ASSIGNMENT OF NEW PROGRAMS.—In consulta-
22 tion with representatives of the United States aquaculture
23 industry and in coordination with the Secretary of the In-
24 terior, the Secretary of Commerce, and the heads of other
25 appropriate Federal agencies, the Secretary shall assess

1 Federal aquatic animal health programs and make rec-
2 ommendations as to the appropriate assignment to Fed-
3 eral agencies of new programs, initiatives, and activities
4 in support of aquaculture and resource stewardship and
5 management.”.

6 **SEC. 6. COORDINATION WITH THE AQUACULTURE INDUS-**
7 **TRY.**

8 Section 6(b) of the National Aquaculture Act of 1980
9 (16 U.S.C. 2805(b)) is amended—

10 (1) in paragraph (5), by striking “and” at the
11 end;

12 (2) in paragraph (6), by striking the period at
13 the end and inserting “; and”; and

14 (3) by adding at the end the following new
15 paragraph:

16 “(7) in order to facilitate improved communica-
17 tion and interaction among aquaculture producers,
18 the aquaculture community, the Federal Govern-
19 ment, and the coordinating group, establish a work-
20 ing relationship with—

21 “(A) the industry advisory councils of the
22 regional aquaculture centers established by the
23 Secretary under section 1475(d) of the National
24 Agricultural Research, Extension, and Teaching
25 Policy Act of 1977 (7 U.S.C. 3322(d)); and

1 “(B) national organizations, commodity as-
2 sociations, and professional societies represent-
3 ing aquaculture interests.”.

4 **SEC. 7. AQUACULTURE COMMERCIALIZATION PROGRAM.**

5 The National Aquaculture Act of 1980 (16 U.S.C.
6 2801 et seq.) is amended—

7 (1) by redesignating sections 7 through 11 as
8 sections 14 through 18, respectively; and

9 (2) by inserting after section 6 the following
10 new section:

11 **“SEC. 7. AQUACULTURE COMMERCIALIZATION PROGRAM.**

12 “(a) DEFINITIONS.—As used in this section, the term
13 ‘eligible entity’ means a private company, public or private
14 research or educational organization, regional center, Fed-
15 eral, State, or regional agency, or individual that is eligible
16 to receive a grant or enter into a contract under this sec-
17 tion.

18 “(b) ASSISTANCE AND COORDINATION.—

19 “(1) IN GENERAL.—The Secretary may make
20 grants and enter into contracts with eligible entities
21 to pay the Federal share of projects to support the
22 market development and commercialization of aqua-
23 culture research findings and technologies that—

24 “(A) demonstrate strong potential for ac-
25 celerating the transfer to the marketplace of

1 aquaculture products, processes, and tech-
2 nologies that can improve profitability, produc-
3 tion efficiency, and sustainability of existing
4 and emerging aquaculture sectors;

5 “(B) will help the United States aqua-
6 culture industry to be more competitive in the
7 global marketplace; and

8 “(C) will facilitate the commercialization of
9 promising research and technologies deriving
10 from existing research programs.

11 “(2) COST SHARE.—

12 “(A) FEDERAL SHARE.—Except as pro-
13 vided in subparagraph (B), the Federal share of
14 the cost of a project carried out under this pro-
15 gram shall be 80 percent.

16 “(B) REMAINING SHARE.—The remaining
17 share of the cost of a project carried out under
18 this program may be—

19 “(i) in the form of cash or in-kind
20 payments, or both; and

21 “(ii) partially comprised of funds
22 made available under other Federal pro-
23 grams, except that the non-Federal share
24 of the project may not be less than 10 per-
25 cent of the cost of the project.

1 “(c) PRIORITIES.—In making grants or entering into
2 contracts under subsection (b), the Secretary shall give
3 priority to—

4 “(1) field testing, commercial field trials, mar-
5 ket development programs, and applications of aqua-
6 culture research to private aquaculture that would
7 promote the transfer of promising aquaculture tech-
8 nologies to the market place; and

9 “(2) projects carried out under commercial con-
10 ditions at private, commercial aquaculture facilities.

11 “(d) COMPETITIVE REVIEW.—

12 “(1) IN GENERAL.—To be eligible to receive a
13 grant or enter into a contract under subsection (b),
14 a proposal shall undergo competitive review.

