

Union Calendar No. 350

108TH CONGRESS
2D SESSION

H. R. 4766

[Report No. 108–584]

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.

IN THE HOUSE OF REPRESENTATIVES

JULY 7, 2004

Mr. BONILLA, from the Committee on Appropriations, reported the following bill; which was committed to the Committee of the Whole House on the State of the Union and ordered to be printed

A BILL

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,*
3 That the following sums are appropriated, out of any
4 money in the Treasury not otherwise appropriated, for Ag-
5 riculture, Rural Development, Food and Drug Administra-

tion, and Related Agencies programs for the fiscal year
ending September 30, 2005, and for other purposes,
namely:

TITLE I

AGRICULTURAL PROGRAMS

PRODUCTION, PROCESSING, AND MARKETING

OFFICE OF THE SECRETARY

For necessary expenses of the Office of the Secretary
of Agriculture, \$5,185,000: *Provided*, That not to exceed
\$11,000 of this amount shall be available for official recep-
tion and representation expenses, not otherwise provided
for, as determined by the Secretary.

EXECUTIVE OPERATIONS

CHIEF ECONOMIST

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

NATIONAL APPEALS DIVISION

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

OFFICE OF BUDGET AND PROGRAM ANALYSIS

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

1 HOMELAND SECURITY STAFF

2 For necessary expenses of the Homeland Security
3 Staff, \$508,000.

4 OFFICE OF THE CHIEF INFORMATION OFFICER

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

7 COMMON COMPUTING ENVIRONMENT

8 For necessary expenses to acquire a Common Com-
9 puting Environment for the Natural Resources Conserva-
10 tion Service, the Farm and Foreign Agricultural Service,
11 and Rural Development mission areas for information
12 technology, systems, and services, \$120,957,000, to re-
13 main available until expended, for the capital asset acqui-
14 sition of shared information technology systems, including
15 services as authorized by 7 U.S.C. 6915–16 and 40 U.S.C.
16 1421–28: *Provided*, That obligation of these funds shall
17 be consistent with the Department of Agriculture Service
18 Center Modernization Plan of the county-based agencies,
19 and shall be with the concurrence of the Department’s
20 Chief Information Officer.

21 OFFICE OF THE CHIEF FINANCIAL OFFICER

22 For necessary expenses of the Office of the Chief Fi-
23 nancial Officer, \$5,811,000: *Provided*, That the Chief Fi-
24 nancial Officer shall actively market and expand cross-
25 servicing activities of the National Finance Center: *Pro-*

1 *vided further*, That no funds made available by this appro-
 2 priation may be obligated for FAIR Act or Circular A-
 3 76 activities until the Secretary has submitted to the Com-
 4 mittees on Appropriations of both Houses of Congress a
 5 report on the Department's contracting out policies, in-
 6 cluding agency budgets for contracting out.

7 WORKING CAPITAL FUND

8 For the acquisition of disaster recovery and con-
 9 tinuity of operations technology of the National Finance
 10 Center's data, \$12,850,000, to remain available until ex-
 11 pended.

12 OFFICE OF THE ASSISTANT SECRETARY FOR CIVIL

13 RIGHTS

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

16 OFFICE OF CIVIL RIGHTS

17 For necessary expenses of the Office of Civil Rights,
 18 \$19,452,000.

19 OFFICE OF THE ASSISTANT SECRETARY FOR

20 ADMINISTRATION

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

1 AGRICULTURE BUILDINGS AND FACILITIES AND RENTAL
2 PAYMENTS
3 (INCLUDING TRANSFERS OF FUNDS)

4 For payment of space rental and related costs pursu-
5 ant to Public Law 92–313, including authorities pursuant
6 to the 1984 delegation of authority from the Adminis-
7 trator of General Services to the Department of Agri-
8 culture under 40 U.S.C. 486, for programs and activities
9 of the Department which are included in this Act, and for
10 alterations and other actions needed for the Department
11 and its agencies to consolidate unneeded space into con-
12 figurations suitable for release to the Administrator of
13 General Services, and for the operation, maintenance, im-
14 provement, and repair of Agriculture buildings and facili-
15 ties, and for related costs, \$165,883,000, to remain avail-
16 able until expended: *Provided*, That not to exceed 5 per-
17 cent of amounts which are made available for space rental
18 and related costs for the Department of Agriculture in this
19 Act may be transferred between such appropriations to
20 cover the costs of new or replacement space 15 days after
21 notice thereof is transmitted to the Appropriations Com-
22 mittees of both Houses of Congress.

HAZARDOUS MATERIALS MANAGEMENT

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Department of Agriculture, to comply with the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9601 et seq.) and the Resource Conservation and Recovery Act (42 U.S.C. 6901 et seq.), \$15,730,000, to remain available until expended: *Provided*, That appropriations and funds available herein to the Department for Hazardous Materials Management may be transferred to any agency of the Department for its use in meeting all requirements pursuant to the above Acts on Federal and non-Federal lands.

DEPARTMENTAL ADMINISTRATION

(INCLUDING TRANSFERS OF FUNDS)

For Departmental Administration, \$22,939,000, to provide for necessary expenses for management support services to offices of the Department and for general administration, security, repairs, and alterations, and other miscellaneous supplies and expenses not otherwise provided for and necessary for the practical and efficient work of the Department: *Provided*, That this appropriation shall be reimbursed from applicable appropriations in this Act for travel expenses incident to the holding of hearings as required by 5 U.S.C. 551–558.

1 OFFICE OF THE ASSISTANT SECRETARY FOR
2 CONGRESSIONAL RELATIONS
3 (INCLUDING TRANSFERS OF FUNDS)

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

20 OFFICE OF COMMUNICATIONS

21 For necessary expenses to carry out services relating
22 to the coordination of programs involving public affairs,
23 for the dissemination of agricultural information, and the
24 coordination of information, work, and programs author-
25 ized by Congress in the Department, \$9,378,000: *Pro-*

1 *vided*, That not to exceed \$2,000,000 may be used for
2 farmers' bulletins.

3 OFFICE OF THE INSPECTOR GENERAL

4 For necessary expenses of the Office of the Inspector
5 General, including employment pursuant to the Inspector
6 General Act of 1978, \$78,392,000, including such sums
7 as may be necessary for contracting and other arrange-
8 ments with public agencies and private persons pursuant
9 to section 6(a)(9) of the Inspector General Act of 1978,
10 and including not to exceed \$125,000 for certain confiden-
11 tial operational expenses, including the payment of inform-
12 ants, to be expended under the direction of the Inspector
13 General pursuant to Public Law 95-452 and section 1337
14 of Public Law 97-98.

15 OFFICE OF THE GENERAL COUNSEL

16 For necessary expenses of the Office of the General
17 Counsel, \$35,486,000.

18 OFFICE OF THE UNDER SECRETARY FOR RESEARCH,

19 EDUCATION, AND ECONOMICS

20 For necessary salaries and expenses of the Office of
21 the Under Secretary for Research, Education, and Eco-
22 nomics to administer the laws enacted by the Congress
23 for the Economic Research Service, the National Agricul-
24 tural Statistics Service, the Agricultural Research Service,

1 and the Cooperative State Research, Education, and Ex-
2 tension Service, \$592,000.

