

**(b) Activities**

The Secretary is authorized to provide assistance under this section for the promotion or establishment of irrigation, watersheds, and other water management and drought management activities, including water transmission, application, and activation.

**(c) Cooperation**

In implementing this section, the Secretary—

(1) should address the general, special, and unique problems of water management existing in rural areas;

(2) may take action independently or in cooperation with Federal, State, public, or private entities and agencies; and

(3) shall cooperate with—

(A) cooperatives, public or private organizations, confederations, authorities, or other entities (including such entities that may be organized under multiple State agreements or compacts and entities created under State law) to carry out projects authorized under this section; and

(B) water, watershed, and sewer authorities, rural electric cooperatives, Federal agencies, and other State or local governments or agencies.

**(d) Regulations**

(1) The Secretary shall issue regulations to carry out this section.

(2) Such regulations shall—

(A) specify the terms and conditions that the entities described in subsections (a) and (c) of this section must meet in order to participate in programs carried out under this section;

(B) establish a procedure under which entities described in subsections (a) and (c) of this section may apply for assistance under this section; and

(C) foster cooperation between such entities and other Federal, State, or local agencies for the purposes of carrying out the provisions of this section.

**(e) “University” defined**

As used in this section, the term “university” means—

(1) a land grant university established under the Act of July 2, 1862 (known as the “First Morrill Act”); 12 Stat. 503, chapter 130; 7 U.S.C. 301 et seq.);

(2) a land grant university established under the Act of August 30, 1890 (known as the “Second Morrill Act”); 26 Stat. 419, chapter 841; 7 U.S.C. 321 et seq.);

(3) the Tuskegee Institute; and

(4) any other support research organization.

**(f) Funding**

(1) There are authorized to be appropriated each fiscal year such sums as are necessary to carry out this section.

(2) The Secretary is authorized to accept funds from non-Federal sources to carry out the activities authorized by this section.

**(g) No waivers**

Nothing in this section shall authorize the waiver of a cost-share requirement under a program established under any other provision of law.

(Pub. L. 100-387, title IV, § 401, Aug. 11, 1988, 102 Stat. 956.)

## REFERENCES IN TEXT

Act of July 2, 1862, referred to in subsec. (e)(1), is act July 2, 1862, ch. 130, 12 Stat. 503, as amended, popularly known as the First Morrill Act, which is classified generally to subchapter I (§301 et seq.) of chapter 13 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 301 of this title and Tables.

Act of August 30, 1890, referred to in subsec. (e)(2), is act Aug. 30, 1890, ch. 841, 26 Stat. 417, as amended, popularly known as the Agricultural College Act of 1890 and also as the Second Morrill Act, which is classified generally to subchapter II (§321 et seq.) of chapter 13 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 321 of this title and Tables.

**§ 2204d. Encouragement of private contracting****(a) In general**

For the purpose of promoting local job creation and private sector investment in rural communities, the Secretary of Agriculture is encouraged, where appropriate and feasible, to use private enterprise concerns located in rural areas, rather than government employees or government enterprises, to provide commercial activities or products to carry out the purposes of this title.<sup>1</sup>

**(b) Plan required**

The Secretary shall develop and implement a plan that will result in increasing the use of contracts awarded to private firms by the Department of Agriculture, and maximizing the use of grant, loan, or other financial assistance made for the purpose of rural development to provide the goods and services purchased to carry out the purposes of this title.<sup>1</sup>

(Pub. L. 101-624, title XXIII, § 2394, Nov. 28, 1990, 104 Stat. 4057.)

## REFERENCES IN TEXT

This title, referred to in text, is title XXIII of Pub. L. 101-624, Nov. 28, 1990, 104 Stat. 3979, known as the Rural Economic Development Act of 1990. For complete classification of this Act to the Code, see Short Title of 1990 Amendment note set out under section 1921 of this title and Tables.

**§ 2204e. Office of Risk Assessment and Cost-Benefit Analysis****(a) Office of Risk Assessment and Cost-Benefit Analysis**

The Secretary of Agriculture shall establish in the Department of Agriculture an Office of Risk Assessment and Cost-Benefit Analysis, which shall be under the direction of a Director appointed by the Secretary.

**(b) Functions**

The Director shall ensure that any regulatory analysis that is conducted under this section includes a risk assessment and cost-benefit analysis that is performed consistently and uses reasonably obtainable and sound scientific, technical, economic, and other data.

**(1) In general**

Effective six months after October 13, 1994, the Secretary of Agriculture shall publish in

<sup>1</sup> See References in Text note below.