15 “(2) COMPETITIVE REVIEW PANELS.—A com-
16 petitive review panel shall be composed of individuals
17 appointed by the Secretary who understand the
18 aquaculture industry and sound business practices
19 and are qualified to objectively evaluate the likeli-
20 hood of a proposal being economically successful or
21 promoting economic success within the aquaculture
22 industry. Review panels shall equitably represent the
23 United States aquaculture community and shall be
24 developed in close consultation with aquaculture in-
25 dustry leaders.

1 “(3) EVALUATION.—A competitive review panel
2 shall base an evaluation of a proposal under this
3 subsection on—

4 “(A) the quality of the proposal and the
5 proposed methodology;

6 “(B) the capability of the participating en-
7 tity to perform the proposed work;

8 “(C) the potential for fostering commer-
9 cialization, job creation, and increased sales of
10 aquaculture products;

11 “(D) the amount of matching funds pro-
12 vided by the supported entity or obtained from
13 non-Federal sources;

14 “(E) the extent of collaboration with other
15 Federal and State programs;

16 “(F) the existence of a sound business
17 plan that reasonably projects the benefits of the
18 support being requested;

19 “(G) in the case of a noncommercial en-
20 tity, the existence of a cooperative agreement
21 with a commercial entity;

22 “(H) whether the project would promote
23 responsible environmental stewardship; and

24 “(I) such other factors as the competitive
25 review panel determines to be appropriate.

1 “(e) LIMITATIONS.—

2 “(1) ADMINISTRATIVE EXPENSES.—Not more
3 than 3 percent of the amounts made available to
4 carry out this section during a fiscal year may be
5 used by the Secretary for the expenses of adminis-
6 tration and information collection and dissemination.

7 “(2) CONSTRUCTION COSTS.—None of the
8 funds made available under this section may be used
9 for the construction of a new building or the acquisi-
10 tion, expansion, remodeling, or alteration of an exist-
11 ing building (including site grading and improve-
12 ment and architect fees).

13 “(f) REPORTS.—An eligible entity that receives a
14 grant or enters into a contract under a project carried out
15 under this section shall submit an annual progress report,
16 and a final report, to the Secretary that—

17 “(1) describes project activities and commercial
18 and economic accomplishments and impacts; and

19 “(2) in the case of an annual progress report,
20 includes a project plan for the subsequent year.

21 “(g) AUTHORIZATION OF APPROPRIATIONS.—There
22 are authorized to be appropriated such sums as are nec-
23 essary to carry out this section.”.

1 **SEC. 8. NATIONAL POLICY FOR PRIVATE AQUACULTURE.**

2 The National Aquaculture Act of 1980 (16 U.S.C.
3 2801 et seq.) is amended by inserting after section 7 (as
4 added by section 7(2)) the following new section:

5 **“SEC. 8. NATIONAL POLICY FOR PRIVATE AQUACULTURE.**

6 “(a) IN GENERAL.—The Secretary, in consultation
7 with the Secretary of Commerce, the Secretary of the Inte-
8 rior, and the heads of other agencies, as appropriate, shall
9 coordinate and implement a national policy for private
10 aquaculture in accordance with this section.

11 “(b) DEPARTMENT AQUACULTURE PLAN.—

12 “(1) IN GENERAL.—The Secretary shall develop
13 and implement a Department Aquaculture Plan (re-
14 ferred to in this section as the ‘plan’) for a unified
15 Department aquaculture program to support the de-
16 velopment of private United States aquaculture.

17 “(2) ELEMENTS OF PLAN.—The plan shall
18 address—

19 “(A) individual agency programs related to
20 aquaculture in the Department that are consist-
21 ent with Department programs applied to other
22 agricultural programs, livestock, crops, prod-
23 ucts, and commodities under the jurisdiction of
24 Department agencies;

1 “(B) the treatment of cultivated aquatic
2 animals as livestock and cultivated aquatic
3 plants as agricultural crops; and

4 “(C) means for effective coordination and
5 implementation of aquaculture activities and
6 programs within the Department, including in-
7 dividual agency commitments of personnel and
8 resources.

9 “(3) DEADLINE.—Not later than 1 year after
10 the date of enactment of the National Aquaculture
11 Development, Research, and Promotion Act of 1994,
12 the Secretary shall submit the plan to Congress.

13 “(4) REPORTS.—Not later than 1 year after the
14 date of the submission of the plan pursuant to para-
15 graph (3), and annually thereafter, the Secretary
16 shall report to Congress on actions taken to imple-
17 ment the plan during the year preceding the date of
18 the report.