3 ECONOMIC RESEARCH SERVICE

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

8 NATIONAL AGRICULTURAL STATISTICS SERVICE

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

17 AGRICULTURAL RESEARCH SERVICE

18 SALARIES AND EXPENSES

19 For necessary expenses to enable the Agricultural Re-
20 search Service to perform agricultural research and dem-
21 onstration relating to production, utilization, marketing,
22 and distribution (not otherwise provided for); home eco-
23 nomics or nutrition and consumer use including the acqui-
24 sition, preservation, and dissemination of agricultural in-
25 formation; and for acquisition of lands by donation, ex-

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

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

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

18 BUILDINGS AND FACILITIES

19 For acquisition of land, construction, repair, improve-
20 ment, extension, alteration, and purchase of fixed equip-
21 ment or facilities as necessary to carry out the agricultural
22 research programs of the Department of Agriculture,
23 where not otherwise provided, \$202,000,000, to remain
24 available until expended.

1 COOPERATIVE STATE RESEARCH, EDUCATION, AND
2 EXTENSION SERVICE
3 RESEARCH AND EDUCATION ACTIVITIES

4 For payments to agricultural experiment stations, for
5 cooperative forestry and other research, for facilities, and
6 for other expenses, \$628,607,000, as follows: to carry out
7 the provisions of the Hatch Act of 1887 (7 U.S.C. 361a–
8 i), \$180,648,000; for grants for cooperative forestry re-
9 search (16 U.S.C. 582a through a–7), \$22,384,000; for
10 payments to the 1890 land-grant colleges, including
11 Tuskegee University and West Virginia State College (7
12 U.S.C. 3222), \$37,000,000, of which \$1,507,496 shall be
13 made available only for the purpose of ensuring that each
14 institution shall receive no less than \$1,000,000; for spe-
15 cial grants for agricultural research (7 U.S.C. 450i(c)),
16 \$88,194,000; for special grants for agricultural research
17 on improved pest control (7 U.S.C. 450i(e)), \$15,756,000;
18 for competitive research grants (7 U.S.C. 450i(b)),
19 \$180,000,000; for the support of animal health and dis-
20 ease programs (7 U.S.C. 3195), \$5,098,000; for supple-
21 mental and alternative crops and products (7 U.S.C.
22 3319d), \$1,196,000; for grants for research pursuant to
23 the Critical Agricultural Materials Act (7 U.S.C. 178 et
24 seq.), \$1,111,000, to remain available until expended; for
25 the 1994 research grants program for 1994 institutions

1 pursuant to section 536 of Public Law 103–382 (7 U.S.C.
2 301 note), \$1,087,000, to remain available until expended;
3 for rangeland research grants (7 U.S.C. 3333),
4 \$1,000,000; for higher education graduate fellowship
5 grants (7 U.S.C. 3152(b)(6)), \$4,500,000, to remain
6 available until expended (7 U.S.C. 2209b); for higher edu-
7 cation challenge grants (7 U.S.C. 3152(b)(1)),
8 \$5,500,000; for a higher education multicultural scholars
9 program (7 U.S.C. 3152(b)(5)), \$998,000, to remain
10 available until expended (7 U.S.C. 2209b); for an edu-
11 cation grants program for Hispanic-serving Institutions (7
12 U.S.C. 3241), \$5,645,000; for noncompetitive grants for
13 the purpose of carrying out all provisions of 7 U.S.C. 3242
14 (section 759 of Public Law 106–78) to individual eligible
15 institutions or consortia of eligible institutions in Alaska
16 and in Hawaii, with funds awarded equally to each of the
17 States of Alaska and Hawaii, \$2,997,000; for a secondary
18 agriculture education program and 2-year post-secondary
19 education (7 U.S.C. 3152(j)), \$1,000,000; for aquaculture
20 grants (7 U.S.C. 3322), \$4,000,000; for sustainable agri-
21 culture research and education (7 U.S.C. 5811),
22 \$12,722,000; for a program of capacity building grants
23 (7 U.S.C. 3152(b)(4)) to colleges eligible to receive funds
24 under the Act of August 30, 1890 (7 U.S.C. 321–326 and
25 328), including Tuskegee University and West Virginia

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

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

15 NATIVE AMERICAN INSTITUTIONS ENDOWMENT FUND

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

19 EXTENSION ACTIVITIES

20 For payments to States, the District of Columbia,
21 Puerto Rico, Guam, the Virgin Islands, Micronesia,
22 Northern Marianas, and American Samoa, \$440,349,000,
23 as follows: payments for cooperative extension work under
24 the Smith-Lever Act, to be distributed under sections 3(b)
25 and 3(c) of said Act, and under section 208(c) of Public

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

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

7 INTEGRATED ACTIVITIES

8 For the integrated research, education, and extension
9 grants programs, including necessary administrative ex-
10 penses, \$66,255,000, as follows: for competitive grants
11 programs authorized under section 406 of the Agricultural
12 Research, Extension, and Education Reform Act of 1998
13 (7 U.S.C. 7626), \$43,242,000, including \$12,971,000 for
14 the water quality program, \$14,967,000 for the food safe-
15 ty program, \$4,531,000 for the regional pest management
16 centers program, \$4,889,000 for the Food Quality Protec-
17 tion Act risk mitigation program for major food crop sys-
18 tems, \$1,497,000 for the crops affected by Food Quality
19 Protection Act implementation, \$2,498,000 for the methyl
20 bromide transition program, and \$1,889,000 for the or-
21 ganic transition program; for a competitive international
22 science and education grants program authorized under
23 section 1459A of the National Agricultural Research, Ex-
24 tension, and Teaching Policy Act of 1977 (7 U.S.C.
25 3292b), to remain available until expended, \$1,000,000;

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

10 OUTREACH FOR SOCIALLY DISADVANTAGED FARMERS

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

15 OFFICE OF THE UNDER SECRETARY FOR MARKETING
16 AND REGULATORY PROGRAMS

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

(INCLUDING TRANSFERS OF FUNDS)

HR 4766 RH

1 tions or funds available to the agencies or corporations
2 of the Department such sums as may be deemed nec-
3 essary, to be available only in such emergencies for the
4 arrest and eradication of contagious or infectious disease
5 or pests of animals, poultry, or plants, and for expenses
6 in accordance with sections 10411 and 10417 of the Ani-
7 mal Health Protection Act (7 U.S.C. 8310 and 8316) and
8 sections 431 and 442 of the Plant Protection Act (7
9 U.S.C. 7751 and 7772), and any unexpended balances of
10 funds transferred for such emergency purposes in the pre-
11 ceding fiscal year shall be merged with such transferred
12 amounts: *Provided further*, That appropriations hereunder
13 shall be available pursuant to law (7 U.S.C. 2250) for the
14 repair and alteration of leased buildings and improve-
15 ments, but unless otherwise provided the cost of altering
16 any one building during the fiscal year shall not exceed
17 10 percent of the current replacement value of the build-
18 ing.

