

Calendar No. 141

109TH CONGRESS
1ST SESSION**H.R. 2744****[Report No. 109-92]**

IN THE SENATE OF THE UNITED STATES

JUNE 9, 2005

Received; read twice and referred to the Committee on Appropriations

JUNE 27, 2005

Reported by MR. BENNETT, with an amendment

[Strike out all after the enacting clause and insert the part printed in italic]

AN ACT

Making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2006, 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-~~
6 ~~tion, and Related Agencies programs for the fiscal year~~

1 ending September 30, 2006, and for other purposes,
2 namely:

3 TITLE I

4 AGRICULTURAL PROGRAMS

5 OFFICE OF THE SECRETARY

6 For necessary expenses of the Office of the Secretary
7 of Agriculture, \$5,127,000: *Provided*, That not to exceed
8 \$11,000 of this amount shall be available for official recep-
9 tion and representation expenses, not otherwise provided
10 for, as determined by the Secretary.

11 EXECUTIVE OPERATIONS

12 CHIEF ECONOMIST

13 For necessary expenses of the Chief Economist, in-
14 cluding economic analysis, risk assessment, cost-benefit
15 analysis, energy and new uses, and the functions of the
16 World Agricultural Outlook Board, as authorized by the
17 Agricultural Marketing Act of 1946 (7 U.S.C. 1622g),
18 \$10,539,000.

19 NATIONAL APPEALS DIVISION

20 For necessary expenses of the National Appeals Divi-
21 sion, \$14,524,000.

22 OFFICE OF BUDGET AND PROGRAM ANALYSIS

23 For necessary expenses of the Office of Budget and
24 Program Analysis, \$8,298,000.

1 HOMELAND SECURITY STAFF

2 For necessary expenses of the Homeland Security
3 Staff, \$934,000.

4 OFFICE OF THE CHIEF INFORMATION OFFICER

5 For necessary expenses of the Office of the Chief In-
6 formation Officer, \$16,462,000.

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, \$124,580,000 (reduced
13 by \$40,000,000) (reduced by \$2,000,000) (reduced by
14 \$855,000) (reduced by \$21,000,000) to remain available
15 until expended, for the capital asset acquisition of shared
16 information technology systems, including services as au-
17 thorized by 7 U.S.C. 6915–16 and 40 U.S.C. 1421–28:
18 *Provided*, That obligation of these funds shall be con-
19 sistent with the Department of Agriculture Service Center
20 Modernization Plan of the county-based agencies, and
21 shall be with the concurrence of the Department’s Chief
22 Information Officer.

23 OFFICE OF THE CHIEF FINANCIAL OFFICER

24 For necessary expenses of the Office of the Chief Fi-
25 nancial Officer, \$5,874,000. *Provided*, That the Chief Fi-

1 nancial Officer shall actively market and expand cross-
 2 servicing activities of the National Finance Center: *Pro-*
 3 *vided further,* That no funds made available by this appro-
 4 priation may be obligated for FAIR Act or Circular A-
 5 76 activities until the Secretary has submitted to the Com-
 6 mittees on Appropriations of both Houses of Congress and
 7 the Committee on Government Reform of the House of
 8 Representatives a report on the Department's contracting
 9 out policies, including agency budgets for contracting out.

10 OFFICE OF THE ASSISTANT SECRETARY FOR CIVIL
 11 RIGHTS

12 For necessary salaries and expenses of the Office of
 13 the Assistant Secretary for Civil Rights, \$811,000.

14 OFFICE OF CIVIL RIGHTS

15 For necessary expenses of the Office of Civil Rights,
 16 \$20,109,000.

17 OFFICE OF THE ASSISTANT SECRETARY FOR
 18 ADMINISTRATION

19 For necessary salaries and expenses of the Office of
 20 the Assistant Secretary for Administration, \$676,000.

21 AGRICULTURE BUILDINGS AND FACILITIES AND RENTAL
 22 PAYMENTS

23 (INCLUDING TRANSFERS OF FUNDS)

24 For payment of space rental and related costs pursu-
 25 ant to Public Law 92-313, including authorities pursuant

1 to the 1984 delegation of authority from the Adminis-
2 trator of General Services to the Department of Agri-
3 culture under 40 U.S.C. 486, for programs and activities
4 of the Department which are included in this Act, and for
5 alterations and other actions needed for the Department
6 and its agencies to consolidate unneeded space into con-
7 figurations suitable for release to the Administrator of
8 General Services, and for the operation, maintenance, im-
9 provement, and repair of Agriculture buildings and facili-
10 ties, and for related costs, \$183,133,000, to remain avail-
11 able until expended, as follows: for payments to the Gen-
12 eral Services Administration and the Department of
13 Homeland Security for building security, \$147,734,000,
14 and for buildings operations and maintenance,
15 \$35,399,000: *Provided*, That amounts which are made
16 available for space rental and related costs for the Depart-
17 ment of Agriculture in this Act may be transferred be-
18 tween such appropriations to cover the costs of additional,
19 new, or replacement space 15 days after notice thereof is
20 transmitted to the Appropriations Committees of both
21 Houses of Congress.

22 HAZARDOUS MATERIALS MANAGEMENT

23 (INCLUDING TRANSFERS OF FUNDS)

24 For necessary expenses of the Department of Agri-
25 culture, to comply with the Comprehensive Environmental

1 Response, Compensation, and Liability Act (42 U.S.C.
2 9601 et seq.) and the Resource Conservation and Recovery
3 Act (42 U.S.C. 6901 et seq.), \$15,644,000, to remain
4 available until expended: *Provided*, That appropriations
5 and funds available herein to the Department for Haz-
6 ardous Materials Management may be transferred to any
7 agency of the Department for its use in meeting all re-
8 quirements pursuant to the above Acts on Federal and
9 non-Federal lands.

10 DEPARTMENTAL ADMINISTRATION

11 (INCLUDING TRANSFERS OF FUNDS)

12 For Departmental Administration, \$23,103,000, to
13 provide for necessary expenses for management support
14 services to offices of the Department and for general ad-
15 ministration, security, repairs and alterations, and other
16 miscellaneous supplies and expenses not otherwise pro-
17 vided for and necessary for the practical and efficient work
18 of the Department: *Provided*, That this appropriation shall
19 be reimbursed from applicable appropriations in this Act
20 for travel expenses incident to the holding of hearings as
21 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, \$3,821,000: *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, \$9,509,000: *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, \$79,626,000, 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, \$38,439,000.

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, \$598,000.

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, \$75,931,000.

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 \$136,241,000, of which up to \$29,115,000 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, \$1,035,475,000: *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 the Secretary, through the
9 Agricultural Research Service, or successor, is authorized
10 to lease approximately 40 acres of land at the Central
11 Plains Experiment Station, Nunn, Colorado, to the Board
12 of Governors of the Colorado State University System, for
13 its Shortgrass Steppe Biological Field Station, on such
14 terms and conditions as the Secretary deems in the public
15 interest: *Provided further*, That the Secretary understands
16 that it is the intent of the University to construct research
17 and educational buildings on the subject acreage and to
18 conduct agricultural research and educational activities in
19 these buildings: *Provided further*, That as consideration
20 for a lease, the Secretary may accept the benefits of mu-
21 tual cooperative research to be conducted by the Colorado
22 State University and the Government at the Shortgrass
23 Steppe Biological Field Station: *Provided further*, That the
24 term of any lease shall be for no more than 20 years, but
25 a lease may be renewed at the option of the Secretary on

1 such terms and conditions as the Secretary deems in the
2 public interest.

3 None of the funds appropriated under this heading
4 shall be available to carry out research related to the pro-
5 duction, processing, or marketing of tobacco or tobacco
6 products.

7 BUILDINGS AND FACILITIES

8 For acquisition of land, construction, repair, improve-
9 ment, extension, alteration, and purchase of fixed equip-
10 ment or facilities as necessary to carry out the agricultural
11 research programs of the Department of Agriculture,
12 where not otherwise provided, \$87,300,000, to remain
13 available until expended.

14 COOPERATIVE STATE RESEARCH, EDUCATION, AND

15 EXTENSION SERVICE

16 RESEARCH AND EDUCATION ACTIVITIES

17 For payments to agricultural experiment stations, for
18 cooperative forestry and other research, for facilities, and
19 for other expenses, \$661,691,000 (increased by
20 \$855,000), as follows: to carry out the provisions of the
21 Hatch Act of 1887 (7 U.S.C. 361a-i), \$178,807,000; for
22 grants for cooperative forestry research (16 U.S.C. 582a
23 through a-7), \$22,255,000; for payments to the 1890
24 land-grant colleges, including Tuskegee University and
25 West Virginia State University (7 U.S.C. 3222),

1 \$37,704,000, of which \$1,507,496 shall be made available
2 only for the purpose of ensuring that each institution shall
3 receive no less than \$1,000,000; for special grants for ag-
4 ricultural research (7 U.S.C. 450i(c)), \$92,064,000; for
5 special grants for agricultural research on improved pest
6 control (7 U.S.C. 450i(c)), \$15,038,000; for competitive
7 research grants (7 U.S.C. 450i(b)), \$214,634,000; for the
8 support of animal health and disease programs (7 U.S.C.
9 3195), \$5,057,000; for supplemental and alternative crops
10 and products (7 U.S.C. 3319d), \$1,187,000; for grants
11 for research pursuant to the Critical Agricultural Mate-
12 rials Act (7 U.S.C. 178 et seq.), \$1,102,000, to remain
13 available until expended; for the 1994 research grants pro-
14 gram for 1994 institutions pursuant to section 536 of
15 Public Law 103-382 (7 U.S.C. 301 note), \$1,000,000, to
16 remain available until expended; for rangeland research
17 grants (7 U.S.C. 3333), \$1,000,000; for higher education
18 graduate fellowship grants (7 U.S.C. 3152(b)(6)),
19 \$4,500,000, to remain available until expended (7 U.S.C.
20 2209b); for higher education challenge grants (7 U.S.C.
21 3152(b)(1)), \$5,500,000; for a higher education multicul-
22 tural scholars program (7 U.S.C. 3152(b)(5)), \$998,000,
23 to remain available until expended (7 U.S.C. 2209b); for
24 an education grants program for Hispanic-serving Institu-
25 tions (7 U.S.C. 3241), \$5,645,000 (increased by

1 \$855,000); for noncompetitive grants for the purpose of
2 carrying out all provisions of 7 U.S.C. 3242 (section 759
3 of Public Law 106–78) to individual eligible institutions
4 or consortia of eligible institutions in Alaska and in Ha-
5 waii, with funds awarded equally to each of the States of
6 Alaska and Hawaii, \$2,997,000; for a secondary agri-
7 culture education program and 2-year post-secondary edu-
8 cation (7 U.S.C. 3152(j)), \$1,000,000; for aquaculture
9 grants (7 U.S.C. 3322), \$3,968,000; for sustainable agri-
10 culture research and education (7 U.S.C. 5811),
11 \$12,400,000; for a program of capacity building grants
12 (7 U.S.C. 3152(b)(4)) to colleges eligible to receive funds
13 under the Act of August 30, 1890 (7 U.S.C. 321–326 and
14 328), including Tuskegee University and West Virginia
15 State University, \$12,312,000, to remain available until
16 expended (7 U.S.C. 2209b); for payments to the 1994 In-
17 stitutions pursuant to section 534(a)(1) of Public Law
18 103–382, \$2,250,000; for resident instruction grants for
19 insular areas under section 1491 of the National Agricul-
20 tural Research, Extension, and Teaching Policy Act of
21 1977 (7 U.S.C. 3363), \$500,000; and for necessary ex-
22 penses of Research and Education Activities,
23 \$39,773,000, of which \$2,750,000 for the Research, Edu-
24 cation, and Economics Information System and

1 \$2,173,000 for the Electronic Grants Information System;
2 are to remain available until expended.

3 None of the funds appropriated under this heading
4 shall be available to carry out research related to the pro-
5 duction, processing, or marketing of tobacco or tobacco
6 products: *Provided*, That this paragraph shall not apply
7 to research on the medical, biotechnological, food, and in-
8 dustrial uses of tobacco.

9 ~~NATIVE AMERICAN INSTITUTIONS ENDOWMENT FUND~~

10 For the Native American Institutions Endowment
11 Fund authorized by Public Law 103-382 (7 U.S.C. 301
12 note), \$12,000,000, to remain available until expended.

13 ~~EXTENSION ACTIVITIES~~

14 For payments to States, the District of Columbia,
15 Puerto Rico, Guam, the Virgin Islands, Micronesia,
16 Northern Marianas, and American Samoa, \$444,871,000,
17 as follows: payments for cooperative extension work under
18 the Smith-Lever Act, to be distributed under sections 3(b)
19 and 3(c) of said Act, and under section 208(c) of Public
20 Law 93-471, for retirement and employees' compensation
21 costs for extension agents, \$275,940,000; payments for
22 extension work at the 1994 Institutions under the Smith-
23 Lever Act (7 U.S.C. 343(b)(3)), \$3,273,000; payments for
24 the nutrition and family education program for low-income
25 areas under section 3(d) of the Act, \$62,409,000; pay-

1 ments for the pest management program under section
2 3(d) of the Act, \$10,000,000; payments for the farm safe-
3 ty program under section 3(d) of the Act, \$4,563,000;
4 payments for New Technologies for Ag Extension under
5 section 3(d) of the Act, \$1,000,000; payments to upgrade
6 research, extension, and teaching facilities at the 1890
7 land-grant colleges, including Tuskegee University and
8 West Virginia State University, as authorized by section
9 1447 of Public Law 95-113 (7 U.S.C. 3222b),
10 \$16,777,000, to remain available until expended; pay-
11 ments for youth-at-risk programs under section 3(d) of the
12 Smith-Lever Act, \$7,978,000; for youth farm safety edu-
13 cation and certification extension grants, to be awarded
14 competitively under section 3(d) of the Act, \$444,000;
15 payments for carrying out the provisions of the Renewable
16 Resources Extension Act of 1978 (16 U.S.C. 1671 et
17 seq.), \$4,060,000; payments for Indian reservation agents
18 under section 3(d) of the Smith-Lever Act, \$1,996,000;
19 payments for sustainable agriculture programs under sec-
20 tion 3(d) of the Act, \$4,067,000; payments for rural
21 health and safety education as authorized by section
22 502(i) of Public Law 92-419 (7 U.S.C. 2662(i)),
23 \$1,965,000; payments for cooperative extension work by
24 the colleges receiving the benefits of the second Morrill
25 Act (7 U.S.C. 321-326 and 328) and Tuskegee University

1 and West Virginia State University, ~~\$22,868,000~~, of
2 which ~~\$1,724,884~~ shall be made available only for the pur-
3 pose of ensuring that each institution shall receive no less
4 than ~~\$1,000,000~~; and for necessary expenses of Extension
5 Activities, ~~\$16,531,000~~.

6 **INTEGRATED ACTIVITIES**

7 For the integrated research, education, and extension
8 grants programs, including necessary administrative ex-
9 penses, ~~\$15,513,000~~, as follows: for a competitive inter-
10 national science and education grants program authorized
11 under section 1459A of the National Agricultural Re-
12 search, Extension, and Teaching Policy Act of 1977 (~~7~~
13 ~~U.S.C. 3292b~~), to remain available until expended,
14 ~~\$1,000,000~~; for grants programs authorized under section
15 ~~2(c)(1)(B)~~ of Public Law ~~89-106~~, as amended,
16 ~~\$1,000,000~~, to remain available until September 30, 2007
17 for the critical issues program, and ~~\$1,513,000~~ for the re-
18 gional rural development centers program; and
19 ~~\$12,000,000~~ for the Food and Agriculture Defense Initia-
20 tive authorized under section 1484 of the National Agri-
21 cultural Research, Extension, and Teaching Act of 1977,
22 to remain available until September 30, 2007.

23 **OUTREACH FOR SOCIALLY DISADVANTAGED FARMERS**

24 For grants and contracts pursuant to section 2501
25 of the Food, Agriculture, Conservation, and Trade Act of

1 1990 (7 U.S.C. 2279), \$5,935,000 (increased by
2 \$1,875,000), to remain available until expended.

3 OFFICE OF THE UNDER SECRETARY FOR MARKETING
4 AND REGULATORY PROGRAMS

5 For necessary salaries and expenses of the Office of
6 the Under Secretary for Marketing and Regulatory Pro-
7 grams to administer programs under the laws enacted by
8 the Congress for the Animal and Plant Health Inspection
9 Service; the Agricultural Marketing Service; and the Grain
10 Inspection, Packers and Stockyards Administration;
11 \$724,000.

12 ANIMAL AND PLANT HEALTH INSPECTION
13 SERVICE

14 SALARIES AND EXPENSES

15 (INCLUDING TRANSFERS OF FUNDS)

16 For expenses, not otherwise provided for, necessary
17 to prevent, control, and eradicate pests and plant and ani-
18 mal diseases; to carry out inspection, quarantine, and reg-
19 ulatory activities; and to protect the environment, as au-
20 thorized by law, \$823,635,000 (increased by
21 \$18,885,000), of which \$4,140,000 shall be available for
22 the control of outbreaks of insects, plant diseases, animal
23 diseases and for control of pest animals and birds to the
24 extent necessary to meet emergency conditions; of which
25 \$38,634,000 shall be used for the boll weevil eradication

1 program for cost share purposes or for debt retirement
2 for active eradication zones; of which \$33,340,000 shall
3 be available for a National Animal Identification program:
4 *Provided*, That no funds shall be used to formulate or ad-
5 minister a brucellosis eradication program for the current
6 fiscal year that does not require minimum matching by
7 the States of at least 40 percent: *Provided further*, That
8 this appropriation shall be available for the operation and
9 maintenance of aircraft and the purchase of not to exceed
10 four, of which two shall be for replacement only: *Provided*
11 *further*, That, in addition, in emergencies which threaten
12 any segment of the agricultural production industry of this
13 country, the Secretary may transfer from other appropria-
14 tions or funds available to the agencies or corporations
15 of the Department such sums as may be deemed nec-
16 essary, to be available only in such emergencies for the
17 arrest and eradication of contagious or infectious disease
18 or pests of animals, poultry, or plants, and for expenses
19 in accordance with sections 10411 and 10417 of the Ani-
20 mal Health Protection Act (7 U.S.C. 8310 and 8316) and
21 sections 431 and 442 of the Plant Protection Act (7
22 U.S.C. 7751 and 7772), and any unexpended balances of
23 funds transferred for such emergency purposes in the pre-
24 ceding fiscal year shall be merged with such transferred
25 amounts: *Provided further*, That appropriations hereunder

1 shall be available pursuant to law (7 U.S.C. 2250) for the
2 repair and alteration of leased buildings and improve-
3 ments, but unless otherwise provided the cost of altering
4 any one building during the fiscal year shall not exceed
5 10 percent of the current replacement value of the build-
6 ing.

7 In fiscal year 2006, the agency is authorized to collect
8 fees to cover the total costs of providing technical assist-
9 ance, goods, or services requested by States, other political
10 subdivisions, domestic and international organizations,
11 foreign governments, or individuals, provided that such
12 fees are structured such that any entity's liability for such
13 fees is reasonably based on the technical assistance, goods,
14 or services provided to the entity by the agency, and such
15 fees shall be credited to this account, to remain available
16 until expended, without further appropriation, for pro-
17 viding such assistance, goods, or services.

18 BUILDINGS AND FACILITIES

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

1 AGRICULTURAL MARKETING SERVICE

2 MARKETING SERVICES

3 For necessary expenses to carry out services related
4 to consumer protection, agricultural marketing and dis-
5 tribution, transportation, and regulatory programs, as au-
6 thorized by law, and for administration and coordination
7 of payments to States, \$78,032,000, including funds for
8 the wholesale market development program for the design
9 and development of wholesale and farmer market facilities
10 for the major metropolitan areas of the country: *Provided*,
11 That this appropriation shall be available pursuant to law
12 (7 U.S.C. 2250) for the alteration and repair of buildings
13 and improvements, but the cost of altering any one build-
14 ing during the fiscal year shall not exceed 10 percent of
15 the current replacement value of the building.

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

19 LIMITATION ON ADMINISTRATIVE EXPENSES

20 Not to exceed \$65,667,000 (from fees collected) shall
21 be obligated during the current fiscal year for administra-
22 tive expenses: *Provided*, That if crop size is understated
23 and/or other uncontrollable events occur, the agency may
24 exceed this limitation by up to 10 percent with notification
25 to the Committees on Appropriations of both Houses of
26 Congress.

1 FUNDS FOR STRENGTHENING MARKETS, INCOME, AND
 2 SUPPLY (SECTION 32)
 3 (INCLUDING TRANSFERS OF FUNDS)

4 Funds available under section 32 of the Act of Au-
 5 gust 24, 1935 (7 U.S.C. 612e), shall be used only for com-
 6 modity program expenses as authorized therein, and other
 7 related operating expenses, except for: (1) transfers to the
 8 Department of Commerce as authorized by the Fish and
 9 Wildlife Act of August 8, 1956; (2) transfers otherwise
 10 provided in this Act; and (3) not more than \$16,055,000
 11 for formulation and administration of marketing agree-
 12 ments and orders pursuant to the Agricultural Marketing
 13 Agreement Act of 1937 and the Agricultural Act of 1961.

14 PAYMENTS TO STATES AND POSSESSIONS

15 For payments to departments of agriculture, bureaus
 16 and departments of markets, and similar agencies for
 17 marketing activities under section 204(b) of the Agricul-
 18 tural Marketing Act of 1946 (7 U.S.C. 1623(b)),
 19 \$1,347,000.

20 GRAIN INSPECTION, PACKERS AND
 21 STOCKYARDS ADMINISTRATION

22 SALARIES AND EXPENSES

23 For necessary expenses to carry out the provisions
 24 of the United States Grain Standards Act, for the admin-
 25 istration of the Packers and Stockyards Act, for certifying

1 procedures used to protect purchasers of farm products,
 2 and the standardization activities related to grain under
 3 the Agricultural Marketing Act of 1946, \$38,400,000:
 4 *Provided*, That this appropriation shall be available pursu-
 5 ant to law (7 U.S.C. 2250) for the alteration and repair
 6 of buildings and improvements, but the cost of altering
 7 any one building during the fiscal year shall not exceed
 8 10 percent of the current replacement value of the build-
 9 ing.

10 LIMITATION ON INSPECTION AND WEIGHING SERVICES
 11 EXPENSES

12 Not to exceed \$42,463,000 (from fees collected) shall
 13 be obligated during the current fiscal year for inspection
 14 and weighing services: *Provided*, That if grain export ac-
 15 tivities require additional supervision and oversight, or
 16 other uncontrollable factors occur, this limitation may be
 17 exceeded by up to 10 percent with notification to the Com-
 18 mittees on Appropriations of both Houses of Congress.

19 OFFICE OF THE UNDER SECRETARY FOR FOOD SAFETY

20 For necessary salaries and expenses of the Office of
 21 the Under Secretary for Food Safety to administer the
 22 laws enacted by the Congress for the Food Safety and In-
 23 spection Service, \$590,000.

1 FOOD SAFETY AND INSPECTION SERVICE

2 SALARIES AND EXPENSES

3 For necessary expenses to carry out services author-
4 ized by the Federal Meat Inspection Act, the Poultry
5 Products Inspection Act, and the Egg Products Inspection
6 Act, including not to exceed \$50,000 for representation
7 allowances and for expenses pursuant to section 8 of the
8 Act approved August 3, 1956 (7 U.S.C. 1766),
9 \$837,264,000, of which no less than \$756,152,000 shall
10 be available for Federal food safety inspection; and in ad-
11 dition, \$1,000,000 may be credited to this account from
12 fees collected for the cost of laboratory accreditation as
13 authorized by section 1327 of the Food, Agriculture, Con-
14 servation and Trade Act of 1990 (7 U.S.C. 138f): *Pro-*
15 *vided*, That of the total amount made available under this
16 heading, no less than \$20,653,000 shall be obligated for
17 regulatory and scientific training: *Provided further*, That
18 this appropriation shall be available pursuant to law (7
19 U.S.C. 2250) for the alteration and repair of buildings
20 and improvements, but the cost of altering any one build-
21 ing during the fiscal year shall not exceed 10 percent of
22 the current replacement value of the building.

1 OFFICE OF THE UNDER SECRETARY FOR FARM AND
2 FOREIGN AGRICULTURAL SERVICES

3 For necessary salaries and expenses of the Office of
4 the Under Secretary for Farm and Foreign Agricultural
5 Services to administer the laws enacted by Congress for
6 the Farm Service Agency, the Foreign Agricultural Serv-
7 ice, the Risk Management Agency, and the Commodity
8 Credit Corporation, \$635,000.

9 FARM SERVICE AGENCY

10 SALARIES AND EXPENSES

11 (INCLUDING TRANSFERS OF FUNDS)

12 For necessary expenses for carrying out the adminis-
13 tration and implementation of programs administered by
14 the Farm Service Agency, \$1,023,738,000: *Provided*, That
15 the Secretary is authorized to use the services, facilities,
16 and authorities (but not the funds) of the Commodity
17 Credit Corporation to make program payments for all pro-
18 grams administered by the Agency: *Provided further*, That
19 other funds made available to the Agency for authorized
20 activities may be advanced to and merged with this ac-
21 count.