19 “(5) NATIONAL AQUACULTURE INFORMATION
20 CENTER.—

21 “(A) IN GENERAL.—In carrying out sec-
22 tion 5, the Secretary may maintain and support
23 a National Aquaculture Information Center (re-
24 ferred to in this paragraph as the ‘Center’) as

1 a repository for information on national and
2 international aquaculture.

3 “(B) PUBLIC ACCESS.—Information in the
4 Center shall be made available to the public.

5 “(C) INTERNATIONAL EXCHANGE.—The
6 head of the Center shall arrange with foreign
7 nations for the exchange of information relating
8 to aquaculture and shall support a translation
9 service.

10 “(D) SUPPORT.—The Center shall provide
11 direct support to the coordinating group.

12 “(c) NATIONAL AQUACULTURE DEVELOPMENT
13 PLAN.—

14 “(1) IN GENERAL.—Not later than 1 year after
15 the date of enactment of the National Aquaculture
16 Development, Research, and Promotion Act of 1994,
17 the Secretary shall revise the National Aquaculture
18 Development Plan required to be established under
19 section 4.

20 “(2) COORDINATION.—The Secretary shall inte-
21 grate and coordinate the aquaculture and related
22 missions, major objectives, and program components
23 of individual aquaculture plans of the coordinating
24 group members.

1 “(3) SUBMISSION TO CONGRESS.—Not later
2 than 1 year after the date of enactment of the Na-
3 tional Aquaculture Development, Research, and Pro-
4 motion Act of 1994, the Secretary shall submit a re-
5 vised Plan to Congress.

6 “(4) UPDATES.—Not later than 5 years after
7 the date of the submission of the revised Plan pursu-
8 ant to paragraph (3), and annually thereafter, the
9 Secretary shall revise the National Aquaculture De-
10 velopment Plan.

11 “(d) TREATMENT OF AQUACULTURE.—The Sec-
12 retary shall, for all purposes, treat—

13 “(1) private aquaculture as a form of agri-
14 culture; and

15 “(2) cultivated aquatic animals, plants, and
16 microorganisms, and products of the animals, plants,
17 and microorganisms, produced by private persons
18 and moving in standard commodity channels as agri-
19 cultural livestock, crops, and commodities.

20 “(e) RESOLUTION OF INTERAGENCY CONFLICT.—In
21 consultation with representatives of affected Federal agen-
22 cies, the Secretary shall be responsible for resolving any
23 interagency conflict in the coordination or implementation
24 of the policy described in this section.

1 “(f) PRIVATE AQUACULTURE POLICY COORDINA-
2 TION, DEVELOPMENT, AND IMPLEMENTATION.—

3 “(1) RESPONSIBILITY.—The Secretary shall
4 have overall responsibility for coordinating, develop-
5 ing, and carrying out policies and programs for pri-
6 vate aquaculture.

7 “(2) DUTIES.—The Secretary shall—

8 “(A) coordinate all intradepartmental func-
9 tions and activities relating to private aqua-
10 culture;

11 “(B) establish procedures for the coordina-
12 tion of functions, and consultation, with the co-
13 ordinating group; and

14 “(C) recommend to the National Agricul-
15 tural Library methods by which the aquaculture
16 resources of the Library can be made more eas-
17 ily retrievable and can be more widely dissemi-
18 nated.

19 “(3) LIAISON.—

20 “(A) AGENCIES OF THE DEPARTMENT.—

21 To facilitate communication and interaction be-
22 tween the aquaculture community and the De-
23 partment, the head of each agency of the De-
24 partment shall, if requested by the Secretary,
25 designate an officer or employee of the agency

1 to be the liaison of the agency with the Sec-
2 retary.

3 “(B) DEPARTMENTS OF COMMERCE AND
4 THE INTERIOR.—The Secretary of Commerce
5 and the Secretary of the Interior shall each des-
6 ignate an officer or employee of their respective
7 Departments to be the liaison of their respec-
8 tive Departments with the Secretary.”.

9 **SEC. 9. WATER QUALITY ASSESSMENT.**

10 The National Aquaculture Act of 1980 (16 U.S.C.
11 2801 et seq.) is amended by inserting after section 8 (as
12 added by section 8) the following new section:

13 **“SEC. 9. WATER QUALITY ASSESSMENT.**

14 “(a) ASSESSMENT.—The Administrator of the Envi-
15 ronmental Protection Agency is authorized to carry out,
16 in collaboration with the Secretary, collaborative inter-
17 agency programs that demonstrate the application of
18 aquaculture to environmental enhancement and assess-
19 ment, including a program to assess the environmental im-
20 pact of waterborne contaminants on naturally occurring
21 aquatic organisms and ecosystems using aquaculture-
22 raised organisms to serve as an indicator of environmental
23 pollution.