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: *Provided*, That
 19 the Secretary is authorized to use the services, facilities,
 20 and authorities (but not the funds) of the Commodity
 21 Credit Corporation to make program payments for all pro-
 22 grams administered by the Agency: *Provided further*, That
 23 other funds made available to the Agency for authorized
 24 activities may be advanced to and merged with this ac-
 25 count.

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 Agriculture 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, of which not less than \$9,250,000 is for
9 snow survey and water forecasting, and not less than
10 \$11,722,000 is for operation and establishment of the
11 plant materials centers, and of which not less than
12 \$23,500,000 shall be for the grazing lands conservation
13 initiative: *Provided*, That appropriations hereunder shall
14 be available pursuant to 7 U.S.C. 2250 for construction
15 and improvement of buildings and public improvements at
16 plant materials centers, except that the cost of alterations
17 and improvements to other buildings and other public im-
18 provements shall not exceed \$250,000: *Provided further*,
19 That when buildings or other structures are erected on
20 non-Federal land, that the right to use such land is ob-
21 tained as provided in 7 U.S.C. 2250a: *Provided further*,
22 That this appropriation shall be available for technical as-
23 sistance and related expenses to carry out programs au-
24 thorized by section 202(c) of title II of the Colorado River
25 Basin Salinity Control Act of 1974 (43 U.S.C. 1592(c)):

1 *Provided further*, That qualified local engineers may be
2 temporarily employed at per diem rates to perform the
3 technical planning work of the Service: *Provided further*,
4 That none of the funds made available under this para-
5 graph by this or any other appropriations Act may be used
6 to provide technical assistance with respect to programs
7 listed in section 1241(a) of the Food Security Act of 1985
8 (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, to remain available until expended, of
 24 which \$39,539,000 shall be for rural community programs
 25 described in section 381E(d)(1) of such Act; of which

1 \$552,689,000 shall be for the rural utilities programs de-
2 scribed in sections 381E(d)(2), 306C(a)(2), and 306D of
3 such Act, of which not to exceed \$500,000 shall be avail-
4 able for the rural utilities program described in section
5 306(a)(2)(B) of such Act, and of which not to exceed
6 \$1,000,000 shall be available for the rural utilities pro-
7 gram described in section 306E of such Act; and of which
8 \$75,180,000 shall be for the rural business and coopera-
9 tive development programs described in sections
10 381E(d)(3) and 310B(f) of such Act: *Provided*, That of
11 the total amount appropriated in this account,
12 \$24,000,000 shall be for loans and grants to benefit Fed-
13 erally Recognized Native American Tribes, including
14 grants for drinking water and waste disposal systems pur-
15 suant to section 306C of such Act, of which \$4,000,000
16 shall be available for community facilities grants to tribal
17 colleges, as authorized by section 306(a)(19) of the Con-
18 solidated Farm and Rural Development Act, and of which
19 \$250,000 shall be available for a grant to a qualified na-
20 tional organization to provide technical assistance for
21 rural transportation in order to promote economic develop-
22 ment: *Provided further*, That of the amount appropriated
23 for rural community programs, \$6,200,000 shall be avail-
24 able for a Rural Community Development Initiative: *Pro-*
25 *vided further*, That such funds shall be used solely to de-

1 develop the capacity and ability of private, nonprofit commu-
2 nity-based housing and community development organiza-
3 tions, low-income rural communities, and Federally Recog-
4 nized Native American Tribes to undertake projects to im-
5 prove housing, community facilities, community and eco-
6 nomic development projects in rural areas: *Provided fur-*
7 *ther*, That of the amount appropriated for the Rural Com-
8 munity Development Initiative, not less than \$200,000
9 shall be in the form of predevelopment planning grants,
10 not to exceed \$50,000 each, with the balance for low-inter-
11 est revolving loans to be used for capital and other related
12 expenses, and made available to nonprofit based commu-
13 nity development organizations: *Provided further*, That
14 such organizations should demonstrate experience in the
15 administration of revolving loan programs and providing
16 technical assistance to cooperatives: *Provided further*, That
17 such funds shall be made available to qualified private,
18 nonprofit and public intermediary organizations proposing
19 to carry out a program of financial and technical assist-
20 ance: *Provided further*, That such intermediary organiza-
21 tions shall provide matching funds from other sources, in-
22 cluding Federal funds for related activities, in an amount
23 not less than funds provided: *Provided further*, That of the
24 amount appropriated for the rural business and coopera-
25 tive development programs, not to exceed \$500,000 shall

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

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

9 RURAL DEVELOPMENT

10 SALARIES AND EXPENSES

11 (INCLUDING TRANSFERS OF FUNDS)

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

1 tive Service salaries and expenses accounts shall be trans-
 2 ferred to and merged with this appropriation.

3 RURAL HOUSING SERVICE

4 RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT

5 (INCLUDING TRANSFERS OF FUNDS)

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

21 For the cost of direct and guaranteed loans, including
 22 the cost of modifying loans, as defined in section 502 of
 23 the Congressional Budget Act of 1974, as follows: section
 24 502 loans, \$160,988,000, of which \$127,380,000 shall be
 25 for direct loans, and of which \$33,608,000, to remain

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

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

17 RENTAL ASSISTANCE PROGRAM

18 For rental assistance agreements entered into or re-
19 newed pursuant to the authority under section 521(a)(2)
20 or agreements entered into in lieu of debt forgiveness or
21 payments for eligible households as authorized by section
22 502(c)(5)(D) of the Housing Act of 1949, \$592,000,000;
23 and, in addition, such sums as may be necessary, as au-
24 thorized by section 521(c) of the Act, to liquidate debt
25 incurred prior to fiscal year 1992 to carry out the rental

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

17 MUTUAL AND SELF-HELP HOUSING GRANTS

18 For grants and contracts pursuant to section
19 523(b)(1)(A) of the Housing Act of 1949 (42 U.S.C.
20 1490c), \$34,000,000 to remain available until expended:
21 *Provided*, That of the total amount appropriated,
22 \$1,000,000 shall be available through June 30, 2005, for
23 authorized empowerment zones and enterprise commu-
24 nities and communities designated by the Secretary of Ag-
25 riculture as Rural Economic Area Partnership Zones.

1 RURAL HOUSING ASSISTANCE GRANTS

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

13 FARM LABOR PROGRAM ACCOUNT

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

19 RURAL BUSINESS-COOPERATIVE SERVICE

20 RURAL DEVELOPMENT LOAN FUND PROGRAM ACCOUNT

21 (INCLUDING TRANSFER OF FUNDS)

22 For the principal amount of direct loans, as author-
23 ized by the Rural Development Loan Fund (42 U.S.C.
24 9812(a)), \$34,213,000.

In addition, for administrative expenses to carry out the direct loan programs, \$4,321,000 shall be transferred to and merged with the appropriation for “Rural Development, Salaries and Expenses”.

