

108<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 4766

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IN THE SENATE OF THE UNITED STATES

JULY 22, 2004

Received; read twice and referred to the Committee on Appropriations

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## AN ACT

Making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2005, 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,*

1 That the following sums are appropriated, out of any  
2 money in the Treasury not otherwise appropriated, for Ag-  
3 riculture, Rural Development, Food and Drug Administra-  
4 tion, and Related Agencies programs for the fiscal year  
5 ending September 30, 2005, and for other purposes,  
6 namely:

7 TITLE I

8 AGRICULTURAL PROGRAMS

9 PRODUCTION, PROCESSING, AND MARKETING

10 OFFICE OF THE SECRETARY

11 For necessary expenses of the Office of the Secretary  
12 of Agriculture, \$5,185,000 (reduced by \$1,000,000): *Pro-*  
13 *vided*, That not to exceed \$11,000 of this amount shall  
14 be available for official reception and representation ex-  
15 penses, not otherwise provided for, as determined by the  
16 Secretary.

17 EXECUTIVE OPERATIONS

18 CHIEF ECONOMIST

19 For necessary expenses of the Chief Economist, in-  
20 cluding economic analysis, risk assessment, cost-benefit  
21 analysis, energy and new uses, and the functions of the  
22 World Agricultural Outlook Board, as authorized by the  
23 Agricultural Marketing Act of 1946 (7 U.S.C. 1622g),  
24 \$10,810,000.

## 1 NATIONAL APPEALS DIVISION

2 For necessary expenses of the National Appeals Divi-  
3 sion, \$14,526,000.

## 4 OFFICE OF BUDGET AND PROGRAM ANALYSIS

5 For necessary expenses of the Office of Budget and  
6 Program Analysis, \$8,246,000.

## 7 HOMELAND SECURITY STAFF

8 For necessary expenses of the Homeland Security  
9 Staff, \$508,000.

## 10 OFFICE OF THE CHIEF INFORMATION OFFICER

11 For necessary expenses of the Office of the Chief In-  
12 formation Officer, \$15,608,000.

## 13 COMMON COMPUTING ENVIRONMENT

14 For necessary expenses to acquire a Common Com-  
15 puting Environment for the Natural Resources Conserva-  
16 tion Service, the Farm and Foreign Agricultural Service,  
17 and Rural Development mission areas for information  
18 technology, systems, and services, \$120,957,000 (de-  
19 creased by \$120,957,000), to remain available until ex-  
20 pended, for the capital asset acquisition of shared informa-  
21 tion technology systems, including services as authorized  
22 by 7 U.S.C. 6915–16 and 40 U.S.C. 1421–28: *Provided*,  
23 That obligation of these funds shall be consistent with the  
24 Department of Agriculture Service Center Modernization  
25 Plan of the county-based agencies, and shall be with the

1 concurrence of the Department's Chief Information Offi-  
2 cer.

3 OFFICE OF THE CHIEF FINANCIAL OFFICER

4 For necessary expenses of the Office of the Chief Fi-  
5 nancial Officer, \$5,811,000: *Provided*, That the Chief Fi-  
6 nancial Officer shall actively market and expand cross-  
7 servicing activities of the National Finance Center: *Pro-*  
8 *vided further*, That no funds made available by this appro-  
9 priation may be obligated for FAIR Act or Circular A-  
10 76 activities until the Secretary has submitted to the Com-  
11 mittees on Appropriations of both Houses of Congress a  
12 report on the Department's contracting out policies, in-  
13 cluding agency budgets for contracting out.

14 WORKING CAPITAL FUND

15 For the acquisition of disaster recovery and con-  
16 tinuity of operations technology of the National Finance  
17 Center's data, \$12,850,000, to remain available until ex-  
18 pended.

19 OFFICE OF THE ASSISTANT SECRETARY FOR CIVIL

20 RIGHTS

21 For necessary salaries and expenses of the Office of  
22 the Assistant Secretary for Civil Rights, \$803,000.

23 OFFICE OF CIVIL RIGHTS

24 For necessary expenses of the Office of Civil Rights,  
25 \$19,452,000.

1           OFFICE OF THE ASSISTANT SECRETARY FOR  
2                           ADMINISTRATION

3           For necessary salaries and expenses of the Office of  
4 the Assistant Secretary for Administration, \$669,000.

5 AGRICULTURE BUILDINGS AND FACILITIES AND RENTAL  
6                           PAYMENTS

7                           (INCLUDING TRANSFERS OF FUNDS)

8           For payment of space rental and related costs pursu-  
9 ant to Public Law 92–313, including authorities pursuant  
10 to the 1984 delegation of authority from the Adminis-  
11 trator of General Services to the Department of Agri-  
12 culture under 40 U.S.C. 486, for programs and activities  
13 of the Department which are included in this Act, and for  
14 alterations and other actions needed for the Department  
15 and its agencies to consolidate unneeded space into con-  
16 figurations suitable for release to the Administrator of  
17 General Services, and for the operation, maintenance, im-  
18 provement, and repair of Agriculture buildings and facili-  
19 ties, and for related costs, \$165,883,000 (reduced by  
20 \$8,000,000) (decreased by \$10,000,000) (decreased by  
21 \$19,667,000), to remain available until expended: *Pro-*  
22 *vided*, That not to exceed 5 percent of amounts which are  
23 made available for space rental and related costs for the  
24 Department of Agriculture in this Act may be transferred  
25 between such appropriations to cover the costs of new or

1 replacement space 15 days after notice thereof is trans-  
2 mitted to the Appropriations Committees of both Houses  
3 of Congress.

4           HAZARDOUS MATERIALS MANAGEMENT

5           (INCLUDING TRANSFERS OF FUNDS)

6           For necessary expenses of the Department of Agri-  
7 culture, to comply with the Comprehensive Environmental  
8 Response, Compensation, and Liability Act (42 U.S.C.  
9 9601 et seq.) and the Resource Conservation and Recovery  
10 Act (42 U.S.C. 6901 et seq.), \$15,730,000, to remain  
11 available until expended: *Provided*, That appropriations  
12 and funds available herein to the Department for Haz-  
13 ardous Materials Management may be transferred to any  
14 agency of the Department for its use in meeting all re-  
15 quirements pursuant to the above Acts on Federal and  
16 non-Federal lands.

17           DEPARTMENTAL ADMINISTRATION

18           (INCLUDING TRANSFERS OF FUNDS)

19           For Departmental Administration, \$22,939,000, to  
20 provide for necessary expenses for management support  
21 services to offices of the Department and for general ad-  
22 ministration, security, repairs, and alterations, and other  
23 miscellaneous supplies and expenses not otherwise pro-  
24 vided for and necessary for the practical and efficient work  
25 of the Department: *Provided*, That this appropriation shall

1 be reimbursed from applicable appropriations in this Act  
2 for travel expenses incident to the holding of hearings as  
3 required by 5 U.S.C. 551–558.

4 OFFICE OF THE ASSISTANT SECRETARY FOR  
5 CONGRESSIONAL RELATIONS  
6 (INCLUDING TRANSFERS OF FUNDS)

7 For necessary salaries and expenses of the Office of  
8 the Assistant Secretary for Congressional Relations to  
9 carry out the programs funded by this Act, including pro-  
10 grams involving intergovernmental affairs and liaison  
11 within the executive branch, \$3,852,000: *Provided*, That  
12 these funds may be transferred to agencies of the Depart-  
13 ment of Agriculture funded by this Act to maintain per-  
14 sonnel at the agency level: *Provided further*, That no funds  
15 made available by this appropriation may be obligated  
16 after 30 days from the date of enactment of this Act, un-  
17 less the Secretary has notified the Committees on Appro-  
18 priations of both Houses of Congress on the allocation of  
19 these funds by USDA agency: *Provided further*, That no  
20 other funds appropriated to the Department by this Act  
21 shall be available to the Department for support of activi-  
22 ties of congressional relations.

23 OFFICE OF COMMUNICATIONS

24 For necessary expenses to carry out services relating  
25 to the coordination of programs involving public affairs,

1 for the dissemination of agricultural information, and the  
2 coordination of information, work, and programs author-  
3 ized by Congress in the Department, \$9,378,000: *Pro-*  
4 *vided*, That not to exceed \$2,000,000 may be used for  
5 farmers' bulletins.

6 OFFICE OF THE INSPECTOR GENERAL

7 For necessary expenses of the Office of the Inspector  
8 General, including employment pursuant to the Inspector  
9 General Act of 1978, \$78,392,000 (reduced by  
10 \$1,200,000) (increased by \$1,200,000), including such  
11 sums as may be necessary for contracting and other ar-  
12 rangements with public agencies and private persons pur-  
13 suant to section 6(a)(9) of the Inspector General Act of  
14 1978, and including not to exceed \$125,000 for certain  
15 confidential operational expenses, including the payment  
16 of informants, to be expended under the direction of the  
17 Inspector General pursuant to Public Law 95-452 and  
18 section 1337 of Public Law 97-98.

19 OFFICE OF THE GENERAL COUNSEL

20 For necessary expenses of the Office of the General  
21 Counsel, \$35,486,000.

22 OFFICE OF THE UNDER SECRETARY FOR RESEARCH,  
23 EDUCATION, AND ECONOMICS

24 For necessary salaries and expenses of the Office of  
25 the Under Secretary for Research, Education, and Eco-



1 nomics to administer the laws enacted by the Congress  
2 for the Economic Research Service, the National Agricul-  
3 tural Statistics Service, the Agricultural Research Service,  
4 and the Cooperative State Research, Education, and Ex-  
5 tension Service, \$592,000.

6                   ECONOMIC RESEARCH SERVICE

7           For necessary expenses of the Economic Research  
8 Service in conducting economic research and analysis, as  
9 authorized by the Agricultural Marketing Act of 1946 (7  
10 U.S.C. 1621–1627) and other laws, \$76,575,000.

11           NATIONAL AGRICULTURAL STATISTICS SERVICE

12           For necessary expenses of the National Agricultural  
13 Statistics Service in conducting statistical reporting and  
14 service work, including crop and livestock estimates, sta-  
15 tistical coordination and improvements, marketing sur-  
16 veys, and the Census of Agriculture, as authorized by 7  
17 U.S.C. 1621–1627 and 2204g, and other laws,  
18 \$128,661,000, of which up to \$22,520,000 shall be avail-  
19 able until expended for the Census of Agriculture.

20           AGRICULTURAL RESEARCH SERVICE

21                   SALARIES AND EXPENSES

22           For necessary expenses to enable the Agricultural Re-  
23 search Service to perform agricultural research and dem-  
24 onstration relating to production, utilization, marketing,  
25 and distribution (not otherwise provided for); home eco-

1 nomics or nutrition and consumer use including the acqui-  
2 sition, preservation, and dissemination of agricultural in-  
3 formation; and for acquisition of lands by donation, ex-  
4 change, or purchase at a nominal cost not to exceed \$100,  
5 and for land exchanges where the lands exchanged shall  
6 be of equal value or shall be equalized by a payment of  
7 money to the grantor which shall not exceed 25 percent  
8 of the total value of the land or interests transferred out  
9 of Federal ownership, \$1,057,029,000: *Provided*, That ap-  
10 propriations hereunder shall be available for the operation  
11 and maintenance of aircraft and the purchase of not to  
12 exceed one for replacement only: *Provided further*, That  
13 appropriations hereunder shall be available pursuant to 7  
14 U.S.C. 2250 for the construction, alteration, and repair  
15 of buildings and improvements, but unless otherwise pro-  
16 vided, the cost of constructing any one building shall not  
17 exceed \$375,000, except for headhouses or greenhouses  
18 which shall each be limited to \$1,200,000, and except for  
19 10 buildings to be constructed or improved at a cost not  
20 to exceed \$750,000 each, and the cost of altering any one  
21 building during the fiscal year shall not exceed 10 percent  
22 of the current replacement value of the building or  
23 \$375,000, whichever is greater: *Provided further*, That the  
24 limitations on alterations contained in this Act shall not  
25 apply to modernization or replacement of existing facilities

1 at Beltsville, Maryland: *Provided further*, That appropria-  
2 tions hereunder shall be available for granting easements  
3 at the Beltsville Agricultural Research Center: *Provided*  
4 *further*, That the foregoing limitations shall not apply to  
5 replacement of buildings needed to carry out the Act of  
6 April 24, 1948 (21 U.S.C. 113a): *Provided further*, That  
7 funds may be received from any State, other political sub-  
8 division, organization, or individual for the purpose of es-  
9 tablishing or operating any research facility or research  
10 project of the Agricultural Research Service, as authorized  
11 by law: *Provided further*, That all rights and title of the  
12 United States in the 1.0664-acre parcel of land including  
13 improvements, as recorded at Book 1320, Page 253,  
14 records of Larimer County, State of Colorado, shall be  
15 conveyed to the Board of Governors of the Colorado State  
16 University for the benefit of Colorado State University.

17       None of the funds appropriated under this heading  
18 shall be available to carry out research related to the pro-  
19 duction, processing, or marketing of tobacco or tobacco  
20 products.

#### 21                                   BUILDINGS AND FACILITIES

22       For acquisition of land, construction, repair, improve-  
23 ment, extension, alteration, and purchase of fixed equip-  
24 ment or facilities as necessary to carry out the agricultural  
25 research programs of the Department of Agriculture,

1 where not otherwise provided, \$202,000,000, to remain  
2 available until expended.