22 STATE MEDIATION GRANTS

23 For grants pursuant to section 502(b) of the Agricul-
24 tural Credit Act of 1987, as amended (7 U.S.C. 5101-
25 5106), \$4,250,000.

1 DAIRY INDEMNITY PROGRAM

2 (INCLUDING TRANSFER OF FUNDS)

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

12 AGRICULTURAL CREDIT INSURANCE FUND PROGRAM

13 ACCOUNT

14 (INCLUDING TRANSFERS OF FUNDS)

15 For gross obligations for the principal amount of di-
16 rect and guaranteed farm ownership (7 U.S.C. 1922 et
17 seq.) and operating (7 U.S.C. 1941 et seq.) loans, Indian
18 tribe land acquisition loans (25 U.S.C. 488), and boll wee-
19 vil loans (7 U.S.C. 1989), to be available from funds in
20 the Agricultural Credit Insurance Fund, as follows: farm
21 ownership loans, \$1,600,000,000, of which
22 \$1,400,000,000 shall be for guaranteed loans and
23 \$200,000,000 shall be for direct loans; operating loans,
24 \$2,116,256,000, of which \$1,200,000,000 shall be for un-
25 subsidized guaranteed loans, \$266,256,000 shall be for

1 subsidized guaranteed loans and \$650,000,000 shall be for
2 direct loans; Indian tribe land acquisition loans,
3 \$2,020,000; and for boll weevil eradication program loans,
4 \$100,000,000: *Provided*, That the Secretary shall deem
5 the pink bollworm to be a boll weevil for the purpose of
6 boll weevil eradication program loans.

7 For the cost of direct and guaranteed loans, including
8 the cost of modifying loans as defined in section 502 of
9 the Congressional Budget Act of 1974, as follows: farm
10 ownership loans, \$16,960,000, of which \$6,720,000 shall
11 be for guaranteed loans, and \$10,240,000 shall be for di-
12 rect loans; operating loans, \$134,317,000, of which
13 \$36,360,000 shall be for unsubsidized guaranteed loans,
14 \$33,282,000 shall be for subsidized guaranteed loans, and
15 \$64,675,000 shall be for direct loans; and Indian tribe
16 land acquisition loans, \$81,000.

17 In addition, for administrative expenses necessary to
18 carry out the direct and guaranteed loan programs,
19 \$305,127,000, of which \$297,127,000 shall be transferred
20 to and merged with the appropriation for “Farm Service
21 Agency, Salaries and Expenses”.

22 Funds appropriated by this Act to the Agricultural
23 Credit Insurance Program Account for farm ownership
24 and operating direct loans and guaranteed loans may be
25 transferred among these programs: *Provided*, That the

1 Committees on Appropriations of both Houses of Congress
2 are notified at least 15 days in advance of any transfer.

3 RISK MANAGEMENT AGENCY

4 ADMINISTRATIVE AND OPERATING EXPENSES

5 For administrative and operating expenses, as au-
6 thorized by section 226A of the Department of Agriculture
7 Reorganization Act of 1994 (7 U.S.C. 6933),
8 \$77,806,000: *Provided*, That not to exceed \$1,000 shall
9 be available for official reception and representation ex-
10 penses, as authorized by 7 U.S.C. 1506(i).

11 CORPORATIONS

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

22 FEDERAL CROP INSURANCE CORPORATION FUND

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

1 COMMODITY CREDIT CORPORATION FUND

2 REIMBURSEMENT FOR NET REALIZED LOSSES

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

16 HAZARDOUS WASTE MANAGEMENT

17 (LIMITATION ON EXPENSES)

18 For the current fiscal year, the Commodity Credit
19 Corporation shall not expend more than \$5,000,000 for
20 site investigation and cleanup expenses, and operations
21 and maintenance expenses to comply with the requirement
22 of section 107(g) of the Comprehensive Environmental
23 Response, Compensation, and Liability Act (42 U.S.C.
24 9607(g)), and section 6001 of the Resource Conservation
25 and Recovery Act (42 U.S.C. 6961).

1 TITLE H
2 CONSERVATION PROGRAMS
3 OFFICE OF THE UNDER SECRETARY FOR NATURAL
4 RESOURCES AND ENVIRONMENT

5 For necessary salaries and expenses of the Office of
6 the Under Secretary for Natural Resources and Environ-
7 ment to administer the laws enacted by the Congress for
8 the Forest Service and the Natural Resources Conserva-
9 tion Service, \$744,000.

10 NATURAL RESOURCES CONSERVATION SERVICE
11 CONSERVATION OPERATIONS

12 For necessary expenses for carrying out the provi-
13 sions of the Act of April 27, 1935 (16 U.S.C. 590a-f),
14 including preparation of conservation plans and establish-
15 ment of measures to conserve soil and water (including
16 farm irrigation and land drainage and such special meas-
17 ures for soil and water management as may be necessary
18 to prevent floods and the siltation of reservoirs and to con-
19 trol agricultural related pollutants); operation of conserva-
20 tion plant materials centers; classification and mapping of
21 soil; dissemination of information; acquisition of lands,
22 water, and interests therein for use in the plant materials
23 program by donation, exchange, or purchase at a nominal
24 cost not to exceed \$100 pursuant to the Act of August
25 3, 1956 (7 U.S.C. 428a); purchase and erection or alter-

1 ation or improvement of permanent and temporary build-
2 ings; and operation and maintenance of aircraft,
3 \$793,640,000 (reduced by \$20,000,000), to remain avail-
4 able until March 31, 2007, of which not less than
5 \$10,457,000 is for snow survey and water forecasting, and
6 not less than \$10,547,000 is for operation and establish-
7 ment of the plant materials centers, and of which not less
8 than \$27,312,000 shall be for the grazing lands conserva-
9 tion initiative: *Provided*, That appropriations hereunder
10 shall be available pursuant to 7 U.S.C. 2250 for construc-
11 tion and improvement of buildings and public improve-
12 ments at plant materials centers, except that the cost of
13 alterations and improvements to other buildings and other
14 public improvements shall not exceed \$250,000: *Provided*
15 *further*, That when buildings or other structures are erect-
16 ed on non-Federal land, that the right to use such land
17 is obtained as provided in 7 U.S.C. 2250a: *Provided fur-*
18 *ther*, That this appropriation shall be available for tech-
19 nical assistance and related expenses to carry out pro-
20 grams authorized by section 202(e) of title II of the Colo-
21 rado River Basin Salinity Control Act of 1974 (43 U.S.C.
22 1592(e)): *Provided further*, That qualified local engineers
23 may be temporarily employed at per diem rates to perform
24 the technical planning work of the Service.

1 WATERSHED SURVEYS AND PLANNING

2 For necessary expenses to conduct research, inves-
3 tigation, and surveys of watersheds of rivers and other wa-
4 terways, and for small watershed investigations and plan-
5 ning, in accordance with the Watershed Protection and
6 Flood Prevention Act (16 U.S.C. 1001–1009),
7 \$7,026,000.

8 WATERSHED AND FLOOD PREVENTION OPERATIONS

9 For necessary expenses to carry out preventive meas-
10 ures, including but not limited to research, engineering op-
11 erations, methods of cultivation, the growing of vegetation,
12 rehabilitation of existing works and changes in use of land,
13 in accordance with the Watershed Protection and Flood
14 Prevention Act (16 U.S.C. 1001–1005 and 1007–1009),
15 the provisions of the Act of April 27, 1935 (16 U.S.C.
16 590a–f), and in accordance with the provisions of laws re-
17 lating to the activities of the Department, \$60,000,000,
18 to remain available until expended; of which up to
19 \$10,000,000 may be available for the watersheds author-
20 ized under the Flood Control Act (33 U.S.C. 701 and 16
21 U.S.C. 1006a): *Provided*, That not to exceed \$25,000,000
22 of this appropriation shall be available for technical assist-
23 ance: *Provided further*, That not to exceed \$1,000,000 of
24 this appropriation is available to carry out the purposes
25 of the Endangered Species Act of 1973 (Public Law 93–

1 205), including cooperative efforts as contemplated by
2 that Act to relocate endangered or threatened species to
3 other suitable habitats as may be necessary to expedite
4 project construction.

5 WATERSHED REHABILITATION PROGRAM

6 For necessary expenses to carry out rehabilitation of
7 structural measures, in accordance with section 14 of the
8 Watershed Protection and Flood Prevention Act (16
9 U.S.C. 1012), and in accordance with the provisions of
10 laws relating to the activities of the Department,
11 \$27,000,000 (increased by \$20,000,000), to remain avail-
12 able until expended.

13 RESOURCE CONSERVATION AND DEVELOPMENT

14 For necessary expenses in planning and carrying out
15 projects for resource conservation and development and
16 for sound land use pursuant to the provisions of sections
17 31 and 32 of the Bankhead-Jones Farm Tenant Act (7
18 U.S.C. 1010-1011; 76 Stat. 607); the Act of April 27,
19 1935 (16 U.S.C. 590a-f); and subtitle H of title XV of
20 the Agriculture and Food Act of 1981 (16 U.S.C. 3451-
21 3461), \$51,360,000, to remain available until expended:
22 *Provided*, That the Secretary shall enter into a cooperative
23 or contribution agreement, within 45 days of enactment
24 of this Act, 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 \$3,411,000 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, \$627,000.

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, 1926e,
 21 1926d, and 1932, except for sections 381E-H and 381N
 22 of the Consolidated Farm and Rural Development Act,
 23 \$657,389,000, to remain available until expended, of
 24 which \$38,006,000 shall be for rural community programs
 25 described in section 381E(d)(1) of such Act, of which

1 ~~\$531,162,000~~ 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 ~~\$88,221,000~~ 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 such funds shall be made available to qualified
8 private, nonprofit and public intermediary organizations
9 proposing to carry out a program of financial and tech-
10 nical assistance: *Provided further,* That such intermediary
11 organizations shall provide matching funds from other
12 sources, including Federal funds for related activities, in
13 an amount not less than funds provided: *Provided further,*
14 That of the amount appropriated for the rural business
15 and cooperative development programs, not to exceed
16 \$500,000 shall be made available for a grant to a qualified
17 national organization to provide technical assistance for
18 rural transportation in order to promote economic develop-
19 ment; \$1,000,000 shall be for grants to the Delta Regional
20 Authority (7 U.S.C. 1921 et seq.) for any purpose under
21 this heading: *Provided further,* That of the amount appro-
22 priated for rural utilities programs, not to exceed
23 \$25,000,000 shall be for water and waste disposal systems
24 to benefit the Colonias along the United States/Mexico
25 border, including grants pursuant to section 306C of such

1 Act; not to exceed \$17,500,000 shall be for technical as-
2 sistance grants for rural water and waste systems pursu-
3 ant to section 306(a)(14) of such Act, unless the Secretary
4 makes a determination of extreme need; of which
5 \$5,600,000 shall be for Rural Community Assistance Pro-
6 grams; and not to exceed \$14,000,000 shall be for con-
7 tracting with qualified national organizations for a circuit
8 rider program to provide technical assistance for rural
9 water systems: *Provided further*, That of the total amount
10 appropriated; not to exceed \$21,367,000 shall be available
11 through June 30, 2006; for authorized empowerment
12 zones and enterprise communities and communities des-
13 ignated by the Secretary of Agriculture as Rural Economic
14 Area Partnership Zones; of which \$1,067,000 shall be for
15 the rural community programs described in section
16 381E(d)(1) of such Act; of which \$12,000,000 shall be
17 for the rural utilities programs described in section
18 381E(d)(2) of such Act; and of which \$8,300,000 shall
19 be for the rural business and cooperative development pro-
20 grams described in section 381E(d)(3) of such Act: *Pro-*
21 *vided further*, That any prior year balances for high cost
22 energy grants authorized by section 19 of the Rural Elec-
23 trification Act of 1936 (7 U.S.C. 901(19)) shall be trans-
24 ferred to and merged with the “Rural Utilities Service;
25 High Energy Costs Grants Account”.

1 RURAL DEVELOPMENT

2 SALARIES AND EXPENSES

3 (INCLUDING TRANSFERS OF FUNDS)

4 For necessary expenses for carrying out the adminis-
5 tration and implementation of programs in the Rural De-
6 velopment mission area, including activities with institu-
7 tions concerning the development and operation of agricul-
8 tural cooperatives; and for cooperative agreements;
9 \$152,623,000: *Provided*, That notwithstanding any other
10 provision of law, funds appropriated under this section
11 may be used for advertising and promotional activities
12 that support the Rural Development mission area: *Pro-*
13 *vided further*, That not more than \$10,000 may be ex-
14 pended to provide modest nonmonetary awards to non-
15 USDA employees: *Provided further*, That any balances
16 available from prior years for the Rural Utilities Service,
17 Rural Housing Service, and the Rural Business-Coopera-
18 tive Service salaries and expenses accounts shall be trans-
19 ferred to and merged with this appropriation.

20 RURAL HOUSING SERVICE

21 RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT

22 (INCLUDING TRANSFERS OF FUNDS)

23 For gross obligations for the principal amount of di-
24 rect and guaranteed loans as authorized by title V of the
25 Housing Act of 1949, to be available from funds in the

1 rural housing insurance fund, as follows: \$4,821,832,000
2 for loans to section 502 borrowers, as determined by the
3 Secretary, of which \$1,140,799,000 shall be for direct
4 loans, and of which \$3,681,033,000 shall be for unsub-
5 sidized guaranteed loans; \$35,969,000 for section 504
6 housing repair loans; \$100,000,000 for section 515 rental
7 housing; \$100,000,000 for section 538 guaranteed multi-
8 family housing loans; \$5,000,000 for section 524 site
9 loans; \$11,500,000 for credit sales of acquired property,
10 of which up to \$1,500,000 may be for multi-family credit
11 sales; and \$5,048,000 for section 523 self-help housing
12 land development loans.

13 For the cost of direct and guaranteed loans, including
14 the cost of modifying loans, as defined in section 502 of
15 the Congressional Budget Act of 1974, as follows: section
16 502 loans, \$170,837,000, of which \$129,937,000 shall be
17 for direct loans, and of which \$40,900,000, to remain
18 available until expended, shall be for unsubsidized guaran-
19 teed loans; section 504 housing repair loans, \$10,521,000;
20 section 515 rental housing, \$45,880,000; section 538
21 multi-family housing guaranteed loans, \$5,420,000; multi-
22 family credit sales of acquired property, \$681,000; and
23 section 523 self-help housing and development loans,
24 \$52,000: *Provided*, That of the total amount appropriated
25 in this paragraph, \$2,500,000 shall be available through

1 June 30, 2006, for authorized empowerment zones and en-
2 terprise communities and communities designated by the
3 Secretary of Agriculture as Rural Economic Area Partner-
4 ship Zones.

5 In addition, for administrative expenses necessary to
6 carry out the direct and guaranteed loan programs,
7 \$455,242,000, which shall be transferred to and merged
8 with the appropriation for “Rural Development, Salaries
9 and Expenses”.

10 RENTAL ASSISTANCE PROGRAM

11 For rental assistance agreements entered into or re-
12 newed pursuant to the authority under section 521(a)(2)
13 or agreements entered into in lieu of debt forgiveness or
14 payments for eligible households as authorized by section
15 502(c)(5)(D) of the Housing Act of 1949, \$650,026,000;
16 and, in addition, such sums as may be necessary, as au-
17 thorized by section 521(e) of the Act, to liquidate debt
18 incurred prior to fiscal year 1992 to carry out the rental
19 assistance program under section 521(a)(2) of the Act.
20 *Provided*, That of this amount, \$5,900,000 shall be avail-
21 able for debt forgiveness or payments for eligible house-
22 holds as authorized by section 502(c)(5)(D) of the Act,
23 and not to exceed \$20,000 per project for advances to non-
24 profit organizations or public agencies to cover direct costs
25 (other than purchase price) incurred in purchasing

1 projects pursuant to section 502(c)(5)(C) of the Act. *Pro-*
2 *vided further,* That agreements entered into or renewed
3 during the current fiscal year shall be funded for a four-
4 year period. *Provided further,* That any unexpended bal-
5 ances remaining at the end of such four-year agreements
6 may be transferred and used for the purposes of any debt
7 reduction; maintenance; repair; or rehabilitation of any ex-
8 isting projects; preservation; and rental assistance activi-
9 ties authorized under title V of the Act.

10 MUTUAL AND SELF-HELP HOUSING GRANTS

11 For grants and contracts pursuant to section
12 523(b)(1)(A) of the Housing Act of 1949 (42 U.S.C.
13 1490e), \$34,000,000, to remain available until expended:
14 *Provided,* That of the total amount appropriated,
15 \$1,000,000 shall be available through June 30, 2006, for
16 authorized empowerment zones and enterprise commu-
17 nities and communities designated by the Secretary of Ag-
18 riculture as Rural Economic Area Partnership Zones.

19 RURAL HOUSING ASSISTANCE GRANTS

20 For grants and contracts for very low-income housing
21 repair; supervisory and technical assistance; compensation
22 for construction defects; and rural housing preservation
23 made by the Rural Housing Service, as authorized by 42
24 U.S.C. 1474, 1479(e), 1490e, and 1490m, \$41,000,000,
25 to remain available until expended. *Provided,* That of the

1 total amount appropriated, \$1,200,000 shall be available
2 through June 30, 2006, for authorized empowerment
3 zones and enterprise communities and communities des-
4 ignated by the Secretary of Agriculture as Rural Economic
5 Area Partnership Zones.

6 FARM LABOR PROGRAM ACCOUNT

7 For the cost of direct loans, grants, and contracts,
8 as authorized by 42 U.S.C. 1484 and 1486, \$32,728,000,
9 to remain available until expended, for direct farm labor
10 housing loans and domestic farm labor housing grants and
11 contracts.

12 RURAL BUSINESS-COOPERATIVE SERVICE

13 RURAL DEVELOPMENT LOAN FUND PROGRAM ACCOUNT

14 (INCLUDING TRANSFER OF FUNDS)

15 For the principal amount of direct loans, as author-
16 ized by the Rural Development Loan Fund (42 U.S.C.
17 9812(a)), \$34,212,000.

18 For the cost of direct loans, \$14,718,000, as author-
19 ized by the Rural Development Loan Fund (42 U.S.C.
20 9812(a)), of which \$1,724,000 shall be available through
21 June 30, 2006, for Federally Recognized Native American
22 Tribes and of which \$3,449,000 shall be available through
23 June 30, 2006, for the Delta Regional Authority (7 U.S.C.
24 1921 et seq.): *Provided*, That such costs, including the
25 cost of modifying such loans, shall be as defined in section

1 502 of the Congressional Budget Act of 1974: *Provided*
 2 *further*, That of the total amount appropriated, \$887,000
 3 shall be available through June 30, 2006, for the cost of
 4 direct loans for authorized empowerment zones and enter-
 5 prise communities and communities designated by the Sec-
 6 retary of Agriculture as Rural Economic Area Partnership
 7 Zones.

8 In addition, for administrative expenses to carry out
 9 the direct loan programs, \$4,719,000 shall be transferred
 10 to and merged with the appropriation for “Rural Develop-
 11 ment, Salaries and Expenses”.

12 RURAL ECONOMIC DEVELOPMENT LOANS PROGRAM

13 ACCOUNT

14 (INCLUDING RESCISSION OF FUNDS)

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

19 For the cost of direct loans, including the cost of
 20 modifying loans as defined in section 502 of the Congres-
 21 sional Budget Act of 1974, \$4,993,000, to remain avail-
 22 able until expended.

23 Of the funds derived from interest on the cushion of
 24 credit payments in the current fiscal year, as authorized
 25 by section 313 of the Rural Electrification Act of 1936,

1 \$18,877,000 shall not be obligated and \$18,877,000 are
2 rescinded.

3 ~~RURAL COOPERATIVE DEVELOPMENT GRANTS~~

4 For rural cooperative development grants authorized
5 under section 310B(e) of the Consolidated Farm and
6 Rural Development Act (7 U.S.C. 1932), \$24,000,000 (in-
7 creased by \$40,000,000), of which \$500,000 shall be for
8 cooperative research agreements; and of which \$2,500,000
9 shall be for cooperative agreements for the appropriate
10 technology transfer for rural areas program: *Provided,*
11 That not to exceed \$1,000,000 shall be for cooperatives
12 or associations of cooperatives whose primary focus is to
13 provide assistance to small, minority producers and whose
14 governing board and/or membership is comprised of at
15 least 75 percent minority; and of which not to exceed
16 \$15,500,000 (increased by \$40,000,000), to remain avail-
17 able until expended, shall be for value-added agricultural
18 product market development grants, as authorized by sec-
19 tion 6401 of the Farm Security and Rural Investment Act
20 of 2002 (7 U.S.C. 1621 note).

21 ~~RURAL EMPOWERMENT ZONES AND ENTERPRISE~~

22 ~~COMMUNITY GRANTS~~

23 For grants in connection with second and third
24 rounds of empowerment zones and enterprise commu-
25 nities, \$10,000,000, to remain available until expended;

1 for designated rural empowerment zones and rural enter-
 2 prise communities, as authorized by the Taxpayer Relief
 3 Act of 1997 and the Omnibus Consolidated and Emer-
 4 gency Supplemental Appropriations Act, 1999 (Public
 5 Law 105-277): *Provided*, That of the funds appropriated,
 6 \$1,000,000 shall be made available to third round em-
 7 powerment zones, as authorized by the Community Re-
 8 newal Tax Relief Act (Public Law 106-554).

9 RENEWABLE ENERGY PROGRAM

10 For the cost of a program of direct loans, loan guar-
 11 antees, and grants, under the same terms and conditions
 12 as authorized by section 9006 of the Farm Security and
 13 Rural Investment Act of 2002 (7 U.S.C. 8106),
 14 \$23,000,000 for direct and guaranteed renewable energy
 15 loans and grants: *Provided*, That the cost of direct loans
 16 and loan guarantees, including the cost of modifying such
 17 loans, shall be as defined in section 502 of the Congres-
 18 sional Budget Act of 1974.

19 RURAL ELECTRIFICATION AND TELECOMMUNICATIONS

20 LOANS PROGRAM ACCOUNT

21 (INCLUDING TRANSFER OF FUNDS)

22 Insured loans pursuant to the authority of section
 23 305 of the Rural Electrification Act of 1936 (7 U.S.C.
 24 935) shall be made as follows: 5 percent rural electrifica-
 25 tion loans, \$100,000,000; municipal rate rural electric

1 loans, \$100,000,000; loans made pursuant to section 306
2 of that Act, rural electric, \$2,100,000,000; Treasury rate
3 direct electric loans, \$1,000,000,000; guaranteed under-
4 writing loans pursuant to section 313A, \$1,000,000,000;
5 5 percent rural telecommunications loans, \$145,000,000;
6 cost of money rural telecommunications loans,
7 \$424,000,000; and for loans made pursuant to section 306
8 of that Act, rural telecommunications loans,
9 \$125,000,000.

10 For the cost, as defined in section 502 of the Con-
11 gressional Budget Act of 1974, including the cost of modi-
12 fying loans, of direct and guaranteed loans authorized by
13 sections 305 and 306 of the Rural Electrification Act of
14 1936 (7 U.S.C. 935 and 936), as follows: cost of rural
15 electric loans, \$6,160,000; and the cost of telecommuni-
16 cations loans, \$212,000: *Provided*, That notwithstanding
17 section 305(d)(2) of the Rural Electrification Act of 1936,
18 borrower interest rates may exceed 7 percent per year.

19 In addition, for administrative expenses necessary to
20 carry out the direct and guaranteed loan programs,
21 \$38,907,000 which shall be transferred to and merged
22 with the appropriation for "Rural Development, Salaries
23 and Expenses".

1 RURAL TELEPHONE BANK PROGRAM ACCOUNT
2 (INCLUDING TRANSFER OF FUNDS)

3 The Rural Telephone Bank is hereby authorized to
4 make such expenditures, within the limits of funds avail-
5 able to such corporation in accord with law, and to make
6 such contracts and commitments without regard to fiscal
7 year limitations as provided by section 104 of the Govern-
8 ment Corporation Control Act, as may be necessary in ear-
9 rying out its authorized programs.

10 For administrative expenses, including audits, nec-
11 essary to continue to service existing loans, \$2,500,000,
12 which shall be transferred to and merged with the appro-
13 priation for "Rural Development, Salaries and Expenses".

14 Of the unobligated balances from the Rural Tele-
15 phone Bank Liquidating Account, \$2,500,000 shall not be
16 obligated and \$2,500,000 are rescinded.

17 DISTANCE LEARNING, TELEMEDICINE, AND BROADBAND
18 PROGRAM

19 For the principal amount of direct distance learning
20 and telemedicine loans, \$50,000,000; and for the principal
21 amount of direct broadband telecommunication loans,
22 \$463,860,000.

23 For the cost of direct loans and grants for telemedi-
24 cine and distance learning services in rural areas, as au-
25 thorized by 7 U.S.C. 950aaa et seq., \$25,750,000, to re-

1 main available until expended, of which \$750,000 shall be
2 for direct loans: *Provided*, That the cost of direct loans
3 shall be as defined in section 502 of the Congressional
4 Budget Act of 1974.