20 RURAL ECONOMIC DEVELOPMENT LOANS PROGRAM

21 ACCOUNT

22 (INCLUDING RESCISSION OF FUNDS)

23 For the principal amount of direct loans, as author-
24 ized under section 313 of the Rural Electrification Act,

1 for the purpose of promoting rural economic development
2 and job creation projects, \$25,003,000.

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

7 Of the funds derived from interest on the cushion of
8 credit payments in the current fiscal year, as authorized
9 by section 313 of the Rural Electrification Act of 1936,
10 \$4,698,000 shall not be obligated and \$4,698,000 are re-
11 scinded.

12 RURAL COOPERATIVE DEVELOPMENT GRANTS

13 For rural cooperative development grants authorized
14 under section 310B(e) of the Consolidated Farm and
15 Rural Development Act (7 U.S.C. 1932), \$23,500,000, of
16 which \$2,500,000 shall be for cooperative agreements for
17 the appropriate technology transfer for rural areas pro-
18 gram: *Provided*, That not to exceed \$1,500,000 shall be
19 for cooperatives or associations of cooperatives whose pri-
20 mary focus is to provide assistance to small, minority pro-
21 ducers and whose governing board and/or membership is
22 comprised of at least 75 percent minority; and of which
23 not to exceed \$15,500,000, to remain available until ex-
24 pended, shall be for value-added agricultural product mar-
25 ket development grants, as authorized by section 6401 of

1 the Farm Security and Rural Investment Act of 2002 (7
2 U.S.C. 1621 note).

3 RURAL EMPOWERMENT ZONES AND ENTERPRISE
4 COMMUNITY GRANTS

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

16 RENEWABLE ENERGY PROGRAM

17 For the cost of a program of direct loans, loan guar-
18 antees, and grants, under the same terms and conditions
19 as authorized by section 9006 of the Farm Security and
20 Rural Investment Act of 2002 (7 U.S.C. 8106),
21 \$15,000,000 for direct and guaranteed renewable energy
22 loans and grants: *Provided*, That the cost of direct loans
23 and loan guarantees, including the cost of modifying such
24 loans, shall be as defined in section 502 of the Congres-
25 sional Budget Act of 1974.

1 RURAL UTILITIES SERVICE
2 RURAL ELECTRIFICATION AND TELECOMMUNICATIONS
3 LOANS PROGRAM ACCOUNT
4 (INCLUDING TRANSFER OF FUNDS)

5 Insured loans pursuant to the authority of section
6 305 of the Rural Electrification Act of 1936 (7 U.S.C.
7 935) shall be made as follows: 5 percent rural electrifica-
8 tion loans, \$120,000,000; municipal rate rural electric
9 loans, \$100,000,000; loans made pursuant to section 306
10 of that Act, rural electric, \$2,100,000,000; Treasury rate
11 direct electric loans, \$1,000,000,000; guaranteed under-
12 writing loans pursuant to section 313A, \$1,000,000,000;
13 5 percent rural telecommunications loans, \$145,000,000;
14 cost of money rural telecommunications loans,
15 \$250,000,000; and for loans made pursuant to section 306
16 of that Act, rural telecommunications loans,
17 \$125,000,000.

18 For the cost, as defined in section 502 of the Con-
19 gressional Budget Act of 1974, including the cost of modi-
20 fying loans, of direct and guaranteed loans authorized by
21 sections 305 and 306 of the Rural Electrification Act of
22 1936 (7 U.S.C. 935 and 936), as follows: cost of rural
23 electric loans, \$5,058,000, and the cost of telecommuni-
24 cations loans, \$100,000: *Provided*, That notwithstanding

1 section 305(d)(2) of the Rural Electrification Act of 1936,
2 borrower interest rates may exceed 7 percent per year.

3 In addition, for administrative expenses necessary to
4 carry out the direct and guaranteed loan programs,
5 \$38,323,000 which shall be transferred to and merged
6 with the appropriation for “Rural Development, Salaries
7 and Expenses”.

8 RURAL TELEPHONE BANK PROGRAM ACCOUNT
9 (INCLUDING TRANSFER OF FUNDS)

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

20 For administrative expenses, including audits, nec-
21 essary to carry out the loan programs, \$3,152,000, which
22 shall be transferred to and merged with the appropriation
23 for “Rural Development, Salaries and Expenses”.

1 DISTANCE LEARNING, TELEMEDICINE, AND BROADBAND
2 PROGRAM

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

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

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

21 In addition, \$9,000,000, to remain available until ex-
22 pended, for a grant program to finance broadband trans-
23 mission in rural areas eligible for Distance Learning and
24 Telemedicine Program benefits authorized by 7 U.S.C.
25 950aaa.

1 TITLE IV

2 DOMESTIC FOOD PROGRAMS

3 OFFICE OF THE UNDER SECRETARY FOR FOOD,

4 NUTRITION, AND CONSUMER SERVICES

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

9 FOOD AND NUTRITION SERVICE

10 CHILD NUTRITION PROGRAMS

11 (INCLUDING TRANSFERS OF FUNDS)

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

1 SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR
2 WOMEN, INFANTS, AND CHILDREN (WIC)

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

1 eral Government departments or agencies unless author-
2 ized by section 17 of such Act.

3 FOOD STAMP PROGRAM

4 For necessary expenses to carry out the Food Stamp
5 Act (7 U.S.C. 2011 et seq.), \$33,635,798,000, of which
6 \$3,000,000,000 to remain available through September
7 30, 2006, shall be placed in reserve for use only in such
8 amounts and at such times as may become necessary to
9 carry out program operations: *Provided*, That none of the
10 funds made available under this heading shall be used for
11 studies and evaluations: *Provided further*, That of the
12 funds made available under this heading and not already
13 appropriated to the Food Distribution Program on Indian
14 Reservations (FDPIR) established under section 4(b) of
15 the Food Stamp Act of 1977 (7 U.S.C. 2013(b)), not to
16 exceed \$4,000,000 shall be used to purchase bison meat
17 for the FDPIR from Native American bison producers:
18 *Provided further*, That funds provided herein shall be ex-
19 pended in accordance with section 16 of the Food Stamp
20 Act: *Provided further*, That this appropriation shall be
21 subject to any work registration or workfare requirements
22 as may be required by law: *Provided further*, That funds
23 made available for Employment and Training under this
24 heading shall remain available until expended, as author-
25 ized by section 16(h)(1) of the Food Stamp Act: *Provided*

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

10 COMMODITY ASSISTANCE PROGRAM

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

1 NUTRITION PROGRAMS ADMINISTRATION

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

17 TITLE V
18 FOREIGN ASSISTANCE AND RELATED
19 PROGRAMS
20 FOREIGN AGRICULTURAL SERVICE

21 SALARIES AND EXPENSES

22 (INCLUDING TRANSFERS OF FUNDS)

23 For necessary expenses of the Foreign Agricultural
24 Service, including carrying out title VI of the Agricultural
25 Act of 1954 (7 U.S.C. 1761–1768), market development

1 activities abroad, and for enabling the Secretary to coordi-
2 nate and integrate activities of the Department in connec-
3 tion with foreign agricultural work, including not to exceed
4 \$158,000 for representation allowances and for expenses
5 pursuant to section 8 of the Act approved August 3, 1956
6 (7 U.S.C. 1766), \$137,722,000: *Provided*, That the Serv-
7 ice may utilize advances of funds, or reimburse this appro-
8 priation for expenditures made on behalf of Federal agen-
9 cies, public and private organizations and institutions
10 under agreements executed pursuant to the agricultural
11 food production assistance programs (7 U.S.C. 1737) and
12 the foreign assistance programs of the United States
13 Agency for International Development.