24 “(b) GRANTS; COOPERATIVE AGREEMENTS.—The
25 Administrator may provide grants or enter into coopera-

1 tive agreements or contracts with private research organi-
2 zations for research and demonstration of the technology
3 authorized by this section.”.

4 **SEC. 10. NATIVE AMERICAN FISHPOND REVITALIZATION.**

5 The National Aquaculture Act of 1980 (16 U.S.C.
6 2801 et seq.) is amended by inserting after section 9 (as
7 added by section 9) the following new section:

8 **“SEC. 10. NATIVE AMERICAN FISHPOND REVITALIZATION.**

9 “(a) DEFINITION OF NATIVE AMERICAN.—As used
10 in this section, the term ‘Native American’ means—

11 “(1) an Indian, as defined in section 4(d) of the
12 Indian Self-Determination and Education Assistance
13 Act (25 U.S.C. 450b(d));

14 “(2) a Native Hawaiian, as defined in section
15 8(3) of the Native Hawaiian Health Care Act of
16 1988 (42 U.S.C. 11707(3)) or section 815(3) of the
17 Native American Programs Act (42 U.S.C.
18 2992c(3));

19 “(3) an Alaska Native, within the meaning pro-
20 vided for the term ‘Native’ in section 3(b) of the
21 Alaska Native Claims Settlement Act (43 U.S.C.
22 1602(b)); and

23 “(4) a Pacific Islander, within the meaning of
24 the Native American Programs Act of 1974 (42
25 U.S.C. 2991 et seq.).

1 “(b) AUTHORIZATION OF PROGRAM.—The Secretary
2 of Agriculture is authorized to carry out a program to revi-
3 talize fishponds used by Native Americans to cultivate
4 aquatic species.

5 “(c) GRANTS; COOPERATIVE AGREEMENTS.—The
6 Secretary may provide grants or enter into cooperative
7 agreements with individuals and organizations, including
8 Native American organizations, to promote fishpond revi-
9 talization. Funds provided under this section may be used
10 to engage in fishpond research, pond culture technology
11 development, the application of traditional pond culture
12 techniques and modern aquaculture practices to ancient
13 fishponds, technical assistance and technology transfer,
14 and such other activities as the Secretary determines are
15 appropriate.”.

16 **SEC. 11. DISASTER ASSISTANCE FOR AQUACULTURE**
17 **FARMS.**

18 (a) IN GENERAL.—Section 2244 of the Food, Agri-
19 culture, Conservation, and Trade Act of 1990 (7 U.S.C.
20 1421 note) is amended—

21 (1) in subsection (a)(1)(A)(ii), by inserting “, if
22 applicable,” after “subsection (d)(2) for such crop”;
23 and

1 (2) in subsection (d)(1), by inserting “and cul-
2 tivated aquatic species,” after “was not available for
3 crop year 1990,”.

4 (b) LIMITATION.—The amendments made by sub-
5 section (a) shall apply only to the extent appropriations
6 are made available after the date of enactment of this Act
7 to carry out the amendments.

8 (c) ELIGIBILITY.—Notwithstanding any other provi-
9 sion of law, aquaculture producers shall be eligible for dis-
10 aster assistance for 1993 crop losses under the same terms
11 and conditions as are specified in chapter 3 of subtitle B
12 of title XXII of the Food, Agriculture, Conservation, and
13 Trade Act of 1990 (7 U.S.C. 1421 note).

14 **SEC. 12. AQUACULTURE EDUCATION.**

15 The National Aquaculture Act of 1980 (16 U.S.C.
16 2801 et seq.) is amended by inserting after section 10 (as
17 added by section 10) the following new section:

18 **“SEC. 11. AQUACULTURE EDUCATION.**

19 “(a) DEFINITIONS.—As used in this section:

20 “(1) POSTSECONDARY VOCATIONAL INSTITU-
21 TION.—The term ‘postsecondary vocational institu-
22 tion’ has the same meaning given the term by sec-
23 tion 481(c) of the Higher Education Act of 1965
24 (20 U.S.C. 1088(c)), except that the term only in-

1 includes an institution that awards an associates de-
2 gree but does not award a bachelor's degree.

3 “(2) SECONDARY SCHOOL.—The term ‘second-
4 ary school’ has the same meaning given the term by
5 section 1471(21) of the Elementary and Secondary
6 Education Act of 1965 (20 U.S.C. 2891(21)).