5 For the cost of broadband loans, as authorized by 7
6 U.S.C. 901 et seq., \$9,973,000, to remain available until
7 expended: *Provided*, That the interest rate for such loans
8 shall be the cost of borrowing to the Department of the
9 Treasury for obligations of comparable maturity: *Provided*
10 *further*, That the cost of direct loans shall be as defined
11 in section 502 of the Congressional Budget Act of 1974.

12 In addition, \$9,000,000, to remain available until ex-
13 pended, for a grant program to finance broadband trans-
14 mission in rural areas eligible for Distance Learning and
15 Telemedicine Program benefits authorized by 7 U.S.C.
16 950aaa.

17 TITLE IV

18 DOMESTIC FOOD PROGRAMS

19 OFFICE OF THE UNDER SECRETARY FOR FOOD,

20 NUTRITION AND CONSUMER SERVICES

21 For necessary salaries and expenses of the Office of
22 the Under Secretary for Food, Nutrition and Consumer
23 Services to administer the laws enacted by the Congress
24 for the Food and Nutrition Service, \$599,000.

1 FOOD AND NUTRITION SERVICE

2 CHILD NUTRITION PROGRAMS

3 (INCLUDING TRANSFERS OF FUNDS)

4 For necessary expenses to carry out the National
5 School Lunch Act (42 U.S.C. 1751 et seq.); except section
6 21, and the Child Nutrition Act of 1966 (42 U.S.C. 1771
7 et seq.); except sections 17 and 21; \$12,412,027,000, to
8 remain available through September 30, 2007, of which
9 \$7,224,406,000 is hereby appropriated and
10 \$5,187,621,000 shall be derived by transfer from funds
11 available under section 32 of the Act of August 24, 1935
12 (7 U.S.C. 612c): *Provided*, That none of the funds made
13 available under this heading shall be used for studies and
14 evaluations: *Provided further*, That up to \$5,235,000 shall
15 be available for independent verification of school food
16 service claims.

17 SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR

18 WOMEN, INFANTS, AND CHILDREN (WIC)

19 For necessary expenses to carry out the special sup-
20 plemental nutrition program as authorized by section 17
21 of the Child Nutrition Act of 1966 (42 U.S.C. 1786),
22 \$5,257,000,000, to remain available through September
23 30, 2007: *Provided*, That of the total amount available,
24 the Secretary shall obligate not less than \$15,000,000 for
25 a breastfeeding support initiative in addition to the activi-

1 ties specified in section 17(h)(3)(A): *Provided further,*
2 That only the provisions of section 17(h)(10)(B)(i) shall
3 be effective in 2006; including \$14,000,000 for the pur-
4 poses specified in section 17(h)(10)(B)(i): *Provided fur-*
5 *ther,* That none of the funds made available under this
6 heading shall be used for studies and evaluations: *Provided*
7 *further,* That none of the funds in this Act shall be avail-
8 able to pay administrative expenses of WIC clinics except
9 those that have an announced policy of prohibiting smok-
10 ing within the space used to carry out the program: *Pro-*
11 *vided further,* That none of the funds provided in this ac-
12 count shall be available for the purchase of infant formula
13 except in accordance with the cost containment and com-
14 petitive bidding requirements specified in section 17 of
15 such Act: *Provided further,* That on or after October 1,
16 2005, or the date of enactment of this act, whichever is
17 later, any individual seeking certification or recertification
18 for benefits under the income eligibility provisions of sec-
19 tion 17(d)(2)(iii) of the Child Nutrition Act of 1966 shall
20 meet such eligibility requirements only if the income, as
21 determined under title XIX of the Social Security Act, of
22 the individual or the family of which the individual is a
23 member is less than 250 percent of the applicable nonfarm
24 income poverty guideline: *Provided further,* That none of
25 the funds provided shall be available for activities that are

1 not fully reimbursed by other Federal Government depart-
2 ments or agencies unless authorized by section 17 of such
3 Act.

4 FOOD STAMP PROGRAM

5 For necessary expenses to carry out the Food Stamp
6 Act (~~7 U.S.C. 2011 et seq.~~), ~~\$40,711,395,000~~, of which
7 ~~\$3,000,000,000~~ to remain available through September
8 30, 2007, shall be placed in reserve for use only in such
9 amounts and at such times as may become necessary to
10 carry out program operations: *Provided*, That none of the
11 funds made available under this heading shall be used for
12 studies and evaluations: *Provided further*, That funds pro-
13 vided herein shall be expended in accordance with section
14 16 of the Food Stamp Act: *Provided further*, That this
15 appropriation shall be subject to any work registration or
16 workfare requirements as may be required by law: *Pro-*
17 *vided further*, That funds made available for Employment
18 and Training under this heading shall remain available
19 until expended, as authorized by section 16(h)(1) of the
20 Food Stamp Act: *Provided further*, That notwithstanding
21 section 5(d) of the Food Stamp Act of 1977, any addi-
22 tional payment received under chapter 5 of title 37,
23 United States Code, by a member of the United States
24 Armed Forces deployed to a designated combat zone shall
25 be excluded from household income for the duration of the

1 member's deployment if the additional pay is the result
2 of deployment to or while serving in a combat zone, and
3 it was not received immediately prior to serving in the
4 combat zone.

5 COMMODITY ASSISTANCE PROGRAM

6 For necessary expenses to carry out disaster assist-
7 ance and the commodity supplemental food program as
8 authorized by section 4(a) of the Agriculture and Con-
9 sumer Protection Act of 1973 (7 U.S.C. 612e note); the
10 Emergency Food Assistance Act of 1983; special assist-
11 ance (in a form determined by the Secretary of Agri-
12 culture) for the nuclear affected islands, as authorized by
13 section 103(f)(2) of the Compact of Free Association
14 Amendments Act of 2003 (Public Law 108-188); and the
15 Farmers' Market Nutrition Program, as authorized by
16 section 17(m) of the Child Nutrition Act of 1966,
17 \$178,797,000, to remain available through September 30,
18 2007: *Provided*, That none of these funds shall be avail-
19 able to reimburse the Commodity Credit Corporation for
20 commodities donated to the program: *Provided further*,
21 That notwithstanding any other provision of law, effective
22 with funds made available in fiscal year 2006 to support
23 the Senior Farmers' Market Nutrition Program, as au-
24 thorized by section 4402 of Public Law 107-171, such
25 funds shall remain available through September 30, 2007.

1 PUBLIC LAW 480 TITLE I DIRECT CREDIT AND FOOD
2 FOR PROGRESS PROGRAM ACCOUNT
3 (INCLUDING TRANSFERS OF FUNDS)

4 For the cost, as defined in section 502 of the Con-
5 gressional Budget Act of 1974, of agreements under the
6 Agricultural Trade Development and Assistance Act of
7 1954, and the Food for Progress Act of 1985, including
8 the cost of modifying credit arrangements under said Acts,
9 \$65,040,000, to remain available until expended.

10 In addition, for administrative expenses to carry out
11 the credit program of title I, Public Law 83-480, and the
12 Food for Progress Act of 1985, to the extent funds appro-
13 priated for Public Law 83-480 are utilized, \$3,385,000,
14 of which \$168,000 may be transferred to and merged with
15 the appropriation for "Foreign Agricultural Service, Sala-
16 ries and Expenses", and of which \$3,217,000 may be
17 transferred to and merged with the appropriation for
18 "Farm Service Agency, Salaries and Expenses".

19 PUBLIC LAW 480 TITLE I OCEAN FREIGHT
20 DIFFERENTIAL GRANTS
21 (INCLUDING TRANSFER OF FUNDS)

22 For ocean freight differential costs for the shipment
23 of agricultural commodities under title I of the Agricul-
24 tural Trade Development and Assistance Act of 1954 and
25 under the Food for Progress Act of 1985, \$11,940,000,

1 to remain available until expended: *Provided*, That funds
2 made available for the cost of agreements under title I
3 of the Agricultural Trade Development and Assistance Act
4 of 1954 and for title I ocean freight differential may be
5 used interchangeably between the two accounts with prior
6 notice to the Committees on Appropriations of both
7 Houses of Congress.

8 PUBLIC LAW 480 TITLE II GRANTS

9 For expenses during the current fiscal year, not oth-
10 erwise recoverable, and unrecovered prior years' costs, in-
11 cluding interest thereon, under the Agricultural Trade De-
12 velopment and Assistance Act of 1954, for commodities
13 supplied in connection with dispositions abroad under title
14 II of said Act, \$1,107,094,000, to remain available until
15 expended.

16 COMMODITY CREDIT CORPORATION EXPORT LOANS

17 PROGRAM ACCOUNT

18 (INCLUDING TRANSFERS OF FUNDS)

19 For administrative expenses to carry out the Com-
20 modity Credit Corporation's export guarantee program,
21 GSM 102 and GSM 103, \$5,279,000, to cover common
22 overhead expenses as permitted by section 11 of the Com-
23 modity Credit Corporation Charter Act and in conformity
24 with the Federal Credit Reform Act of 1990, of which
25 \$3,440,000 may be transferred to and merged with the

1 appropriation for “Foreign Agricultural Service, Salaries
2 and Expenses”, and of which \$1,839,000 may be trans-
3 ferred to and merged with the appropriation for “Farm
4 Service Agency, Salaries and Expenses”.

5 MCGOVERN-DOLE INTERNATIONAL FOOD FOR
6 EDUCATION AND CHILD NUTRITION PROGRAM GRANTS

7 For necessary expenses to carry out the provisions
8 of section 3107 of the Farm Security and Rural Invest-
9 ment Act of 2002 (7 U.S.C. 1736o-1), \$100,000,000, to
10 remain available until expended: *Provided*, That the Com-
11 modity Credit Corporation is authorized to provide the
12 services, facilities, and authorities for the purpose of im-
13 plementing such section, subject to reimbursement from
14 amounts provided herein.

15 TITLE VI

16 FOOD AND DRUG ADMINISTRATION

17 SALARIES AND EXPENSES

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

1 ized and approved by the Secretary and to be accounted
2 for solely on the Secretary's certificate, not to exceed
3 \$25,000; and notwithstanding section 521 of Public Law
4 107-188; \$1,837,928,000: *Provided*, That of the amount
5 provided under this heading; \$305,332,000 shall be de-
6 rived from prescription drug user fees authorized by 21
7 U.S.C. 379h, shall be credited to this account and remain
8 available until expended, and shall not include any fees
9 pursuant to 21 U.S.C. 379h(a)(2) and (a)(3) assessed for
10 fiscal year 2007 but collected in fiscal year 2006;
11 \$40,300,000 shall be derived from medical device user fees
12 authorized by 21 U.S.C. 379j, and shall be credited to this
13 account and remain available until expended; and
14 \$11,318,000 shall be derived from animal drug user fees
15 authorized by 21 U.S.C. 379j, and shall be credited to this
16 account and remain available until expended: *Provided fur-*
17 *ther*, That fees derived from prescription drug; medical de-
18 vice; and animal drug assessments received during fiscal
19 year 2006, including any such fees assessed prior to the
20 current fiscal year but credited during the current year,
21 shall be subject to the fiscal year 2006 limitation: *Provided*
22 *further*, That none of these funds shall be used to develop;
23 establish; or operate any program of user fees authorized
24 by 31 U.S.C. 9701: *Provided further*, That of the total
25 amount appropriated: (1) \$444,095,000 shall be for the

1 Center for Food Safety and Applied Nutrition and related
2 field activities in the Office of Regulatory Affairs; (2)
3 \$519,814,000 shall be for the Center for Drug Evaluation
4 and Research and related field activities in the Office of
5 Regulatory Affairs; (3) \$178,713,000 shall be for the Cen-
6 ter for Biologics Evaluation and Research and for related
7 field activities in the Office of Regulatory Affairs; (4)
8 \$99,787,000 shall be for the Center for Veterinary Medi-
9 cine and for related field activities in the Office of Regu-
10 latory Affairs; (5) \$243,939,000 shall be for the Center
11 for Devices and Radiological Health and for related field
12 activities in the Office of Regulatory Affairs; (6)
13 \$41,152,000 shall be for the National Center for Toxi-
14 cological Research; (7) \$58,515,000 shall be for Rent and
15 Related activities, of which \$21,974,000 is for White Oak
16 Consolidation, other than the amounts paid to the General
17 Services Administration for rent; (8) \$134,853,000 shall
18 be for payments to the General Services Administration
19 for rent; and (9) \$117,060,000 shall be for other activi-
20 ties, including the Office of the Commissioner; the Office
21 of Management; the Office of External Relations; the Of-
22 fice of Policy and Planning; and central services for these
23 offices: *Provided further*, That of the funds provided herein
24 for other activities, \$5,853,000 may not be obligated until
25 the Commissioner or Acting Commissioner has presented

1 public testimony on the President's 2006 budget request
2 before the Committee on Appropriations of the House of
3 Representatives: *Provided further*, That funds may be
4 transferred from one specified activity to another with the
5 prior approval of the Committees on Appropriations of
6 both Houses of Congress.

7 In addition, mammography user fees authorized by
8 42 U.S.C. 263b may be credited to this account, to remain
9 available until expended.

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

13 BUILDINGS AND FACILITIES

14 For plans, construction, repair, improvement, exten-
15 sion, alteration, and purchase of fixed equipment or facili-
16 ties of or used by the Food and Drug Administration,
17 where not otherwise provided, \$5,000,000 to remain avail-
18 able until expended.

19 INDEPENDENT AGENCIES

20 COMMODITY FUTURE TRADING COMMISSION

21 For necessary expenses to carry out the provisions
22 of the Commodity Exchange Act (7 U.S.C. 1 et seq.), in-
23 cluding the purchase and hire of passenger motor vehicles,
24 and the rental of space (to include multiple year leases)
25 in the District of Columbia and elsewhere, \$98,386,000,

1 including not to exceed \$3,000 for official reception and
2 representation expenses.

3 FARM CREDIT ADMINISTRATION

4 LIMITATION ON ADMINISTRATIVE EXPENSES

5 Not to exceed \$44,250,000 (from assessments col-
6 lected from farm credit institutions and from the Federal
7 Agricultural Mortgage Corporation) shall be obligated
8 during the current fiscal year for administrative expenses
9 as authorized under 12 U.S.C. 2249: *Provided*, That this
10 limitation shall not apply to expenses associated with re-
11 ceiverships.

12 TITLE VII—GENERAL PROVISIONS

13 (INCLUDING RESCISSION OF FUNDS)

14 SEC. 701. Within the unit limit of cost fixed by law,
15 appropriations and authorizations made for the Depart-
16 ment of Agriculture for the current fiscal year under this
17 Act shall be available for the purchase, in addition to those
18 specifically provided for, of not to exceed 320 passenger
19 motor vehicles, of which 320 shall be for replacement only,
20 and for the hire of such vehicles.

21 SEC. 702. Funds in this Act available to the Depart-
22 ment of Agriculture shall be available for uniforms or al-
23 lowances therefor as authorized by law (5 U.S.C. 5901—
24 5902).

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

5 SEC. 704. New obligational authority provided for the
6 following appropriation items in this Act shall remain
7 available until expended: Animal and Plant Health Inspec-
8 tion Service, the contingency fund to meet emergency con-
9 ditions, information technology infrastructure, fruit fly
10 program, emerging plant pests, boll weevil program, up
11 to \$8,000,000 in the low pathogen avian influenza pro-
12 gram for indemnities, up to \$1,500,000 in the scrapie pro-
13 gram for indemnities, up to \$33,340,000 in animal health
14 monitoring and surveillance for the animal identification
15 system, up to \$3,009,000 in the emergency management
16 systems program for the vaccine bank, up to \$1,000,000
17 of the wildlife services operations program for aviation
18 safety, and up to 25 percent of the screwworm program;
19 Food Safety and Inspection Service, field automation and
20 information management project; Cooperative State Re-
21 search, Education, and Extension Service, funds for com-
22 petitive research grants (7 U.S.C. 450i(b)); Farm Service
23 Agency, salaries and expenses funds made available to
24 county committees; Foreign Agricultural Service, middle-
25 income country training program, and up to \$1,565,000

1 of the Foreign Agricultural Service appropriation solely
2 for the purpose of offsetting fluctuations in international
3 currency exchange rates, subject to documentation by the
4 Foreign Agricultural Service.

5 SEC. 705. The Secretary of Agriculture may transfer
6 unobligated balances of discretionary funds appropriated
7 by this Act or other available unobligated discretionary
8 balances of the Department of Agriculture to the Working
9 Capital Fund for the acquisition of plant and capital
10 equipment necessary for the delivery of financial, adminis-
11 trative, and information technology services of primary
12 benefit to the agencies of the Department of Agriculture:
13 *Provided*, That none of the funds made available by this
14 Act or any other Act shall be transferred to the Working
15 Capital Fund without the prior approval of the agency ad-
16 ministrator: *Provided further*, That none of the funds
17 transferred to the Working Capital Fund pursuant to this
18 section shall be available for obligation without the prior
19 approval of the Committees on Appropriations of both
20 Houses of Congress.

21 SEC. 706. No part of any appropriation contained in
22 this Act shall remain available for obligation beyond the
23 current fiscal year unless expressly so provided herein.

24 SEC. 707. Not to exceed \$50,000 of the appropria-
25 tions available to the Department of Agriculture in this

1 Act shall be available to provide appropriate orientation
2 and language training pursuant to section 606C of the Act
3 of August 28, 1954 (7 U.S.C. 1766b).

4 SEC. 708. No funds appropriated by this Act may be
5 used to pay negotiated indirect cost rates on cooperative
6 agreements or similar arrangements between the United
7 States Department of Agriculture and nonprofit institu-
8 tions in excess of 10 percent of the total direct cost of
9 the agreement when the purpose of such cooperative ar-
10 rangements is to carry out programs of mutual interest
11 between the two parties. This does not preclude appro-
12 priate payment of indirect costs on grants and contracts
13 with such institutions when such indirect costs are com-
14 puted on a similar basis for all agencies for which appro-
15 priations are provided in this Act.

16 SEC. 709. None of the funds in this Act shall be avail-
17 able to restrict the authority of the Commodity Credit
18 Corporation to lease space for its own use or to lease space
19 on behalf of other agencies of the Department of Agri-
20 culture when such space will be jointly occupied.

21 SEC. 710. None of the funds in this Act shall be avail-
22 able to pay indirect costs charged against competitive agri-
23 cultural research, education, or extension grant awards
24 issued by the Cooperative State Research, Education, and
25 Extension Service that exceed 20 percent of total Federal

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

9 SEC. 711. Notwithstanding any other provision of
10 this Act, all loan levels provided in this Act shall be consid-
11 ered estimates, not limitations.

12 SEC. 712. Appropriations to the Department of Agri-
13 culture for the cost of direct and guaranteed loans made
14 available in the current fiscal year shall remain available
15 until expended to cover obligations made in the current
16 fiscal year for the following accounts: the Rural Develop-
17 ment Loan Fund program account, the Rural Electrifica-
18 tion and Telecommunication Loans program account, and
19 the Rural Housing Insurance Fund program account.

20 SEC. 713. Of the funds made available by this Act,
21 not more than \$1,800,000 shall be used to cover necessary
22 expenses of activities related to all advisory committees,
23 panels, commissions, and task forces of the Department
24 of Agriculture, except for panels used to comply with nego-

1 tiated rule makings and panels used to evaluate competi-
2 tively awarded grants.

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

7 SEC. 715. No employee of the Department of Agri-
8 culture may be detailed or assigned from an agency or
9 office funded by this Act to any other agency or office
10 of the Department for more than 30 days unless the indi-
11 vidual's employing agency or office is fully reimbursed by
12 the receiving agency or office for the salary and expenses
13 of the employee for the period of assignment.

14 SEC. 716. None of the funds appropriated or other-
15 wise made available to the Department of Agriculture or
16 the Food and Drug Administration shall be used to trans-
17 mit or otherwise make available to any non-Department
18 of Agriculture or non-Department of Health and Human
19 Services employee questions or responses to questions that
20 are a result of information requested for the appropria-
21 tions hearing process.

22 SEC. 717. None of the funds made available to the
23 Department of Agriculture by this Act may be used to ac-
24 quire new information technology systems or significant
25 upgrades, as determined by the Office of the Chief Infor-

1 mation Officer, without the approval of the Chief Informa-
2 tion Officer and the concurrence of the Executive Informa-
3 tion Technology Investment Review Board: *Provided*, That
4 notwithstanding any other provision of law, none of the
5 funds appropriated or otherwise made available by this
6 Act may be transferred to the Office of the Chief Informa-
7 tion Officer without the prior approval of the Committees
8 on Appropriations of both Houses of Congress: *Provided*
9 *further*, That none of the funds available to the Depart-
10 ment of Agriculture for information technology shall be
11 obligated for projects over \$25,000 prior to receipt of writ-
12 ten approval by the Chief Information Officer.

13 SEC. 718. (a) None of the funds provided by this Act,
14 or provided by previous Appropriations Acts to the agen-
15 cies funded by this Act that remain available for obligation
16 or expenditure in the current fiscal year, or provided from
17 any accounts in the Treasury of the United States derived
18 by the collection of fees available to the agencies funded
19 by this Act, shall be available for obligation or expenditure
20 through a reprogramming of funds which—

- 21 (1) creates new programs;
- 22 (2) eliminates a program, project, or activity;
- 23 (3) increases funds or personnel by any means
24 for any project or activity for which funds have been
25 denied or restricted;

1 (4) relocates an office or employees;

2 (5) reorganizes offices, programs, or activities;

3 or

4 (6) contracts out or privatizes any functions or
5 activities presently performed by Federal employees;

6 unless the Committees on Appropriations of both
7 Houses of Congress are notified 15 days in advance
8 of such reprogramming of funds.

9 (b) None of the funds provided by this Act, or pro-
10 vided by previous Appropriations Acts to the agencies
11 funded by this Act that remain available for obligation or
12 expenditure in the current fiscal year, or provided from
13 any accounts in the Treasury of the United States derived
14 by the collection of fees available to the agencies funded
15 by this Act, shall be available for obligation or expenditure
16 for activities, programs, or projects through a reprogram-
17 ming of funds in excess of \$500,000 or 10 percent, which-
18 ever is less, that: (1) augments existing programs,
19 projects, or activities; (2) reduces by 10 percent funding
20 for any existing program, project, or activity, or numbers
21 of personnel by 10 percent as approved by Congress; or
22 (3) results from any general savings from a reduction in
23 personnel which would result in a change in existing pro-
24 grams, activities, or projects as approved by Congress; un-
25 less the Committees on Appropriations of both Houses of

1 Congress are notified 15 days in advance of such re-
2 programming of funds.

3 (c) The Secretary of Agriculture, the Secretary of
4 Health and Human Services, or the Chairman of the Com-
5 modity 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).

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

1 tion, and Related Agencies that assumes revenues or re-
2 fleets a reduction from the previous year due to user fees
3 proposals that have not been enacted into law prior to the
4 submission of the Budget unless such Budget submission
5 identifies which additional spending reductions should
6 occur in the event the user fees proposals are not enacted
7 prior to the date of the convening of a committee of con-
8 ference for the fiscal year 2007 appropriations Act.

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

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

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

1 SEC. 724. Section 375(e)(6)(B) of the Consolidated
2 Farm and Rural Development Act (7 U.S.C.
3 2008j(e)(6)(B)) is amended by striking “\$27,998,000”
4 and inserting “\$28,498,000”.

5 SEC. 725. Of any shipments of commodities made
6 pursuant to section 416(b) of the Agricultural Act of 1949
7 (7 U.S.C. 1431(b)), the Secretary of Agriculture shall, to
8 the extent practicable, direct that tonnage equal in value
9 to not more than \$25,000,000 shall be made available to
10 foreign countries to assist in mitigating the effects of the
11 Human Immunodeficiency Virus and Acquired Immune
12 Deficiency Syndrome on communities, including the provi-
13 sion of—

14 (1) agricultural commodities to—

15 (A) individuals with Human Immuno-
16 deficiency Virus or Acquired Immune Defi-
17 ciency Syndrome in the communities; and

18 (B) households in the communities, par-
19 ticularly individuals caring for orphaned chil-
20 dren; and

21 (2) agricultural commodities monetized to pro-
22 vide other assistance (including assistance under
23 microcredit and microenterprise programs) to create
24 or restore sustainable livelihoods among individuals

1 in the communities, particularly individuals caring
2 for orphaned children.

3 SEC. 726. Notwithstanding any other provision of
4 law, the Natural Resources Conservation Service shall pro-
5 vide financial and technical assistance to the Kane Coun-
6 ty, Illinois, Indian Creek Watershed Flood Prevention
7 Project, from funds available for the Watershed and Flood
8 Prevention Operations program, not to exceed \$1,000,000
9 and Hickory Creek Special Drainage District, Bureau
10 County, Illinois, not to exceed \$50,000.

11 SEC. 727. None of the funds made available in this
12 Act may be transferred to any department, agency, or in-
13 strumentality of the United States Government, except
14 pursuant to a transfer made by, or transfer authority pro-
15 vided in, this or any other appropriation Act.

16 SEC. 728. Notwithstanding any other provision of
17 law, of the funds made available in this Act for competitive
18 research grants (7 U.S.C. 450i(b)), the Secretary may use
19 up to 22 percent of the amount provided to carry out a
20 competitive grants program under the same terms and
21 conditions as those provided in section 401 of the Agricul-
22 tural Research, Extension, and Education Reform Act of
23 1998 (7 U.S.C. 7621).