3 COOPERATIVE STATE RESEARCH, EDUCATION, AND  
4 EXTENSION SERVICE  
5 RESEARCH AND EDUCATION ACTIVITIES

6 For payments to agricultural experiment stations, for  
7 cooperative forestry and other research, for facilities, and  
8 for other expenses, \$628,607,000, as follows: to carry out  
9 the provisions of the Hatch Act of 1887 (7 U.S.C. 361a–  
10 i), \$180,648,000; for grants for cooperative forestry re-  
11 search (16 U.S.C. 582a through a–7), \$22,384,000; for  
12 payments to the 1890 land-grant colleges, including  
13 Tuskegee University and West Virginia State College (7  
14 U.S.C. 3222), \$37,000,000, of which \$1,507,496 shall be  
15 made available only for the purpose of ensuring that each  
16 institution shall receive no less than \$1,000,000; for spe-  
17 cial grants for agricultural research (7 U.S.C. 450i(c)),  
18 \$88,194,000; for special grants for agricultural research  
19 on improved pest control (7 U.S.C. 450i(e)), \$15,756,000;  
20 for competitive research grants (7 U.S.C. 450i(b)),  
21 \$180,000,000; for the support of animal health and dis-  
22 ease programs (7 U.S.C. 3195), \$5,098,000; for supple-  
23 mental and alternative crops and products (7 U.S.C.  
24 3319d), \$1,196,000; for grants for research pursuant to  
25 the Critical Agricultural Materials Act (7 U.S.C. 178 et

1 seq.), \$1,111,000, to remain available until expended; for  
2 the 1994 research grants program for 1994 institutions  
3 pursuant to section 536 of Public Law 103–382 (7 U.S.C.  
4 301 note), \$1,087,000, to remain available until expended;  
5 for rangeland research grants (7 U.S.C. 3333),  
6 \$1,000,000; for higher education graduate fellowship  
7 grants (7 U.S.C. 3152(b)(6)), \$4,500,000, to remain  
8 available until expended (7 U.S.C. 2209b); for higher edu-  
9 cation challenge grants (7 U.S.C. 3152(b)(1)),  
10 \$5,500,000; for a higher education multicultural scholars  
11 program (7 U.S.C. 3152(b)(5)), \$998,000, to remain  
12 available until expended (7 U.S.C. 2209b); for an edu-  
13 cation grants program for Hispanic-serving Institutions (7  
14 U.S.C. 3241), \$5,645,000; for noncompetitive grants for  
15 the purpose of carrying out all provisions of 7 U.S.C. 3242  
16 (section 759 of Public Law 106–78) to individual eligible  
17 institutions or consortia of eligible institutions in Alaska  
18 and in Hawaii, with funds awarded equally to each of the  
19 States of Alaska and Hawaii, \$2,997,000; for a secondary  
20 agriculture education program and 2-year post-secondary  
21 education (7 U.S.C. 3152(j)), \$1,000,000; for aquaculture  
22 grants (7 U.S.C. 3322), \$4,000,000; for sustainable agri-  
23 culture research and education (7 U.S.C. 5811),  
24 \$12,722,000; for a program of capacity building grants  
25 (7 U.S.C. 3152(b)(4)) to colleges eligible to receive funds

1 under the Act of August 30, 1890 (7 U.S.C. 321–326 and  
2 328), including Tuskegee University and West Virginia  
3 State College, \$12,411,000, to remain available until ex-  
4 pended (7 U.S.C. 2209b); for payments to the 1994 Insti-  
5 tutions pursuant to section 534(a)(1) of Public Law 103–  
6 382, \$2,250,000; for resident instruction grants for insu-  
7 lar areas under section 1491 of the National Agricultural  
8 Research, Extension, and Teaching Policy Act of 1977 (7  
9 U.S.C. 3363), \$500,000; and for necessary expenses of  
10 Research and Education Activities, \$42,610,000.

11       None of the funds appropriated under this heading  
12 shall be available to carry out research related to the pro-  
13 duction, processing, or marketing of tobacco or tobacco  
14 products: *Provided*, That this paragraph shall not apply  
15 to research on the medical, biotechnological, food, and in-  
16 dustrial uses of tobacco.

#### 17       NATIVE AMERICAN INSTITUTIONS ENDOWMENT FUND

18       For the Native American Institutions Endowment  
19 Fund authorized by Public Law 103–382 (7 U.S.C. 301  
20 note), \$12,000,000.

#### 21                       EXTENSION ACTIVITIES

22       For payments to States, the District of Columbia,  
23 Puerto Rico, Guam, the Virgin Islands, Micronesia,  
24 Northern Marianas, and American Samoa, \$440,349,000,  
25 as follows: payments for cooperative extension work under

1 the Smith-Lever Act, to be distributed under sections 3(b)  
2 and 3(c) of said Act, and under section 208(c) of Public  
3 Law 93–471, for retirement and employees’ compensation  
4 costs for extension agents, \$277,242,000; payments for  
5 extension work at the 1994 Institutions under the Smith-  
6 Lever Act (7 U.S.C. 343(b)(3)), \$3,273,000; payments for  
7 the nutrition and family education program for low-income  
8 areas under section 3(d) of the Act, \$58,909,000; pay-  
9 ments for the pest management program under section  
10 3(d) of the Act, \$10,759,000; payments for the farm safe-  
11 ty program under section 3(d) of the Act, \$4,600,000;  
12 payments to upgrade research, extension, and teaching fa-  
13 cilities at the 1890 land-grant colleges, including Tuskegee  
14 University and West Virginia State College, as authorized  
15 by section 1447 of Public Law 95–113 (7 U.S.C. 3222b),  
16 \$16,912,000, to remain available until expended; pay-  
17 ments for youth-at-risk programs under section 3(d) of the  
18 Smith-Lever Act, \$8,481,000; for youth farm safety edu-  
19 cation and certification extension grants, to be awarded  
20 competitively under section 3(d) of the Act, \$499,000;  
21 payments for carrying out the provisions of the Renewable  
22 Resources Extension Act of 1978 (16 U.S.C. 1671 et  
23 seq.), \$4,093,000; payments for Indian reservation agents  
24 under section 3(d) of the Smith-Lever Act, \$1,996,000;  
25 payments for sustainable agriculture programs under sec-

1 tion 3(d) of the Act, \$4,000,000; payments for cooperative  
2 extension work by the colleges receiving the benefits of the  
3 second Morrill Act (7 U.S.C. 321–326 and 328) and  
4 Tuskegee University and West Virginia State College,  
5 \$33,133,000, of which \$1,724,884 shall be made available  
6 only for the purpose of ensuring that each institution shall  
7 receive no less than \$1,000,000; and for necessary ex-  
8 penses of Extension Activities, \$16,452,000.

#### 9 INTEGRATED ACTIVITIES

10 For the integrated research, education, and extension  
11 grants programs, including necessary administrative ex-  
12 penses, \$66,255,000, as follows: for competitive grants  
13 programs authorized under section 406 of the Agricultural  
14 Research, Extension, and Education Reform Act of 1998  
15 (7 U.S.C. 7626), \$43,242,000, including \$12,971,000 for  
16 the water quality program, \$14,967,000 for the food safe-  
17 ty program, \$4,531,000 for the regional pest management  
18 centers program, \$4,889,000 for the Food Quality Protec-  
19 tion Act risk mitigation program for major food crop sys-  
20 tems, \$1,497,000 for the crops affected by Food Quality  
21 Protection Act implementation, \$2,498,000 for the methyl  
22 bromide transition program, and \$1,889,000 for the or-  
23 ganic transition program; for a competitive international  
24 science and education grants program authorized under  
25 section 1459A of the National Agricultural Research, Ex-



1 tension, and Teaching Policy Act of 1977 (7 U.S.C.  
2 3292b), to remain available until expended, \$1,000,000;  
3 for grants programs authorized under section 2(c)(1)(B)  
4 of Public Law 89–106, as amended, \$2,500,000, to re-  
5 main available until September 30, 2006 for the critical  
6 issues program, and \$1,513,000 for the regional rural de-  
7 velopment centers program; and \$18,000,000 for the  
8 homeland security program authorized under section 1484  
9 of the National Agricultural Research, Extension, and  
10 Teaching Act of 1977, to remain available until September  
11 30, 2006.

12       OUTREACH FOR SOCIALLY DISADVANTAGED FARMERS

13       For grants and contracts pursuant to section 2501  
14 of the Food, Agriculture, Conservation, and Trade Act of  
15 1990 (7 U.S.C. 2279), \$5,935,000, to remain available  
16 until expended.

17       OFFICE OF THE UNDER SECRETARY FOR MARKETING  
18                               AND REGULATORY PROGRAMS

19       For necessary salaries and expenses of the Office of  
20 the Under Secretary for Marketing and Regulatory Pro-  
21 grams to administer programs under the laws enacted by  
22 the Congress for the Animal and Plant Health Inspection  
23 Service; the Agricultural Marketing Service; and the Grain  
24 Inspection, Packers and Stockyards Administration;  
25 \$721,000.

## 1 ANIMAL AND PLANT HEALTH INSPECTION

## 2 SERVICE

## 3 SALARIES AND EXPENSES

4 (INCLUDING TRANSFERS OF FUNDS)

5 For expenses, not otherwise provided for, necessary  
6 to prevent, control, and eradicate pests and plant and ani-  
7 mal diseases; to carry out inspection, quarantine, and reg-  
8 ulatory activities; and to protect the environment, as au-  
9 thorized by law, \$808,823,000 (increased by \$5,000,000)  
10 (increased by \$18,000,000), of which \$4,119,000 shall be  
11 available for the control of outbreaks of insects, plant dis-  
12 eases, animal diseases and for control of pest animals and  
13 birds to the extent necessary to meet emergency condi-  
14 tions; of which \$47,000,000 shall be used for the boll wee-  
15 vil eradication program for cost share purposes or for debt  
16 retirement for active eradication zones: *Provided*, That no  
17 funds shall be used to formulate or administer a brucel-  
18 losis eradication program for the current fiscal year that  
19 does not require minimum matching by the States of at  
20 least 40 percent: *Provided further*, That this appropriation  
21 shall be available for the operation and maintenance of  
22 aircraft and the purchase of not to exceed four, of which  
23 two shall be for replacement only: *Provided further*, That,  
24 in addition, in emergencies which threaten any segment  
25 of the agricultural production industry of this country, the

1 Secretary may transfer from other appropriations or funds  
2 available to the agencies or corporations of the Depart-  
3 ment such sums as may be deemed necessary, to be avail-  
4 able only in such emergencies for the arrest and eradi-  
5 cation of contagious or infectious disease or pests of ani-  
6 mals, poultry, or plants, and for expenses in accordance  
7 with sections 10411 and 10417 of the Animal Health Pro-  
8 tection Act (7 U.S.C. 8310 and 8316) and sections 431  
9 and 442 of the Plant Protection Act (7 U.S.C. 7751 and  
10 7772), and any unexpended balances of funds transferred  
11 for such emergency purposes in the preceding fiscal year  
12 shall be merged with such transferred amounts: *Provided*  
13 *further*, That appropriations hereunder shall be available  
14 pursuant to law (7 U.S.C. 2250) for the repair and alter-  
15 ation of leased buildings and improvements, but unless  
16 otherwise provided the cost of altering any one building  
17 during the fiscal year shall not exceed 10 percent of the  
18 current replacement value of the building.

19 In fiscal year 2005, the agency is authorized to collect  
20 fees to cover the total costs of providing technical assist-  
21 ance, goods, or services requested by States, other political  
22 subdivisions, domestic and international organizations,  
23 foreign governments, or individuals, provided that such  
24 fees are structured such that any entity's liability for such  
25 fees is reasonably based on the technical assistance, goods,

1 or services provided to the entity by the agency, and such  
2 fees shall be credited to this account, to remain available  
3 until expended, without further appropriation, for pro-  
4 viding such assistance, goods, or services.

5 BUILDINGS AND FACILITIES

6 For plans, construction, repair, preventive mainte-  
7 nance, environmental support, improvement, extension, al-  
8 teration, and purchase of fixed equipment or facilities, as  
9 authorized by 7 U.S.C. 2250, and acquisition of land as  
10 authorized by 7 U.S.C. 428a, \$4,996,000, to remain avail-  
11 able until expended.

12 AGRICULTURAL MARKETING SERVICE

13 MARKETING SERVICES

14 For necessary expenses to carry out services related  
15 to consumer protection, agricultural marketing and dis-  
16 tribution, transportation, and regulatory programs, as au-  
17 thorized by law, and for administration and coordination  
18 of payments to States, \$75,892,000, including funds for  
19 the wholesale market development program for the design  
20 and development of wholesale and farmer market facilities  
21 for the major metropolitan areas of the country: *Provided,*  
22 That this appropriation shall be available pursuant to law  
23 (7 U.S.C. 2250) for the alteration and repair of buildings  
24 and improvements, but the cost of altering any one build-

1 ing during the fiscal year shall not exceed 10 percent of  
2 the current replacement value of the building.

3 Fees may be collected for the cost of standardization  
4 activities, as established by regulation pursuant to law (31  
5 U.S.C. 9701).

6 LIMITATION ON ADMINISTRATIVE EXPENSES

7 Not to exceed \$64,459,000 (from fees collected) shall  
8 be obligated during the current fiscal year for administra-  
9 tive expenses: *Provided*, That if crop size is understated  
10 and/or other uncontrollable events occur, the agency may  
11 exceed this limitation by up to 10 percent with notification  
12 to the Committees on Appropriations of both Houses of  
13 Congress.

14 FUNDS FOR STRENGTHENING MARKETS, INCOME, AND  
15 SUPPLY (SECTION 32)

16 (INCLUDING TRANSFERS OF FUNDS)

17 Funds available under section 32 of the Act of Au-  
18 gust 24, 1935 (7 U.S.C. 612c), shall be used only for com-  
19 modity program expenses as authorized therein, and other  
20 related operating expenses, except for: (1) transfers to the  
21 Department of Commerce as authorized by the Fish and  
22 Wildlife Act of August 8, 1956; (2) transfers otherwise  
23 provided in this Act; and (3) not more than \$15,800,000  
24 for formulation and administration of marketing agree-  
25 ments and orders pursuant to the Agricultural Marketing  
26 Agreement Act of 1937 and the Agricultural Act of 1961.