14 PUBLIC LAW 480 TITLE I PROGRAM ACCOUNT

15 (INCLUDING TRANSFERS OF FUNDS)

16 For the cost, as defined in section 502 of the Con-
17 gressional Budget Act of 1974, of agreements under the
18 Agricultural Trade Development and Assistance Act of
19 1954, and the Food for Progress Act of 1985, including
20 the cost of modifying credit arrangements under said Acts,
21 \$86,420,000, to remain available until expended: *Pro-*
22 *vided*, That the Secretary of Agriculture may implement
23 a commodity monetization program under existing provi-
24 sions of the Food for Progress Act of 1985 to provide no

1 less than \$5,000,000 in local-currency funding support for
2 rural electrification development overseas.

3 In addition, for administrative expenses to carry out
4 the credit program of title I, Public Law 83–480, and the
5 Food for Progress Act of 1985, to the extent funds appro-
6 priated for Public Law 83–480 are utilized, \$2,371,000,
7 of which \$1,102,000 may be transferred to and merged
8 with the appropriation for “Foreign Agricultural Service,
9 Salaries and Expenses”, and of which \$1,269,000 may be
10 transferred to and merged with the appropriation for
11 “Farm Service Agency, Salaries and Expenses”.

12 PUBLIC LAW 480 TITLE I OCEAN FREIGHT

13 DIFFERENTIAL GRANTS

14 (INCLUDING TRANSFER OF FUNDS)

15 For ocean freight differential costs for the shipment
16 of agricultural commodities under title I of the Agricul-
17 tural Trade Development and Assistance Act of 1954 and
18 under the Food for Progress Act of 1985, \$22,723,000,
19 to remain available until expended: *Provided*, That funds
20 made available for the cost of agreements under title I
21 of the Agricultural Trade Development and Assistance Act
22 of 1954 and for title I ocean freight differential may be
23 used interchangeably between the two accounts with prior
24 notice to the Committees on Appropriations of both
25 Houses of Congress.

PUBLIC LAW 480 TITLE II GRANTS

For expenses during the current fiscal year, not otherwise recoverable, and unrecovered prior years' costs, including interest thereon, under the Agricultural Trade Development and Assistance Act of 1954, for commodities supplied in connection with dispositions abroad under title II of said Act, \$1,180,002,000, to remain available until expended.

COMMODITY CREDIT CORPORATION EXPORT LOANS

PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For administrative expenses to carry out the Commodity Credit Corporation's export guarantee program, GSM 102 and GSM 103, \$4,473,000; to cover common overhead expenses as permitted by section 11 of the Commodity Credit Corporation Charter Act and in conformity with the Federal Credit Reform Act of 1990, of which \$3,440,000 may be transferred to and merged with the appropriation for "Foreign Agricultural Service, Salaries and Expenses", and of which \$1,033,000 may be transferred to and merged with the appropriation for "Farm Service Agency, Salaries and Expenses".

1 MCGOVERN-DOLE INTERNATIONAL FOOD FOR
2 EDUCATION AND CHILD NUTRITION PROGRAM GRANTS

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

11 TITLE VI
12 RELATED AGENCIES AND FOOD AND DRUG
13 ADMINISTRATION
14 DEPARTMENT OF HEALTH AND HUMAN
15 SERVICES
16 FOOD AND DRUG ADMINISTRATION
17 SALARIES AND EXPENSES
18 (INCLUDING TRANSFERS OF FUNDS)

19 For necessary expenses of the Food and Drug Ad-
20 ministration, including hire and purchase of passenger
21 motor vehicles; for payment of space rental and related
22 costs pursuant to Public Law 92–313 for programs and
23 activities of the Food and Drug Administration which are
24 included in this Act; for rental of special purpose space
25 in the District of Columbia or elsewhere; for miscellaneous

1 and emergency expenses of enforcement activities, author-
2 ized and approved by the Secretary and to be accounted
3 for solely on the Secretary's certificate, not to exceed
4 \$25,000; and notwithstanding section 521 of Public Law
5 107-188; \$1,788,849,000: *Provided*, That of the amount
6 provided under this heading, \$284,394,000 shall be de-
7 rived from prescription drug user fees authorized by 21
8 U.S.C. 379h, and shall be credited to this account and
9 remain available until expended: *Provided further*, That
10 this amount shall not include any fees pursuant to 21
11 U.S.C. 379h(a)(2) and (a)(3) assessed for fiscal year 2006
12 but collected in fiscal year 2005; \$33,938,000 shall be de-
13 rived from medical device user fees authorized by 21
14 U.S.C. 379j, and shall be credited to this account and re-
15 main available until expended; and \$8,000,000 shall be de-
16 rived from animal drug user fees authorized by 21 U.S.C.
17 379j, and shall be credited to this account and remain
18 available until expended: *Provided further*, That fees de-
19 rived from prescription drug, medical device, and animal
20 drug assessments received during fiscal year 2005, includ-
21 ing any such fees assessed prior to the current fiscal year
22 but credited during the current year, shall be subject to
23 the fiscal year 2005 limitation: *Provided further*, That
24 none of these funds shall be used to develop, establish,
25 or operate any program of user fees authorized by 31

1 U.S.C. 9701: *Provided further*, That of the total amount
2 appropriated: (1) \$446,655,000 shall be for the Center for
3 Food Safety and Applied Nutrition and related field activi-
4 ties in the Office of Regulatory Affairs; (2) \$499,255,000
5 shall be for the Center for Drug Evaluation and Research
6 and related field activities in the Office of Regulatory Af-
7 fairs; (3) \$172,414,000 shall be for the Center for Bio-
8 logics Evaluation and Research and for related field activi-
9 ties in the Office of Regulatory Affairs; (4) \$98,610,000
10 shall be for the Center for Veterinary Medicine and for
11 related field activities in the Office of Regulatory Affairs;
12 (5) \$232,578,000 shall be for the Center for Devices and
13 Radiological Health and for related field activities in the
14 Office of Regulatory Affairs; (6) \$40,530,000 shall be for
15 the National Center for Toxicological Research; (7)
16 \$52,722,000 shall be for Rent and Related activities, other
17 than the amounts paid to the General Services Adminis-
18 tration for rent; (8) \$129,815,000 shall be for payments
19 to the General Services Administration for rent; and (9)
20 \$116,270,000 shall be for other activities, including the
21 Office of the Commissioner; the Office of Management and
22 Systems; the Office of External Relations; the Office of
23 Policy and Planning; and central services for these offices:
24 *Provided further*, That funds may be transferred from one
25 specified activity to another with the prior approval of the

1 Committees on Appropriations of both Houses of Con-
2 gress.

3 In addition, mammography user fees authorized by
4 42 U.S.C. 263b may be credited to this account, to remain
5 available until expended.