24 SEC. 729. None of the funds appropriated or made
25 available by this or any other Act may be used to pay

1 the salaries and expenses of personnel to carry out section
2 14(h)(1) of the Watershed Protection and Flood Preven-
3 tion Act (16 U.S.C. 1012(h)(1)).

4 SEC. 730. None of the funds appropriated or made
5 available by this or any other Act may be used to pay
6 the salaries and expenses of personnel to carry out subtitle
7 I of the Consolidated Farm and Rural Development Act
8 (7 U.S.C. 2009dd through dd-7).

9 SEC. 731. Agencies and offices of the Department of
10 Agriculture may utilize any unobligated salaries and ex-
11 penses funds to reimburse the Office of the General Coun-
12 sel for salaries and expenses of personnel, and for other
13 related expenses, incurred in representing such agencies
14 and offices in the resolution of complaints by employees
15 or applicants for employment, and in cases and other mat-
16 ters pending before the Equal Employment Opportunity
17 Commission, the Federal Labor Relations Authority, or
18 the Merit Systems Protection Board with the prior ap-
19 proval of the Committees on Appropriations of both
20 Houses of Congress.

21 SEC. 732. None of the funds appropriated or made
22 available by this or any other Act may be used to pay
23 the salaries and expenses of personnel to carry out section
24 6405 of Public Law 107-171 (7 U.S.C. 2655).

1 SEC. 733. Of the funds made available under section
2 27(a) of the Food Stamp Act of 1977 (7 U.S.C. 2011 et
3 seq.); the Secretary may use up to \$10,000,000 for costs
4 associated with the distribution of commodities.

5 SEC. 734. 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 enroll in
8 excess of 154,500 acres in the calendar year 2006 wet-
9 lands reserve program as authorized by 16 U.S.C. 3837.

10 SEC. 735. None of the funds appropriated or other-
11 wise made available by this or any other Act shall be used
12 to pay the salaries and expenses of personnel who carry
13 out an environmental quality incentives program author-
14 ized by chapter 4 of subtitle D of title XII of the Food
15 Security Act of 1985 (16 U.S.C. 3839aa et seq.) in excess
16 of \$1,012,000,000 (increased by \$40,000,000).

17 SEC. 736. None of the funds appropriated or other-
18 wise made available by this or any other Act shall be used
19 to pay the salaries and expenses of personnel to expend
20 the \$23,000,000 made available by section 9006(f) of the
21 Farm Security and Rural Investment Act of 2002 (7
22 U.S.C. 8106(f)).

23 SEC. 737. With the exception of funds provided in
24 fiscal year 2003, none of the funds appropriated or other-
25 wise made available by this or any other Act shall be used

1 to pay the salaries and expenses of personnel to expend
2 the \$50,000,000 made available by section 601(j)(1)(A)
3 of the Rural Electrification Act of 1936 (7 U.S.C.
4 950bb(j)(1)(A)).

5 SEC. 738. None of the funds made available in fiscal
6 year 2005 or preceding fiscal years for programs author-
7 ized under the Agricultural Trade Development and As-
8 sistance Act of 1954 (7 U.S.C. 1691 et seq.) in excess
9 of \$20,000,000 shall be used to reimburse the Commodity
10 Credit Corporation for the release of eligible commodities
11 under section 302(f)(2)(A) of the Bill Emerson Human-
12 itarian Trust Act (7 U.S.C. 1736f-1): *Provided*, That any
13 such funds made available to reimburse the Commodity
14 Credit Corporation shall only be used pursuant to section
15 302(b)(2)(B)(i) of the Bill Emerson Humanitarian Trust
16 Act.

17 SEC. 739. None of the funds appropriated or other-
18 wise made available by this or any other Act shall be used
19 to pay the salaries and expenses of personnel to expend
20 the \$120,000,000 made available by section 6401(a) of
21 Public Law 107-171.

22 SEC. 740. Notwithstanding subsections (c) and (c)(2)
23 of section 313A of the Rural Electrification Act (7 U.S.C.
24 940e(c) and (c)(2)) in implementing section 313A of that
25 Act, the Secretary shall, with the consent of the lender,

1 structure the schedule for payment of the annual fee, not
2 to exceed an average of 30 basis points per year for the
3 term of the loan, to ensure that sufficient funds are avail-
4 able to pay the subsidy costs for note guarantees under
5 that section.

6 SEC. 741. None of the funds appropriated or other-
7 wise made available by this or any other Act shall be used
8 to pay the salaries and expenses of personnel to carry out
9 a Conservation Security Program authorized by 16 U.S.C.
10 3838 et seq., in excess of \$258,000,000 (reduced by
11 \$13,000,000).

12 SEC. 742. None of the funds appropriated or other-
13 wise made available by this or any other Act shall be used
14 to pay the salaries and expenses of personnel to carry out
15 section 2502 of Public Law 107-171 in excess of
16 \$60,000,000 (reduced by \$17,000,000).

17 SEC. 743. None of the funds appropriated or other-
18 wise made available by this or any other Act shall be used
19 to pay the salaries and expenses of personnel to carry out
20 section 2503 of Public Law 107-171 in excess of
21 \$83,500,000 (reduced by \$10,000,000).

22 SEC. 744. With the exception of funds provided in
23 fiscal year 2005, none of the funds appropriated or other-
24 wise made available by this or any other Act shall be used
25 to carry out section 6029 of Public Law 107-171.

1 SEC. 745. None of the funds appropriated or other-
2 wise made available in this Act shall be expended to violate
3 Public Law 105-264.

4 SEC. 746. None of the funds appropriated or other-
5 wise made available by this or any other Act shall be used
6 to pay the salaries and expenses of personnel to carry out
7 a ground and surface water conservation program author-
8 ized by section 2301 of Public Law 107-171 in excess of
9 \$51,000,000.

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

17 SEC. 748. None of the funds made available in this
18 Act may be used to study, complete a study of, or enter
19 into a contract with a private party to carry out, without
20 specific authorization in a subsequent Act of Congress, a
21 competitive sourcing activity of the Secretary of Agri-
22 culture, including support personnel of the Department of
23 Agriculture, relating to rural development or farm loan
24 programs.

1 ~~SEC. 749.~~ 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 section 9010 of Public Law 107-171 in excess of
5 \$60,000,000.

6 ~~SEC. 750.~~ Agencies and offices of the Department of
7 Agriculture may utilize any available discretionary funds
8 to cover the costs of preparing, or contracting for the
9 preparation of, final agency decisions regarding com-
10 plaints of discrimination in employment or program activi-
11 ties arising within such agencies and offices.

12 ~~SEC. 751.~~ Funds made available under section 1240I
13 and section 1241(a) of the Food Security Act of 1985 in
14 fiscal year 2006 shall remain available until expended to
15 cover obligations made in fiscal year 2006, and are not
16 available for new obligations.

17 ~~SEC. 752.~~ None of the funds made available under
18 this Act shall be available to pay the administrative ex-
19 penses of a State agency that, after the date of enactment
20 of this Act and prior to implementation of interim final
21 regulations regarding vendor cost containment in accord-
22 ance with the provisions set forth in section 17(h)(11)(G)
23 of the Child Nutrition Act of 1966, authorizes any new
24 for-profit vendor(s) to transact food instruments under
25 the Special Supplemental Nutrition Program for Women,

1 Infants, and Children if it is expected that more than 50
2 percent of the annual revenue of the vendor from the sale
3 of food items will be derived from the sale of supplemental
4 foods that are obtained with WIC food instruments, except
5 that the Secretary may approve the authorization of such
6 a vendor if the approval is necessary to assure participant
7 access to program benefits or is in accordance with the
8 provisions set forth in section 17(h)(11)(E) of the Child
9 Nutrition Act of 1966.

10 SEC. 753. There is hereby appropriated \$1,000,000,
11 to remain available until expended, for a grant to the Ohio
12 Livestock Expo Center in Springfield, Ohio.

13 SEC. 754. None of the funds appropriated or other-
14 wise made available by this or any other Act shall be used
15 to pay the salaries and expenses of personnel to carry out
16 an Agricultural Management Assistance Program as au-
17 thorized by section 524 of the Federal Crop Insurance Act
18 in excess of \$6,000,000 (7 U.S.C. 1524).

19 SEC. 755. None of the funds appropriated or other-
20 wise made available by this or any other Act shall be used
21 to pay the salaries and expenses of personnel to carry out
22 a Biomass Research and Development Program in excess
23 of \$12,000,000, as authorized by Public Law 106-224 (7
24 U.S.C. 7624 note).

1 SEC. 756. Notwithstanding 40 U.S.C. 524, 571, and
2 572, the Secretary of Agriculture may sell the US Water
3 Conservation Laboratory, Phoenix, Arizona, and credit the
4 net proceeds of such sale as offsetting collections to its
5 Agricultural Research Service Buildings and Facilities ac-
6 count. Such funds shall be available until September 30,
7 2007 to be used to replace these facilities and to improve
8 other USDA-owned facilities.

9 SEC. 757. None of the funds provided in this Act may
10 be used for salaries and expenses to draft or implement
11 any regulation or rule insofar as it would require recertifi-
12 cation of rural status for each electric and telecommuni-
13 cations borrower for the Rural Electrification and Tele-
14 communication Loans program.

15 SEC. 758. None of the funds appropriated or other-
16 wise made available by this Act shall be used for the imple-
17 mentation of Country of Origin Labeling for meat or meat
18 products.

19 SEC. 759. (a) Notwithstanding any other provision
20 of law, and until the receipt of the decennial Census in
21 the year 2010, the Secretary of Agriculture shall con-
22 sider—

23 (1) the City of Bridgeton, New Jersey, the City
24 of Kinston, North Carolina, and the City of Ports-
25 mouth, Ohio as rural areas for the purposes of

1 Rural Housing Service Community Facilities Pro-
2 gram loans and grants;

3 (2) the Township of Bloomington, Illinois (in-
4 cluding individuals and entities with projects within
5 the Township) eligible for Rural Housing Service
6 Community Facilities Programs loans and grants;
7 and

8 (3) the City of Lone Grove, Oklahoma (includ-
9 ing individuals and entities with projects within the
10 city) eligible for Rural Housing Service Community
11 Facilities Program loans and grants.

12 SEC. 760. The Secretary of Agriculture shall use
13 \$10,000,000 of the funds of the Commodity Credit Cor-
14 poration, to remain available until expended, to com-
15 pensate commercial citrus and lime growers in the State
16 of Florida for tree replacement and for lost production
17 with respect to trees removed to control citrus canker, and
18 with respect to certified citrus nursery stocks within the
19 citrus canker quarantine areas, as determined by the Sec-
20 retary. For a grower to receive assistance for a tree under
21 this section, the tree must have been removed after Sep-
22 tember 30, 2001.

23 SEC. 761. The counties of Burlington and Camden,
24 New Jersey (including individuals and entities with
25 projects within these counties) shall be eligible for loans

1 and grants under the Rural Community Advancement
2 Program for fiscal year 2006 to the same extent they were
3 eligible for such assistance during the fiscal year 2005
4 under section 106 of Chapter 1 of Division B of Public
5 Law 108-324 (188 Stat. 1236).

6 SEC. 762. Of the unobligated balances available in
7 the Special Supplemental Nutrition Program for Women,
8 Infants, and Children reserve account, \$2,000,000 is
9 hereby rescinded.

10 SEC. 763. None of the funds provided by this Act
11 shall be used to pay salaries and expenses and other costs
12 associated with implementing or administering section
13 508(e)(3) of the Federal Crop Insurance Act (7 U.S.C.
14 1501 et seq.) for the 2006 reinsurance year.

15 SEC. 764. None of the funds appropriated or other-
16 wise made available by this Act for the Food and Drug
17 Administration may be used under section 801 of the Fed-
18 eral Food, Drug, and Cosmetic Act to prevent an indi-
19 vidual not in the business of importing a prescription drug
20 within the meaning of section 801(g) of such Act, whole-
21 salers, or pharmacists from importing a prescription drug
22 which complies with sections 501, 502, and 505.

23 SEC. 765. Unless otherwise authorized by existing
24 law, none of the funds provided in this Act, may be used
25 by an executive branch agency to produce any pre-

1 packaged news story intended for broadcast or distribution
2 in the United States unless the story includes a clear noti-
3 fication within the text or audio of the prepackaged news
4 story that the prepackaged news story was prepared or
5 funded by that executive branch agency.

6 SEC. 766. In addition to other amounts appropriated
7 or otherwise made available by this Act, there is hereby
8 appropriated to the Secretary of Agriculture \$7,000,000,
9 of which not to exceed 5 percent may be available for ad-
10 ministrative expenses, to remain available until expended,
11 to make specialty crop block grants under section 101 of
12 the Specialty Crops Competitiveness Act of 2004 (Public
13 Law 108-465; 7 U.S.C. 1621 note).

14 SEC. 767. It is the sense of Congress that the Sec-
15 retary of Agriculture should use the transfer authority
16 provided by section 442 of the Plant Protection Act (7
17 U.S.C. 7772) to implement the strategic plan developed
18 by the Animal and Plant Health Inspection Service for
19 the eradication of Emerald Ash Borer in the States of
20 Michigan, Ohio, and Indiana.

21 SEC. 768. None of the funds made available in this
22 Act may be used—

23 (1) to grant a waiver of a financial conflict of
24 interest requirement pursuant to section 505(n)(4)
25 of the Federal Food, Drug, and Cosmetic Act for

1 any voting member of an advisory committee or
2 panel of the Food and Drug Administration; or

3 ~~(2) to make a certification under section~~
4 ~~208(b)(3) of title 18, United States Code, for any~~
5 ~~such voting member.~~

6 ~~SEC. 769. None of the funds made available in this~~
7 ~~Act may be used to pay the salaries or expenses of per-~~
8 ~~sonnel to inspect horses under section 3 of the Federal~~
9 ~~Meat Inspection Act (21 U.S.C. 603) or under the guide-~~
10 ~~lines issued under section 903 the Federal Agriculture Im-~~
11 ~~provement and Reform Act of 1996 (7 U.S.C. 1901 note;~~
12 ~~Public Law 104–127).~~

13 ~~SEC. 770. None of the funds made available by this~~
14 ~~Act to the Secretary of Agriculture may be used, after De-~~
15 ~~cember 31, 2005, to purchase chickens, including chicken~~
16 ~~products, under the Richard B. Russell National School~~
17 ~~Lunch Act or the Child Nutrition Act of 1966, unless the~~
18 ~~Secretary shall take into account whether such purchases~~
19 ~~are in compliance with standards relating to the whole-~~
20 ~~someness of food for human consumption, pursuant to sec-~~
21 ~~tion 14(d) of the Richard B. Russell National School~~
22 ~~Lunch Act (42 U.S.C. 1762a(d)).~~

23 This Act may be cited as the “Agriculture, Rural De-
24 velopment, Food and Drug Administration, and Related
25 Agencies Appropriations Act, 2006”.

1 *That the following sums are appropriated, out of any*
2 *money in the Treasury not otherwise appropriated, for Ag-*
3 *riculture, Rural Development, Food and Drug Administra-*
4 *tion, and Related Agencies programs for the fiscal year end-*
5 *ing September 30, 2006, and for other purposes, namely:*

6

TITLE I

7

AGRICULTURAL PROGRAMS

8

PRODUCTION, PROCESSING AND MARKETING

9

OFFICE OF THE SECRETARY

10 *For necessary expenses of the Office of the Secretary*
11 *of Agriculture, \$5,127,000: Provided, That not to exceed*
12 *\$11,000 of this amount shall be available for official recep-*
13 *tion and representation expenses, not otherwise provided*
14 *for, as determined by the Secretary.*

15

EXECUTIVE OPERATIONS

16

CHIEF ECONOMIST

17 *For necessary expenses of the Chief Economist, includ-*
18 *ing economic analysis, risk assessment, cost-benefit anal-*
19 *ysis, energy and new uses, and the functions of the World*
20 *Agricultural Outlook Board, as authorized by the Agricul-*
21 *tural Marketing Act of 1946 (7 U.S.C. 1622g), \$10,539,000.*

22

NATIONAL APPEALS DIVISION

23 *For necessary expenses of the National Appeals Divi-*
24 *sion, \$14,524,000.*

1 *OFFICE OF BUDGET AND PROGRAM ANALYSIS*

2 *For necessary expenses of the Office of Budget and Pro-*
3 *gram Analysis, \$8,298,000.*

4 *HOMELAND SECURITY STAFF*

5 *For necessary expenses of the Homeland Security*
6 *Staff, \$1,166,000.*

7 *OFFICE OF THE CHIEF INFORMATION OFFICER*

8 *For necessary expenses of the Office of the Chief Infor-*
9 *mation Officer, \$16,726,000.*

10 *COMMON COMPUTING ENVIRONMENT*

11 *For necessary expenses to acquire a Common Com-*
12 *puting Environment for the Natural Resources Conserva-*
13 *tion Service, the Farm and Foreign Agricultural Service,*
14 *and Rural Development mission areas for information tech-*
15 *nology, systems, and services, \$128,072,000, to remain*
16 *available until expended, for the capital asset acquisition*
17 *of shared information technology systems, including services*
18 *as authorized by 7 U.S.C. 6915–16 and 40 U.S.C. 1421–*
19 *28: Provided, That obligation of these funds shall be con-*
20 *sistent with the Department of Agriculture Service Center*
21 *Modernization Plan of the county-based agencies, and shall*
22 *be with the concurrence of the Department’s Chief Informa-*
23 *tion Officer.*

24 *OFFICE OF THE CHIEF FINANCIAL OFFICER*

25 *For necessary expenses of the Office of the Chief Finan-*
26 *cial Officer, \$5,874,000: Provided, That the Chief Financial*

1 *Officer shall actively market and expand cross-servicing ac-*
2 *tivities of the National Finance Center: Provided further,*
3 *That no funds made available by this appropriation may*
4 *be obligated for FAIR Act or Circular A-76 activities until*
5 *the Secretary has submitted to the Committees on Appro-*
6 *priations of both Houses of Congress and the Committee on*
7 *Government Reform of the House of Representatives a re-*
8 *port on the Department's contracting out policies, including*
9 *agency budgets for contracting out.*

10 *OFFICE OF THE ASSISTANT SECRETARY FOR CIVIL*

11 *RIGHTS*

12 *For necessary salaries and expenses of the Office of the*
13 *Assistant Secretary for Civil Rights, \$821,000.*

14 *OFFICE OF CIVIL RIGHTS*

15 *(INCLUDING TRANSFERS OF FUNDS)*

16 *For necessary expenses of the Office of Civil Rights,*
17 *\$20,109,000.*

18 *OFFICE OF THE ASSISTANT SECRETARY FOR*

19 *ADMINISTRATION*

20 *For necessary salaries and expenses of the Office of the*
21 *Assistant Secretary for Administration, \$676,000.*

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 Administrator*
7 *of General Services to the Department of Agriculture under*
8 *40 U.S.C. 486, for programs and activities of the Depart-*
9 *ment which are included in this Act, and for alterations*
10 *and other actions needed for the Department and its agen-*
11 *cies to consolidate unneeded space into configurations suit-*
12 *able for release to the Administrator of General Services,*
13 *and for the operation, maintenance, improvement, and re-*
14 *pair of Agriculture buildings and facilities, and for related*
15 *costs, \$187,734,000, to remain available until expended, as*
16 *follows: for payments to the General Services Administra-*
17 *tion and the Department of Homeland Security for build-*
18 *ing security, \$147,734,000, and for buildings operations*
19 *and maintenance, \$40,000,000: Provided, That amounts*
20 *which are made available for space rental and related costs*
21 *for the Department of Agriculture in this Act may be trans-*
22 *ferred between such appropriations to cover the costs of ad-*
23 *ditional, new, or replacement space 15 days after notice*
24 *thereof is transmitted to the Appropriations Committees of*
25 *both Houses of Congress.*

1 *HAZARDOUS MATERIALS MANAGEMENT*
2 *(INCLUDING TRANSFERS OF FUNDS)*

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

14 *DEPARTMENTAL ADMINISTRATION*
15 *(INCLUDING TRANSFERS OF FUNDS)*

16 *For Departmental Administration, \$23,103,000, to*
17 *provide for necessary expenses for management support*
18 *services to offices of the Department and for general admin-*
19 *istration, security, repairs and alterations, and other mis-*
20 *cellaneous supplies and expenses not otherwise provided for*
21 *and necessary for the practical and efficient work of the*
22 *Department: Provided, That this appropriation shall be re-*
23 *imbursed from applicable appropriations in this Act for*
24 *travel expenses incident to the holding of hearings as re-*
25 *quired 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 the*
5 *Assistant Secretary for Congressional Relations to carry out*
6 *the programs funded by this Act, including programs in-*
7 *volving intergovernmental affairs and liaison within the ex-*
8 *ecutive branch, \$3,846,000: Provided, That these funds may*
9 *be transferred to agencies of the Department of Agriculture*
10 *funded by this Act to maintain personnel at the agency*
11 *level: Provided further, That no funds made available by*
12 *this appropriation may be obligated after 30 days from the*
13 *date of enactment of this Act, unless the Secretary has noti-*
14 *fied the Committees on Appropriations of both Houses of*
15 *Congress on the allocation of these funds by USDA agency:*
16 *Provided further, That no other funds appropriated to the*
17 *Department by this Act shall be available to the Depart-*
18 *ment for support of activities of congressional relations.*

19 *OFFICE OF COMMUNICATIONS*

20 *For necessary expenses to carry out services relating*
21 *to the coordination of programs involving public affairs,*
22 *for the dissemination of agricultural information, and the*
23 *coordination of information, work, and programs author-*
24 *ized by Congress in the Department, \$9,509,000: Provided,*

1 *That not to exceed \$2,000,000 may be used for farmers' bul-*
2 *letins.*

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, \$81,045,000, including such sums as*
7 *may be necessary for contracting and other arrangements*
8 *with public agencies and private persons pursuant to sec-*
9 *tion 6(a)(9) of the Inspector General Act of 1978, and in-*
10 *cluding not to exceed \$125,000 for certain confidential oper-*
11 *ational expenses, including the payment of informants, to*
12 *be expended under the direction of the Inspector General*
13 *pursuant to Public Law 95-452 and section 1337 of Public*
14 *Law 97-98.*

15 *OFFICE OF THE GENERAL COUNSEL*

16 *For necessary expenses of the Office of the General*
17 *Counsel, \$40,263,000.*

18 *OFFICE OF THE UNDER SECRETARY FOR RESEARCH,*

19 *EDUCATION AND ECONOMICS*

20 *For necessary salaries and expenses of the Office of the*
21 *Under Secretary for Research, Education and Economics*
22 *to administer the laws enacted by the Congress for the Eco-*
23 *nomics Research Service, the National Agricultural Statis-*
24 *tics Service, the Agricultural Research Service, and the Co-*

1 *operative State Research, Education, and Extension Serv-*
2 *ice, \$598,000.*

3 *ECONOMIC RESEARCH SERVICE*

4 *For necessary expenses of the Economic Research Serv-*
5 *ice in conducting economic research and analysis, as au-*
6 *thorized by the Agricultural Marketing Act of 1946 (7*
7 *U.S.C. 1621–1627) and other laws, \$78,549,000.*

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, statis-*
12 *tical coordination and improvements, marketing surveys,*
13 *and the Census of Agriculture, as authorized by 7 U.S.C.*
14 *1621–1627 and 2204g, and other laws, \$145,159,000, of*
15 *which up to \$29,115,000 shall be available until expended*
16 *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 econom-*
23 *ics or nutrition and consumer use including the acquisition,*
24 *preservation, and dissemination of agricultural informa-*
25 *tion; and for acquisition of lands by donation, exchange,*

1 or purchase at a nominal cost not to exceed \$100, and for
2 land exchanges where the lands exchanged shall be of equal
3 value or shall be equalized by a payment of money to the
4 grantor which shall not exceed 25 percent of the total value
5 of the land or interests transferred out of Federal ownership,
6 \$1,109,981,000: Provided, That appropriations hereunder
7 shall be available for the operation and maintenance of air-
8 craft and the purchase of not to exceed one for replacement
9 only: Provided further, That appropriations hereunder shall
10 be available pursuant to 7 U.S.C. 2250 for the construction,
11 alteration, and repair of buildings and improvements, but
12 unless otherwise provided, the cost of constructing any one
13 building shall not exceed \$375,000, except for headhouses
14 or greenhouses which shall each be limited to \$1,200,000,
15 and except for 10 buildings to be constructed or improved
16 at a cost not to exceed \$750,000 each, and the cost of alter-
17 ing any one building during the fiscal year shall not exceed
18 10 percent of the current replacement value of the building
19 or \$375,000, whichever is greater: Provided further, That
20 the limitations on alterations contained in this Act shall
21 not apply to modernization or replacement of existing fa-
22 cilities at Beltsville, Maryland: Provided further, That ap-
23 propriations hereunder shall be available for granting ease-
24 ments at the Beltsville Agricultural Research Center: Pro-
25 vided further, That the foregoing limitations shall not apply

1 *to replacement of buildings needed to carry out the Act of*
2 *April 24, 1948 (21 U.S.C. 113a): Provided further, That*
3 *the foregoing limitations shall not apply to the purchase*
4 *of land at Florence, South Carolina: Provided further, That*
5 *funds may be received from any State, other political sub-*
6 *division, organization, or individual for the purpose of es-*
7 *tablishing or operating any research facility or research*
8 *project of the Agricultural Research Service, as authorized*
9 *by law.*