7 “(b) AUTHORIZATION OF PROGRAM.—The Secretary
8 is authorized to establish a program to expand and im-
9 prove instruction, on aquaculture and the basic principles
10 of aquaculture farming, in the agriculture curriculum for
11 students attending secondary schools and postsecondary
12 vocational institutions.

13 “(c) GRANTS AND CURRICULUM.—In carrying out
14 subsection (b), the Secretary may—

15 “(1) make grants to—

16 “(A) establish and maintain aquaculture
17 learning centers in secondary schools and post-
18 secondary vocational institutions;

19 “(B) promote aquaculture technology
20 transfer; and

21 “(C) educate consumers and the public
22 concerning the benefits of aquaculture; and

23 “(2) develop curriculum and supporting mate-
24 rials on aquaculture farming, field test the content
25 of the curriculum, and supply training to educators

1 at secondary schools and postsecondary vocational
2 institutions on the aquaculture curriculum and ma-
3 terials developed.

4 “(d) PRIORITY FOR GRANTS.—In awarding grants
5 under subsection (c)(1), the Secretary shall give priority
6 to—

7 “(1) the ability of the proposed aquaculture
8 learning center to gain access to—

9 “(A) a commercial aquaculture farm;

10 “(B) a regional aquaculture center estab-
11 lished by the Secretary under section 1475(d)
12 of the National Agricultural Research, Exten-
13 sion, and Teaching Policy Act of 1977 (7
14 U.S.C. 3322(d));

15 “(C) an aquaculture research facility; or

16 “(D) a similar venture that would afford
17 students the opportunity to experience aqua-
18 culture research and development or commer-
19 cialization;

20 “(2) the ability of the center to achieve out-
21 reach to minority audiences or students in inner-city
22 schools;

23 “(3) the ability of the center to foster aware-
24 ness of aquaculture among consumers and the gen-
25 eral public;

1 “(4) the ability of the center to serve as an
2 aquaculture education facility for visiting students
3 participating in a field trip or a similar educational
4 experience for inservice training; and

5 “(5) the level of assistance to be provided from
6 non-Federal sources.

7 “(e) LIMITATION.—

8 “(1) IN GENERAL.—Except as provided in para-
9 graph (2), a grantee may not receive a grant under
10 this section for more than 5 fiscal years.

11 “(2) WAIVER.—In the case of grantees that re-
12 ceive grants under this section for fiscal year 1995,
13 the Secretary may waive the application of para-
14 graph (1) to the grantees for the fiscal year if the
15 Secretary determines that the application of para-
16 graph (1) to the grantees would result in the termi-
17 nation of an excessive number of grants.”.

18 **SEC. 13. INTERNATIONAL AQUACULTURE SCIENTIFIC EX-**
19 **CHANGE.**

20 The National Aquaculture Act of 1980 (16 U.S.C.
21 2801 et seq.) is amended by inserting after section 11 (as
22 added by section 12) the following new section:

1 **“SEC. 12. INTERNATIONAL AQUACULTURE SCIENTIFIC EX-**
2 **CHANGE.**

3 “(a) DEFINITION OF ELIGIBLE ENTITY.—As used in
4 this section, the term ‘eligible entity’ means a regional
5 aquaculture center, college, university, or nonprofit orga-
6 nization engaged in aquaculture research and education
7 in the United States or a foreign country.

8 “(b) GRANTS.—The Secretary may make grants to
9 eligible entities to defray the cost, in whole or in part, of
10 allowing aquaculture researchers and aquaculture tech-
11 nologists to engage in research, education, and demonstra-
12 tion at the eligible entities for periods of up to 2 years.

13 “(c) FUNDING.—The Secretary may use proceeds
14 from the payments referred to in section 104(a) of the
15 Agricultural Trade Development and Assistance Act of
16 1954 (7 U.S.C. 1704(a)) to carry out this section.”.

17 **SEC. 14. AUTHORIZATION OF APPROPRIATIONS.**

18 The first sentence of section 17 of the National Aqua-
19 culture Act of 1980 (as redesignated by section 7(1)) is
20 amended to read as follows: “There are authorized to be
21 appropriated to carry out this Act to the Department
22 \$2,000,000 for each of fiscal years 1995 and 1996 (of
23 which not less than \$500,000 shall be used for each fiscal
24 year to carry out the Joint Subcommittee on Aquaculture
25 established under section 6(a)), to the Department of
26 Commerce \$500,000 for each of fiscal years 1995 and

1 1996, and to the Department of the Interior \$500,000 for
2 each of fiscal years 1995 and 1996.”.