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

9 INDEPENDENT AGENCIES

10 COMMODITY FUTURES TRADING COMMISSION

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

18 FARM CREDIT ADMINISTRATION

19 LIMITATION ON ADMINISTRATIVE EXPENSES

20 Not to exceed \$42,900,000 (from assessments col-
21 lected from farm credit institutions and from the Federal
22 Agricultural Mortgage Corporation) shall be obligated
23 during the current fiscal year for administrative expenses
24 as authorized under 12 U.S.C. 2249: *Provided*, That this

1 limitation shall not apply to expenses associated with re-
2 ceiverships.

3 TITLE VII—GENERAL PROVISIONS

4 (INCLUDING RESCISSIONS OF FUNDS)

5 SEC. 701. Within the unit limit of cost fixed by law,
6 appropriations and authorizations made for the Depart-
7 ment of Agriculture for the current fiscal year under this
8 Act shall be available for the purchase, in addition to those
9 specifically provided for, of not to exceed 388 passenger
10 motor vehicles, of which 388 shall be for replacement only,
11 and for the hire of such vehicles.

12 SEC. 702. Funds in this Act available to the Depart-
13 ment of Agriculture shall be available for uniforms or al-
14 lowances therefor as authorized by law (5 U.S.C. 5901–
15 5902).

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

20 SEC. 704. New obligational authority provided for the
21 following appropriation items in this Act shall remain
22 available until expended: Animal and Plant Health Inspec-
23 tion Service, the contingency fund to meet emergency con-
24 ditions, information technology infrastructure, fruit fly
25 program, emerging plant pests, boll weevil program, up

1 to \$12,000,000 in the low pathogen avian influenza pro-
2 gram for indemnities, up to \$33,197,000 in animal health
3 monitoring and surveillance for the animal identification
4 system, up to \$3,000,000 in the emergency management
5 systems program for the vaccine bank, and up to 25 per-
6 cent of the screwworm program; Food Safety and Inspec-
7 tion Service, field automation and information manage-
8 ment project; Cooperative State Research, Education, and
9 Extension Service, funds for competitive research grants
10 (7 U.S.C. 450i(b)), funds for the Research, Education,
11 and Economics Information System (REEIS), and funds
12 for the Native American Institutions Endowment Fund;
13 Farm Service Agency, salaries and expenses funds made
14 available to county committees; Foreign Agricultural Serv-
15 ice, middle-income country training program, and up to
16 \$2,000,000 of the Foreign Agricultural Service appropria-
17 tion solely for the purpose of offsetting fluctuations in
18 international currency exchange rates, subject to docu-
19 mentation by the Foreign Agricultural Service.

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

23 SEC. 706. Not to exceed \$50,000 of the appropria-
24 tions available to the Department of Agriculture in this
25 Act shall be available to provide appropriate orientation

1 and language training pursuant to section 606C of the Act
2 of August 28, 1954 (7 U.S.C. 1766b).

3 SEC. 707. No funds appropriated by this Act may be
4 used to pay negotiated indirect cost rates on cooperative
5 agreements or similar arrangements between the United
6 States Department of Agriculture and nonprofit institu-
7 tions in excess of 10 percent of the total direct cost of
8 the agreement when the purpose of such cooperative ar-
9 rangements is to carry out programs of mutual interest
10 between the two parties. This does not preclude appro-
11 priate payment of indirect costs on grants and contracts
12 with such institutions when such indirect costs are com-
13 puted on a similar basis for all agencies for which appro-
14 priations are provided in this Act.

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

20 SEC. 709. None of the funds in this Act shall be avail-
21 able to pay indirect costs charged against competitive agri-
22 cultural research, education, or extension grant awards
23 issued by the Cooperative State Research, Education, and
24 Extension Service that exceed 25 percent of total Federal
25 funds provided under each award: *Provided*, That notwith-

1 standing section 1462 of the National Agricultural Re-
2 search, Extension, and Teaching Policy Act of 1977 (7
3 U.S.C. 3310), funds provided by this Act for grants
4 awarded competitively by the Cooperative State Research,
5 Education, and Extension Service shall be available to pay
6 full allowable indirect costs for each grant awarded under
7 section 9 of the Small Business Act (15 U.S.C. 638).

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

11 SEC. 711. Appropriations to the Department of Agri-
12 culture for the cost of direct and guaranteed loans made
13 available in the current fiscal year shall remain available
14 until expended to cover obligations made in the current
15 fiscal year for the following accounts: the Rural Develop-
16 ment Loan Fund program account, the Rural Telephone
17 Bank program account, the Rural Electrification and
18 Telecommunication Loans program account, and the
19 Rural Housing Insurance Fund program account.

20 SEC. 712. None of the funds in this Act may be used
21 to retire more than 5 percent of the Class A stock of the
22 Rural Telephone Bank or to maintain any account or sub-
23 account within the accounting records of the Rural Tele-
24 phone Bank the creation of which has not specifically been
25 authorized by statute: *Provided*, That notwithstanding any

1 other provision of law, none of the funds appropriated or
2 otherwise made available in this Act may be used to trans-
3 fer to the Treasury or to the Federal Financing Bank any
4 unobligated balance of the Rural Telephone Bank tele-
5 phone liquidating account which is in excess of current
6 requirements and such balance shall receive interest as set
7 forth for financial accounts in section 505(c) of the Fed-
8 eral Credit Reform Act of 1990.

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

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

20 SEC. 715. No employee of the Department of Agri-
21 culture may be detailed or assigned from an agency or
22 office funded by this Act to any other agency or office
23 of the Department for more than 30 days unless the indi-
24 vidual's employing agency or office is fully reimbursed by

1 the receiving agency or office for the salary and expenses
2 of the employee for the period of assignment.

3 SEC. 716. None of the funds appropriated or other-
4 wise made available to the Department of Agriculture
5 shall be used to transmit or otherwise make available to
6 any non-Department of Agriculture employee questions or
7 responses to questions that are a result of information re-
8 quested for the appropriations hearing process.

9 SEC. 717. None of the funds made available to the
10 Department of Agriculture by this Act may be used to ac-
11 quire new information technology systems or significant
12 upgrades, as determined by the Office of the Chief Infor-
13 mation Officer, without the approval of the Chief Informa-
14 tion Officer and the concurrence of the Executive Informa-
15 tion Technology Investment Review Board: *Provided*, That
16 notwithstanding any other provision of law, none of the
17 funds appropriated or otherwise made available by this
18 Act may be transferred to the Office of the Chief Informa-
19 tion Officer.

20 SEC. 718. (a) Notwithstanding any other provision
21 of law, none of the funds provided by this Act, or provided
22 by previous Appropriations Acts to the agencies funded
23 by this Act that remain available for obligation or expendi-
24 ture in the current fiscal year, or provided from any ac-
25 counts in the Treasury of the United States derived by

1 the collection of fees available to the agencies funded by
2 this Act, shall be available for obligation or expenditure
3 through a reprogramming of funds which: (1) creates new
4 programs; (2) eliminates a program, project, or activity;
5 (3) increases funds or personnel by any means for any
6 project or activity for which funds have been denied or
7 restricted; (4) relocates an office or employees; (5) reorga-
8 nizes offices, programs, or activities; or (6) contracts out
9 or privatizes any functions or activities presently per-
10 formed by Federal employees.