10 *None of the funds appropriated under this heading*
11 *shall be available to carry out research related to the pro-*
12 *duction, processing, or marketing of tobacco or tobacco*
13 *products.*

14 *BUILDINGS AND FACILITIES*

15 *For acquisition of land, construction, repair, improve-*
16 *ment, extension, alteration, and purchase of fixed equip-*
17 *ment or facilities as necessary to carry out the agricultural*
18 *research programs of the Department of Agriculture, where*
19 *not otherwise provided, \$160,645,000, to remain available*
20 *until expended.*

21 *COOPERATIVE STATE RESEARCH, EDUCATION, AND*

22 *EXTENSION SERVICE*

23 *RESEARCH AND EDUCATION ACTIVITIES*

24 *For payments to agricultural experiment stations, for*
25 *cooperative forestry and other research, for facilities, and*
26 *for other expenses, \$652,231,000, as follows: to carry out*

1 *the provisions of the Hatch Act of 1887 (7 U.S.C. 361a–*
2 *i), \$178,707,000; for grants for cooperative forestry research*
3 *(16 U.S.C. 582a through a–7), \$22,205,000; for payments*
4 *to the 1890 land-grant colleges, including Tuskegee Univer-*
5 *sity and West Virginia State University (7 U.S.C. 3222),*
6 *\$37,477,000, of which \$1,507,496 shall be made available*
7 *only for the purpose of ensuring that each institution shall*
8 *receive no less than \$1,000,000; for special grants for agri-*
9 *cultural research (7 U.S.C. 450i(c)), \$110,281,000; for spe-*
10 *cial grants for agricultural research on improved pest con-*
11 *trol (7 U.S.C. 450i(c)), \$15,158,000; for competitive re-*
12 *search grants (7 U.S.C. 450i(b)), \$190,000,000; for the sup-*
13 *port of animal health and disease programs (7 U.S.C.*
14 *3195), \$5,057,000; for supplemental and alternative crops*
15 *and products (7 U.S.C. 3319d), \$833,000; for grants for re-*
16 *search pursuant to the Critical Agricultural Materials Act*
17 *(7 U.S.C. 178 et seq.), \$1,102,000, to remain available until*
18 *expended; for the 1994 research grants program for 1994*
19 *institutions pursuant to section 536 of Public Law 103–*
20 *382 (7 U.S.C. 301 note), \$1,078,000, to remain available*
21 *until expended; for rangeland research grants (7 U.S.C.*
22 *3333), \$992,000; for higher education graduate fellowship*
23 *grants (7 U.S.C. 3152(b)(6)), \$2,976,000, to remain avail-*
24 *able until expended (7 U.S.C. 2209b); for a higher education*
25 *agrosecurity education program (7 U.S.C. 3351), \$750,000,*

1 *to remain available until expended; for higher education*
2 *challenge grants (7 U.S.C. 3152(b)(1)), \$5,456,000; for a*
3 *higher education multicultural scholars program (7 U.S.C.*
4 *3152(b)(5)), \$990,000, to remain available until expended*
5 *(7 U.S.C. 2209b); for an education grants program for His-*
6 *panic-serving Institutions (7 U.S.C. 3241), \$5,600,000; for*
7 *noncompetitive grants for the purpose of carrying out all*
8 *provisions of 7 U.S.C. 3242 (section 759 of Public Law*
9 *106–78) to individual eligible institutions or consortia of*
10 *eligible institutions in Alaska and in Hawaii, with funds*
11 *awarded equally to each of the States of Alaska and Ha-*
12 *waii, \$3,472,000; for a secondary agriculture education*
13 *program and 2-year post-secondary education (7 U.S.C.*
14 *3152(j)), \$992,000; for aquaculture grants (7 U.S.C. 3322),*
15 *\$3,968,000; for sustainable agriculture research and edu-*
16 *cation (7 U.S.C. 5811), \$12,400,000; for a program of ca-*
17 *pacuity building grants (7 U.S.C. 3152(b)(4)) to colleges eli-*
18 *gible to receive funds under the Act of August 30, 1890 (7*
19 *U.S.C. 321–326 and 328), including Tuskegee University*
20 *and West Virginia State University, \$12,312,000, to re-*
21 *main available until expended (7 U.S.C. 2209b); for pay-*
22 *ments to the 1994 Institutions pursuant to section*
23 *534(a)(1) of Public Law 103–382, \$2,232,000; and for nec-*
24 *essary expenses of Research and Education Activities,*
25 *\$38,193,000, of which \$2,424,000 for the Research, Edu-*

1 cation, and Economics Information System and \$1,928,000
2 for the Electronic Grants Information System, are to re-
3 main available until expended.

4 None of the funds appropriated under this heading
5 shall be available to carry out research related to the pro-
6 duction, processing, or marketing of tobacco or tobacco
7 products: Provided, That this paragraph shall not apply
8 to research on the medical, biotechnological, food, and in-
9 dustrial uses of tobacco.

10 NATIVE AMERICAN INSTITUTIONS ENDOWMENT FUND

11 For the Native American Institutions Endowment
12 Fund authorized by Public Law 103-382 (7 U.S.C. 301
13 note), \$12,000,000, to remain available until expended.

14 EXTENSION ACTIVITIES

15 For payments to States, the District of Columbia,
16 Puerto Rico, Guam, the Virgin Islands, Micronesia, North-
17 ern Marianas, and American Samoa, \$453,438,000, as fol-
18 lows: payments for cooperative extension work under the
19 Smith-Lever Act, to be distributed under sections 3(b) and
20 3(c) of said Act, and under section 208(c) of Public Law
21 93-471, for retirement and employees' compensation costs
22 for extension agents, \$275,520,000; payments for extension
23 work at the 1994 Institutions under the Smith-Lever Act
24 (7 U.S.C. 343(b)(3)), \$3,247,000; payments for the nutri-
25 tion and family education program for low-income areas
26 under section 3(d) of the Act, \$62,909,000; payments for

1 *the pest management program under section 3(d) of the Act,*
2 *\$9,920,000; payments for the farm safety program under*
3 *section 3(d) of the Act, \$4,563,000; payments for New Tech-*
4 *nologies for Ag Extension under Section 3(d) of the Act,*
5 *\$2,000,000; payments to upgrade research, extension, and*
6 *teaching facilities at the 1890 land-grant colleges, including*
7 *Tuskegee University and West Virginia State University,*
8 *as authorized by section 1447 of Public Law 95–113 (7*
9 *U.S.C. 3222b), \$16,777,000, to remain available until ex-*
10 *pended; payments for youth-at-risk programs under section*
11 *3(d) of the Smith-Lever Act, \$7,478,000; for youth farm*
12 *safety education and certification extension grants, to be*
13 *awarded competitively under section 3(d) of the Act,*
14 *\$440,000; payments for carrying out the provisions of the*
15 *Renewable Resources Extension Act of 1978 (16 U.S.C.*
16 *1671 et seq.), \$4,060,000; payments for Indian reservation*
17 *agents under section 3(d) of the Smith-Lever Act,*
18 *\$1,760,000; payments for sustainable agriculture programs*
19 *under section 3(d) of the Act, \$4,067,000; payments for*
20 *rural health and safety education as authorized by section*
21 *502(i) of Public Law 92–419 (7 U.S.C. 2662(i)),*
22 *\$1,965,000; payments for cooperative extension work by the*
23 *colleges receiving the benefits of the second Morrill Act (7*
24 *U.S.C. 321–326 and 328) and Tuskegee University and*
25 *West Virginia State University, \$33,643,000, of which*

1 \$1,724,884 shall be made available only for the purpose of
2 ensuring that each institution shall receive no less than
3 \$1,000,000; for grants to youth organizations pursuant to
4 section 7630 of title 7, United States Code, \$2,646,000; and
5 for necessary expenses of Extension Activities, \$22,443,000.

6 *INTEGRATED ACTIVITIES*

7 *For the integrated research, education, and extension*
8 *grants programs, including necessary administrative ex-*
9 *penses, \$55,784,000, as follows: for competitive grants pro-*
10 *grams authorized under section 406 of the Agricultural Re-*
11 *search, Extension, and Education Reform Act of 1998 (7*
12 *U.S.C. 7626), \$45,784,000, including \$12,867,000 for the*
13 *water quality program, \$14,847,000 for the food safety pro-*
14 *gram, \$4,167,000 for the regional pest management centers*
15 *program, \$4,464,000 for the Food Quality Protection Act*
16 *risk mitigation program for major food crop systems,*
17 *\$1,389,000 for the crops affected by Food Quality Protection*
18 *Act implementation, \$3,106,000 for the methyl bromide*
19 *transition program, and \$1,874,000 for the organic transi-*
20 *tion program; for a competitive international science and*
21 *education grants program authorized under section 1459A*
22 *of the National Agricultural Research, Extension, and*
23 *Teaching Policy Act of 1977 (7 U.S.C. 3292b), to remain*
24 *available until expended, \$992,000; for grants programs au-*
25 *thorized under section 2(c)(1)(B) of Public Law 89–106, as*
26 *amended, \$744,000, to remain available until September*

1 30, 2007 for the critical issues program, and \$1,334,000
 2 for the regional rural development centers program; and
 3 \$10,000,000 for the Food and Agriculture Defense Initiative
 4 authorized under section 1484 of the National Agricultural
 5 Research, Extension, and Teaching Act of 1977, to remain
 6 available until September 30, 2007.

7 *OUTREACH FOR SOCIALLY DISADVANTAGED FARMERS*

8 *For grants and contracts pursuant to section 2501 of*
 9 *the Food, Agriculture, Conservation, and Trade Act of 1990*
 10 *(7 U.S.C. 2279), \$5,888,000, to remain available until ex-*
 11 *pended.*

12 *OFFICE OF THE UNDER SECRETARY FOR MARKETING AND*
 13 *REGULATORY PROGRAMS*

14 *For necessary salaries and expenses of the Office of the*
 15 *Under Secretary for Marketing and Regulatory Programs*
 16 *to administer programs under the laws enacted by the Con-*
 17 *gress for the Animal and Plant Health Inspection Service;*
 18 *the Agricultural Marketing Service; and the Grain Inspec-*
 19 *tion, Packers and Stockyards Administration; \$724,000.*

20 *ANIMAL AND PLANT HEALTH INSPECTION SERVICE*

21 *SALARIES AND EXPENSES*

22 *(INCLUDING TRANSFERS OF FUNDS)*

23 *For expenses, not otherwise provided for, necessary to*
 24 *prevent, control, and eradicate pests and plant and animal*
 25 *diseases; to carry out inspection, quarantine, and regu-*
 26 *latory activities; and to protect the environment, as author-*

1 ized by law, \$807,768,000, of which \$4,140,000 shall be
2 available for the control of outbreaks of insects, plant dis-
3 eases, animal diseases and for control of pest animals and
4 birds to the extent necessary to meet emergency conditions;
5 of which \$39,900,000 shall be used for the boll weevil eradi-
6 cation program for cost share purposes or for debt retire-
7 ment for active eradication zones; of which \$32,932,000
8 shall be available for a National Animal Identification pro-
9 gram: Provided, That no funds shall be used to formulate
10 or administer a brucellosis eradication program for the cur-
11 rent fiscal year that does not require minimum matching
12 by the States of at least 40 percent: Provided further, That
13 this appropriation shall be available for the operation and
14 maintenance of aircraft and the purchase of not to exceed
15 four, of which two shall be for replacement only: Provided
16 further, That, in addition, in emergencies which threaten
17 any segment of the agricultural production industry of this
18 country, the Secretary may transfer from other appropri-
19 ations or funds available to the agencies or corporations of
20 the Department such sums as may be deemed necessary, to
21 be available only in such emergencies for the arrest and
22 eradication of contagious or infectious disease or pests of
23 animals, poultry, or plants, and for expenses in accordance
24 with sections 10411 and 10417 of the Animal Health Pro-
25 tection Act (7 U.S.C. 8310 and 8316) and sections 431 and

1 442 of the Plant Protection Act (7 U.S.C. 7751 and 7772),
2 and any unexpended balances of funds transferred for such
3 emergency purposes in the preceding fiscal year shall be
4 merged with such transferred amounts: Provided further,
5 That appropriations hereunder shall be available pursuant
6 to law (7 U.S.C. 2250) for the repair and alteration of
7 leased buildings and improvements, but unless otherwise
8 provided the cost of altering any one building during the
9 fiscal year shall not exceed 10 percent of the current replace-
10 ment value of the building.

11 In fiscal year 2006, the agency is authorized to collect
12 fees to cover the total costs of providing technical assistance,
13 goods, or services requested by States, other political sub-
14 divisions, domestic and international organizations, foreign
15 governments, or individuals, provided that such fees are
16 structured such that any entity's liability for such fees is
17 reasonably based on the technical assistance, goods, or serv-
18 ices provided to the entity by the agency, and such fees shall
19 be credited to this account, to remain available until ex-
20 pended, without further appropriation, for providing such
21 assistance, goods, or services.

22 BUILDINGS AND FACILITIES

23 For plans, construction, repair, preventive mainte-
24 nance, environmental support, improvement, extension, al-
25 teration, and purchase of fixed equipment or facilities, as
26 authorized by 7 U.S.C. 2250, and acquisition of land as

1 *authorized by 7 U.S.C. 428a, \$4,996,000, to remain avail-*
2 *able until expended.*

3 *AGRICULTURAL MARKETING SERVICE*

4 *MARKETING SERVICES*

5 *For necessary expenses to carry out services related to*
6 *consumer protection, agricultural marketing and distribu-*
7 *tion, transportation, and regulatory programs, as author-*
8 *ized by law, and for administration and coordination of*
9 *payments to States, \$76,643,000, including funds for the*
10 *wholesale market development program for the design and*
11 *development of wholesale and farmer market facilities for*
12 *the major metropolitan areas of the country: Provided, That*
13 *this appropriation shall be available pursuant to law (7*
14 *U.S.C. 2250) for the alteration and repair of buildings and*
15 *improvements, but the cost of altering any one building*
16 *during the fiscal year shall not exceed 10 percent of the cur-*
17 *rent replacement value of the building.*

18 *Fees may be collected for the cost of standardization*
19 *activities, as established by regulation pursuant to law (31*
20 *U.S.C. 9701).*

21 *LIMITATION ON ADMINISTRATIVE EXPENSES*

22 *Not to exceed \$65,667,000 (from fees collected) shall be*
23 *obligated during the current fiscal year for administrative*
24 *expenses: Provided, That if crop size is understated and/*
25 *or other uncontrollable events occur, the agency may exceed*

1 *this limitation by up to 10 percent with notification to the*
2 *Committees on Appropriations of both Houses of Congress.*

3 *FUNDS FOR STRENGTHENING MARKETS, INCOME, AND*

4 *SUPPLY (SECTION 32)*

5 *(INCLUDING TRANSFERS OF FUNDS)*

6 *Funds available under section 32 of the Act of August*
7 *24, 1935 (7 U.S.C. 612c), shall be used only for commodity*
8 *program expenses as authorized therein, and other related*
9 *operating expenses, except for: (1) transfers to the Depart-*
10 *ment of Commerce as authorized by the Fish and Wildlife*
11 *Act of August 8, 1956; (2) transfers otherwise provided in*
12 *this Act; and (3) not more than \$16,055,000 for formulation*
13 *and administration of marketing agreements and orders*
14 *pursuant to the Agricultural Marketing Agreement Act of*
15 *1937 and the Agricultural Act of 1961.*

16 *PAYMENTS TO STATES AND POSSESSIONS*

17 *For payments to departments of agriculture, bureaus*
18 *and departments of markets, and similar agencies for mar-*
19 *keting activities under section 204(b) of the Agricultural*
20 *Marketing Act of 1946 (7 U.S.C. 1623(b)), \$3,847,000, of*
21 *which not less than \$2,500,000 shall be used to make a*
22 *grant under this heading.*

1 *acted by the Congress for the Food Safety and Inspection*
2 *Service, \$602,000.*

3 *FOOD SAFETY AND INSPECTION SERVICE*

4 *For necessary expenses to carry out services authorized*
5 *by the Federal Meat Inspection Act, the Poultry Products*
6 *Inspection Act, and the Egg Products Inspection Act, in-*
7 *cluding not to exceed \$50,000 for representation allowances*
8 *and for expenses pursuant to section 8 of the Act approved*
9 *August 3, 1956 (7 U.S.C. 1766), \$836,818,000, of which no*
10 *less than \$751,457,000 shall be available for Federal food*
11 *safety inspection; and in addition, \$1,000,000 may be cred-*
12 *ited to this account from fees collected for the cost of labora-*
13 *tory accreditation as authorized by section 1327 of the*
14 *Food, Agriculture, Conservation and Trade Act of 1990 (7*
15 *U.S.C. 138f): Provided, That no fewer than 63 full time*
16 *equivalent positions above the fiscal year 2002 level shall*
17 *be employed during fiscal year 2006 for purposes dedicated*
18 *solely to inspections and enforcement related to the Humane*
19 *Methods of Slaughter Act: Provided further, That of the*
20 *amount available under this heading, notwithstanding sec-*
21 *tion 704 of this Act \$5,000,000, available until September*
22 *30, 2007, shall be obligated to include the Humane Animal*
23 *Tracking System as part of the Field Automation and In-*
24 *formation Management System following notification to the*
25 *Committees on Appropriations, which shall include a de-*

1 *tailed explanation of the components of such system: Pro-*
2 *vided further, That of the total amount made available*
3 *under this heading, no less than \$20,653,000 shall be obli-*
4 *gated for regulatory and scientific training: Provided fur-*
5 *ther, That this appropriation shall be available pursuant*
6 *to law (7 U.S.C. 2250) for the alteration and repair of*
7 *buildings and improvements, but the cost of altering any*
8 *one building during the fiscal year shall not exceed 10 per-*
9 *cent of the current replacement value of the building.*

10 *OFFICE OF THE UNDER SECRETARY FOR FARM AND*
11 *FOREIGN AGRICULTURAL SERVICES*

12 *For necessary salaries and expenses of the Office of the*
13 *Under Secretary for Farm and Foreign Agricultural Serv-*
14 *ices to administer the laws enacted by Congress for the*
15 *Farm Service Agency, the Foreign Agricultural Service, the*
16 *Risk Management Agency, and the Commodity Credit Cor-*
17 *poration, \$635,000.*

18 *FARM SERVICE AGENCY*

19 *SALARIES AND EXPENSES*

20 *(INCLUDING TRANSFERS OF FUNDS)*

21 *For necessary expenses for carrying out the adminis-*
22 *tration and implementation of programs administered by*
23 *the Farm Service Agency, \$1,043,555,000: Provided, That*
24 *the Secretary is authorized to use the services, facilities, and*
25 *authorities (but not the funds) of the Commodity Credit*
26 *Corporation to make program payments for all programs*

1 *administered by the Agency: Provided further, That other*
2 *funds made available to the Agency for authorized activities*
3 *may be advanced to and merged with this account.*

4 *STATE MEDIATION GRANTS*

5 *For grants pursuant to section 502(b) of the Agricul-*
6 *tural Credit Act of 1987, as amended (7 U.S.C. 5101–5106),*
7 *\$4,250,000.*

8 *GRASSROOTS SOURCE WATER PROTECTION PROGRAM*

9 *For necessary expenses to carry out wellhead or*
10 *groundwater protection activities under section 12400 of*
11 *the Food Security Act of 1985 (16 U.S.C. 3839bb–2),*
12 *\$4,250,000, to remain available until expended.*

13 *DAIRY INDEMNITY PROGRAM*

14 *(INCLUDING TRANSFER OF FUNDS)*

15 *For necessary expenses involved in making indemnity*
16 *payments to dairy farmers and manufacturers of dairy*
17 *products under a dairy indemnity program, \$100,000, to*
18 *remain available until expended: Provided, That such pro-*
19 *gram is carried out by the Secretary in the same manner*
20 *as the dairy indemnity program described in the Agri-*
21 *culture, Rural Development, Food and Drug Administra-*
22 *tion, and Related Agencies Appropriations Act, 2001 (Pub-*
23 *lic Law 106–387, 114 Stat. 1549A–12).*

1 *for subsidized guaranteed loans, and \$64,675,000 shall be*
2 *for direct loans; and Indian tribe land acquisition loans,*
3 *\$80,000.*

4 *In addition, for administrative expenses necessary to*
5 *carry out the direct and guaranteed loan programs,*
6 *\$317,137,000, of which \$309,137,000 shall be transferred to*
7 *and merged with the appropriation for “Farm Service*
8 *Agency, Salaries and Expenses”.*

9 *Funds appropriated by this Act to the Agricultural*
10 *Credit Insurance Program Account for farm ownership and*
11 *operating direct loans and guaranteed loans may be trans-*
12 *ferred among these programs: Provided, That the Commit-*
13 *tees on Appropriations of both Houses of Congress are noti-*
14 *fied at least 15 days in advance of any transfer.*

15 *RISK MANAGEMENT AGENCY*

16 *For administrative and operating expenses, as author-*
17 *ized by section 226A of the Department of Agriculture Reor-*
18 *ganization Act of 1994 (7 U.S.C. 6933), \$73,448,000: Pro-*
19 *vided, That not to exceed \$1,000 shall be available for offi-*
20 *cial reception and representation expenses, as authorized by*
21 *7 U.S.C. 1506(i).*

22 *CORPORATIONS*

23 *The following corporations and agencies are hereby au-*
24 *thorized to make expenditures, within the limits of funds*
25 *and borrowing authority available to each such corporation*

1 *or agency and in accord with law, and to make contracts*
2 *and commitments without regard to fiscal year limitations*
3 *as provided by section 104 of the Government Corporation*
4 *Control Act as may be necessary in carrying out the pro-*
5 *grams set forth in the budget for the current fiscal year for*
6 *such corporation or agency, except as hereinafter provided.*

7 *FEDERAL CROP INSURANCE CORPORATION FUND*

8 *For payments as authorized by section 516 of the Fed-*
9 *eral Crop Insurance Act (7 U.S.C. 1516), such sums as may*
10 *be necessary, to remain available until expended.*

11 *COMMODITY CREDIT CORPORATION FUND*

12 *REIMBURSEMENT FOR NET REALIZED LOSSES*

13 *For the current fiscal year, such sums as may be nec-*
14 *essary to reimburse the Commodity Credit Corporation for*
15 *net realized losses sustained, but not previously reimbursed,*
16 *pursuant to section 2 of the Act of August 17, 1961 (15*
17 *U.S.C. 713a–11): Provided, That of the funds available to*
18 *the Commodity Credit Corporation under section 11 of the*
19 *Commodity Credit Corporation Charter Act (15 U.S.C*
20 *714i) for the conduct of its business with the Foreign Agri-*
21 *cultural Service, up to \$5,000,000 may be transferred to*
22 *and used by the Foreign Agricultural Service for informa-*
23 *tion resource management activities of the Foreign Agricul-*
24 *tural Service that are not related to Commodity Credit Cor-*
25 *poration business.*

1 HAZARDOUS WASTE MANAGEMENT

2 (LIMITATION ON EXPENSES)

3 *For the current fiscal year, the Commodity Credit Cor-*
4 *poration shall not expend more than \$5,000,000 for site in-*
5 *vestigation and cleanup expenses, and operations and*
6 *maintenance expenses to comply with the requirement of*
7 *section 107(g) of the Comprehensive Environmental Re-*
8 *sponse, Compensation, and Liability Act (42 U.S.C.*
9 *9607(g)), and section 6001 of the Resource Conservation*
10 *and Recovery Act (42 U.S.C. 6961).*

11 TITLE II

12 CONSERVATION PROGRAMS

13 OFFICE OF THE UNDER SECRETARY FOR NATURAL

14 RESOURCES AND ENVIRONMENT

15 *For necessary salaries and expenses of the Office of the*
16 *Under Secretary for Natural Resources and Environment*
17 *to administer the laws enacted by the Congress for the For-*
18 *est Service and the Natural Resources Conservation Service,*
19 *\$744,000.*

20 NATURAL RESOURCES CONSERVATION SERVICE

21 CONSERVATION OPERATIONS

22 *For necessary expenses to carry out the provisions of*
23 *the Act of April 27, 1935 (16 U.S.C. 590a-f), including*
24 *preparation of conservation plans and establishment of*
25 *measures to conserve soil and water (including farm irriga-*
26 *tion and land drainage and such special measures for soil*

1 *and water management as may be necessary to prevent*
2 *floods and the siltation of reservoirs and to control agricul-*
3 *tural related pollutants); operation of conservation plant*
4 *materials centers; classification and mapping of soil; dis-*
5 *semination of information; acquisition of lands, water, and*
6 *interests therein for use in the plant materials program by*
7 *donation, exchange, or purchase at a nominal cost not to*
8 *exceed \$100 pursuant to the Act of August 3, 1956 (7 U.S.C.*
9 *428a); purchase and erection or alteration or improvement*
10 *of permanent and temporary buildings; and operation and*
11 *maintenance of aircraft, \$819,561,000, to remain available*
12 *until expended, of which not less than \$11,000,000 is for*
13 *snow survey and water forecasting, and not less than*
14 *\$11,847,000 is for operation and establishment of the plant*
15 *materials centers, and of which not less than \$28,156,000*
16 *shall be for the grazing lands conservation initiative: Pro-*
17 *vided, That appropriations hereunder shall be available*
18 *pursuant to 7 U.S.C. 2250 for construction and improve-*
19 *ment of buildings and public improvements at plant mate-*
20 *rials centers, except that the cost of alterations and im-*
21 *provements to other buildings and other public improve-*
22 *ments shall not exceed \$250,000: Provided further, That*
23 *when buildings or other structures are erected on non-Fed-*
24 *eral land, that the right to use such land is obtained as*
25 *provided in 7 U.S.C. 2250a: Provided further, That this*

1 *appropriation shall be available for technical assistance*
2 *and related expenses to carry out programs authorized by*
3 *section 202(c) of title II of the Colorado River Basin Salin-*
4 *ity Control Act of 1974 (43 U.S.C. 1592(c)): Provided fur-*
5 *ther, That qualified local engineers may be temporarily em-*
6 *ployed at per diem rates to perform the technical planning*
7 *work of the Service.*

8 *WATERSHED SURVEYS AND PLANNING*

9 *For necessary expenses to conduct research, investiga-*
10 *tion, and surveys of watersheds of rivers and other water-*
11 *ways, and for small watershed investigations and planning,*
12 *in accordance with the Watershed Protection and Flood*
13 *Prevention Act (16 U.S.C. 1001–1009), \$5,141,000.*

14 *WATERSHED AND FLOOD PREVENTION OPERATIONS*

15 *For necessary expenses to carry out preventive meas-*
16 *ures, including but not limited to research, engineering op-*
17 *erations, methods of cultivation, the growing of vegetation,*
18 *rehabilitation of existing works and changes in use of land,*
19 *in accordance with the Watershed Protection and Flood*
20 *Prevention Act (16 U.S.C. 1001–1005 and 1007–1009), the*
21 *provisions of the Act of April 27, 1935 (16 U.S.C. 590a–*
22 *f), and in accordance with the provisions of laws relating*
23 *to the activities of the Department, \$60,000,000, to remain*
24 *available until expended; of which up to \$10,000,000 may*
25 *be available for the watersheds authorized under the Flood*
26 *Control Act (33 U.S.C. 701 and 16 U.S.C. 1006a): Pro-*

1 *vided, That not to exceed \$27,199,000 of this appropriation*
2 *shall be available for technical assistance: Provided further,*
3 *That not to exceed \$1,000,000 of this appropriation is*
4 *available to carry out the purposes of the Endangered Spe-*
5 *cies Act of 1973 (Public Law 93–205), including coopera-*
6 *tive efforts as contemplated by that Act to relocate endan-*
7 *gered or threatened species to other suitable habitats as may*
8 *be necessary to expedite project construction.*

9 *WATERSHED REHABILITATION PROGRAM*

10 *For necessary expenses to carry out rehabilitation of*
11 *structural measures, in accordance with section 14 of the*
12 *Watershed Protection and Flood Prevention Act (16 U.S.C.*
13 *1012), and in accordance with the provisions of laws relat-*
14 *ing to the activities of the Department, \$27,313,000, to re-*
15 *main available until expended.*

16 *RESOURCE CONSERVATION AND DEVELOPMENT*

17 *For necessary expenses in planning and carrying out*
18 *projects for resource conservation and development and for*
19 *sound land use pursuant to the provisions of sections 31*
20 *and 32 of the Bankhead-Jones Farm Tenant Act (7 U.S.C.*
21 *1010–1011; 76 Stat. 607); the Act of April 27, 1935 (16*
22 *U.S.C. 590a–f); and subtitle H of title XV of the Agriculture*
23 *and Food Act of 1981 (16 U.S.C. 3451–3461), \$51,228,000,*
24 *to remain available until expended.*

1 \$90,221,000 shall be for the rural business and cooperative
2 development programs described in sections 381E(d)(3) and
3 310B(f) of such Act: Provided, That of the total amount
4 appropriated in this account, \$26,000,000 shall be for loans
5 and grants to benefit Federally Recognized Native Amer-
6 ican Tribes, including grants for drinking water and waste
7 disposal systems pursuant to section 306C of such Act, of
8 which \$4,464,000 shall be available for community facilities
9 grants to tribal colleges, as authorized by section 306(a)(19)
10 of the Consolidated Farm and Rural Development Act, and
11 of which \$250,000 shall be available for a grant to a quali-
12 fied national organization to provide technical assistance
13 for rural transportation in order to promote economic de-
14 velopment: Provided further, That of the amount appro-
15 priated for rural community programs, \$6,500,000 shall be
16 available for a Rural Community Development Initiative:
17 Provided further, That such funds shall be used solely to
18 develop the capacity and ability of private, nonprofit com-
19 munity-based housing and community development organi-
20 zations, low-income rural communities, and Federally Rec-
21 ognized Native American Tribes to undertake projects to
22 improve housing, community facilities, community and eco-
23 nomic development projects in rural areas: Provided fur-
24 ther, That such funds shall be made available to qualified
25 private, nonprofit and public intermediary organizations

1 *proposing to carry out a program of financial and technical*
2 *assistance: Provided further, That such intermediary orga-*
3 *nizations shall provide matching funds from other sources,*
4 *including Federal funds for related activities, in an amount*
5 *not less than funds provided: Provided further, That of the*
6 *amount appropriated for the rural business and cooperative*
7 *development programs, not to exceed \$500,000 shall be made*
8 *available for a grant to a qualified national organization*
9 *to provide technical assistance for rural transportation in*
10 *order to promote economic development; \$140,000 shall be*
11 *made available to conduct a feasibility study; \$3,000,000*
12 *shall be for grants to the Delta Regional Authority (7*
13 *U.S.C. 1921 et seq.) for any purpose under this heading:*
14 *Provided further, That of the amount appropriated for*
15 *rural utilities programs, not to exceed \$25,000,000 shall be*
16 *for water and waste disposal systems to benefit the Colonias*
17 *along the United States/Mexico border, including grants*
18 *pursuant to section 306C of such Act; \$26,000,000 shall be*
19 *for water and waste disposal systems for rural and native*
20 *villages in Alaska pursuant to section 306D of such Act,*
21 *with up to 2 percent available to administer the program*
22 *and/or improve interagency coordination may be trans-*
23 *ferred to and merged with the appropriation for “Rural De-*
24 *velopment, Salaries and Expenses”, of which \$100,000 shall*
25 *be provided to develop a regional system for centralized bill-*

1 *ing, operation, and management of rural water and sewer*
2 *utilities through regional cooperatives, of which 25 percent*
3 *shall be provided for water and sewer projects in regional*
4 *hubs, and the State of Alaska shall provide a 25 percent*
5 *cost share, and grantees may use up to 5 percent of grant*
6 *funds, not to exceed \$35,000 per community, for the comple-*
7 *tion of comprehensive community safe water plans; not to*
8 *exceed \$18,250,000 shall be for technical assistance grants*
9 *for rural water and waste systems pursuant to section*
10 *306(a)(14) of such Act, of which \$5,600,000 shall be for*
11 *Rural Community Assistance Programs and not less than*
12 *\$850,000 shall be for a qualified national Native American*
13 *organization to provide technical assistance for rural water*
14 *systems for tribal communities; and not to exceed*
15 *\$13,500,000 shall be for contracting with qualified national*
16 *organizations for a circuit rider program to provide tech-*
17 *nical assistance for rural water systems: Provided further,*
18 *That of the total amount appropriated, not to exceed*
19 *\$21,367,000 shall be available through June 30, 2006, for*
20 *authorized empowerment zones and enterprise communities*
21 *and communities designated by the Secretary of Agriculture*
22 *as Rural Economic Area Partnership Zones; of which*
23 *\$1,067,000 shall be for the rural community programs de-*
24 *scribed in section 381E(d)(1) of such Act, of which*
25 *\$12,000,000 shall be for the rural utilities programs de-*

1 scribed in section 381E(d)(2) of such Act, and of which
2 \$8,300,000 shall be for the rural business and cooperative
3 development programs described in section 381E(d)(3) of
4 such Act: Provided further, That of the amount appro-
5 priated for rural community programs, \$20,000,000 shall
6 be to provide grants for facilities in rural communities with
7 extreme unemployment and severe economic depression
8 (Public Law 106–387), with 5 percent for administration
9 and capacity building in the State rural development of-
10 fices: Provided further, That of the amount appropriated,
11 \$28,000,000 shall be transferred to and merged with the
12 “Rural Utilities Service, High Energy Cost Grants Ac-
13 count” to provide grants authorized under section 19 of the
14 Rural Electrification Act of 1936 (7 U.S.C. 918a): Provided
15 further, That any prior year balances for high cost energy
16 grants authorized by section 19 of the Rural Electrification
17 Act of 1936 (7 U.S.C. 901(19)) shall be transferred to and
18 merged with the “Rural Utilities Service, High Energy
19 Costs Grants Account”.

20 *RURAL DEVELOPMENT SALARIES AND EXPENSES*

21 *(INCLUDING TRANSFERS OF FUNDS)*

22 *For necessary expenses for carrying out the adminis-*
23 *tration and implementation of programs in the Rural De-*
24 *velopment mission area, including activities with institu-*
25 *tions concerning the development and operation of agricul-*

1 *tural cooperatives; and for cooperative agreements;*
2 *\$164,773,000: Provided, That notwithstanding any other*
3 *provision of law, funds appropriated under this section*
4 *may be used for advertising and promotional activities that*
5 *support the Rural Development mission area: Provided fur-*
6 *ther, That not more than \$10,000 may be expended to pro-*
7 *vide modest nonmonetary awards to non-USDA employees:*
8 *Provided further, That any balances available from prior*
9 *years for the Rural Utilities Service, Rural Housing Serv-*
10 *ice, and the Rural Business-Cooperative Service salaries*
11 *and expenses accounts shall be transferred to and merged*
12 *with this appropriation.*

13 *RURAL HOUSING SERVICE*

14 *RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT*

15 *(INCLUDING TRANSFERS OF FUNDS)*

16 *For gross obligations for the principal amount of di-*
17 *rect and guaranteed loans as authorized by title V of the*
18 *Housing Act of 1949, to be available from funds in the rural*
19 *housing insurance fund, as follows: \$4,927,581,000 for loans*
20 *to section 502 borrowers, as determined by the Secretary,*
21 *of which \$1,000,000,000 shall be for direct loans, and of*
22 *which \$3,681,033,000 shall be for unsubsidized guaranteed*
23 *loans; \$35,000,000 for section 504 housing repair loans;*
24 *\$90,000,000 for section 515 rental housing; \$100,000,000*
25 *for section 538 guaranteed multi-family housing loans;*
26 *\$5,000,000 for section 524 site loans; \$11,500,000 for credit*

1 sales of acquired property, of which up to \$1,500,000 may
2 be for multi-family credit sales; and \$5,048,000 for section
3 523 self-help housing land development loans.

4 For the cost of direct and guaranteed loans, including
5 the cost of modifying loans, as defined in section 502 of
6 the Congressional Budget Act of 1974, as follows: section
7 502 loans, \$154,800,000, of which \$113,900,000 shall be for
8 direct loans, and of which \$40,900,000, to remain available
9 until expended, shall be for unsubsidized guaranteed loans;
10 section 504 housing repair loans, \$10,238,000; repair, reha-
11 bilitation, and new construction of section 515 rental hous-
12 ing, \$41,292,000; section 538 multi-family housing guaran-
13 teed loans, \$5,420,000; multi-family credit sales of acquired
14 property, \$681,000; section 523 self-help housing and devel-
15 opment loans, \$52,000: Provided, That of the total amount
16 appropriated in this paragraph, \$2,500,000 shall be avail-
17 able through June 30, 2006, for authorized empowerment
18 zones and enterprise communities and communities des-
19 igned by the Secretary of Agriculture as Rural Economic
20 Area Partnership Zones: Provided further, That any funds
21 under this paragraph initially allocated by the Secretary
22 for housing projects in the State of Alaska that are not obli-
23 gated by September 30, 2006, shall be carried over until
24 September 30, 2007, and made available for such housing
25 projects only in the State of Alaska.

1 prior to fiscal year 1992 to carry out the rental assistance
2 program under section 521(a)(2) of the Act: Provided, That
3 of this amount, no less than \$8,976,000 shall be available
4 for debt forgiveness or payments for eligible households as
5 authorized by section 502(c)(5)(D) of the Act, and not to
6 exceed \$50,000 per project for advances to nonprofit organi-
7 zations or public agencies to cover direct costs (other than
8 purchase price) incurred in purchasing projects pursuant
9 to section 502(c)(5)(C) of the Act: Provided further, That
10 agreements entered into or renewed during the current fiscal
11 year shall be funded for a four-year period: Provided fur-
12 ther, That any unexpended balances remaining at the end
13 of such four-year agreements may be transferred and used
14 for the purposes of any debt reduction; maintenance, repair,
15 or rehabilitation of any existing projects; preservation; and
16 rental assistance activities authorized under title V of the
17 Act: Provided further, That rental assistance that is recov-
18 ered from projects that are subject to prepayment shall be
19 deobligated and reallocated for vouchers and debt forgive-
20 ness or payments consistent with the requirements of this
21 Act for purposes authorized under section 542 and section
22 502(c)(5)(D) of the Housing Act of 1949, as amended.

23 *RURAL HOUSING VOUCHER PROGRAM*

24 *For the rural housing voucher program as authorized*
25 *under section 542 of the Housing Act of 1949, (without re-*
26 *gard to section 542(b)), \$16,000,000, to remain available*

1 *until expended: Provided, That such vouchers shall be avail-*
2 *able to any low-income household (including those not re-*
3 *ceiving rental assistance) residing in a property financed*
4 *with a section 515 loan which has been prepaid after Sep-*
5 *tember 30, 2005: Provided further, That the amount of the*
6 *voucher shall be the difference between comparable market*
7 *rent for the section 515 unit and the tenant paid rent for*
8 *such unit: Provided further, That funds made available for*
9 *such vouchers, shall be subject to the availability of annual*
10 *appropriations: Provided further, That the Secretary shall,*
11 *to the maximum extent practicable, administer such vouch-*
12 *ers with current regulations and administrative guidance*
13 *applicable for section 8 housing vouchers administered by*
14 *the Secretary of the Department of Housing and Urban De-*
15 *velopment (including the ability to pay administrative*
16 *costs related to delivery of the voucher funds).*

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. 1490c),*
20 *\$34,000,000, to remain available until expended: Provided,*
21 *That of the total amount appropriated, \$1,000,000 shall be*
22 *available through June 30, 2005, for authorized empower-*
23 *ment zones and enterprise communities and communities*
24 *designated by the Secretary of Agriculture as Rural Eco-*
25 *nomie 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, \$43,976,000, to*
7 *remain available until expended: Provided, That*
8 *\$2,976,000 shall be made available for loans to private non-*
9 *profit organizations, or such non-profit organizations' affil-*
10 *iate loan funds and State and local housing finance agen-*
11 *cies, to carry out a housing demonstration program to pro-*
12 *vide revolving loans for the preservation of low-income*
13 *multi-family housing projects: Provided further, That loans*
14 *under such demonstration program shall have an interest*
15 *rate of not more than 1 percent direct loan to the recipient:*
16 *Provided further, That the Secretary may defer the interest*
17 *and principal payment to the Rural Housing Service for*
18 *up to 3 years and the term of such loans shall not exceed*
19 *30 years: Provided further, That of the total amount appro-*
20 *priated, \$1,200,000 shall be available through June 30,*
21 *2006, for authorized empowerment zones and enterprise*
22 *communities and communities designated by the Secretary*
23 *of Agriculture as Rural Economic Area Partnership Zones.*

24 *FARM LABOR PROGRAM ACCOUNT*

25 *For the cost of direct loans, grants, and contracts, as*
26 *authorized by 42 U.S.C. 1484 and 1486, \$29,607,000, to*

1 *remain available until expended, for direct farm labor hous-*
2 *ing loans and domestic farm labor housing grants and con-*
3 *tracts.*

4 *RURAL BUSINESS—COOPERATIVE SERVICE*

5 *RURAL DEVELOPMENT LOAN FUND PROGRAM ACCOUNT*

6 *(INCLUDING TRANSFER OF FUNDS)*

7 *For the principal amount of direct loans, as authorized*
8 *by the Rural Development Loan Fund (42 U.S.C. 9812(a)),*
9 *\$34,212,000.*

10 *For the cost of direct loans, \$14,718,000, as authorized*
11 *by the Rural Development Loan Fund (42 U.S.C. 9812(a)),*
12 *of which \$1,724,000 shall be available through June 30,*
13 *2006, for Federally Recognized Native American Tribes and*
14 *of which \$3,449,000 shall be available through June 30,*
15 *2006, for Mississippi Delta Region counties (as determined*
16 *in accordance with Public Law 100–460): Provided, That*
17 *of such amount made available, the Secretary may provide*
18 *up to \$1,500,000 for the Delta Regional Authority (7 U.S.C.*
19 *1921 et seq.): Provided further, That such costs, including*
20 *the cost of modifying such loans, shall be as defined in sec-*
21 *tion 502 of the Congressional Budget Act of 1974: Provided*
22 *further, That of the total amount appropriated, \$887,000*
23 *shall be available through June 30, 2006, for the cost of*
24 *direct loans for authorized empowerment zones and enter-*
25 *prise communities and communities designated by the Sec-*

1 *retary of Agriculture as Rural Economic Area Partnership*
 2 *Zones.*

3 *In addition, for administrative expenses to carry out*
 4 *the direct loan programs, \$6,656,000 shall be transferred*
 5 *to and merged with the appropriation for “Rural Develop-*
 6 *ment, Salaries and Expenses”.*

7 *RURAL ECONOMIC DEVELOPMENT LOANS PROGRAM*

8 *ACCOUNT*

9 *(INCLUDING RESCISSION OF FUNDS)*

10 *For the principal amount of direct loans, as authorized*
 11 *under section 313 of the Rural Electrification Act, for the*
 12 *purpose of promoting rural economic development and job*
 13 *creation projects, \$25,003,000.*

14 *For the cost of direct loans, including the cost of modi-*
 15 *fying loans as defined in section 502 of the Congressional*
 16 *Budget Act of 1974, \$4,993,000, to remain available until*
 17 *expended.*

18 *Of the funds derived from interest on the cushion of*
 19 *credit payments in the current fiscal year, as authorized*
 20 *by section 313 of the Rural Electrification Act of 1936,*
 21 *\$4,993,000 shall not be obligated and \$4,993,000 are re-*
 22 *scinded.*

23 *RURAL COOPERATIVE DEVELOPMENT GRANTS*

24 *For rural cooperative development grants authorized*
 25 *under section 310B(e) of the Consolidated Farm and Rural*
 26 *Development Act (7 U.S.C. 1932), \$24,988,000, of which*

1 \$500,000 shall be for a cooperative research agreement with
2 a qualified academic institution to conduct research on the
3 national economic impact of all types of cooperatives; and
4 of which \$2,500,000 shall be for cooperative agreements for
5 the appropriate technology transfer for rural areas pro-
6 gram: Provided, That not to exceed \$1,488,000 shall be for
7 cooperatives or associations of cooperatives whose primary
8 focus is to provide assistance to small, minority producers
9 and whose governing board and/or membership is com-
10 prised of at least 75 percent minority; and of which
11 \$15,500,000, to remain available until expended, shall be
12 for value-added agricultural product market development
13 grants, as authorized by section 6401 of the Farm Security
14 and Rural Investment Act of 2002 (7 U.S.C. 1621 note).

15 *RURAL EMPOWERMENT ZONES AND ENTERPRISE*

16 *COMMUNITY GRANTS*

17 *For grants in connection with second and third rounds*
18 *of empowerment zones and enterprise communities,*
19 *\$12,400,000, to remain available until expended, for des-*
20 *ignated rural empowerment zones and rural enterprise com-*
21 *munities, as authorized by the Taxpayer Relief Act of 1997*
22 *and the Omnibus Consolidated and Emergency Supple-*
23 *mental Appropriations Act, 1999 (Public Law 105–277):*
24 *Provided, That of the funds appropriated, \$1,000,000 shall*
25 *be made available to third round empowerment zones, as*

1 *authorized by the Community Renewal Tax Relief Act*
2 *(Public Law 106–554).*

3 *RENEWABLE ENERGY PROGRAM*

4 *For the cost of a program of direct loans, loan guaran-*
5 *tees, and grants, under the same terms and conditions as*
6 *authorized by section 9006 of the Farm Security and Rural*
7 *Investment Act of 2002 (7 U.S.C. 8106), \$23,000,000 for*
8 *direct and guaranteed renewable energy loans and grants:*
9 *Provided, That the cost of direct loans and loan guarantees,*
10 *including the cost of modifying such loans, shall be as de-*
11 *finied in section 502 of the Congressional Budget Act of*
12 *1974.*

13 *RURAL UTILITIES SERVICE*

14 *RURAL ELECTRIFICATION AND TELECOMMUNICATIONS*

15 *LOANS PROGRAM ACCOUNT*

16 *(INCLUDING TRANSFER OF FUNDS)*

17 *Insured loans pursuant to the authority of section 305*
18 *of the Rural Electrification Act of 1936 (7 U.S.C. 935) shall*
19 *be made as follows: 5 percent rural electrification loans,*
20 *\$100,000,000; municipal rate rural electric loans,*
21 *\$100,000,000; loans made pursuant to section 306 of that*
22 *Act, rural electric, \$2,700,000,000; Treasury rate direct*
23 *electric loans, \$1,000,000,000; guaranteed underwriting*
24 *loans pursuant to section 313A, \$1,500,000,000; 5 percent*
25 *rural telecommunications loans, \$145,000,000; cost of*
26 *money rural telecommunications loans, \$425,000,000; and*

1 *for loans made pursuant to section 306 of that Act, rural*
2 *telecommunications loans, \$125,000,000.*

3 *For the cost, as defined in section 502 of the Congres-*
4 *sional Budget Act of 1974, including the cost of modifying*
5 *loans, of direct and guaranteed loans authorized by sections*
6 *305 and 306 of the Rural Electrification Act of 1936 (7*
7 *U.S.C. 935 and 936), as follows: cost of rural electric loans,*
8 *\$6,160,000, and the cost of telecommunications loans,*
9 *\$212,000: Provided, That notwithstanding section*
10 *305(d)(2) of the Rural Electrification Act of 1936, borrower*
11 *interest rates may exceed 7 percent per year.*

12 *In addition, for administrative expenses necessary to*
13 *carry out the direct and guaranteed loan programs,*
14 *\$39,933,000 which shall be transferred to and merged with*
15 *the appropriation for “Rural Development, Salaries and*
16 *Expenses”.*

17 *RURAL TELEPHONE BANK PROGRAM ACCOUNT*
18 *(INCLUDING TRANSFER OF FUNDS)*

19 *The Rural Telephone Bank is hereby authorized to*
20 *make such expenditures, within the limits of funds available*
21 *to such corporation in accord with law, and to make such*
22 *contracts and commitments without regard to fiscal year*
23 *limitations as provided by section 104 of the Government*
24 *Corporation Control Act, as may be necessary in carrying*
25 *out its authorized programs.*

1 *of the Treasury for obligations of comparable maturity:*
2 *Provided further, That the cost of direct loans shall be as*
3 *defined in section 502 of the Congressional Budget Act of*
4 *1974.*

5 *In addition, \$10,000,000, to remain available until ex-*
6 *pended, for a grant program to finance broadband trans-*
7 *mission in rural areas eligible for Distance Learning and*
8 *Telemedicine Program benefits authorized by 7 U.S.C.*
9 *950aaa.*

10

TITLE IV

11

DOMESTIC FOOD PROGRAMS

12

OFFICE OF THE UNDER SECRETARY FOR FOOD,

13

NUTRITION AND CONSUMER SERVICES

14

For necessary salaries and expenses of the Office of the

15

Under Secretary for Food, Nutrition and Consumer Serv-

16

ices to administer the laws enacted by the Congress for the

17

Food and Nutrition Service, \$599,000.

18

FOOD AND NUTRITION SERVICE

19

CHILD NUTRITION PROGRAMS

20

(INCLUDING TRANSFERS OF FUNDS)

21

For necessary expenses to carry out the National

22

School Lunch Act (42 U.S.C. 1751 et seq.), except section

23

21, and the Child Nutrition Act of 1966 (42 U.S.C. 1771

24

et seq.), except sections 17 and 21; \$12,412,027,000, to re-

25

main available through September 30, 2007, of which

26

\$7,224,406,000 is hereby appropriated and \$5,187,621,000

1 *shall be derived by transfer from funds available under sec-*
2 *tion 32 of the Act of August 24, 1935 (7 U.S.C. 612c): Pro-*
3 *vided, That none of the funds made available under this*
4 *heading shall be used for studies and evaluations: Provided*
5 *further, That up to \$5,235,000 shall be available for inde-*
6 *pendent verification of school food service claims.*

7 *SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR*

8 *WOMEN, INFANTS, AND CHILDREN (WIC)*

9 *For necessary expenses to carry out the special supple-*
10 *mental nutrition program as authorized by section 17 of*
11 *the Child Nutrition Act of 1966 (42 U.S.C. 1786),*
12 *\$5,257,000,000, to remain available through September 30,*
13 *2007, of which such sums as are necessary to restore the*
14 *contingency reserve to \$125,000,000 shall be placed in re-*
15 *serve, to remain available until expended, to be allocated*
16 *as the Secretary deems necessary, notwithstanding section*
17 *17(i) of such Act, to support participation should cost or*
18 *participation exceed budget estimates: Provided, That of the*
19 *total amount available, the Secretary shall obligate not less*
20 *than \$15,000,000 for a breastfeeding support initiative in*
21 *addition to the activities specified in section 17(h)(3)(A):*
22 *Provided further, That only the provisions of section*
23 *17(h)(10)(B)(i) and section 17(h)(10)(B)(ii) shall be effec-*
24 *tive in 2006; including \$14,000,000 for the purposes speci-*
25 *fied in section 17(h)(10)(B)(i) and \$20,000,000 for the pur-*
26 *poses specified in section 17(h)(10)(B)(ii): Provided further,*

1 *That none of the funds made available under this heading*
2 *shall be used for studies and evaluations: Provided further,*
3 *That none of the funds in this Act shall be available to pay*
4 *administrative expenses of WIC clinics except those that*
5 *have an announced policy of prohibiting smoking within*
6 *the space used to carry out the program: Provided further,*
7 *That none of the funds provided in this account shall be*
8 *available for the purchase of infant formula except in ac-*
9 *cordance with the cost containment and competitive bidding*
10 *requirements specified in section 17 of such Act: Provided*
11 *further, That none of the funds provided shall be available*
12 *for activities that are not fully reimbursed by other Federal*
13 *Government departments or agencies unless authorized by*
14 *section 17 of such Act.*

15 *FOOD STAMP PROGRAM*

16 *For necessary expenses to carry out the Food Stamp*
17 *Act (7 U.S.C. 2011 et seq.), \$40,711,395,000, of which*
18 *\$3,000,000,000 to remain available through September 30,*
19 *2007, shall be placed in reserve for use only in such*
20 *amounts and at such times as may become necessary to*
21 *carry out program operations: Provided, That none of the*
22 *funds made available under this heading shall be used for*
23 *studies and evaluations: Provided further, That of the funds*
24 *made available under this heading and not already appro-*
25 *riated to the Food Distribution Program on Indian Res-*
26 *ervations (FDPIR) established under section 4(b) of the*

1 *Food Stamp Act of 1977 (7 U.S.C. 2013(b)), not to exceed*
2 *\$4,000,000 shall be used to purchase bison meat for the*
3 *FDPIR from Native American bison producers as well as*
4 *from producer-owned cooperatives of bison ranchers: Pro-*
5 *vided further, That funds provided herein shall be expended*
6 *in accordance with section 16 of the Food Stamp Act: Pro-*
7 *vided further, That this appropriation shall be subject to*
8 *any work registration or workfare requirements as may be*
9 *required by law: Provided further, That funds made avail-*
10 *able for Employment and Training under this heading*
11 *shall remain available until expended, as authorized by sec-*
12 *tion 16(h)(1) of the Food Stamp Act: Provided further, That*
13 *notwithstanding section 5(d) of the Food Stamp Act of*
14 *1977, any additional payment received under chapter 5 of*
15 *title 37, United States Code, by a member of the United*
16 *States Armed Forces deployed to a designated combat zone*
17 *shall be excluded from household income for the duration*
18 *of the member's deployment if the additional pay is the re-*
19 *sult of deployment to or while serving in a combat zone,*
20 *and it was not received immediately prior to serving in*
21 *the combat zone.*

22 **COMMODITY ASSISTANCE PROGRAM**

23 *For necessary expenses to carry out disaster assistance*
24 *and the Commodity Supplemental Food Program as au-*
25 *thorized by section 4(a) of the Agriculture and Consumer*
26 *Protection Act of 1973 (7 U.S.C. 612c note); The Emergency*

1 *Food Assistance Act of 1983; special assistance (in a form*
2 *determined by the Secretary of Agriculture) for the nuclear*
3 *affected islands, as authorized by section 103(f)(2) of the*
4 *Compact of Free Association Amendments Act of 2003*
5 *(Public Law 108–188); and the Farmers’ Market Nutrition*
6 *Program, as authorized by section 17(m) of the Child Nutri-*
7 *tion Act of 1966, \$179,935,000, to remain available through*
8 *September 30, 2007: Provided, That none of these funds*
9 *shall be available to reimburse the Commodity Credit Cor-*
10 *poration for commodities donated to the program: Provided*
11 *further, That notwithstanding any other provision of law,*
12 *effective with funds made available in fiscal year 2006 to*
13 *support the Senior Farmers’ Market Nutrition Program, as*
14 *authorized by section 4402 of Public Law 107–171, such*
15 *funds shall remain available through September 30, 2007:*
16 *Provided further, That of the funds made available under*
17 *section 27(a) of the Food Stamp Act of 1977 (7 U.S.C. 2011*
18 *et seq.), the Secretary may use up to \$10,000,000 for costs*
19 *associated with the distribution of commodities.*

20 *NUTRITION PROGRAMS ADMINISTRATION*

21 *For necessary administrative expenses of the domestic*
22 *nutrition assistance programs funded under this Act,*
23 *\$140,761,000, of which \$5,000,000 shall be available only*
24 *for simplifying procedures, reducing overhead costs, tight-*
25 *ening regulations, improving food stamp benefit delivery,*

1 *and assisting in the prevention, identification, and prosecu-*
2 *tion of fraud and other violations of law.*

3

TITLE V

4 *FOREIGN ASSISTANCE AND RELATED PROGRAMS*

5

FOREIGN AGRICULTURAL SERVICE

6

SALARIES AND EXPENSES

7

(INCLUDING TRANSFERS OF FUNDS)

8 *For necessary expenses of the Foreign Agricultural*
9 *Service, including carrying out title VI of the Agricultural*
10 *Act of 1954 (7 U.S.C. 1761–1768), market development ac-*
11 *tivities abroad, and for enabling the Secretary to coordinate*
12 *and integrate activities of the Department in connection*
13 *with foreign agricultural work, including not to exceed*
14 *\$158,000 for representation allowances and for expenses*
15 *pursuant to section 8 of the Act approved August 3, 1956*
16 *(7 U.S.C. 1766), \$147,868,000: Provided, That the Service*
17 *may utilize advances of funds, or reimburse this appropria-*
18 *tion for expenditures made on behalf of Federal agencies,*
19 *public and private organizations and institutions under*
20 *agreements executed pursuant to the agricultural food pro-*
21 *duction assistance programs (7 U.S.C. 1737) and the for-*
22 *foreign assistance programs of the United States Agency for*
23 *International Development.*

1 *PUBLIC LAW 480 TITLE I DIRECT CREDIT AND FOOD FOR*
2 *PROGRESS PROGRAM ACCOUNT*
3 *(INCLUDING TRANSFERS OF FUNDS)*

4 *For the cost, as defined in section 502 of the Congres-*
5 *sional Budget Act of 1974, of agreements under the Agricul-*
6 *tural Trade Development and Assistance Act of 1954, and*
7 *the Food for Progress Act of 1985, including the cost of*
8 *modifying credit arrangements under said Acts,*
9 *\$65,040,000, to remain available until expended: Provided,*
10 *That the Secretary of Agriculture may implement a com-*
11 *modity monetization program under existing provisions of*
12 *the Food for Progress Act of 1985 to provide no less than*
13 *\$5,000,000 in local-currency funding support for rural elec-*
14 *trification development overseas.*

15 *In addition, for administrative expenses to carry out*
16 *the credit program of title I, Public Law 83-480, and the*
17 *Food for Progress Act of 1985, to the extent funds appro-*
18 *riated for Public Law 83-480 are utilized, \$3,385,000, of*
19 *which \$168,000 may be transferred to and merged with the*
20 *appropriation for "Foreign Agricultural Service, Salaries*
21 *and Expenses", and of which \$3,217,000 may be transferred*
22 *to and merged with the appropriation for "Farm Service*
23 *Agency, Salaries and Expenses".*

1 *GSM 102 and GSM 103, \$5,279,000; to cover common over-*
2 *head expenses as permitted by section 11 of the Commodity*
3 *Credit Corporation Charter Act and in conformity with the*
4 *Federal Credit Reform Act of 1990, of which \$3,440,000*
5 *may be transferred to and merged with the appropriation*
6 *for “Foreign Agricultural Service, Salaries and Expenses”,*
7 *and of which \$1,839,000 may be transferred to and merged*
8 *with the appropriation for “Farm Service Agency, Salaries*
9 *and Expenses”.*

10 *MC GOVERN-DOLE INTERNATIONAL FOOD FOR EDUCATION*

11 *AND CHILD NUTRITION PROGRAM GRANTS*

12 *For necessary expenses to carry out the provisions of*
13 *section 3107 of the Farm Security and Rural Investment*
14 *Act of 2002 (7 U.S.C. 1736o–1), \$100,000,000, to remain*
15 *available until expended: Provided, That the Commodity*
16 *Credit Corporation is authorized to provide the services, fa-*
17 *cilities, and authorities for the purpose of implementing*
18 *such section, subject to reimbursement from amounts pro-*
19 *vided herein.*

1 rived from medical device user fees authorized by 21 U.S.C.
2 379j, and shall be credited to this account and remain
3 available until expended; and \$11,318,000 shall be derived
4 from animal drug user fees authorized by 21 U.S.C. 379j,
5 and shall be credited to this account and remain available
6 until expended: Provided further, That fees derived from
7 prescription drug, medical device, and animal drug assess-
8 ments received during fiscal year 2006, including any such
9 fees assessed prior to the current fiscal year but credited
10 during the current year, shall be subject to the fiscal year
11 2006 limitation: Provided further, That none of these funds
12 shall be used to develop, establish, or operate any program
13 of user fees authorized by 31 U.S.C. 9701: Provided further,
14 That of the total amount appropriated: (1) \$450,179,000
15 shall be for the Center for Food Safety and Applied Nutri-
16 tion and related field activities in the Office of Regulatory
17 Affairs; (2) \$515,430,000 shall be for the Center for Drug
18 Evaluation and Research and related field activities in the
19 Office of Regulatory Affairs; (3) \$178,714,000 shall be for
20 the Center for Biologics Evaluation and Research and for
21 related field activities in the Office of Regulatory Affairs;
22 (4) \$99,787,000 shall be for the Center for Veterinary Medi-
23 cine and for related field activities in the Office of Regu-
24 latory Affairs; (5) \$245,770,000 shall be for the Center for
25 Devices and Radiological Health and for related field ac-

1 *tivities in the Office of Regulatory Affairs; (6) \$41,152,000*
2 *shall be for the National Center for Toxicological Research;*
3 *(7) \$58,515,000 shall be for Rent and Related activities,*
4 *other than the amounts paid to the General Services Ad-*
5 *ministration for rent; (8) \$134,853,000 shall be for pay-*
6 *ments to the General Services Administration for rent; and*
7 *(9) \$117,559,000 shall be for other activities, including the*
8 *Office of the Commissioner; the Office of Management; the*
9 *Office of External Relations; the Office of Policy and Plan-*
10 *ning; and central services for these offices: Provided further,*
11 *That funds may be transferred from one specified activity*
12 *to another with the prior approval of the Committees on*
13 *Appropriations of both Houses of Congress.*

14 *In addition, mammography user fees authorized by 42*
15 *U.S.C. 263b may be credited to this account, to remain*
16 *available until expended.*

17 *In addition, export certification user fees authorized*
18 *by 21 U.S.C. 381 may be credited to this account, to remain*
19 *available until expended.*

20 *BUILDINGS AND FACILITIES*

21 *For plans, construction, repair, improvement, exten-*
22 *sion, alteration, and purchase of fixed equipment or facili-*
23 *ties of or used by the Food and Drug Administration, where*
24 *not otherwise provided, \$7,000,000, to remain available*
25 *until expended.*

1 *INDEPENDENT AGENCIES*2 *COMMODITY FUTURES TRADING COMMISSION*

3 *For necessary expenses to carry out the provisions of*
4 *the Commodity Exchange Act (7 U.S.C. 1 et seq.), including*
5 *the purchase and hire of passenger motor vehicles, and the*
6 *rental of space (to include multiple year leases) in the Dis-*
7 *trict of Columbia and elsewhere, \$98,386,000, including not*
8 *to exceed \$3,000 for official reception and representation*
9 *expenses.*

10 *FARM CREDIT ADMINISTRATION*11 *LIMITATION ON ADMINISTRATIVE EXPENSES*

12 *Not to exceed \$44,250,000 (from assessments collected*
13 *from farm credit institutions and from the Federal Agricul-*
14 *tural Mortgage Corporation) shall be obligated during the*
15 *current fiscal year for administrative expenses as author-*
16 *ized under 12 U.S.C. 2249: Provided, That this limitation*
17 *shall not apply to expenses associated with receiverships:*
18 *Provided further, That up to an additional 5 percent of*
19 *the amount of this limitation may be expended for expenses*
20 *associated with unforeseen termination applications, upon*
21 *a finding of extraordinary circumstances by the Federal*
22 *Credit Administration Board.*

TITLE VII

GENERAL PROVISIONS

1
2
3 *SEC. 701. Within the unit limit of cost fixed by law,*
4 *appropriations and authorizations made for the Depart-*
5 *ment of Agriculture for the current fiscal year under this*
6 *Act shall be available for the purchase, in addition to those*
7 *specifically provided for, of not to exceed 320 passenger*
8 *motor vehicles, of which 320 shall be for replacement only,*
9 *and for the hire of such vehicles.*

10 *SEC. 702. Hereafter, funds appropriated by this or any*
11 *other Act to the Department of Agriculture (excluding the*
12 *Forest Service) shall be available for uniforms or allowances*
13 *as authorized by law (5 U.S.C. 5901–5902).*

14 *SEC. 703. Hereafter, funds appropriated by this or any*
15 *other Act to the Department of Agriculture (excluding the*
16 *Forest Service) shall be available for employment pursuant*
17 *to the second sentence of section 706(a) of the Department*
18 *of Agriculture Organic Act of 1944 (7 U.S.C. 2225) and*
19 *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 condi-*
24 *tions, information technology infrastructure, fruit fly pro-*
25 *gram, emerging plant pests, boll weevil program, low patho-*

1 *gen avian influenza program, up to \$32,932,000 in animal*
2 *health monitoring and surveillance for the animal identi-*
3 *fication system, up to \$2,993,000 in the emergency manage-*
4 *ment systems program for the vaccine bank, up to*
5 *\$1,000,000 for wildlife services methods development, up to*
6 *\$1,000,000 of the wildlife services operations program for*
7 *aviation safety, and up to 25 percent of the screwworm pro-*
8 *gram; Food Safety and Inspection Service, field automation*
9 *and information management project; Cooperative State*
10 *Research, Education, and Extension Service, funds for com-*
11 *petitive research grants (7 U.S.C. 450i(b)), funds for the*
12 *Research, Education, and Economics Information System,*
13 *and funds for the Native American Institutions Endowment*
14 *Fund; Farm Service Agency, salaries and expenses funds*
15 *made available to county committees; Foreign Agricultural*
16 *Service, middle-income country training program, and up*
17 *to \$2,000,000 of the Foreign Agricultural Service appro-*
18 *priation solely for the purpose of offsetting fluctuations in*
19 *international currency exchange rates, subject to docu-*
20 *mentation by the Foreign Agricultural Service.*

21 *SEC. 705. Hereafter, the Secretary of Agriculture may*
22 *transfer unobligated balances of discretionary funds appro-*
23 *priated by this or any other Act or other available unobli-*
24 *gated discretionary balances of the Department of Agri-*
25 *culture to the Working Capital Fund for the acquisition of*

1 *plant and capital equipment necessary for the delivery of*
2 *financial, administrative, and information technology serv-*
3 *ices of primary benefit to the agencies of the Department*
4 *of Agriculture: Provided, That none of the funds made*
5 *available by this Act or any other Act shall be transferred*
6 *to the Working Capital Fund without the prior approval*
7 *of the agency administrator: Provided further, That none*
8 *of the funds transferred to the Working Capital Fund pur-*
9 *suant to this section shall be available for obligation with-*
10 *out the prior approval of the Committees on Appropriations*
11 *of both Houses of Congress.*

12 *SEC. 706. No part of any appropriation contained in*
13 *this Act shall remain available for obligation beyond the*
14 *current fiscal year unless expressly so provided herein.*

15 *SEC. 707. Hereafter, not to exceed \$50,000 of the funds*
16 *appropriated by this or any other Act to the Department*
17 *of Agriculture (excluding the Forest Service) shall be avail-*
18 *able to provide appropriate orientation and language train-*
19 *ing pursuant to section 606C of the Act of August 28, 1954*
20 *(7 U.S.C. 1766b).*

21 *SEC. 708. No funds appropriated by this Act may be*
22 *used to pay negotiated indirect cost rates on cooperative*
23 *agreements or similar arrangements between the United*
24 *States Department of Agriculture and nonprofit institu-*
25 *tions in excess of 10 percent of the total direct cost of the*

1 *agreement when the purpose of such cooperative arrange-*
2 *ments is to carry out programs of mutual interest between*
3 *the two parties. This does not preclude appropriate pay-*
4 *ment of indirect costs on grants and contracts with such*
5 *institutions when such indirect costs are computed on a*
6 *similar basis for all agencies for which appropriations are*
7 *provided in this Act.*

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

21 *SEC. 710. Hereafter, loan levels provided in this or any*
22 *other Act to the Department of Agriculture shall be consid-*
23 *ered estimates, not limitations.*

24 *SEC. 711. Appropriations to the Department of Agri-*
25 *culture for the cost of direct and guaranteed loans made*

1 *available in the current fiscal year shall remain available*
2 *until expended to cover obligations made in the current fis-*
3 *cal year for the following accounts: the Rural Development*
4 *Loan Fund program account, the Rural Telephone Bank*
5 *program account, the Rural Electrification and Tele-*
6 *communication Loans program account, and the Rural*
7 *Housing Insurance Fund program account.*

8 *SEC. 712. Of the funds made available by this Act, not*
9 *more than \$1,800,000 shall be used to cover necessary ex-*
10 *penses of activities related to all advisory committees, pan-*
11 *els, commissions, and task forces of the Department of Agri-*
12 *culture, except for panels used to comply with negotiated*
13 *rule makings and panels used to evaluate competitively*
14 *awarded grants.*

15 *SEC. 713. None of the funds appropriated by this Act*
16 *may be used to carry out section 410 of the Federal Meat*
17 *Inspection Act (21 U.S.C. 679a) or section 30 of the Poultry*
18 *Products Inspection Act (21 U.S.C. 471).*

19 *SEC. 714. No employee of the Department of Agri-*
20 *culture may be detailed or assigned from an agency or office*
21 *funded by this Act to any other agency or office of the De-*
22 *partment for more than 30 days unless the individual's em-*
23 *ploying agency or office is fully reimbursed by the receiving*
24 *agency or office for the salary and expenses of the employee*
25 *for the period of assignment.*

1 *SEC. 715. None of the funds appropriated or otherwise*
2 *made available to the Department of Agriculture shall be*
3 *used to transmit or otherwise make available to any non-*
4 *Department of Agriculture employee questions or responses*
5 *to questions that are a result of information requested for*
6 *the appropriations hearing process.*

7 *SEC. 716. None of the funds made available to the De-*
8 *partment of Agriculture by this Act may be used to acquire*
9 *new information technology systems or significant up-*
10 *grades, as determined by the Office of the Chief Information*
11 *Officer, without the approval of the Chief Information Offi-*
12 *cer and the concurrence of the Executive Information Tech-*
13 *nology Investment Review Board: Provided, That notwith-*
14 *standing any other provision of law, none of the funds ap-*
15 *propriated or otherwise made available by this Act may be*
16 *transferred to the Office of the Chief Information Officer*
17 *without the prior approval of the Committees on Appro-*
18 *priations of both Houses of Congress: Provided further, That*
19 *none of the funds available to the Department of Agriculture*
20 *for information technology shall be obligated for projects*
21 *over \$25,000 prior to receipt of written approval by the*
22 *Chief Information Officer.*

23 *SEC. 717. (a) Hereafter, none of the funds appro-*
24 *priated by this or any other Act to the agencies funded by*
25 *this Act, or provided from accounts in the Treasury of the*

1 *United States derived by the collection of fees available to*
2 *the agencies funded by this Act, shall be available for obliga-*
3 *tion or expenditure through a reprogramming of funds*
4 *which: (1) creates new programs; (2) eliminates a program,*
5 *project, or activity; (3) increases funds or personnel by any*
6 *means for any project or activity for which funds have been*
7 *denied or restricted; (4) relocates an office or employees; (5)*
8 *reorganizes offices, programs, or activities; or (6) contracts*
9 *out or privatizes any functions or activities presently per-*
10 *formed by Federal employees; unless the Committees on Ap-*
11 *propriations of both Houses of Congress are notified 15 days*
12 *in advance of such reprogramming of funds.*

13 *(b) Hereafter, none of the funds appropriated by this*
14 *or any other Act to the agencies funded by this Act, or pro-*
15 *vided from accounts in the Treasury of the United States*
16 *derived by the collection of fees available to the agencies*
17 *funded by this Act, shall be available for obligation or ex-*
18 *penditure for activities, programs, or projects through a re-*
19 *programming of funds in excess of \$500,000 or 10 percent,*
20 *whichever is less, that: (1) augments existing programs,*
21 *projects, or activities; (2) reduces by 10 percent funding for*
22 *any existing program, project, or activity, or numbers of*
23 *personnel by 10 percent as approved by Congress; or (3)*
24 *results from any general savings from a reduction in per-*
25 *sonnel which would result in a change in existing programs,*

1 activities, or projects as approved by Congress; unless the
2 Committees on Appropriations of both Houses of Congress
3 are notified 15 days in advance of such reprogramming of
4 funds.

5 (c) Hereafter, the Secretary of Agriculture, the Sec-
6 retary of Health and Human Services, or the Chairman
7 of the Commodity Futures Trading Commission shall notify
8 the Committees on Appropriations of both Houses of Con-
9 gress before implementing a program or activity not carried
10 out during the previous fiscal year unless the program or
11 activity is funded by this Act or specifically funded by any
12 other Act.

13 SEC. 718. With the exception of funds needed to ad-
14 minister and conduct oversight of grants awarded and obli-
15 gations incurred in prior fiscal years, none of the funds
16 appropriated or otherwise made available by this or any
17 other Act may be used to pay the salaries and expenses of
18 personnel to carry out the provisions of section 401 of Pub-
19 lic Law 105–185, the Initiative for Future Agriculture and
20 Food Systems (7 U.S.C. 7621).

21 SEC. 719. None of the funds appropriated by this or
22 any other Act shall be used to pay the salaries and expenses
23 of personnel who prepare or submit appropriations lan-
24 guage as part of the President's Budget submission to the
25 Congress of the United States for programs under the juris-

1 *diction of the Appropriations Subcommittees on Agri-*
2 *culture, Rural Development, Food and Drug Administra-*
3 *tion, and Related Agencies that assumes revenues or reflects*
4 *a reduction from the previous year due to user fees pro-*
5 *posals that have not been enacted into law prior to the sub-*
6 *mission of the Budget unless such Budget submission identi-*
7 *fies which additional spending reductions should occur in*
8 *the event the user fees proposals are not enacted prior to*
9 *the date of the convening of a committee of conference for*
10 *the fiscal year 2006 appropriations Act.*

11 *SEC. 720. None of the funds made available by this*
12 *or any other Act may be used to close or relocate a State*
13 *Rural Development office unless or until cost effectiveness*
14 *and enhancement of program delivery have been deter-*
15 *mined.*

16 *SEC. 721. In addition to amounts otherwise appro-*
17 *priated or made available by this Act, \$2,500,000 is appro-*
18 *priated for the purpose of providing Bill Emerson and*
19 *Mickey Leland Hunger Fellowships, through the Congres-*
20 *sional Hunger Center.*

21 *SEC. 722. Hereafter, notwithstanding section 412 of*
22 *the Agricultural Trade Development and Assistance Act of*
23 *1954 (7 U.S.C. 1736f), any balances available to carry out*
24 *title III of such Act as of the date of enactment of this Act,*
25 *and any recoveries and reimbursements that become avail-*

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

3 *SEC. 723. 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 “\$27,998,000” and*
6 *inserting “\$29,998,000”.*

7 *SEC. 724. Notwithstanding any other provision of law,*
8 *and until receipt of the decennial Census in the year 2010,*
9 *the Secretary of Agriculture shall consider the City of Butte/*
10 *Silverbow, Montana and the designated Census track areas*
11 *for the Upper Kanawha Valley Enterprise Community,*
12 *rural areas for purposes of eligibility for rural development*
13 *programs.*

14 *SEC. 725. Notwithstanding any other provision of law,*
15 *the Natural Resources Conservation Service may provide fi-*
16 *nancial and technical assistance through the Watershed and*
17 *Flood Prevention Operations program for the Matanuska*
18 *River erosion control project in Alaska, Little Otter Creek*
19 *project in Missouri, the Manoa Watershed project in Ha-*
20 *waii, the West Tarkio project in Iowa, and the Coal Creek*
21 *project in Utah.*

22 *SEC. 726. Hereafter, none of the funds made available*
23 *in this Act may be transferred to any department, agency,*
24 *or instrumentality of the United States Government, except*

1 *pursuant to a transfer made by, or transfer authority pro-*
2 *vided in, this or any other appropriation Act.*

3 *SEC. 727. Notwithstanding any other provision of law,*
4 *of the funds made available in this Act for competitive re-*
5 *search grants (7 U.S.C. 450i(b)), the Secretary may use up*
6 *to 20 percent of the amount provided to carry out a com-*
7 *petitive grants program under the same terms and condi-*
8 *tions as those provided in section 401 of the Agricultural*
9 *Research, Extension, and Education Reform Act of 1998*
10 *(7 U.S.C. 7621).*

11 *SEC. 728. None of the funds appropriated or made*
12 *available by this or any other Act may be used to pay the*
13 *salaries and expenses of personnel to carry out section*
14 *14(h)(1) of the Watershed Protection and Flood Prevention*
15 *Act (16 U.S.C. 1012(h)(1)).*

16 *SEC. 729. None of the funds made available to the Food*
17 *and Drug Administration by this Act shall be used to close*
18 *or relocate, or to plan to close or relocate, the Food and*
19 *Drug Administration Division of Pharmaceutical Analysis*
20 *in St. Louis, Missouri, outside the city or county limits*
21 *of St. Louis, Missouri.*

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

1 *of the Consolidated Farm and Rural Development Act (7*
2 *U.S.C. 2009dd through dd-7).*

3 *SEC. 731. Hereafter, agencies and offices of the Depart-*
4 *ment of Agriculture may utilize any unobligated salaries*
5 *and expenses funds to reimburse the Office of the General*
6 *Counsel for salaries and expenses of personnel, and for other*
7 *related expenses, incurred in representing such agencies and*
8 *offices in the resolution of complaints by employees or ap-*
9 *plicants for employment, and in cases and other matters*
10 *pending before the Equal Employment Opportunity Com-*
11 *mission, the Federal Labor Relations Authority, or the*
12 *Merit Systems Protection Board with the prior approval*
13 *of the Committees on Appropriations of both Houses of Con-*
14 *gress.*

15 *SEC. 732. None of the funds appropriated or made*
16 *available by this or any other Act may be used to pay the*
17 *salaries and expenses of personnel to carry out section 6405*
18 *of Public Law 107-171 (7 U.S.C. 2655).*

19 *SEC. 733. Hereafter, the Agricultural Marketing Serv-*
20 *ice and the Grain Inspection, Packers and Stockyards Ad-*
21 *ministration, that have statutory authority to purchase in-*
22 *terest bearing investments outside of the Treasury, are not*
23 *required to establish obligations and outlays for those in-*
24 *vestments, provided those investments are insured by the*
25 *Federal Deposit Insurance Corporation or are collateralized*

1 *at the Federal Reserve with securities approved by the Fed-*
2 *eral Reserve, operating under the guidelines of the United*
3 *States Department of the Treasury.*

4 *SEC. 734. None of the funds appropriated or otherwise*
5 *made available by this or any other Act shall be used to*
6 *pay the salaries and expenses of personnel to enroll in excess*
7 *of 150,000 acres in the calendar year 2006 wetlands reserve*
8 *program as authorized by 16 U.S.C. 3837.*

9 *SEC. 735. None of the funds appropriated or otherwise*
10 *made available by this or any other Act shall be used to*
11 *pay the salaries and expenses of personnel who carry out*
12 *an environmental quality incentives program authorized by*
13 *chapter 4 of subtitle D of title XII of the Food Security*
14 *Act of 1985 (16 U.S.C. 3839aa et seq.) in excess of*
15 *\$1,017,000,000.*

16 *SEC. 736. None of the funds appropriated or otherwise*
17 *made available by this or any other Act shall be used to*
18 *pay the salaries and expenses of personnel to expend the*
19 *\$23,000,000 made available by section 9006(f) of the Farm*
20 *Security and Rural Investment Act of 2002 (7 U.S.C.*
21 *8106(f)).*

22 *SEC. 737. With the exception of funds provided in fis-*
23 *cal year 2003, none of the funds appropriated or otherwise*
24 *made available by this or any other Act shall be used to*
25 *pay the salaries and expenses of personnel to expend the*

1 \$50,000,000 made available by section 601(j)(1)(A) of the
2 Rural Electrification Act of 1936 (7 U.S.C. 950bb(j)(1)(A)).

3 SEC. 738. None of the funds made available in fiscal
4 year 2006 or preceding fiscal years for programs authorized
5 under the Agricultural Trade Development and Assistance
6 Act of 1954 (7 U.S.C. 1691 et seq.) in excess of \$20,000,000
7 shall be used to reimburse the Commodity Credit Corpora-
8 tion for the release of eligible commodities under section
9 302(f)(2)(A) of the Bill Emerson Humanitarian Trust Act
10 (7 U.S.C. 1736f-1): Provided, That any such funds made
11 available to reimburse the Commodity Credit Corporation
12 shall only be used pursuant to section 302(b)(2)(B)(i) of
13 the Bill Emerson Humanitarian Trust Act.

14 SEC. 739. None of the funds appropriated or otherwise
15 made available by this or any other Act shall be used to
16 pay the salaries and expenses of personnel to expend the
17 \$120,000,000 made available by section 6401(a) of Public
18 Law 107-171.

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

1 *able to pay the subsidy costs for note guarantees under that*
2 *section.*

3 *SEC. 741. None of the funds appropriated or otherwise*
4 *made available by this or any other Act shall be used to*
5 *pay the salaries and expenses of personnel to carry out sec-*
6 *tion 2502 of Public Law 107–171 in excess of \$47,000,000.*

7 *SEC. 742. Of the unobligated balances available in the*
8 *Special Supplemental Nutrition Program for Women, In-*
9 *fants, and Children reserve account, \$32,000,000 is hereby*
10 *rescinded.*

11 *SEC. 743. Not more than \$10,000,000 for fiscal year*
12 *2006 of the funds appropriated or otherwise made available*
13 *by this or any other Act shall be used to carry out section*
14 *6029 of Public Law 107–171.*

15 *SEC. 744. None of the funds appropriated or otherwise*
16 *made available by this or any other Act shall be used to*
17 *pay the salaries and expenses of personnel to carry out a*
18 *ground and surface water conservation program authorized*
19 *by section 2301 of Public Law 107–171 in excess of*
20 *\$51,000,000.*

21 *SEC. 745. None of the funds made available by this*
22 *Act may be used to issue a final rule in furtherance of,*
23 *or otherwise implement, the proposed rule on cost-sharing*
24 *for animal and plant health emergency programs of the*

1 *Animal and Plant Health Inspection Service published on*
2 *July 8, 2003 (Docket No. 02–062–1; 68 Fed. Reg. 40541).*

3 *SEC. 746. None of the funds made available in this*
4 *Act may be used to study, complete a study of, or enter*
5 *into a contract with a private party to carry out, without*
6 *specific authorization in a subsequent Act of Congress, a*
7 *competitive sourcing activity of the Secretary of Agri-*
8 *culture, including support personnel of the Department of*
9 *Agriculture, relating to rural development or farm loan*
10 *programs.*

11 *SEC. 747. Hereafter, notwithstanding any other provi-*
12 *sion of law, the Secretary of Agriculture may use appro-*
13 *priations available to the Secretary for activities authorized*
14 *under sections 426–426c of title 7, United States Code,*
15 *under this or any other Act, to enter into cooperative agree-*
16 *ments, with a State, political subdivision, or agency thereof,*
17 *a public or private agency, organization, or any other per-*
18 *son, to lease aircraft if the Secretary determines that the*
19 *objectives of the agreement will: (1) serve a mutual interest*
20 *of the parties to the agreement in carrying out the programs*
21 *administered by the Animal and Plant Health Inspection*
22 *Service, Wildlife Services; and (2) all parties will con-*
23 *tribute resources to the accomplishment of these objectives;*
24 *award of a cooperative agreement authorized by the Sec-*

1 *retary may be made for an initial term not to exceed 5*
2 *years.*

3 *SEC. 748. None of the funds appropriated or otherwise*
4 *made available by this or any other Act shall be used to*
5 *pay the salaries and expenses of personnel to carry out sec-*
6 *tion 9010 of Public Law 107–171 in excess of \$60,000,000.*

7 *SEC. 749. Hereafter, agencies and offices of the Depart-*
8 *ment of Agriculture may utilize any available discretionary*
9 *funds to cover the costs of preparing, or contracting for the*
10 *preparation of, final agency decisions regarding complaints*
11 *of discrimination in employment or program activities*
12 *arising within such agencies and offices.*

13 *SEC. 750. Funds made available under section 1240I*
14 *and section 1241(a) of the Food Security Act of 1985 in*
15 *the current fiscal year shall remain available until ex-*
16 *pended to cover obligations made in the current fiscal year,*
17 *and are not available for new obligations.*

18 *SEC. 751. There is hereby appropriated \$1,500,000, to*
19 *remain available until expended, for the Denali Commis-*
20 *sion to address deficiencies in solid waste disposal sites*
21 *which threaten to contaminate rural drinking water sup-*
22 *plies.*

23 *SEC. 752. Notwithstanding any other provision of*
24 *law—*

1 (1)(A) *the Alaska Department of Community*
2 *and Economic Development shall be eligible to receive*
3 *a water and waste disposal grant under section*
4 *306(a) of the Consolidated Farm and Rural Develop-*
5 *ment Act (7 U.S.C. 1926(a)) in an amount that is*
6 *equal to not more than 75 percent of the total cost of*
7 *providing water and sewer service to the proposed*
8 *hospital in the Matanuska-Susitna Borough, Alaska;*
9 *and*

10 (B) *the Alaska Department of Community and*
11 *Economic Development shall be allowed to pass the*
12 *grant funds through to the local government entity*
13 *that will provide water and sewer service to the hos-*
14 *pital;*

15 (2) *or any percentage of cost limitation in cur-*
16 *rent law or regulations, the construction projects*
17 *known as the Tri-Valley Community Center addition*
18 *in Healy, Alaska; the Cold Climate Housing Research*
19 *Center in Fairbanks, Alaska; and the University of*
20 *Alaska-Fairbanks Allied Health Learning Center skill*
21 *labs/classrooms shall be eligible to receive Community*
22 *Facilities grants in amounts that are equal to not*
23 *more than 75 percent of the total facility costs: Pro-*
24 *vided, That for the purposes of this paragraph, the*

1 *Cold Climate Housing Research Center is designated*
2 *an “essential community facility” for rural Alaska;*

3 *(3) for any fiscal year and hereafter, in the case*
4 *of a high cost isolated rural area in Alaska that is*
5 *not connected to a road system, the maximum level*
6 *for the single family housing assistance shall be 150*
7 *percent of the median household income level in the*
8 *nonmetropolitan areas of the State and 115 percent*
9 *of all other eligible areas of the State;*

10 *(4)(A) the Natural Resources Conservation Serv-*
11 *ice shall provide financial and technical assistance*
12 *through the Watershed and Flood Prevention Oper-*
13 *ations program to carry out the East Locust Creek*
14 *Watershed Plan Revision in Missouri; and*

15 *(B) the Natural Resources Conservation Service*
16 *is authorized to provide 100 percent of the engineer-*
17 *ing assistance and 75 percent cost share for construc-*
18 *tion cost of the project; and*

19 *(5) any former RUS borrower that has repaid or*
20 *prepaid an insured, direct or guaranteed loan under*
21 *the Rural Electrification Act, or any not-for-profit*
22 *utility that is eligible to receive an insured or direct*
23 *loan under such Act, shall be eligible for assistance*
24 *under Section 313(b)(2)(B) of such Act in the same*
25 *manner as a borrower under such Act.*

1 *SEC. 753. Hereafter, notwithstanding the provisions of*
2 *the Consolidated Farm and Rural Development Act (in-*
3 *cluding the associated regulations) governing the Commu-*
4 *nity Facilities Program, the Secretary may allow all Com-*
5 *munity Facility Program facility borrowers and grantees*
6 *to enter into contracts with not-for-profit third parties for*
7 *services consistent with the requirements of the Program,*
8 *grant, and/or loan: Provided, That the contracts protect the*
9 *interests of the Government regarding cost, liability, main-*
10 *tenance, and administrative fees.*

11 *SEC. 754. Hereafter, notwithstanding any other provi-*
12 *sion of law, the Secretary of Agriculture is authorized to*
13 *make funding and other assistance available through the*
14 *emergency watershed protection program under section 403*
15 *of the Agricultural Credit Act of 1978 (16 U.S.C. 2203) to*
16 *repair and prevent damage to non-Federal land in water-*
17 *sheds that have been impaired by fires initiated by the Fed-*
18 *eral Government and shall waive cost sharing requirements*
19 *for the funding and assistance.*

20 *SEC. 755. None of the funds provided in this Act may*
21 *be used for salaries and expenses to carry out any regula-*
22 *tion or rule insofar as it would make ineligible for enroll-*
23 *ment in the conservation reserve program established under*
24 *subchapter B of chapter 1 of subtitle D of title XII of the*
25 *Food Security Act of 1985 (16 U.S.C. 3831 et seq.) land*

1 *that is planted to hardwood trees as of the date of enactment*
2 *of this Act and was enrolled in the conservation reserve pro-*
3 *gram under a contract that expired prior to calendar year*
4 *2002.*

5 *SEC. 756. None of the funds made available under this*
6 *Act shall be available to pay the administrative expenses*
7 *of a State agency that, after the date of enactment of this*
8 *Act, authorizes any new for-profit vendor(s) to transact food*
9 *instruments under the Special Supplemental Nutrition*
10 *Program for Women, Infants, and Children if it is expected*
11 *that more than 50 percent of the annual revenue of the ven-*
12 *dor from the sale of food items will be derived from the sale*
13 *of supplemental foods that are obtained with WIC food in-*
14 *struments, except that the Secretary may approve the au-*
15 *thorization of such a vendor if the approval is necessary*
16 *to assure participant access to program benefits.*

17 *SEC. 757. The Secretary of Agriculture may use any*
18 *unobligated carryover funds made available for any pro-*
19 *gram administered by the Rural Utilities Service (not in-*
20 *cluding funds made available under the heading “Rural*
21 *Community Advancement Program” in any Act of appro-*
22 *priation) to carry out section 315 of the Rural Electrifica-*
23 *tion Act of 1936 (7 U.S.C. 940e).*

1 *SEC. 758. There is hereby appropriated \$1,000,000, to*
2 *remain available until expended, to carry out provisions*
3 *of section 751 of division A of Public Law 108–7.*

4 *SEC. 759. There is hereby appropriated \$500,000 for*
5 *a grant to Alaska Village Initiatives for the purpose of ad-*
6 *ministering a private lands wildlife management program*
7 *in Alaska.*

8 *SEC. 760. There is hereby appropriated \$2,250,000, to*
9 *remain available until expended, for a grant to the Wis-*
10 *consin Federation of Cooperatives for pilot Wisconsin-Min-*
11 *nesota health care cooperative purchasing alliances.*

12 *SEC. 761. Hereafter, notwithstanding any other provi-*
13 *sion of law, effective with funds made available in fiscal*
14 *year 2004 to States administering the Child and Adult Care*
15 *Food Program, for the purpose of conducting audits of par-*
16 *ticipating institutions, funds identified by the Secretary as*
17 *having been unused during the initial fiscal year of avail-*
18 *ability may be recovered and reallocated by the Secretary:*
19 *Provided, That States may use the reallocated funds until*
20 *expended for the purpose of conducting audits of partici-*
21 *pating institutions.*

22 *SEC. 762. The Secretary of Agriculture is authorized*
23 *and directed to quitclaim to the City of Elkhart, Kansas,*
24 *all rights, title and interests of the United States in that*
25 *tract of land comprising 151.7 acres, more or less, located*

1 *in Morton County, Kansas, and more specifically described*
2 *in a deed dated March 11, 1958, from the United States*
3 *of America to the City of Elkhart, State of Kansas, and*
4 *filed of record April 4, 1958 at Book 34 at Page 520 in*
5 *the office of the Register of Deeds of Morton County, Kansas.*

6 *SEC. 763. There is hereby appropriated \$5,000,000 to*
7 *carry out the Healthy Forests Reserve Program authorized*
8 *under Title V of Public Law 108–148 (16 U.S.C. 6571–*
9 *6578).*

10 *SEC. 764. None of the funds provided in this Act may*
11 *be used for salaries and expenses to draft or implement any*
12 *regulation or rule insofar as it would require recertification*
13 *of rural status for each electric and telecommunications bor-*
14 *rower for the Rural Electrification and Telecommunication*
15 *Loans program.*

16 *SEC. 765. None of the funds appropriated or otherwise*
17 *made available by this or any other Act shall be used to*
18 *pay the salaries and expenses of personnel to carry out a*
19 *Biomass Research and Development Program in excess of*
20 *\$12,000,000, as authorized by Public Law 106–224 (7*
21 *U.S.C. 7624 note).*

22 *SEC. 766. (a) IN GENERAL.—Subject to the limitations*
23 *in this section and the provisions of the Federal Credit Re-*
24 *form Act of 1990, as amended, a borrower of a loan made*
25 *by the Federal Financing Bank and guaranteed under this*

1 *Act may request an extension of the final maturity of the*
2 *outstanding principal balance of such loan or any loan ad-*
3 *vance thereunder. If the Secretary and the Federal Financ-*
4 *ing Bank approve such an extension, then the period of the*
5 *existing guarantee shall also be considered extended.*

6 (b) *LIMITATIONS.—*

7 (1) *FEASIBILITY AND SECURITY.—Extensions*
8 *under this section shall not be made unless the Sec-*
9 *retary first finds and certifies that, after giving effect*
10 *to the extension, in his judgment the security for all*
11 *loans to the borrower made or guaranteed under this*
12 *Act is reasonably adequate and that all such loans*
13 *will be repaid within the time agreed.*

14 (2) *EXTENSION OF USEFUL LIFE OF COLLAT-*
15 *ERAL.—Extensions under this section shall not be*
16 *granted unless the borrower first submits with its re-*
17 *quest either—*

18 (A) *Evidence satisfactory to the Secretary*
19 *that a Federal or State agency with jurisdiction*
20 *and expertise has made an official determina-*
21 *tion, such as through a licensing proceeding, ex-*
22 *tending the useful life of a generating plant or*
23 *transmission line pledged as collateral to or be-*
24 *yond the new final maturity date being requested*
25 *by the borrower, or*

1 (B) *A certificate from an independent li-*
2 *censed engineer concluding, on the basis of a*
3 *thorough engineering analysis satisfactory to the*
4 *Secretary, that the useful life of the generating*
5 *plant or transmission line pledged as collateral*
6 *extends to or beyond the new final maturity date*
7 *being requested by the borrower.*

8 (3) *AMOUNT ELIGIBLE FOR EXTENSION.—**Exten-*
9 *sions under this section shall not be granted if the*
10 *principal balance extended exceeds the appraised*
11 *value of the generating plant or transmission line re-*
12 *ferred to in subsection (2).*

13 (4) *PERIOD OF EXTENSION.—**Extensions under*
14 *this section shall in no case result in a final maturity*
15 *greater than 55 years from the time of original dis-*
16 *bursement and shall in no case result in a final ma-*
17 *turity greater than the useful life of the plant.*

18 (5) *NUMBER OF EXTENSIONS.—**Extensions under*
19 *this section shall not be granted more than once per*
20 *loan advance.*

21 (c) *FEEES.—*

22 (1) *IN GENERAL.—**A borrower that receives an*
23 *extension under this section shall pay a fee to the Sec-*
24 *retary which shall be credited to the Rural Elec-*
25 *trification and Telecommunications Loans Program*

1 *account. Such fees shall remain available without fis-*
2 *cal year limitation to pay the modification costs for*
3 *extensions.*

4 (2) *AMOUNT.—The amount of the fee paid shall*
5 *be equal to the modification cost, calculated in ac-*
6 *cordance with section 502 of the Federal Credit Re-*
7 *form Act of 1990, as amended, of such extension.*

8 (3) *PAYMENT.—The borrower shall pay the fee*
9 *required under this section at the time the existing*
10 *guarantee is extended by making a payment in the*
11 *amount of the required fee.*

12 *SEC. 767. Notwithstanding any other provision of law,*
13 *to provide for consistent regulation of consumer contact*
14 *lenses, no funds appropriated in this or any other Act may*
15 *be used in this and each fiscal year hereafter for the ap-*
16 *proval for sale in the United States of any contact lens pro-*
17 *duced by a manufacturer unless that manufacturer certifies*
18 *that it does not discriminate in the distribution of, or re-*
19 *strict consumer access to, any contact lenses it produces,*
20 *markets, distributes, or sells, and makes any such lenses*
21 *available in a commercially reasonable and non-discrimi-*
22 *natory manner directly to and generally within all alter-*
23 *native channels of distribution: Provided, That for the pur-*
24 *poses of this section, the term “alternative channels of dis-*
25 *tribution” means any mail order company, Internet re-*

1 *tailer, pharmacy, buying club, department store, mass mer-*
2 *chandise outlet or other distribution alternative without re-*
3 *gard to whether it is associated with a prescriber, and the*
4 *term “manufacturer” means the manufacturer and its par-*
5 *ents, subsidiaries, affiliates, successors and assigns.*

6 *SEC. 768. (a) IN GENERAL.—Hereafter, the Secretary*
7 *of Health and Human Services, on behalf of the United*
8 *States may, whenever the Secretary deems desirable, relin-*
9 *quish to the State of Arkansas all or part of the jurisdiction*
10 *of the United States over the lands and properties encom-*
11 *passing the Jefferson Labs campus in the State of Arkansas*
12 *that are under the supervision or control of the Secretary.*

13 *(b) TERMS.—Relinquishment of jurisdiction under*
14 *this section may be accomplished, under terms and condi-*
15 *tions that the Secretary deems advisable,*

16 *(1) by filing with the Governor of the State of*
17 *Arkansas a notice of relinquishment to take effect*
18 *upon acceptance thereof; or*

19 *(2) as the laws of such State may otherwise pro-*
20 *vide.*

21 *(c) DEFINITION.—In this section, the term “Jefferson*
22 *Labs campus” means the lands and properties of the Na-*
23 *tional Center for Toxicological Research and the Arkansas*
24 *Regional Laboratory.*

1 *SEC. 769. Section 204(b)(3)(A) of the Child Nutrition*
2 *and WIC Reauthorization Act of 2004 (118 Stat. 781; 42*
3 *U.S.C. 1751 note) is amended by striking “July 1, 2006”*
4 *and inserting “October 1, 2005”.*

5 *SEC. 770. (a) Section 18(f)(1)(B) of the Richard B.*
6 *Russell National School Lunch Act (42 U.S.C.*
7 *1769(f)(1)(B)) is amended—*

8 *(1) by striking “April 2004” and inserting*
9 *“June 2005”; and*

10 *(2) in clause (ii), by striking “66.67” and insert-*
11 *ing “75”.*

12 *(b) The amendments made by subsection (a) take effect*
13 *on January 1, 2006.*

14 *SEC. 771. There is hereby appropriated \$1,250,000 to*
15 *the National Agricultural Imagery Program to acquire one*
16 *meter natural color digital ortho-imagery of the entire state*
17 *of Utah.*

18 *SEC. 772. Notwithstanding any other provision of law,*
19 *for eligibility to participate in the Environmental Quality*
20 *Incentives Program (EQIP), a producer is deemed to have*
21 *an interest in a farming or ranching operation whether the*
22 *source of income for that operation is derived from crops*
23 *or livestock owned by that producer, or owned by another*
24 *and raised by that producer.*

1 *SEC. 773. None of the funds in this Act may be used*
2 *to retire more than 5 percent of the Class A stock of the*
3 *Rural Telephone Bank, except in the event of liquidation*
4 *or dissolution of the telephone bank during fiscal year 2006,*
5 *pursuant to section 411 of the Rural Electrification Act of*
6 *1936, as amended, or to maintain any account or sub-*
7 *account within the accounting records of the Rural Tele-*
8 *phone Bank the creation of which has not specifically been*
9 *authorized by statute: Provided, That notwithstanding any*
10 *other provision of law, none of the funds appropriated or*
11 *otherwise made available in this Act may be used to trans-*
12 *fer to the Treasury or to the Federal Financing Bank any*
13 *unobligated balance of the Rural Telephone Bank telephone*
14 *liquidating account which is in excess of current require-*
15 *ments and such balance shall receive interest as set forth*
16 *for financial accounts in section 505(c) of the Federal Cred-*
17 *it Reform Act of 1990.*

18 *SEC. 774. There is hereby appropriated \$2,000,000 to*
19 *carry out Section 120 of Public Law 108-265 in Utah and*
20 *Wisconsin.*

21 *SEC. 775. There is hereby appropriated \$700,000 to*
22 *provide administrative support for a world food hunger or-*
23 *ganization: Provided, That none of the funds may be used*
24 *for a monetary award to an individual.*

1 *This Act may be cited as the “Agriculture, Rural De-*
2 *velopment, Food and Drug Administration, and Related*
3 *Agencies Appropriations Act, 2006”.*

Calendar No. 141

109TH CONGRESS
1ST Session

H.R. 2744

[Report No. 109-92]

AN ACT

Making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2006, and for other purposes.

JUNE 9, 2005

Received; read twice and referred to the Committee on
Appropriations

JUNE 27, 2005

Reported with an amendment