3 **SEC. 15. ELIGIBILITY OF AQUACULTURE FARMERS FOR**
4 **FARM CREDIT ASSISTANCE.**

5 (a) IN GENERAL.—Section 343 of the Consolidated
6 Farm and Rural Development Act (7 U.S.C. 1991) is
7 amended by striking “fish farming” both places it appears
8 in paragraphs (1) and (2) and inserting “aquaculture (as
9 the term is defined in section 3(1) of the National Aqua-
10 culture Act of 1980 (16 U.S.C. 2802(1)))”.

11 (b) EFFECTIVE DATE.—The amendments made by
12 subsection (a) shall become effective on October 1, 1994.

13 **SEC. 16. INTERNATIONAL AQUACULTURE INFORMATION**
14 **AND DATA COLLECTION.**

15 Section 502 of the Agricultural Trade Act of 1978
16 (7 U.S.C. 5692) is amended by adding at the end the fol-
17 lowing new subsection:

18 “(d) INTERNATIONAL AQUACULTURE INFORMATION
19 AND DATA COLLECTION.—

20 “(1) IN GENERAL.—The Secretary is authorized
21 to establish and carry out a program of data collec-
22 tion, analysis, and dissemination of information to
23 provide continuing and timely economic information
24 concerning international aquaculture production.

1 “(2) CONSULTATION.—In carrying out para-
2 graph (1), the Secretary shall consult with the Joint
3 Subcommittee on Aquaculture established under sec-
4 tion 6(a) of the National Aquaculture Act of 1980
5 (16 U.S.C. 2805(a)), and representatives of the
6 United States aquaculture industry, concerning
7 means of effectively providing data described in
8 paragraph (1) to the Joint Subcommittee and the
9 industry.”.

10 **SEC. 17. ELIGIBILITY OF AQUACULTURE FARMS FOR EMER-**
11 **GENCY CONSERVATION PROGRAM.**

12 Section 401 of the Agricultural Credit Act of 1978
13 (16 U.S.C. 2201) is amended—

14 (1) by inserting “or aquaculture farms” after
15 “farmlands” both places it appears; and

16 (2) by inserting “or aquaculture farm” after
17 “land” each place it appears.

18 **SEC. 18. AQUACULTURE INFORMATION NETWORK REPORT.**

19 Not later than 180 days after the date of enactment
20 of this Act, the Secretary of Agriculture shall report to
21 Congress on the feasibility of expanding current informa-
22 tion systems at regional aquaculture centers established
23 by the Secretary under section 1475(d) of the National
24 Agricultural Research, Extension, and Teaching Policy
25 Act of 1977 (7 U.S.C. 3322(d)), universities, research in-

1 stitutions, and the National Agricultural Library to permit
2 an on-line link between those entities for the sharing of
3 data, publication, and technical assistance information in-
4 volving aquaculture.

5 **SEC. 19. VOLUNTARY CERTIFICATION OF QUALITY STAND-**
6 **ARDS.**

7 The National Aquaculture Act of 1980 (16 U.S.C.
8 2801 et seq.) is amended by inserting after section 12 (as
9 added by section 13) the following new section:

10 **“SEC. 13. VOLUNTARY CERTIFICATION OF QUALITY STAND-**
11 **ARDS.**

12 “The Secretary shall develop, in consultation with
13 representatives of the aquaculture industry, a plan for vol-
14 untary certification of guidelines to ensure the quality of
15 aquatic species subject to this Act in order to promote the
16 marketing and transportation of aquaculture products.”.

17 **SEC. 20. IMPLEMENTATION REPORT.**

18 (a) IN GENERAL.—Not later than 180 days after the
19 date of enactment of this Act, the Secretary of Agriculture
20 shall report to Congress on the progress made in carrying
21 out this Act and the amendments made by this Act.

22 (b) CONTENTS.—The report required by subsection
23 (a) shall include—

24 (1) a description of all programs and activities
25 of the Department of Agriculture and all other agen-

1 cies and Departments in support of private aqua-
2 culture;

3 (2) the specific authorities for the activities de-
4 scribed in paragraph (1); and

5 (3) recommendations for such actions as the
6 Secretary of Agriculture determines are necessary to
7 improve recognition and support of private aqua-
8 culture in each agency of the Department of Agri-
9 culture.

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