## 1           PAYMENTS TO STATES AND POSSESSIONS

2           For payments to departments of agriculture, bureaus  
3 and departments of markets, and similar agencies for  
4 marketing activities under section 204(b) of the Agricul-  
5 tural Marketing Act of 1946 (7 U.S.C. 1623(b)),  
6 \$1,347,000.

## 7           GRAIN INSPECTION, PACKERS AND

## 8           STOCKYARDS ADMINISTRATION

## 9                   SALARIES AND EXPENSES

10          For necessary expenses to carry out the provisions  
11 of the United States Grain Standards Act, for the admin-  
12 istration of the Packers and Stockyards Act, for certifying  
13 procedures used to protect purchasers of farm products,  
14 and the standardization activities related to grain under  
15 the Agricultural Marketing Act of 1946, \$37,540,000:  
16 *Provided*, That this appropriation shall be available pursu-  
17 ant to law (7 U.S.C. 2250) for the alteration and repair  
18 of buildings and improvements, but the cost of altering  
19 any one building during the fiscal year shall not exceed  
20 10 percent of the current replacement value of the build-  
21 ing.

## 22   LIMITATION ON INSPECTION AND WEIGHING SERVICES

## 23                   EXPENSES

24          Not to exceed \$42,463,000 (from fees collected) shall  
25 be obligated during the current fiscal year for inspection

1 and weighing services: *Provided*, That if grain export ac-  
2 tivities require additional supervision and oversight, or  
3 other uncontrollable factors occur, this limitation may be  
4 exceeded by up to 10 percent with notification to the Com-  
5 mittees on Appropriations of both Houses of Congress.

6 OFFICE OF THE UNDER SECRETARY FOR FOOD SAFETY

7 For necessary salaries and expenses of the Office of  
8 the Under Secretary for Food Safety to administer the  
9 laws enacted by the Congress for the Food Safety and In-  
10 spection Service, \$595,000.

11 FOOD SAFETY AND INSPECTION SERVICE

12 SALARIES AND EXPENSES

13 For necessary expenses to carry out services author-  
14 ized by the Federal Meat Inspection Act, the Poultry  
15 Products Inspection Act, and the Egg Products Inspection  
16 Act, including not to exceed \$50,000 for representation  
17 allowances and for expenses pursuant to section 8 of the  
18 Act approved August 3, 1956 (7 U.S.C. 1766),  
19 \$824,746,000, of which no less than \$746,010,000 shall  
20 be available for Federal food safety inspection; and in ad-  
21 dition, \$1,000,000 may be credited to this account from  
22 fees collected for the cost of laboratory accreditation as  
23 authorized by section 1327 of the Food, Agriculture, Con-  
24 servation and Trade Act of 1990 (7 U.S.C. 138f): *Pro-*  
25 *vided*, That this appropriation shall be available pursuant

1 to law (7 U.S.C. 2250) for the alteration and repair of  
2 buildings and improvements, but the cost of altering any  
3 one building during the fiscal year shall not exceed 10 per-  
4 cent of the current replacement value of the building.

5 OFFICE OF THE UNDER SECRETARY FOR FARM AND  
6 FOREIGN AGRICULTURAL SERVICES

7 For necessary salaries and expenses of the Office of  
8 the Under Secretary for Farm and Foreign Agricultural  
9 Services to administer the laws enacted by Congress for  
10 the Farm Service Agency, the Foreign Agricultural Serv-  
11 ice, the Risk Management Agency, and the Commodity  
12 Credit Corporation, \$631,000.

13 FARM SERVICE AGENCY

14 SALARIES AND EXPENSES

15 (INCLUDING TRANSFERS OF FUNDS)

16 For necessary expenses for carrying out the adminis-  
17 tration and implementation of programs administered by  
18 the Farm Service Agency, \$1,007,597,000 (increased by  
19 \$52,873,606): *Provided*, That the Secretary is authorized  
20 to use the services, facilities, and authorities (but not the  
21 funds) of the Commodity Credit Corporation to make pro-  
22 gram payments for all programs administered by the  
23 Agency: *Provided further*, That other funds made available  
24 to the Agency for authorized activities may be advanced  
25 to and merged with this account.



## 1 STATE MEDIATION GRANTS

2 For grants pursuant to section 502(b) of the Agricul-  
3 tural Credit Act of 1987, as amended (7 U.S.C. 5101–  
4 5106), \$4,000,000.

## 5 DAIRY INDEMNITY PROGRAM

6 (INCLUDING TRANSFERS OF FUNDS)

7 For necessary expenses involved in making indemnity  
8 payments to dairy farmers and manufacturers of dairy  
9 products under a dairy indemnity program, \$100,000, to  
10 remain available until expended: *Provided*, That such pro-  
11 gram is carried out by the Secretary in the same manner  
12 as the dairy indemnity program described in the Agri-  
13 culture, Rural Development, Food and Drug Administra-  
14 tion, and Related Agencies Appropriations Act, 2001  
15 (Public Law 106–387, 114 Stat. 1549A–12).

## 16 AGRICULTURAL CREDIT INSURANCE FUND PROGRAM

17 ACCOUNT

18 (INCLUDING TRANSFERS OF FUNDS)

19 For gross obligations for the principal amount of di-  
20 rect and guaranteed farm ownership (7 U.S.C. 1922 et  
21 seq.) and operating (7 U.S.C. 1941 et seq.) loans, Indian  
22 tribe land acquisition loans (25 U.S.C. 488), and boll wee-  
23 vil loans (7 U.S.C. 1989), to be available from funds in  
24 the Agricultural Credit Insurance Fund, as follows: farm  
25 ownership loans, \$1,600,000,000, of which

1 \$1,400,000,000 shall be for guaranteed loans and  
2 \$200,000,000 shall be for direct loans; operating loans,  
3 \$2,116,253,000, of which \$1,200,000,000 shall be for un-  
4 subsidized guaranteed loans, \$266,253,000 shall be for  
5 subsidized guaranteed loans and \$650,000,000 shall be for  
6 direct loans; Indian tribe land acquisition loans,  
7 \$2,000,000; and for boll weevil eradication program loans,  
8 \$100,000,000: *Provided*, That the Secretary shall deem  
9 the pink bollworm to be a boll weevil for the purpose of  
10 boll weevil eradication program loans.

11 For the cost of direct and guaranteed loans, including  
12 the cost of modifying loans as defined in section 502 of  
13 the Congressional Budget Act of 1974, as follows: farm  
14 ownership loans, \$18,120,000, of which \$7,420,000 shall  
15 be for guaranteed loans, and \$10,700,000 shall be for di-  
16 rect loans; operating loans, \$139,783,000, of which  
17 \$38,760,000 shall be for unsubsidized guaranteed loans,  
18 \$35,438,000 shall be for subsidized guaranteed loans, and  
19 \$65,585,000 shall be for direct loans; and Indian tribe  
20 land acquisition loans, \$105,000.

21 In addition, for administrative expenses necessary to  
22 carry out the direct and guaranteed loan programs,  
23 \$297,445,000, of which \$289,445,000 shall be transferred  
24 to and merged with the appropriation for “Farm Service  
25 Agency, Salaries and Expenses”.

1 Funds appropriated by this Act to the Agricultural  
2 Credit Insurance Program Account for farm ownership  
3 and operating direct loans and guaranteed loans may be  
4 transferred among these programs: *Provided*, That the  
5 Committees on Appropriations of both Houses of Congress  
6 are notified at least 15 days in advance of any transfer.

## 7 RISK MANAGEMENT AGENCY

### 8 ADMINISTRATIVE AND OPERATING EXPENSES

9 For administrative and operating expenses, as au-  
10 thorized by section 226A of the Department of Agriculture  
11 Reorganization Act of 1994 (7 U.S.C. 6933),  
12 \$72,044,000: *Provided*, That not to exceed \$1,000 shall  
13 be available for official reception and representation ex-  
14 penses, as authorized by 7 U.S.C. 1506(i).

### 15 CORPORATIONS

16 The following corporations and agencies are hereby  
17 authorized to make expenditures, within the limits of  
18 funds and borrowing authority available to each such cor-  
19 poration or agency and in accord with law, and to make  
20 contracts and commitments without regard to fiscal year  
21 limitations as provided by section 104 of the Government  
22 Corporation Control Act as may be necessary in carrying  
23 out the programs set forth in the budget for the current  
24 fiscal year for such corporation or agency, except as here-  
25 inafter provided.

## 1 FEDERAL CROP INSURANCE CORPORATION FUND

2 For payments as authorized by section 516 of the  
3 Federal Crop Insurance Act (7 U.S.C. 1516), such sums  
4 as may be necessary, to remain available until expended.

## 5 COMMODITY CREDIT CORPORATION FUND

## 6 REIMBURSEMENT FOR NET REALIZED LOSSES

7 For the current fiscal year, such sums as may be nec-  
8 essary to reimburse the Commodity Credit Corporation for  
9 net realized losses sustained, but not previously reim-  
10 bursed, pursuant to section 2 of the Act of August 17,  
11 1961 (15 U.S.C. 713a–11): *Provided*, That of the funds  
12 available to the Commodity Credit Corporation under sec-  
13 tion 11 of the Commodity Credit Corporation Charter Act  
14 (15 U.S.C. 714i) for the conduct of its business with the  
15 Foreign Agricultural Service, up to \$5,000,000 may be  
16 transferred to and used by the Foreign Agricultural Serv-  
17 ice for information resource management activities of the  
18 Foreign Agricultural Service that are related, either di-  
19 rectly or indirectly, to Commodity Credit Corporation  
20 business.

## 21 HAZARDOUS WASTE MANAGEMENT

## 22 (LIMITATION ON EXPENSES)

23 For the current fiscal year, the Commodity Credit  
24 Corporation shall not expend more than \$5,000,000 for  
25 site investigation and cleanup expenses, and operations

1 and maintenance expenses to comply with the requirement  
2 of section 107(g) of the Comprehensive Environmental  
3 Response, Compensation, and Liability Act (42 U.S.C.  
4 9607(g)), and section 6001 of the Resource Conservation  
5 and Recovery Act (42 U.S.C. 6961).

6

## TITLE II

7

## CONSERVATION PROGRAMS

8

## OFFICE OF THE UNDER SECRETARY FOR NATURAL

9

## RESOURCES AND ENVIRONMENT

10 For necessary salaries and expenses of the Office of  
11 the Under Secretary for Natural Resources and Environ-  
12 ment to administer the laws enacted by the Congress for  
13 the Forest Service and the Natural Resources Conserva-  
14 tion Service, \$731,000.

15 NATURAL RESOURCES CONSERVATION SERVICE

16

## CONSERVATION OPERATIONS

17 For necessary expenses for carrying out the provi-  
18 sions of the Act of April 27, 1935 (16 U.S.C. 590a–f),  
19 including preparation of conservation plans and establish-  
20 ment of measures to conserve soil and water (including  
21 farm irrigation and land drainage and such special meas-  
22 ures for soil and water management as may be necessary  
23 to prevent floods and the siltation of reservoirs and to con-  
24 trol agricultural related pollutants); operation of conserva-  
25 tion plant materials centers; classification and mapping of

1 soil; dissemination of information; acquisition of lands,  
2 water, and interests therein for use in the plant materials  
3 program by donation, exchange, or purchase at a nominal  
4 cost not to exceed \$100 pursuant to the Act of August  
5 3, 1956 (7 U.S.C. 428a); purchase and erection or alter-  
6 ation or improvement of permanent and temporary build-  
7 ings; and operation and maintenance of aircraft,  
8 \$813,673,000 (increased by \$40,458,661), of which not  
9 less than \$9,250,000 is for snow survey and water fore-  
10 casting, and not less than \$11,722,000 is for operation  
11 and establishment of the plant materials centers, and of  
12 which not less than \$23,500,000 shall be for the grazing  
13 lands conservation initiative: *Provided*, That appropria-  
14 tions hereunder shall be available pursuant to 7 U.S.C.  
15 2250 for construction and improvement of buildings and  
16 public improvements at plant materials centers, except  
17 that the cost of alterations and improvements to other  
18 buildings and other public improvements shall not exceed  
19 \$250,000: *Provided further*, That when buildings or other  
20 structures are erected on non-Federal land, that the right  
21 to use such land is obtained as provided in 7 U.S.C.  
22 2250a: *Provided further*, That this appropriation shall be  
23 available for technical assistance and related expenses to  
24 carry out programs authorized by section 202(c) of title  
25 II of the Colorado River Basin Salinity Control Act of

1 1974 (43 U.S.C. 1592(c)): *Provided further*, That quali-  
2 fied local engineers may be temporarily employed at per  
3 diem rates to perform the technical planning work of the  
4 Service: *Provided further*, That none of the funds made  
5 available under this paragraph by this or any other appro-  
6 priations Act may be used to provide technical assistance  
7 with respect to programs listed in section 1241(a) of the  
8 Food Security Act of 1985 (16 U.S.C. 3841(a)).

9           WATERSHED SURVEYS AND PLANNING

10       For necessary expenses to conduct research, inves-  
11 tigation, and surveys of watersheds of rivers and other wa-  
12 terways, and for small watershed investigations and plan-  
13 ning, in accordance with the Watershed Protection and  
14 Flood Prevention Act (16 U.S.C. 1001–1009),  
15 \$11,083,000: *Provided*, That none of the funds made  
16 available under this paragraph by this or any other appro-  
17 priations Act may be used to provide technical assistance  
18 with respect to programs listed in section 1241(a) of the  
19 Food Security Act of 1985 (16 U.S.C. 3841(a)).

20       WATERSHED AND FLOOD PREVENTION OPERATIONS

21       For necessary expenses to carry out preventive meas-  
22 ures, including but not limited to research, engineering op-  
23 erations, methods of cultivation, the growing of vegetation,  
24 rehabilitation of existing works and changes in use of land,  
25 in accordance with the Watershed Protection and Flood

1 Prevention Act (16 U.S.C. 1001–1005 and 1007–1009),  
2 the provisions of the Act of April 27, 1935 (16 U.S.C.  
3 590a–f), and in accordance with the provisions of laws re-  
4 lating to the activities of the Department, \$86,487,000,  
5 to remain available until expended; of which up to  
6 \$10,000,000 may be available for the watersheds author-  
7 ized under the Flood Control Act (33 U.S.C. 701 and 16  
8 U.S.C. 1006a): *Provided*, That not to exceed \$40,000,000  
9 of this appropriation shall be available for technical assist-  
10 ance: *Provided further*, That not to exceed \$1,000,000 of  
11 this appropriation is available to carry out the purposes  
12 of the Endangered Species Act of 1973 (Public Law 93–  
13 205), including cooperative efforts as contemplated by  
14 that Act to relocate endangered or threatened species to  
15 other suitable habitats as may be necessary to expedite  
16 project construction: *Provided further*, That none of the  
17 funds made available under this paragraph by this or any  
18 other appropriations Act may be used to provide technical  
19 assistance with respect to programs listed in section  
20 1241(a) of the Food Security Act of 1985 (16 U.S.C.  
21 3841(a)).

22 WATERSHED REHABILITATION PROGRAM

23 For necessary expenses to carry out rehabilitation of  
24 structural measures, in accordance with section 14 of the  
25 Watershed Protection and Flood Prevention Act (16



1 U.S.C. 1012), and in accordance with the provisions of  
2 laws relating to the activities of the Department,  
3 \$30,091,000, to remain available until expended: *Pro-*  
4 *vided*, That none of the funds made available under this  
5 paragraph by this or any other appropriations Act may  
6 be used to provide technical assistance with respect to pro-  
7 grams listed in section 1241(a) of the Food Security Act  
8 of 1985 (16 U.S.C. 3841(a)).

9 RESOURCE CONSERVATION AND DEVELOPMENT

10 For necessary expenses in planning and carrying out  
11 projects for resource conservation and development and  
12 for sound land use pursuant to the provisions of sections  
13 31 and 32 of the Bankhead-Jones Farm Tenant Act (7  
14 U.S.C. 1010–1011; 76 Stat. 607); the Act of April 27,  
15 1935 (16 U.S.C. 590a–f); and subtitle H of title XV of  
16 the Agriculture and Food Act of 1981 (16 U.S.C. 3451–  
17 3461), \$51,641,000, to remain available until expended:  
18 *Provided*, That none of the funds made available under  
19 this paragraph by this or any other appropriations Act  
20 may be used to provide technical assistance with respect  
21 to programs listed in section 1241(a) of the Food Security  
22 Act of 1985 (16 U.S.C. 3841(a)): *Provided further*, That  
23 the Secretary shall enter into a cooperative or contribution  
24 agreement with a national association regarding a Re-  
25 source Conservation and Development program and such

1 agreement shall contain the same matching, contribution  
2 requirements, and funding level, set forth in a similar co-  
3 operative or contribution agreement with a national asso-  
4 ciation in fiscal year 2002: *Provided further*, That not to  
5 exceed \$3,504,300 shall be available for national head-  
6 quarters activities.

### 7 TITLE III

#### 8 RURAL DEVELOPMENT PROGRAMS

##### 9 OFFICE OF THE UNDER SECRETARY FOR RURAL

##### 10 DEVELOPMENT

11 For necessary salaries and expenses of the Office of  
12 the Under Secretary for Rural Development to administer  
13 programs under the laws enacted by the Congress for the  
14 Rural Housing Service, the Rural Business-Cooperative  
15 Service, and the Rural Utilities Service of the Department  
16 of Agriculture, \$632,000.

##### 17 RURAL COMMUNITY ADVANCEMENT PROGRAM

##### 18 (INCLUDING TRANSFERS OF FUNDS)

19 For the cost of direct loans, loan guarantees, and  
20 grants, as authorized by 7 U.S.C. 1926, 1926a, 1926c,  
21 1926d, and 1932, except for sections 381E–H and 381N  
22 of the Consolidated Farm and Rural Development Act,  
23 \$667,408,000 (increased by \$1,000,000), to remain avail-  
24 able until expended, of which \$39,539,000 shall be for  
25 rural community programs described in section

1 381E(d)(1) of such Act; of which \$552,689,000 shall be  
2 for the rural utilities programs described in sections  
3 381E(d)(2), 306C(a)(2), and 306D of such Act, of which  
4 not to exceed \$500,000 shall be available for the rural util-  
5 ities program described in section 306(a)(2)(B) of such  
6 Act, and of which not to exceed \$1,000,000 shall be avail-  
7 able for the rural utilities program described in section  
8 306E of such Act; and of which \$75,180,000 shall be for  
9 the rural business and cooperative development programs  
10 described in sections 381E(d)(3) and 310B(f) of such Act:  
11 *Provided*, That of the total amount appropriated in this  
12 account, \$24,000,000 shall be for loans and grants to ben-  
13 efit Federally Recognized Native American Tribes, includ-  
14 ing grants for drinking water and waste disposal systems  
15 pursuant to section 306C of such Act, of which  
16 \$4,000,000 shall be available for community facilities  
17 grants to tribal colleges, as authorized by section  
18 306(a)(19) of the Consolidated Farm and Rural Develop-  
19 ment Act, and of which \$250,000 shall be available for  
20 a grant to a qualified national organization to provide  
21 technical assistance for rural transportation in order to  
22 promote economic development: *Provided further*, That of  
23 the amount appropriated for rural community programs,  
24 \$6,200,000 shall be available for a Rural Community De-  
25 velopment Initiative: *Provided further*, That such funds

1 shall be used solely to develop the capacity and ability of  
2 private, nonprofit community-based housing and commu-  
3 nity development organizations, low-income rural commu-  
4 nities, and Federally Recognized Native American Tribes  
5 to undertake projects to improve housing, community fa-  
6 cilities, community and economic development projects in  
7 rural areas: *Provided further*, That of the amount appro-  
8 priated for the Rural Community Development Initiative,  
9 not less than \$200,000 shall be in the form of  
10 predevelopment planning grants, not to exceed \$50,000  
11 each, with the balance for low-interest revolving loans to  
12 be used for capital and other related expenses, and made  
13 available to nonprofit based community development orga-  
14 nizations: *Provided further*, That such organizations  
15 should demonstrate experience in the administration of re-  
16 volving loan programs and providing technical assistance  
17 to cooperatives: *Provided further*, That such funds shall  
18 be made available to qualified private, nonprofit and public  
19 intermediary organizations proposing to carry out a pro-  
20 gram of financial and technical assistance: *Provided fur-*  
21 *ther*, That such intermediary organizations shall provide  
22 matching funds from other sources, including Federal  
23 funds for related activities, in an amount not less than  
24 funds provided: *Provided further*, That of the amount ap-  
25 propriated for the rural business and cooperative develop-

1 ment programs, not to exceed \$500,000 shall be made  
2 available for a grant to a qualified national organization  
3 to provide technical assistance for rural transportation in  
4 order to promote economic development; \$2,000,000 shall  
5 be for grants to the Delta Regional Authority (7 U.S.C.  
6 1921 et seq.): *Provided further*, That of the amount appro-  
7 priated for rural utilities programs, not to exceed  
8 \$25,000,000 shall be for water and waste disposal systems  
9 to benefit the Colonias along the United States/Mexico  
10 border, including grants pursuant to section 306C of such  
11 Act; not to exceed \$17,500,000 shall be for technical as-  
12 sistance grants for rural water and waste systems pursu-  
13 ant to section 306(a)(14) of such Act, of which  
14 \$5,513,000 shall be for Rural Community Assistance Pro-  
15 grams; and not to exceed \$14,000,000 shall be for con-  
16 tracting with qualified national organizations for a circuit  
17 rider program to provide technical assistance for rural  
18 water systems: *Provided further*, That of the total amount  
19 appropriated, not to exceed \$22,166,000 shall be available  
20 through June 30, 2005, for authorized empowerment  
21 zones and enterprise communities and communities des-  
22 ignated by the Secretary of Agriculture as Rural Economic  
23 Area Partnership Zones; of which \$1,081,000 shall be for  
24 the rural community programs described in section  
25 381E(d)(1) of such Act, of which \$12,582,000 shall be

1 for the rural utilities programs described in section  
2 381E(d)(2) of such Act, and of which \$8,503,000 shall  
3 be for the rural business and cooperative development pro-  
4 grams described in section 381E(d)(3) of such Act: *Pro-*  
5 *vided further*, That any prior year balances for high cost  
6 energy grants authorized by section 19 of the Rural Elec-  
7 trification Act of 1936 (7 U.S.C. 901(19)) shall be trans-  
8 ferred to and merged with the “Rural Utilities Service,  
9 High Energy Costs Grants Account”.

## 10 RURAL DEVELOPMENT

### 11 SALARIES AND EXPENSES

12 (INCLUDING TRANSFERS OF FUNDS)

13 For necessary expenses for carrying out the adminis-  
14 tration and implementation of programs in the Rural De-  
15 velopment mission area, including activities with institu-  
16 tions concerning the development and operation of agricul-  
17 tural cooperatives; and for cooperative agreements;  
18 \$143,625,000 (increased by \$27,624,733): *Provided*, That  
19 notwithstanding any other provision of law, funds appro-  
20 priated under this section may be used for advertising and  
21 promotional activities that support the Rural Development  
22 mission area: *Provided further*, That not more than  
23 \$10,000 may be expended to provide modest nonmonetary  
24 awards to non-USDA employees: *Provided further*, That  
25 any balances available from prior years for the Rural Utili-

1 ties Service, Rural Housing Service, and the Rural Busi-  
2 ness-Cooperative Service salaries and expenses accounts  
3 shall be transferred to and merged with this appropria-  
4 tion.

5                                   RURAL HOUSING SERVICE  
6 RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT  
7                                   (INCLUDING TRANSFERS OF FUNDS)

8           For gross obligations for the principal amount of di-  
9 rect and guaranteed loans as authorized by title V of the  
10 Housing Act of 1949, to be available from funds in the  
11 rural housing insurance fund, as follows: \$4,409,297,000  
12 for loans to section 502 borrowers, as determined by the  
13 Secretary, of which \$1,100,000,000 shall be for direct  
14 loans, and of which \$3,309,297,000 shall be for unsub-  
15 sidized guaranteed loans; \$35,000,000 for section 504  
16 housing repair loans; \$116,063,000 for section 515 rental  
17 housing; \$100,000,000 for section 538 guaranteed multi-  
18 family housing loans; \$5,045,000 for section 524 site  
19 loans; \$11,501,000 for credit sales of acquired property,  
20 of which up to \$1,501,000 may be for multi-family credit  
21 sales; and \$10,000,000 for section 523 self-help housing  
22 land development loans.

23           For the cost of direct and guaranteed loans, including  
24 the cost of modifying loans, as defined in section 502 of  
25 the Congressional Budget Act of 1974, as follows: section

1 502 loans, \$160,988,000, of which \$127,380,000 shall be  
2 for direct loans, and of which \$33,608,000, to remain  
3 available until expended, shall be for unsubsidized guaran-  
4 teed loans; section 504 housing repair loans, \$10,171,000;  
5 repair and rehabilitation of section 515 rental housing,  
6 \$54,654,000; section 538 multi-family housing guaranteed  
7 loans, \$3,490,000; multi-family credit sales of acquired  
8 property, \$727,000: *Provided*, That of the total amount  
9 appropriated in this paragraph, \$7,100,000 shall be avail-  
10 able through June 30, 2005, for authorized empowerment  
11 zones and enterprise communities and communities des-  
12 ignated by the Secretary of Agriculture as Rural Economic  
13 Area Partnership Zones.

14 In addition, for administrative expenses necessary to  
15 carry out the direct and guaranteed loan programs,  
16 \$448,889,000, which shall be transferred to and merged  
17 with the appropriation for “Rural Development, Salaries  
18 and Expenses”.

#### 19 RENTAL ASSISTANCE PROGRAM

20 For rental assistance agreements entered into or re-  
21 newed pursuant to the authority under section 521(a)(2)  
22 or agreements entered into in lieu of debt forgiveness or  
23 payments for eligible households as authorized by section  
24 502(c)(5)(D) of the Housing Act of 1949, \$592,000,000;  
25 and, in addition, such sums as may be necessary, as au-



1 thorized by section 521(c) of the Act, to liquidate debt  
2 incurred prior to fiscal year 1992 to carry out the rental  
3 assistance program under section 521(a)(2) of the Act:  
4 *Provided*, That of this amount, not more than \$5,900,000  
5 shall be available for debt forgiveness or payments for eli-  
6 gible households as authorized by section 502(c)(5)(D) of  
7 the Act, and not to exceed \$20,000 per project for ad-  
8 vances to nonprofit organizations or public agencies to  
9 cover direct costs (other than purchase price) incurred in  
10 purchasing projects pursuant to section 502(c)(5)(C) of  
11 the Act: *Provided further*, That agreements entered into  
12 or renewed during the current fiscal year shall be funded  
13 for a four-year period: *Provided further*, That any unex-  
14 pended balances remaining at the end of such four-year  
15 agreements may be transferred and used for the purposes  
16 of any debt reduction; maintenance, repair, or rehabilita-  
17 tion of any existing projects; preservation; and rental as-  
18 sistance activities authorized under title V of the Act.

19 MUTUAL AND SELF-HELP HOUSING GRANTS

20 For grants and contracts pursuant to section  
21 523(b)(1)(A) of the Housing Act of 1949 (42 U.S.C.  
22 1490c), \$34,000,000 to remain available until expended:  
23 *Provided*, That of the total amount appropriated,  
24 \$1,000,000 shall be available through June 30, 2005, for  
25 authorized empowerment zones and enterprise commu-

1 nities and communities designated by the Secretary of Ag-  
2 riculture as Rural Economic Area Partnership Zones.

3                   RURAL HOUSING ASSISTANCE GRANTS

4           For grants and contracts for very low-income housing  
5 repair, supervisory and technical assistance, compensation  
6 for construction defects, and rural housing preservation  
7 made by the Rural Housing Service, as authorized by 42  
8 U.S.C. 1474, 1479(c), 1490e, and 1490m, \$42,500,000,  
9 to remain available until expended: *Provided*, That of the  
10 total amount appropriated, \$1,800,000 shall be available  
11 through June 30, 2005, for authorized empowerment  
12 zones and enterprise communities and communities des-  
13 ignated by the Secretary of Agriculture as Rural Economic  
14 Area Partnership Zones.

15                   FARM LABOR PROGRAM ACCOUNT

16           For the cost of direct loans, grants, and contracts,  
17 as authorized by 42 U.S.C. 1484 and 1486, \$36,765,000,  
18 to remain available until expended, for direct farm labor  
19 housing loans and domestic farm labor housing grants and  
20 contracts.

1       RURAL BUSINESS-COOPERATIVE SERVICE  
2       RURAL DEVELOPMENT LOAN FUND PROGRAM ACCOUNT  
3               (INCLUDING TRANSFER OF FUNDS)

4       For the principal amount of direct loans, as author-  
5 ized by the Rural Development Loan Fund (42 U.S.C.  
6 9812(a)), \$34,213,000.

7       For the cost of direct loans, \$15,868,000, as author-  
8 ized by the Rural Development Loan Fund (42 U.S.C.  
9 9812(a)), of which \$1,724,000 shall be available through  
10 June 30, 2005, for Federally Recognized Native American  
11 Tribes and of which \$3,449,000 shall be available through  
12 June 30, 2005, for the Delta Regional Authority (7 U.S.C.  
13 1921 et seq.): *Provided*, That such costs, including the  
14 cost of modifying such loans, shall be as defined in section  
15 502 of the Congressional Budget Act of 1974: *Provided*  
16 *further*, That of the total amount appropriated,  
17 \$2,447,000 shall be available through June 30, 2005, for  
18 the cost of direct loans for authorized empowerment zones  
19 and enterprise communities and communities designated  
20 by the Secretary of Agriculture as Rural Economic Area  
21 Partnership Zones.

22       In addition, for administrative expenses to carry out  
23 the direct loan programs, \$4,321,000 shall be transferred  
24 to and merged with the appropriation for “Rural Develop-  
25 ment, Salaries and Expenses”.

1 RURAL ECONOMIC DEVELOPMENT LOANS PROGRAM  
2 ACCOUNT  
3 (INCLUDING RESCISSION OF FUNDS)

4 For the principal amount of direct loans, as author-  
5 ized under section 313 of the Rural Electrification Act,  
6 for the purpose of promoting rural economic development  
7 and job creation projects, \$25,003,000.

8 For the cost of direct loans, including the cost of  
9 modifying loans as defined in section 502 of the Congres-  
10 sional Budget Act of 1974, \$4,698,000, to remain avail-  
11 able until expended.

12 Of the funds derived from interest on the cushion of  
13 credit payments in the current fiscal year, as authorized  
14 by section 313 of the Rural Electrification Act of 1936,  
15 \$4,698,000 shall not be obligated and \$4,698,000 are re-  
16 scinded.

17 RURAL COOPERATIVE DEVELOPMENT GRANTS

18 For rural cooperative development grants authorized  
19 under section 310B(e) of the Consolidated Farm and  
20 Rural Development Act (7 U.S.C. 1932), \$23,500,000, of  
21 which \$2,500,000 shall be for cooperative agreements for  
22 the appropriate technology transfer for rural areas pro-  
23 gram: *Provided*, That not to exceed \$1,500,000 shall be  
24 for cooperatives or associations of cooperatives whose pri-  
25 mary focus is to provide assistance to small, minority pro-

1 ducers and whose governing board and/or membership is  
2 comprised of at least 75 percent minority; and of which  
3 not to exceed \$15,500,000, to remain available until ex-  
4 pended, shall be for value-added agricultural product mar-  
5 ket development grants, as authorized by section 6401 of  
6 the Farm Security and Rural Investment Act of 2002 (7  
7 U.S.C. 1621 note).

8           RURAL EMPOWERMENT ZONES AND ENTERPRISE  
9                           COMMUNITY GRANTS

10          For grants in connection with second and third  
11 rounds of empowerment zones and enterprise commu-  
12 nities, \$11,419,000, to remain available until expended,  
13 for designated rural empowerment zones and rural enter-  
14 prise communities, as authorized by the Taxpayer Relief  
15 Act of 1997 and the Omnibus Consolidated and Emer-  
16 gency Supplemental Appropriations Act, 1999 (Public  
17 Law 105–277): *Provided*, That of the funds appropriated,  
18 \$1,000,000 shall be made available to third round em-  
19 powerment zones, as authorized by the Community Re-  
20 newal Tax Relief Act (Public Law 106–554).

21                           RENEWABLE ENERGY PROGRAM

22          For the cost of a program of direct loans, loan guar-  
23 antees, and grants, under the same terms and conditions  
24 as authorized by section 9006 of the Farm Security and  
25 Rural Investment Act of 2002 (7 U.S.C. 8106),

1 \$15,000,000 (increased by \$8,000,000) for direct and  
 2 guaranteed renewable energy loans and grants: *Provided*,  
 3 That the cost of direct loans and loan guarantees, includ-  
 4 ing the cost of modifying such loans, shall be as defined  
 5 in section 502 of the Congressional Budget Act of 1974.

6 RURAL UTILITIES SERVICE

7 RURAL ELECTRIFICATION AND TELECOMMUNICATIONS

8 LOANS PROGRAM ACCOUNT

9 (INCLUDING TRANSFER OF FUNDS)

10 Insured loans pursuant to the authority of section  
 11 305 of the Rural Electrification Act of 1936 (7 U.S.C.  
 12 935) shall be made as follows: 5 percent rural electrifica-  
 13 tion loans, \$120,000,000; municipal rate rural electric  
 14 loans, \$100,000,000; loans made pursuant to section 306  
 15 of that Act, rural electric, \$2,100,000,000; Treasury rate  
 16 direct electric loans, \$1,000,000,000; guaranteed under-  
 17 writing loans pursuant to section 313A, \$1,000,000,000;  
 18 5 percent rural telecommunications loans, \$145,000,000;  
 19 cost of money rural telecommunications loans,  
 20 \$250,000,000; and for loans made pursuant to section 306  
 21 of that Act, rural telecommunications loans,  
 22 \$125,000,000.

23 For the cost, as defined in section 502 of the Con-  
 24 gressional Budget Act of 1974, including the cost of modi-  
 25 fying loans, of direct and guaranteed loans authorized by

1 sections 305 and 306 of the Rural Electrification Act of  
2 1936 (7 U.S.C. 935 and 936), as follows: cost of rural  
3 electric loans, \$5,058,000, and the cost of telecommuni-  
4 cations loans, \$100,000: *Provided*, That notwithstanding  
5 section 305(d)(2) of the Rural Electrification Act of 1936,  
6 borrower interest rates may exceed 7 percent per year.

7       In addition, for administrative expenses necessary to  
8 carry out the direct and guaranteed loan programs,  
9 \$38,323,000 which shall be transferred to and merged  
10 with the appropriation for “Rural Development, Salaries  
11 and Expenses”.

12           RURAL TELEPHONE BANK PROGRAM ACCOUNT

13                   (INCLUDING TRANSFER OF FUNDS)

14       The Rural Telephone Bank is hereby authorized to  
15 make such expenditures, within the limits of funds avail-  
16 able to such corporation in accord with law, and to make  
17 such contracts and commitments without regard to fiscal  
18 year limitations as provided by section 104 of the Govern-  
19 ment Corporation Control Act, as may be necessary in car-  
20 rying out its authorized programs. During fiscal year 2005  
21 and within the resources and authority available, gross ob-  
22 ligations for the principal amount of direct loans shall be  
23 \$175,000,000.

24       For administrative expenses, including audits, nec-  
25 essary to carry out the loan programs, \$3,152,000, which

1 shall be transferred to and merged with the appropriation  
2 for “Rural Development, Salaries and Expenses”.

3 DISTANCE LEARNING, TELEMEDICINE, AND BROADBAND  
4 PROGRAM

5 For the principal amount of direct distance learning  
6 and telemedicine loans, \$50,000,000; and for the principal  
7 amount of direct broadband telecommunication loans,  
8 \$464,038,000.

9 For the cost of direct loans and grants for telemedi-  
10 cine and distance learning services in rural areas, as au-  
11 thorized by 7 U.S.C. 950aaa et seq., \$25,710,000, to re-  
12 main available until expended, of which \$710,000 shall be  
13 for direct loans: *Provided*, That the cost of direct loans  
14 shall be as defined in section 502 of the Congressional  
15 Budget Act of 1974.

16 For the cost of broadband loans, as authorized by 7  
17 U.S.C. 901 et seq., \$9,884,000: *Provided*, That the inter-  
18 est rate for such loans shall be the cost of borrowing to  
19 the Department of the Treasury for obligations of com-  
20 parable maturity: *Provided further*, That the cost of direct  
21 loans shall be as defined in section 502 of the Congres-  
22 sional Budget Act of 1974.

23 In addition, \$9,000,000, to remain available until ex-  
24 pended, for a grant program to finance broadband trans-  
25 mission in rural areas eligible for Distance Learning and



1 Telemedicine Program benefits authorized by 7 U.S.C.  
2 950aaa.

3 TITLE IV

4 DOMESTIC FOOD PROGRAMS

5 OFFICE OF THE UNDER SECRETARY FOR FOOD,  
6 NUTRITION, AND CONSUMER SERVICES

7 For necessary salaries and expenses of the Office of  
8 the Under Secretary for Food, Nutrition, and Consumer  
9 Services to administer the laws enacted by the Congress  
10 for the Food and Nutrition Service, \$595,000.

11 FOOD AND NUTRITION SERVICE

12 CHILD NUTRITION PROGRAMS

13 (INCLUDING TRANSFERS OF FUNDS)

14 For necessary expenses to carry out the National  
15 School Lunch Act (42 U.S.C. 1751 et seq.), except section  
16 21, and the Child Nutrition Act of 1966 (42 U.S.C. 1771  
17 et seq.), except sections 17 and 21; \$11,380,557,000, to  
18 remain available through September 30, 2006, of which  
19 \$6,227,595,000 is hereby appropriated and  
20 \$5,152,962,000 shall be derived by transfer from funds  
21 available under section 32 of the Act of August 24, 1935  
22 (7 U.S.C. 612c): *Provided*, That none of the funds made  
23 available under this heading shall be used for studies and  
24 evaluations: *Provided further*, That up to \$5,235,000 shall

1 be available for independent verification of school food  
2 service claims.

3 SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR  
4 WOMEN, INFANTS, AND CHILDREN (WIC)

5 For necessary expenses to carry out the special sup-  
6 plemental nutrition program as authorized by section 17  
7 of the Child Nutrition Act of 1966 (42 U.S.C. 1786),  
8 \$4,907,250,000, to remain available through September  
9 30, 2006: *Provided*, That of the total amount available,  
10 the Secretary shall obligate not less than \$15,000,000 for  
11 a breastfeeding support initiative in addition to the activi-  
12 ties specified in section 17(h)(3)(A): *Provided further*,  
13 That notwithstanding section 17(h)(10)(A) of such Act,  
14 \$14,000,000 shall be available for the purposes specified  
15 in section 17(h)(10)(B): *Provided further*, That none of  
16 the funds made available under this heading shall be used  
17 for studies and evaluations: *Provided further*, That none  
18 of the funds in this Act shall be available to pay adminis-  
19 trative expenses of WIC clinics except those that have an  
20 announced policy of prohibiting smoking within the space  
21 used to carry out the program: *Provided further*, That  
22 none of the funds provided in this account shall be avail-  
23 able for the purchase of infant formula except in accord-  
24 ance with the cost containment and competitive bidding  
25 requirements specified in section 17 of such Act: *Provided*

1 *further*, That none of the funds provided shall be available  
2 for activities that are not fully reimbursed by other Fed-  
3 eral Government departments or agencies unless author-  
4 ized by section 17 of such Act.

5 FOOD STAMP PROGRAM

6 For necessary expenses to carry out the Food Stamp  
7 Act (7 U.S.C. 2011 et seq.), \$33,635,798,000, of which  
8 \$3,000,000,000 to remain available through September  
9 30, 2006, shall be placed in reserve for use only in such  
10 amounts and at such times as may become necessary to  
11 carry out program operations: *Provided*, That none of the  
12 funds made available under this heading shall be used for  
13 studies and evaluations: *Provided further*, That of the  
14 funds made available under this heading and not already  
15 appropriated to the Food Distribution Program on Indian  
16 Reservations (FDPIR) established under section 4(b) of  
17 the Food Stamp Act of 1977 (7 U.S.C. 2013(b)), not to  
18 exceed \$4,000,000 shall be used to purchase bison meat  
19 for the FDPIR from Native American bison producers:  
20 *Provided further*, That funds provided herein shall be ex-  
21 pended in accordance with section 16 of the Food Stamp  
22 Act: *Provided further*, That this appropriation shall be  
23 subject to any work registration or workfare requirements  
24 as may be required by law: *Provided further*, That funds  
25 made available for Employment and Training under this

1 heading shall remain available until expended, as author-  
2 ized by section 16(h)(1) of the Food Stamp Act: *Provided*  
3 *further*, That notwithstanding section 5(d) of the Food  
4 Stamp Act of 1977, any additional payment received  
5 under chapter 5 of title 37, United States Code, by a  
6 member of the United States Armed Forces deployed to  
7 a designated combat zone shall be excluded from house-  
8 hold income for the duration of the member's deployment  
9 if the additional pay is the result of deployment to or while  
10 serving in a combat zone, and it was not received imme-  
11 diately prior to serving in the combat zone.

#### 12 COMMODITY ASSISTANCE PROGRAM

13 For necessary expenses to carry out disaster assist-  
14 ance and the commodity supplemental food program as  
15 authorized by section 4(a) of the Agriculture and Con-  
16 sumer Protection Act of 1973 (7 U.S.C. 612c note); the  
17 Emergency Food Assistance Act of 1983; and special as-  
18 sistance for the nuclear affected islands, as authorized by  
19 section 103(f)(2) of the Compact of Free Association  
20 Amendments Act of 2003 (Public Law 108–188); and the  
21 Farmers' Market Nutrition Program, as authorized by  
22 section 17(m) of the Child Nutrition Act of 1966,  
23 \$178,797,000, to remain available through September 30,  
24 2006: *Provided*, That none of these funds shall be avail-

1 able to reimburse the Commodity Credit Corporation for  
2 commodities donated to the program.

3 NUTRITION PROGRAMS ADMINISTRATION

4 For necessary administrative expenses of the domes-  
5 tic nutrition assistance programs funded under this Act,  
6 \$133,742,000, of which \$5,000,000 shall be available only  
7 for simplifying procedures, reducing overhead costs, tight-  
8 ening regulations, improving food stamp benefit delivery,  
9 and assisting in the prevention, identification, and pros-  
10 ecution of fraud and other violations of law: *Provided,*  
11 That none of the funds made available under this heading  
12 may be used to pay the salaries and expenses of employees  
13 of the Food and Nutrition Service to review, evaluate, or  
14 approve State Plans under the Special Supplemental Nu-  
15 trition Program for Women, Infants and Children (WIC)  
16 that provide for vendors to operate stores that cater only  
17 to WIC participants if these type stores did not operate  
18 in that State prior to fiscal year 2005.

1 TITLE V  
2 FOREIGN ASSISTANCE AND RELATED  
3 PROGRAMS  
4 FOREIGN AGRICULTURAL SERVICE  
5 SALARIES AND EXPENSES  
6 (INCLUDING TRANSFERS OF FUNDS)

7 For necessary expenses of the Foreign Agricultural  
8 Service, including carrying out title VI of the Agricultural  
9 Act of 1954 (7 U.S.C. 1761–1768), market development  
10 activities abroad, and for enabling the Secretary to coordi-  
11 nate and integrate activities of the Department in connec-  
12 tion with foreign agricultural work, including not to exceed  
13 \$158,000 for representation allowances and for expenses  
14 pursuant to section 8 of the Act approved August 3, 1956  
15 (7 U.S.C. 1766), \$137,722,000: *Provided*, That the Serv-  
16 ice may utilize advances of funds, or reimburse this appro-  
17 priation for expenditures made on behalf of Federal agen-  
18 cies, public and private organizations and institutions  
19 under agreements executed pursuant to the agricultural  
20 food production assistance programs (7 U.S.C. 1737) and  
21 the foreign assistance programs of the United States  
22 Agency for International Development.

1 PUBLIC LAW 480 TITLE I PROGRAM ACCOUNT  
2 (INCLUDING TRANSFERS OF FUNDS)

3 For the cost, as defined in section 502 of the Con-  
4 gressional Budget Act of 1974, of agreements under the  
5 Agricultural Trade Development and Assistance Act of  
6 1954, and the Food for Progress Act of 1985, including  
7 the cost of modifying credit arrangements under said Acts,  
8 \$86,420,000, to remain available until expended: *Pro-*  
9 *vided*, That the Secretary of Agriculture may implement  
10 a commodity monetization program under existing provi-  
11 sions of the Food for Progress Act of 1985 to provide no  
12 less than \$5,000,000 in local-currency funding support for  
13 rural electrification development overseas.

14 In addition, for administrative expenses to carry out  
15 the credit program of title I, Public Law 83–480, and the  
16 Food for Progress Act of 1985, to the extent funds appro-  
17 priated for Public Law 83–480 are utilized, \$2,371,000,  
18 of which \$1,102,000 may be transferred to and merged  
19 with the appropriation for “Foreign Agricultural Service,  
20 Salaries and Expenses”, and of which \$1,269,000 may be  
21 transferred to and merged with the appropriation for  
22 “Farm Service Agency, Salaries and Expenses”.

1 PUBLIC LAW 480 TITLE I OCEAN FREIGHT  
2 DIFFERENTIAL GRANTS  
3 (INCLUDING TRANSFER OF FUNDS)

4 For ocean freight differential costs for the shipment  
5 of agricultural commodities under title I of the Agricul-  
6 tural Trade Development and Assistance Act of 1954 and  
7 under the Food for Progress Act of 1985, \$22,723,000,  
8 to remain available until expended: *Provided*, That funds  
9 made available for the cost of agreements under title I  
10 of the Agricultural Trade Development and Assistance Act  
11 of 1954 and for title I ocean freight differential may be  
12 used interchangeably between the two accounts with prior  
13 notice to the Committees on Appropriations of both  
14 Houses of Congress.

15 PUBLIC LAW 480 TITLE II GRANTS

16 For expenses during the current fiscal year, not oth-  
17 erwise recoverable, and unrecovered prior years' costs, in-  
18 cluding interest thereon, under the Agricultural Trade De-  
19 velopment and Assistance Act of 1954, for commodities  
20 supplied in connection with dispositions abroad under title  
21 II of said Act, \$1,180,002,000, to remain available until  
22 expended.



1       COMMODITY CREDIT CORPORATION EXPORT LOANS  
2                               PROGRAM ACCOUNT  
3                               (INCLUDING TRANSFERS OF FUNDS)

4       For administrative expenses to carry out the Com-  
5       modity Credit Corporation’s export guarantee program,  
6       GSM 102 and GSM 103, \$4,473,000; to cover common  
7       overhead expenses as permitted by section 11 of the Com-  
8       modity Credit Corporation Charter Act and in conformity  
9       with the Federal Credit Reform Act of 1990, of which  
10      \$3,440,000 may be transferred to and merged with the  
11      appropriation for “Foreign Agricultural Service, Salaries  
12      and Expenses”, and of which \$1,033,000 may be trans-  
13      ferred to and merged with the appropriation for “Farm  
14      Service Agency, Salaries and Expenses”.

15               MCGOVERN-DOLE INTERNATIONAL FOOD FOR  
16      EDUCATION AND CHILD NUTRITION PROGRAM GRANTS

17      For necessary expenses to carry out the provisions  
18      of section 3107 of the Farm Security and Rural Invest-  
19      ment Act of 2002 (7 U.S.C. 1736o–1), \$75,000,000, to  
20      remain available until expended: *Provided*, That the Com-  
21      modity Credit Corporation is authorized to provide the  
22      services, facilities, and authorities for the purpose of im-  
23      plementing such section, subject to reimbursement from  
24      amounts provided herein.

1 TITLE VI  
2 RELATED AGENCIES AND FOOD AND DRUG  
3 ADMINISTRATION  
4 DEPARTMENT OF HEALTH AND HUMAN  
5 SERVICES  
6 FOOD AND DRUG ADMINISTRATION  
7 SALARIES AND EXPENSES  
8 (INCLUDING TRANSFERS OF FUNDS)

9 For necessary expenses of the Food and Drug Ad-  
10 ministration, including hire and purchase of passenger  
11 motor vehicles; for payment of space rental and related  
12 costs pursuant to Public Law 92–313 for programs and  
13 activities of the Food and Drug Administration which are  
14 included in this Act; for rental of special purpose space  
15 in the District of Columbia or elsewhere; for miscellaneous  
16 and emergency expenses of enforcement activities, author-  
17 ized and approved by the Secretary and to be accounted  
18 for solely on the Secretary’s certificate, not to exceed  
19 \$25,000; and notwithstanding section 521 of Public Law  
20 107–188; \$1,788,849,000: *Provided*, That of the amount  
21 provided under this heading, \$284,394,000 shall be de-  
22 rived from prescription drug user fees authorized by 21  
23 U.S.C. 379h, and shall be credited to this account and  
24 remain available until expended: *Provided further*, That  
25 this amount shall not include any fees pursuant to 21

1 U.S.C. 379h(a)(2) and (a)(3) assessed for fiscal year 2006  
2 but collected in fiscal year 2005; \$33,938,000 shall be de-  
3 rived from medical device user fees authorized by 21  
4 U.S.C. 379j, and shall be credited to this account and re-  
5 main available until expended; and \$8,000,000 shall be de-  
6 rived from animal drug user fees authorized by 21 U.S.C.  
7 379j, and shall be credited to this account and remain  
8 available until expended: *Provided further*, That fees de-  
9 rived from prescription drug, medical device, and animal  
10 drug assessments received during fiscal year 2005, includ-  
11 ing any such fees assessed prior to the current fiscal year  
12 but credited during the current year, shall be subject to  
13 the fiscal year 2005 limitation: *Provided further*, That  
14 none of these funds shall be used to develop, establish,  
15 or operate any program of user fees authorized by 31  
16 U.S.C. 9701: *Provided further*, That of the total amount  
17 appropriated: (1) \$446,655,000 shall be for the Center for  
18 Food Safety and Applied Nutrition and related field activi-  
19 ties in the Office of Regulatory Affairs; (2) \$499,255,000  
20 (increased by \$500,000) shall be for the Center for Drug  
21 Evaluation and Research and related field activities in the  
22 Office of Regulatory Affairs; (3) \$172,414,000 shall be  
23 for the Center for Biologics Evaluation and Research and  
24 for related field activities in the Office of Regulatory Af-  
25 fairs; (4) \$98,610,000 shall be for the Center for Veteri-

1 nary Medicine and for related field activities in the Office  
2 of Regulatory Affairs; (5) \$232,578,000 shall be for the  
3 Center for Devices and Radiological Health and for re-  
4 lated field activities in the Office of Regulatory Affairs;  
5 (6) \$40,530,000 shall be for the National Center for Toxi-  
6 cological Research; (7) \$52,722,000 shall be for Rent and  
7 Related activities, other than the amounts paid to the  
8 General Services Administration for rent; (8)  
9 \$129,815,000 shall be for payments to the General Serv-  
10 ices Administration for rent; and (9) \$116,270,000 (de-  
11 creased by \$500,000) shall be for other activities, includ-  
12 ing the Office of the Commissioner; the Office of Manage-  
13 ment and Systems; the Office of External Relations; the  
14 Office of Policy and Planning; and central services for  
15 these offices: *Provided further*, That funds may be trans-  
16 ferred from one specified activity to another with the prior  
17 approval of the Committees on Appropriations of both  
18 Houses of Congress.

19 In addition, mammography user fees authorized by  
20 42 U.S.C. 263b may be credited to this account, to remain  
21 available until expended.

22 In addition, export certification user fees authorized  
23 by 21 U.S.C. 381 may be credited to this account, to re-  
24 main available until expended.

## 1 INDEPENDENT AGENCIES

## 2 COMMODITY FUTURES TRADING COMMISSION

3 For necessary expenses to carry out the provisions  
4 of the Commodity Exchange Act (7 U.S.C. 1 et seq.), in-  
5 cluding the purchase and hire of passenger motor vehicles,  
6 and the rental of space (to include multiple year leases)  
7 in the District of Columbia and elsewhere, \$93,327,000,  
8 including not to exceed \$3,000 for official reception and  
9 representation expenses.

## 10 FARM CREDIT ADMINISTRATION

## 11 LIMITATION ON ADMINISTRATIVE EXPENSES

12 Not to exceed \$42,900,000 (from assessments col-  
13 lected from farm credit institutions and from the Federal  
14 Agricultural Mortgage Corporation) shall be obligated  
15 during the current fiscal year for administrative expenses  
16 as authorized under 12 U.S.C. 2249: *Provided*, That this  
17 limitation shall not apply to expenses associated with re-  
18 ceiverships.

## 19 TITLE VII—GENERAL PROVISIONS

## 20 (INCLUDING RESCISSIONS OF FUNDS)

21 SEC. 701. Within the unit limit of cost fixed by law,  
22 appropriations and authorizations made for the Depart-  
23 ment of Agriculture for the current fiscal year under this  
24 Act shall be available for the purchase, in addition to those  
25 specifically provided for, of not to exceed 388 passenger

1 motor vehicles, of which 388 shall be for replacement only,  
2 and for the hire of such vehicles.

3 SEC. 702. Funds in this Act available to the Depart-  
4 ment of Agriculture shall be available for uniforms or al-  
5 lowances therefor as authorized by law (5 U.S.C. 5901–  
6 5902).

7 SEC. 703. Funds appropriated by this Act shall be  
8 available for employment pursuant to the second sentence  
9 of section 706(a) of the Department of Agriculture Or-  
10 ganic Act of 1944 (7 U.S.C. 2225) and 5 U.S.C. 3109.