11 (b) Notwithstanding any other provision of law, none
12 of the funds provided by this Act, or provided by previous
13 Appropriations Acts to the agencies funded by this Act
14 that remain available for obligation or expenditure in the
15 current fiscal year, or provided from any accounts in the
16 Treasury of the United States derived by the collection
17 of fees available to the agencies funded by this Act, shall
18 be available for obligation or expenditure for activities,
19 programs, or projects through a reprogramming of funds
20 in excess of \$500,000 or 10 percent, whichever is less,
21 that: (1) augments existing programs, projects, or activi-
22 ties; (2) reduces by 10 percent funding for any existing
23 program, project, or activity, or numbers of personnel by
24 10 percent as approved by Congress; or (3) results from
25 any general savings from a reduction in personnel which

1 would result in a change in existing programs, activities,
2 or projects as approved by Congress.

3 (c) The Secretary of Agriculture, the Secretary of
4 Health and Human Services, or the Chairman of the Com-
5modity Futures Trading Commission shall notify the Com-
6 mittees on Appropriations of both Houses of Congress be-
7 fore implementing a program or activity not carried out
8 during the previous fiscal year unless the program or ac-
9 tivity is funded by this Act or specifically funded by any
10 other Act.

11 SEC. 719. With the exception of funds needed to ad-
12 minister and conduct oversight of grants awarded and ob-
13 ligations incurred in prior fiscal years, none of the funds
14 appropriated or otherwise made available by this or any
15 other Act may be used to pay the salaries and expenses
16 of personnel to carry out the provisions of section 401 of
17 Public Law 105–185, the Initiative for Future Agriculture
18 and Food Systems (7 U.S.C. 7621). Funds under section
19 401 for fiscal year 2005 are hereby cancelled.

20 SEC. 720. None of the funds appropriated by this or
21 any other Act shall be used to pay the salaries and ex-
22 penses of personnel who prepare or submit appropriations
23 language as part of the President’s Budget submission to
24 the Congress of the United States for programs under the
25 jurisdiction of the Appropriations Subcommittees on Agri-

1 culture, Rural Development, Food and Drug Administra-
2 tion, and Related Agencies that assumes revenues or re-
3 flects a reduction from the previous year due to user fees
4 proposals that have not been enacted into law prior to the
5 submission of the Budget unless such Budget submission
6 identifies which additional spending reductions should
7 occur in the event the user fees proposals are not enacted
8 prior to the date of the convening of a committee of con-
9 ference for the fiscal year 2006 appropriations Act.

10 SEC. 721. None of the funds made available by this
11 or any other Act may be used to close or relocate a state
12 Rural Development office unless or until cost effectiveness
13 and enhancement of program delivery have been deter-
14 mined.

15 SEC. 722. In addition to amounts otherwise appro-
16 priated or made available by this Act, \$2,500,000 is ap-
17 propriated for the purpose of providing Bill Emerson and
18 Mickey Leland Hunger Fellowships, through the Congres-
19 sional Hunger Center.

20 SEC. 723. Notwithstanding section 412 of the Agri-
21 cultural Trade Development and Assistance Act of 1954
22 (7 U.S.C. 1736f), any balances available to carry out title
23 III of such Act as of the date of enactment of this Act,
24 and any recoveries and reimbursements that become avail-

1 able to carry out title III of such Act, may be used to
2 carry out title II of such Act.

3 SEC. 724. Section 375(e)(6)(B) of the Consolidated
4 Farm and Rural Development Act (7 U.S.C.
5 2008j(e)(6)(B)) is amended by striking “\$26,998,000”
6 and inserting “\$27,498,000”.

7 SEC. 725. None of the funds appropriated or other-
8 wise made available by this Act shall be used to pay the
9 salaries and expenses of personnel to collect from the lend-
10 er at the time of issuance a guarantee fee of less than
11 2 percent of the principal obligation of guaranteed single-
12 family housing loans administered by the Rural Housing
13 Service.

14 SEC. 726. Notwithstanding any other provision of
15 law, the Secretary shall consider the City of Salinas, Cali-
16 fornia; the City of Watsonville, California; the City of Hol-
17 lister, California; the Town of Ulster, New York; County
18 of Cleburne, Alabama; the City of Coachella, California;
19 the City of Casa Grande, Arizona; the City of Creedmoor,
20 North Carolina; the City of Eureka, California; the City
21 of Clarksdale, Mississippi; the City of Vicksburg, Mis-
22 sissippi; the City of Wewahitchka, Florida; the Town of
23 Horseshoe Beach, Florida; and the City of Carbondale, Il-
24 linois, as meeting the eligibility requirements for loan and
25 grant programs in the Rural Development mission area.

1 SEC. 727. Notwithstanding any other provision of
2 law, the Natural Resources Conservation Service shall pro-
3 vide financial and technical assistance to the DuPage
4 County, Illinois, Kress Creek Water Quality Enhancement
5 Project, from funds available for the Watershed and Flood
6 Prevention Operations program, not to exceed \$1,360,000
7 and Rockhouse Creek Watershed, Leslie County, Ken-
8 tucky, not to exceed \$1,000,000.

9 SEC. 728. None of the funds made available in this
10 Act may be transferred to any department, agency, or in-
11 strumentality of the United States Government, except
12 pursuant to a transfer made by, or transfer authority pro-
13 vided in, this or any other appropriation Act.

14 SEC. 729. Notwithstanding any other provision of
15 law, of the funds made available in this Act for competitive
16 research grants (7 U.S.C. 450i(b)), the Secretary may use
17 up to 20 percent of the amount provided to carry out a
18 competitive grants program under the same terms and
19 conditions as those provided in section 401 of the Agricul-
20 tural Research, Extension, and Education Reform Act of
21 1998 (7 U.S.C. 7621).

22 SEC. 730. None of the funds appropriated or made
23 available by this or any other Act may be used to pay
24 the salaries and expenses of personnel to carry out section

1 14(h)(1) of the Watershed Protection and Flood Preven-
2 tion Act (16 U.S.C. 1012(h)(1)).

3 SEC. 731. None of the funds appropriated or made
4 available by this or any other Act may be used to pay
5 the salaries and expenses of personnel to carry out subtitle
6 I of the Consolidated Farm and Rural Development Act
7 (7 U.S.C. 2009dd through dd–7).

8 SEC. 732. None of the funds appropriated or made
9 available by this or any other Act may be used to pay
10 the salaries and expenses of personnel to carry out section
11 6405 of Public Law 107–171 (7 U.S.C. 2655).