11 SEC. 704. New obligational authority provided for the  
12 following appropriation items in this Act shall remain  
13 available until expended: Animal and Plant Health Inspec-  
14 tion Service, the contingency fund to meet emergency con-  
15 ditions, information technology infrastructure, fruit fly  
16 program, emerging plant pests, boll weevil program, up  
17 to \$12,000,000 in the low pathogen avian influenza pro-  
18 gram for indemnities, up to \$33,197,000 in animal health  
19 monitoring and surveillance for the animal identification  
20 system, up to \$3,000,000 in the emergency management  
21 systems program for the vaccine bank, and up to 25 per-  
22 cent of the screwworm program; Food Safety and Inspec-  
23 tion Service, field automation and information manage-  
24 ment project; Cooperative State Research, Education, and  
25 Extension Service, funds for competitive research grants

1 (7 U.S.C. 450i(b)), funds for the Research, Education,  
2 and Economics Information System (REEIS), and funds  
3 for the Native American Institutions Endowment Fund;  
4 Farm Service Agency, salaries and expenses funds made  
5 available to county committees; Foreign Agricultural Serv-  
6 ice, middle-income country training program, and up to  
7 \$2,000,000 of the Foreign Agricultural Service appropria-  
8 tion solely for the purpose of offsetting fluctuations in  
9 international currency exchange rates, subject to docu-  
10 mentation by the Foreign Agricultural Service.

11 SEC. 705. No part of any appropriation contained in  
12 this Act shall remain available for obligation beyond the  
13 current fiscal year unless expressly so provided herein.

14 SEC. 706. Not to exceed \$50,000 of the appropria-  
15 tions available to the Department of Agriculture in this  
16 Act shall be available to provide appropriate orientation  
17 and language training pursuant to section 606C of the Act  
18 of August 28, 1954 (7 U.S.C. 1766b).

19 SEC. 707. No funds appropriated by this Act may be  
20 used to pay negotiated indirect cost rates on cooperative  
21 agreements or similar arrangements between the United  
22 States Department of Agriculture and nonprofit institu-  
23 tions in excess of 10 percent of the total direct cost of  
24 the agreement when the purpose of such cooperative ar-  
25 rangements is to carry out programs of mutual interest

1 between the two parties. This does not preclude appro-  
2 priate payment of indirect costs on grants and contracts  
3 with such institutions when such indirect costs are com-  
4 puted on a similar basis for all agencies for which appro-  
5 priations are provided in this Act.

6       SEC. 708. None of the funds in this Act shall be avail-  
7 able to restrict the authority of the Commodity Credit  
8 Corporation to lease space for its own use or to lease space  
9 on behalf of other agencies of the Department of Agri-  
10 culture when such space will be jointly occupied.

11       SEC. 709. None of the funds in this Act shall be avail-  
12 able to pay indirect costs charged against competitive agri-  
13 cultural research, education, or extension grant awards  
14 issued by the Cooperative State Research, Education, and  
15 Extension Service that exceed 25 percent of total Federal  
16 funds provided under each award: *Provided*, That notwith-  
17 standing section 1462 of the National Agricultural Re-  
18 search, Extension, and Teaching Policy Act of 1977 (7  
19 U.S.C. 3310), funds provided by this Act for grants  
20 awarded competitively by the Cooperative State Research,  
21 Education, and Extension Service shall be available to pay  
22 full allowable indirect costs for each grant awarded under  
23 section 9 of the Small Business Act (15 U.S.C. 638).



1       SEC. 710. Notwithstanding any other provision of  
2 this Act, all loan levels provided in this Act shall be consid-  
3 ered estimates, not limitations.

4       SEC. 711. Appropriations to the Department of Agri-  
5 culture for the cost of direct and guaranteed loans made  
6 available in the current fiscal year shall remain available  
7 until expended to cover obligations made in the current  
8 fiscal year for the following accounts: the Rural Develop-  
9 ment Loan Fund program account, the Rural Telephone  
10 Bank program account, the Rural Electrification and  
11 Telecommunication Loans program account, and the  
12 Rural Housing Insurance Fund program account.

13       SEC. 712. None of the funds in this Act may be used  
14 to retire more than 5 percent of the Class A stock of the  
15 Rural Telephone Bank or to maintain any account or sub-  
16 account within the accounting records of the Rural Tele-  
17 phone Bank the creation of which has not specifically been  
18 authorized by statute: *Provided*, That notwithstanding any  
19 other provision of law, none of the funds appropriated or  
20 otherwise made available in this Act may be used to trans-  
21 fer to the Treasury or to the Federal Financing Bank any  
22 unobligated balance of the Rural Telephone Bank tele-  
23 phone liquidating account which is in excess of current  
24 requirements and such balance shall receive interest as set

1 forth for financial accounts in section 505(c) of the Fed-  
2 eral Credit Reform Act of 1990.

3       SEC. 713. Of the funds made available by this Act,  
4 not more than \$1,800,000 shall be used to cover necessary  
5 expenses of activities related to all advisory committees,  
6 panels, commissions, and task forces of the Department  
7 of Agriculture, except for panels used to comply with nego-  
8 tiated rule makings and panels used to evaluate competi-  
9 tively awarded grants.

10       SEC. 714. None of the funds appropriated by this Act  
11 may be used to carry out section 410 of the Federal Meat  
12 Inspection Act (21 U.S.C. 679a) or section 30 of the Poul-  
13 try Products Inspection Act (21 U.S.C. 471).

14       SEC. 715. No employee of the Department of Agri-  
15 culture may be detailed or assigned from an agency or  
16 office funded by this Act to any other agency or office  
17 of the Department for more than 30 days unless the indi-  
18 vidual's employing agency or office is fully reimbursed by  
19 the receiving agency or office for the salary and expenses  
20 of the employee for the period of assignment.

21       SEC. 716. None of the funds appropriated or other-  
22 wise made available to the Department of Agriculture  
23 shall be used to transmit or otherwise make available to  
24 any non-Department of Agriculture employee questions or

1 responses to questions that are a result of information re-  
2 quested for the appropriations hearing process.

3       SEC. 717. (a) Notwithstanding any other provision  
4 of law, none of the funds provided by this Act, or provided  
5 by previous Appropriations Acts to the agencies funded  
6 by this Act that remain available for obligation or expendi-  
7 ture in the current fiscal year, or provided from any ac-  
8 counts in the Treasury of the United States derived by  
9 the collection of fees available to the agencies funded by  
10 this Act, shall be available for obligation or expenditure  
11 through a reprogramming of funds which: (1) creates new  
12 programs; (2) eliminates a program, project, or activity;  
13 (3) increases funds or personnel by any means for any  
14 project or activity for which funds have been denied or  
15 restricted; (4) relocates an office or employees; (5) reorga-  
16 nizes offices, programs, or activities; or (6) contracts out  
17 or privatizes any functions or activities presently per-  
18 formed by Federal employees.

19       (b) Notwithstanding any other provision of law, none  
20 of the funds provided by this Act, or provided by previous  
21 Appropriations Acts to the agencies funded by this Act  
22 that remain available for obligation or expenditure in the  
23 current fiscal year, or provided from any accounts in the  
24 Treasury of the United States derived by the collection  
25 of fees available to the agencies funded by this Act, shall

1 be available for obligation or expenditure for activities,  
2 programs, or projects through a reprogramming of funds  
3 in excess of \$500,000 or 10 percent, whichever is less,  
4 that: (1) augments existing programs, projects, or activi-  
5 ties; (2) reduces by 10 percent funding for any existing  
6 program, project, or activity, or numbers of personnel by  
7 10 percent as approved by Congress; or (3) results from  
8 any general savings from a reduction in personnel which  
9 would result in a change in existing programs, activities,  
10 or projects as approved by Congress.

11 (c) The Secretary of Agriculture, the Secretary of  
12 Health and Human Services, or the Chairman of the Com-  
13 modity Futures Trading Commission shall notify the Com-  
14 mittees on Appropriations of both Houses of Congress be-  
15 fore implementing a program or activity not carried out  
16 during the previous fiscal year unless the program or ac-  
17 tivity is funded by this Act or specifically funded by any  
18 other Act.

19 SEC. 718. With the exception of funds needed to ad-  
20 minister and conduct oversight of grants awarded and ob-  
21 ligations incurred in prior fiscal years, none of the funds  
22 appropriated or otherwise made available by this or any  
23 other Act may be used to pay the salaries and expenses  
24 of personnel to carry out the provisions of section 401 of  
25 Public Law 105–185, the Initiative for Future Agriculture

1 and Food Systems (7 U.S.C. 7621). Funds under section  
2 401 for fiscal year 2005 are hereby cancelled.

3 SEC. 719. None of the funds appropriated by this or  
4 any other Act shall be used to pay the salaries and ex-  
5 penses of personnel who prepare or submit appropriations  
6 language as part of the President's Budget submission to  
7 the Congress of the United States for programs under the  
8 jurisdiction of the Appropriations Subcommittees on Agri-  
9 culture, Rural Development, Food and Drug Administra-  
10 tion, and Related Agencies that assumes revenues or re-  
11 flects a reduction from the previous year due to user fees  
12 proposals that have not been enacted into law prior to the  
13 submission of the Budget unless such Budget submission  
14 identifies which additional spending reductions should  
15 occur in the event the user fees proposals are not enacted  
16 prior to the date of the convening of a committee of con-  
17 ference for the fiscal year 2006 appropriations Act.

18 SEC. 720. None of the funds made available by this  
19 or any other Act may be used to close or relocate a state  
20 Rural Development office unless or until cost effectiveness  
21 and enhancement of program delivery have been deter-  
22 mined.

23 SEC. 721. In addition to amounts otherwise appro-  
24 priated or made available by this Act, \$2,500,000 is ap-  
25 propriated for the purpose of providing Bill Emerson and

1 Mickey Leland Hunger Fellowships, through the Congres-  
2 sional Hunger Center.

3       SEC. 722. Notwithstanding section 412 of the Agri-  
4 cultural Trade Development and Assistance Act of 1954  
5 (7 U.S.C. 1736f), any balances available to carry out title  
6 III of such Act as of the date of enactment of this Act,  
7 and any recoveries and reimbursements that become avail-  
8 able to carry out title III of such Act, may be used to  
9 carry out title II of such Act.

10       SEC. 723. Section 375(e)(6)(B) of the Consolidated  
11 Farm and Rural Development Act (7 U.S.C.  
12 2008j(e)(6)(B)) is amended by striking “\$26,998,000”  
13 and inserting “\$27,498,000”.

14       SEC. 724. None of the funds appropriated or other-  
15 wise made available by this Act shall be used to pay the  
16 salaries and expenses of personnel to collect from the lend-  
17 er at the time of issuance a guarantee fee of less than  
18 2 percent of the principal obligation of guaranteed single-  
19 family housing loans administered by the Rural Housing  
20 Service.

21       SEC. 725. Notwithstanding any other provision of  
22 law, the Secretary shall consider the City of Salinas, Cali-  
23 fornia; the City of Watsonville, California; the City of Hol-  
24 lister, California; the Town of Ulster, New York; County  
25 of Cleburne, Alabama; the City of Coachella, California;

1 the City of Casa Grande, Arizona; the City of Creedmoor,  
2 North Carolina; the City of Eureka, California; the City  
3 of Clarksdale, Mississippi; the City of Vicksburg, Mis-  
4 sissippi; the City of Wewahitchka, Florida; the Town of  
5 Horseshoe Beach, Florida; and the City of Carbondale, Il-  
6 linois, as meeting the eligibility requirements for loan and  
7 grant programs in the Rural Development mission area.

8       SEC. 726. Notwithstanding any other provision of  
9 law, the Natural Resources Conservation Service shall pro-  
10 vide financial and technical assistance to the DuPage  
11 County, Illinois, Kress Creek Water Quality Enhancement  
12 Project, from funds available for the Watershed and Flood  
13 Prevention Operations program, not to exceed \$1,360,000  
14 and Rockhouse Creek Watershed, Leslie County, Ken-  
15 tucky, not to exceed \$1,000,000.

16       SEC. 727. None of the funds made available in this  
17 Act may be transferred to any department, agency, or in-  
18 strumentality of the United States Government, except  
19 pursuant to a transfer made by, or transfer authority pro-  
20 vided in, this or any other appropriation Act.

21       SEC. 728. Notwithstanding any other provision of  
22 law, of the funds made available in this Act for competitive  
23 research grants (7 U.S.C. 450i(b)), the Secretary may use  
24 up to 20 percent of the amount provided to carry out a  
25 competitive grants program under the same terms and

1 conditions as those provided in section 401 of the Agricul-  
2 tural Research, Extension, and Education Reform Act of  
3 1998 (7 U.S.C. 7621).

4 SEC. 729. None of the funds appropriated or made  
5 available by this or any other Act may be used to pay  
6 the salaries and expenses of personnel to carry out section  
7 14(h)(1) of the Watershed Protection and Flood Preven-  
8 tion Act (16 U.S.C. 1012(h)(1)).

9 SEC. 730. None of the funds appropriated or made  
10 available by this or any other Act may be used to pay  
11 the salaries and expenses of personnel to carry out subtitle  
12 I of the Consolidated Farm and Rural Development Act  
13 (7 U.S.C. 2009dd through dd-7).

14 SEC. 731. None of the funds appropriated or made  
15 available by this or any other Act may be used to pay  
16 the salaries and expenses of personnel to carry out section  
17 6405 of Public Law 107-171 (7 U.S.C. 2655).

18 SEC. 732. The Agricultural Marketing Service and  
19 the Grain Inspection, Packers and Stockyards Administra-  
20 tion, that have statutory authority to purchase interest  
21 bearing investments outside of the Treasury, are not re-  
22 quired to establish obligations and outlays for those invest-  
23 ments, provided those investments are insured by the Fed-  
24 eral Deposit Insurance Corporation or are collateralized  
25 at the Federal Reserve with securities approved by the



1 Federal Reserve, operating under the guidelines of the  
2 United States Department of the Treasury.

3 SEC. 733. Of the funds made available under section  
4 27(a) of the Food Stamp Act of 1977 (7 U.S.C. 2011 et  
5 seq.), the Secretary may use up to \$10,000,000 for costs  
6 associated with the distribution of commodities.

7 SEC. 734. None of the funds appropriated or other-  
8 wise made available by this or any other Act shall be used  
9 to pay the salaries and expenses of personnel to enroll in  
10 excess of 175,000 acres in the calendar year 2005 wet-  
11 lands reserve program as authorized by 16 U.S.C. 3837.

12 SEC. 735. None of the funds appropriated or other-  
13 wise made available by this or any other Act shall be used  
14 to pay the salaries and expenses of personnel who carry  
15 out an environmental quality incentives program author-  
16 ized by chapter 4 of subtitle D of title XII of the Food  
17 Security Act of 1985 (16 U.S.C. 3839aa et seq.) in excess  
18 of \$1,010,000,000.

19 SEC. 736. The Secretary of Agriculture is authorized  
20 to permit employees of the United States Department of  
21 Agriculture to carry and use firearms for personal protec-  
22 tion while conducting field work in remote locations in the  
23 performance of their official duties.

24 SEC. 737. None of the funds appropriated or other-  
25 wise made available by this or any other Act shall be used

1 to pay the salaries and expenses of personnel to expend  
2 the \$23,000,000 made available by section 9006(f) of the  
3 Farm Security and Rural Investment Act of 2002 (7  
4 U.S.C. 8106(f)).

5       SEC. 738. None of the funds appropriated or other-  
6 wise made available by this or any other Act shall be used  
7 to pay the salaries and expenses of personnel to carry out  
8 a Broadband Program as authorized by 601(j)(A) of 7  
9 U.S.C. 950bb(j)(1)(A). \$40,000,000 of the funds available  
10 under such section are hereby cancelled.

11       SEC. 739. None of the funds appropriated or other-  
12 wise made available by this or any other Act shall be used  
13 to pay the salaries and expenses of personnel to carry out  
14 a Value-added grant program as authorized by 231(b)(4)  
15 of 7 U.S.C. 1621 note. \$80,000,000 of the funds available  
16 under such section are hereby cancelled.

17       SEC. 740. Notwithstanding subsections (c) and (e)(2)  
18 of section 313A of the Rural Electrification Act (7 U.S.C.  
19 940c(c) and (e)(2)) in implementing section 313A of that  
20 Act, the Secretary shall, with the consent of the lender,  
21 structure the schedule for payment of the annual fee, not  
22 to exceed an average of 30 basis points per year for the  
23 term of the loan, to ensure that sufficient funds are avail-  
24 able to pay the subsidy costs for note guarantees under  
25 that section.

1       SEC. 741. None of the funds appropriated or other-  
2 wise made available by this or any other Act shall be used  
3 to pay the salaries and expenses of personnel to carry out  
4 a Conservation Security Program authorized by 16 U.S.C.  
5 3838, et seq., in excess of \$194,411,000.

6       SEC. 742. None of the funds appropriated or other-  
7 wise made available by this or any other Act shall be used  
8 to pay the salaries and expenses of personnel to carry out  
9 a wildlife habitat incentives program authorized under sec-  
10 tion 2502 of Public Law 107–171, the Farm Security and  
11 Rural Investment Act of 2002, in excess of \$60,000,000.

12       SEC. 743. None of the funds appropriated or other-  
13 wise made available by this or any other Act shall be used  
14 to pay the salaries and expenses of personnel to carry out  
15 section 2503 of Public Law 107–171, the Farm Security  
16 and Rural Investment Act of 2002, in excess of  
17 \$112,044,000.

18       SEC. 744. The Secretary of Agriculture shall use  
19 \$1,000,000 of the funds of the Commodity Credit Cor-  
20 poration, to remain available until expended, to com-  
21 pensate commercial citrus and lime growers in the State  
22 of Florida for tree replacement and for lost production  
23 with respect to trees removed to control citrus canker, and  
24 with respect to certified citrus nursery stocks within the  
25 citrus canker quarantine areas, as determined by the Sec-

1   retary. For a grower to receive assistance for a tree under  
2   this section, the tree must have been removed after Sep-  
3   tember 30, 2001.

4       SEC. 745. None of the funds appropriated or other-  
5   wise made available by this, or any other Act, may be used  
6   to pay the salaries and expenses of personnel to carry out  
7   Subtitle H (the Rural Business Investment Program) of  
8   the Consolidated Farm and Rural Development Act, as  
9   amended by the Farm Security and Rural Investment Act  
10  of 2002 (Public Law 107–171).

11       SEC. 746. None of the funds appropriated or other-  
12  wise made available in this Act shall be expended to violate  
13  Public Law 105–264.

14       SEC. 747. None of the funds made available by this  
15  Act may be used to issue a final rule in furtherance of,  
16  or otherwise implement, the proposed rule on cost-sharing  
17  for animal and plant health emergency programs of the  
18  Animal and Plant Health Inspection Service published on  
19  July 8, 2003 (Docket No. 02–062–1; 68 Fed. Reg.  
20  40541).

21       SEC. 748. None of the funds made available in this  
22  Act may be used to study, complete a study of, or enter  
23  into a contract with a private party to carry out, without  
24  specific authorization in a subsequent Act of Congress, a  
25  competitive sourcing activity of the Secretary of Agri-

1 culture, including support personnel of the Department of  
2 Agriculture, relating to rural development or farm loan  
3 programs.

4       SEC. 749. Notwithstanding any other provision of  
5 law, the Secretary of Agriculture may use appropriations  
6 available to the Secretary for activities authorized under  
7 sections 426–426c of title 7, United States Code, under  
8 this or any other Act, to enter into cooperative agree-  
9 ments, with a State, political subdivision, or agency there-  
10 of, a public or private agency, organization, or any other  
11 person, to lease aircraft if the Secretary determines that  
12 the objectives of the agreement will: (1) serve a mutual  
13 interest of the parties to the agreement in carrying out  
14 the programs administered by the Animal and Plant  
15 Health Inspection Service, Wildlife Services; and (2) all  
16 parties will contribute resources to the accomplishment of  
17 these objectives; award of a cooperative agreement author-  
18 ized by the Secretary may be made for an initial term not  
19 to exceed 5 years.

20       SEC. 750. None of the funds appropriated or other-  
21 wise made available by this or any other Act shall be used  
22 to pay the salaries and expenses of personnel to carry out  
23 section 9010 of Public Law 107–171, the Farm Security  
24 and Rural Investment Act of 2002, in excess of  
25 \$100,000,000.

1       SEC. 751. The matter under the heading “Rural  
2 Community Advancement Program” in division A—Agri-  
3 culture, Rural Development, Food and Drug Administra-  
4 tion, and Related Agencies Programs Appropriations,  
5 2004, title III—Rural Development Programs, in Public  
6 Law 108–199 is amended by striking “\$1,750,000 shall  
7 be for grants to the Delta Regional Authority (7 U.S.C.  
8 1921 et seq.); and not less than \$2,000,000 shall be avail-  
9 able for grants in accordance with section 310B(f) of the  
10 Consolidated Farm and Rural Development Act” and in-  
11 serting “and not less than \$2,000,000 shall be available  
12 for grants in accordance with section 310B(f) of the Con-  
13 solidated Farm and Rural Development Act: *Provided fur-*  
14 *ther,* That of the total amount appropriated in this ac-  
15 count, \$1,750,000 shall be for grants to the Delta Re-  
16 gional Authority (7 U.S.C. 1921 et seq.) for any Rural  
17 Community Advancement Program purpose”.

18       SEC. 752. Of the unobligated balances available in  
19 the Rural Housing Assistance Grant Program account,  
20 \$1,000,000 is hereby rescinded.

21       SEC. 753. Of the unobligated balances available in  
22 the Rural Housing Insurance Fund Program account,  
23 \$3,000,000 is hereby rescinded.

24       SEC. 754. Funds made available under section 1240I  
25 and section 1241(a) of the Food Security Act of 1985 in

1 fiscal years 2002, 2003, 2004, and 2005 shall remain  
2 available until expended to cover obligations made in fiscal  
3 years 2002, 2003, 2004, and 2005, respectively: *Provided*,  
4 That unobligated funds that are available at the end of  
5 each fiscal year are returned to the Treasury.

6       SEC. 755. None of the funds appropriated or other-  
7 wise made available by this Act for the Food and Drug  
8 Administration may be used under section 801 of the Fed-  
9 eral Food, Drug, and Cosmetic Act to prevent an indi-  
10 vidual not in the business of importing a prescription drug  
11 within the meaning of section 801(g) of such Act, whole-  
12 salers, or pharmacists from importing a prescription drug  
13 which complies with sections 501, 502, and 505.

14       SEC. 756. Section 502(h)(6)(C) of the Housing Act  
15 of 1949 (42 U.S.C. 1472(h)(6)(C)) is amended by adding,  
16 “, plus the guarantee fee as authorized by subsection  
17 (h)(7)” after the phrase, “whichever is less”, in each of  
18 paragraphs (i) and (ii).

19       SEC. 757. Section 501 of the Agricultural Trade De-  
20 velopment and Assistance Act of 1954 (7 U.S.C. 1737)  
21 is amended—

22               (1) in subsection (b)(1), by inserting “and  
23 Doug Bereuter” after “John Ogonowski”; and

24               (2) in the heading, by inserting “**AND DOUG**  
25 **BEREUTER**” after “**JOHN OGONOWSKI**”.

1        SEC. 758. (a) None of the funds made available in  
2 this Act for the Environmental Quality Incentives Pro-  
3 gram authorized by chapter 4 of subtitle D of title XII  
4 of the Food Security Act of 1985 (16 U.S.C. 3839aa-  
5 3839aa-9), the Wildlife Habitat Incentive Program au-  
6 thorized by section 1240N of such Act (16 U.S.C.  
7 3839bb-1), the Grassland Reserve Program authorized by  
8 subchapter C of chapter 2 of such subtitle (16 U.S.C.  
9 3838n-3838q), or the Farmland Protection Program au-  
10 thorized by subchapter B of such chapter 2 (16 U.S.C.  
11 3838h-3838j) may be used to provide technical assistance  
12 under the Conservation Reserve program authorized by  
13 subchapter B of chapter 1 of such subtitle (16 U.S.C.  
14 3831-3835a) or under the Wetlands Reserve Program au-  
15 thorized by subchapter C of such chapter 1 (16 U.S.C.  
16 3837-3837f).

17        (b) None of the funds made available in this Act for  
18 the Conservation Reserve program authorized by sub-  
19 chapter B of chapter 1 of subtitle D of the Food Security  
20 Act of 1985 (16 U.S.C. 3831-3835a) may be used to pro-  
21 vide technical assistance under the Wetlands Reserve Pro-  
22 gram authorized by subchapter C of such chapter (16  
23 U.S.C. 3837-3837f).

24        (c) None of the funds made available in this Act for  
25 the Wetlands Reserve Program authorized by subchapter



1 C of chapter 1 of subtitle D of the Food Security Act of  
2 1985 (16 U.S.C. 3837–3837f) may be used to provide  
3 technical assistance under the Conservation Reserve Pro-  
4 gram authorized by subchapter B of such chapter (16  
5 U.S.C. 3831–3835a).

6       SEC. 759. None of the funds made available by this  
7 Act may be used to pay the salaries and expenses of em-  
8 ployees of the Department of Agriculture who make pay-  
9 ments from any appropriated funds to tobacco quota hold-  
10 ers or producers of quota tobacco pursuant to any law en-  
11 acted after July 1, 2004, terminating tobacco marketing  
12 quotas under part I of subtitle B of title III of the Agricul-  
13 tural Adjustment Act of 1938 and related price support  
14 under sections 106, 106A, and 106B of the Agricultural  
15 Act of 1949.

16       SEC. 760. None of the funds made available in this  
17 Act may be used to provide credits or credit guarantees  
18 for agricultural commodities provided for use in Iraq in  
19 violation of subsection (e) or (f) of section 202 of the Agri-  
20 cultural Trade Act of 1978 (7 U.S.C. 5622).

21       SEC. 761. None of the funds appropriated or other-  
22 wise made available by this Act may be used to pay the  
23 federal share of the administrative costs of any state’s op-  
24 eration of the food stamp program that are performed out-  
25 side the United States, except that the amounts otherwise

1 provided by this Act are revised by increasing the amount  
2 made available under the heading “Food Stamp Program”  
3 by \$6,500,000 for expenses under section 16 of the Food  
4 Stamp Act.

5       SEC. 762. None of the funds made available in this  
6 Act may be used to restrict to prescription use a contra-  
7 ceptive that is determined to be safe and effective for use  
8 without the supervision of a practitioner licensed by law  
9 to administer prescription drugs under section 503(b) of  
10 the Federal Food, Drug, and Cosmetic Act.

11       SEC. 763. None of the funds made available to the  
12 Department of Agriculture by this Act may be used to ac-  
13 quire new information technology systems or significant  
14 upgrades, as determined by the Office of the Chief Infor-  
15 mation Officer, without the approval of the Chief Informa-  
16 tion Officer and the concurrence of the Executive Informa-  
17 tion Technology Investment Review Board: *Provided*, That  
18 notwithstanding any other provision of law, none of the  
19 funds appropriated or otherwise made available by this  
20 Act may be transferred to the Office of the Chief Informa-  
21 tion Officer: *Provided further*, That the report described  
22 in the second proviso under the heading “Office of the  
23 Chief Financial Officer” shall also be submitted to the  
24 Committee on Government Reform of the House of Rep-  
25 resentatives.

1        This Act may be cited as the “Agriculture, Rural De-  
2 velopment, Food and Drug Administration, and Related  
3 Agencies Appropriations Act, 2005”.

Passed the House of Representatives July 13, 2004.

Attest:

JEFF TRANDAHL,

*Clerk.*