12 SEC. 733. The Agricultural Marketing Service and
13 the Grain Inspection, Packers and Stockyards Administra-
14 tion, that have statutory authority to purchase interest
15 bearing investments outside of the Treasury, are not re-
16 quired to establish obligations and outlays for those invest-
17 ments, provided those investments are insured by the Fed-
18 eral Deposit Insurance Corporation or are collateralized
19 at the Federal Reserve with securities approved by the
20 Federal Reserve, operating under the guidelines of the
21 United States Department of the Treasury.

22 SEC. 734. Of the funds made available under section
23 27(a) of the Food Stamp Act of 1977 (7 U.S.C. 2011 et
24 seq.), the Secretary may use up to \$10,000,000 for costs
25 associated with the distribution of commodities.

1 SEC. 735. 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 enroll in
4 excess of 175,000 acres in the calendar year 2005 wet-
5 lands reserve program as authorized by 16 U.S.C. 3837.

6 SEC. 736. 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 who carry
9 out an environmental quality incentives program author-
10 ized by chapter 4 of subtitle D of title XII of the Food
11 Security Act of 1985 (16 U.S.C. 3839aa et seq.) in excess
12 of \$1,010,000,000.

13 SEC. 737. The Secretary of Agriculture is authorized
14 to permit employees of the United States Department of
15 Agriculture to carry and use firearms for personal protec-
16 tion while conducting field work in remote locations in the
17 performance of their official duties.

18 SEC. 738. None of the funds appropriated or other-
19 wise made available by this or any other Act shall be used
20 to pay the salaries and expenses of personnel to expend
21 the \$23,000,000 made available by section 9006(f) of the
22 Farm Security and Rural Investment Act of 2002 (7
23 U.S.C. 8106(f)).

24 SEC. 739. 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 carry out
2 a Broadband Program as authorized by 601(j)(A) of 7
3 U.S.C. 950bb(j)(1)(A). \$40,000,000 of the funds available
4 under such section are hereby cancelled.

5 SEC. 740. 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 Value-added grant program as authorized by 231(b)(4)
9 of 7 U.S.C. 1621 note. \$80,000,000 of the funds available
10 under such section are hereby cancelled.

11 SEC. 741. Notwithstanding subsections (c) and (e)(2)
12 of section 313A of the Rural Electrification Act (7 U.S.C.
13 940c(c) and (e)(2)) in implementing section 313A of that
14 Act, the Secretary shall, with the consent of the lender,
15 structure the schedule for payment of the annual fee, not
16 to exceed an average of 30 basis points per year for the
17 term of the loan, to ensure that sufficient funds are avail-
18 able to pay the subsidy costs for note guarantees under
19 that section.

20 SEC. 742. 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 a Conservation Security Program authorized by 16 U.S.C.
24 3838, et seq., in excess of \$194,411,000.

1 SEC. 743. 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 wildlife habitat incentives program authorized under sec-
5 tion 2502 of Public Law 107–171, the Farm Security and
6 Rural Investment Act of 2002, in excess of \$60,000,000.

7 SEC. 744. 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 carry out
10 section 2503 of Public Law 107–171, the Farm Security
11 and Rural Investment Act of 2002, in excess of
12 \$112,044,000.

13 SEC. 745. The Secretary of Agriculture shall use
14 \$1,000,000 of the funds of the Commodity Credit Cor-
15 poration, to remain available until expended, to com-
16 pensate commercial citrus and lime growers in the State
17 of Florida for tree replacement and for lost production
18 with respect to trees removed to control citrus canker, and
19 with respect to certified citrus nursery stocks within the
20 citrus canker quarantine areas, as determined by the Sec-
21 retary. For a grower to receive assistance for a tree under
22 this section, the tree must have been removed after Sep-
23 tember 30, 2001.

24 SEC. 746. None of the funds appropriated or other-
25 wise made available by this, or any other Act, may be used

1 to pay the salaries and expenses of personnel to carry out
2 Subtitle H (the Rural Business Investment Program) of
3 the Consolidated Farm and Rural Development Act, as
4 amended by the Farm Security and Rural Investment Act
5 of 2002 (Public Law 107–171).

6 SEC. 747. None of the funds appropriated or other-
7 wise made available in this Act shall be expended to violate
8 Public Law 105–264.

9 SEC. 748. None of the funds made available by this
10 Act may be used to issue a final rule in furtherance of,
11 or otherwise implement, the proposed rule on cost-sharing
12 for animal and plant health emergency programs of the
13 Animal and Plant Health Inspection Service published on
14 July 8, 2003 (Docket No. 02–062–1; 68 Fed. Reg.
15 40541).

16 SEC. 749. None of the funds made available in this
17 Act may be used to study, complete a study of, or enter
18 into a contract with a private party to carry out, without
19 specific authorization in a subsequent Act of Congress, a
20 competitive sourcing activity of the Secretary of Agri-
21 culture, including support personnel of the Department of
22 Agriculture, relating to rural development or farm loan
23 programs.

24 SEC. 750. Notwithstanding any other provision of
25 law, the Secretary of Agriculture may use appropriations

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

15 SEC. 751. Of the unobligated balances in the Local
16 Television Loan Guarantee Program account,
17 \$88,000,000, are hereby rescinded.

18 SEC. 752. None of the funds appropriated or other-
19 wise made available by this or any other Act shall be used
20 to pay the salaries and expenses of personnel to carry out
21 section 9010 of Public Law 107–171, the Farm Security
22 and Rural Investment Act of 2002, in excess of
23 \$100,000,000.

24 SEC. 753. The matter under the heading “Rural
25 Community Advancement Program” in division A—Agri-

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

16 SEC. 754. Of the unobligated balances available in
17 the Rural Housing Assistance Grant Program account,
18 \$1,000,000 is hereby rescinded.

19 SEC. 755. Of the unobligated balances available in
20 the Rural Housing Insurance Fund Program account,
21 \$3,000,000 is hereby rescinded.

22 SEC. 756. Funds made available under section 1240I
23 and section 1241(a) of the Food Security Act of 1985 in
24 fiscal years 2002, 2003, 2004, and 2005 shall remain
25 available until expended to cover obligations made in fiscal

1 years 2002, 2003, 2004, and 2005, respectively: *Provided*,
2 That unobligated funds that are available at the end of
3 each fiscal year are returned to the Treasury.

4 SEC. 757. None of the funds appropriated or other-
5 wise made available by this Act for the Food and Drug
6 Administration may be used under section 801 of the Fed-
7 eral Food, Drug, and Cosmetic Act to prevent an indi-
8 vidual not in the business of importing a prescription drug
9 within the meaning of section 801(g) of such Act, whole-
10 salers, or pharmacists from importing a prescription drug
11 which complies with sections 501, 502, and 505.

12 SEC. 758. Section 502(h)(6)(C) of the Housing Act
13 of 1949 (42 U.S.C. 1472(h)(6)(C)) is amended by adding,
14 “, plus the guarantee fee as authorized by subsection
15 (h)(7)” after the phrase, “whichever is less”, in each of
16 paragraphs (i) and (ii).

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

Union Calendar No. 350

108TH CONGRESS
2^D Session

H. R. 4766

[Report No. 108-584]

A BILL

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.

JULY 7, 2004

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed