

Calendar No. 99111TH CONGRESS
1ST SESSION**S. 1406****[Report No. 111-39]**

Making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 7, 2009

Mr. KOHL, from the Committee on Appropriations, reported the following original bill; which was read twice and placed on the calendar

A BILL

Making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, 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, 2010, and for other purposes,
2 namely:

3 TITLE I

4 AGRICULTURAL PROGRAMS

5 PRODUCTION, PROCESSING AND MARKETING

6 OFFICE OF THE SECRETARY

7 For necessary expenses of the Office of the Secretary
8 of Agriculture, \$5,285,000: *Provided*, That not to exceed
9 \$11,000 of this amount shall be available for official recep-
10 tion and representation expenses, not otherwise provided
11 for, as determined by the Secretary.

12 OFFICE OF TRIBAL RELATIONS

13 For necessary expenses of the Office of Tribal Rela-
14 tions, \$1,000,000, to support communication and con-
15 sultation activities with Federally Recognized Tribes, as
16 well as other requirements established by law.

17 EXECUTIVE OPERATIONS

18 OFFICE OF THE CHIEF ECONOMIST

19 For necessary expenses of the Office of the Chief
20 Economist, \$13,032,000.

21 NATIONAL APPEALS DIVISION

22 For necessary expenses of the National Appeals Divi-
23 sion, \$15,219,000.

1 OFFICE OF BUDGET AND PROGRAM ANALYSIS

2 For necessary expenses of the Office of Budget and
3 Program Analysis, \$9,436,0000.

4 OFFICE OF HOMELAND SECURITY

5 For necessary expenses of the Office of Homeland Se-
6 curity, \$1,859,000.

7 OFFICE OF THE CHIEF INFORMATION OFFICER

8 For necessary expenses of the Office of the Chief In-
9 formation Officer, \$63,579,000.

10 OFFICE OF THE CHIEF FINANCIAL OFFICER

11 For necessary expenses of the Office of the Chief Fi-
12 nancial Officer, \$6,566,000: *Provided*, That no funds
13 made available by this appropriation may be obligated for
14 FAIR Act or Circular A-76 activities until the Secretary
15 has submitted to the Committees on Appropriations of
16 both Houses of Congress and the Committee on Oversight
17 and Government Reform of the House of Representatives
18 a report on the Department's contracting out policies, in-
19 cluding agency budgets for contracting out.

20 OFFICE OF THE ASSISTANT SECRETARY FOR CIVIL

21 RIGHTS

22 For necessary expenses of the Office of the Assistant
23 Secretary for Civil Rights, \$895,000.

1 OFFICE OF CIVIL RIGHTS

2 For necessary expenses of the Office of Civil Rights,
3 \$23,422,000.

4 OFFICE OF THE ASSISTANT SECRETARY FOR
5 ADMINISTRATION

6 For necessary expenses of the Office of the Assistant
7 Secretary for Administration, \$806,000.

8 AGRICULTURE BUILDINGS AND FACILITIES AND RENTAL
9 PAYMENTS

10 (INCLUDING TRANSFERS OF FUNDS)

11 For payment of space rental and related costs pursu-
12 ant to Public Law 92-313, including authorities pursuant
13 to the 1984 delegation of authority from the Adminis-
14 trator of General Services to the Department of Agri-
15 culture under 40 U.S.C. 486, for programs and activities
16 of the Department which are included in this Act, and for
17 alterations and other actions needed for the Department
18 and its agencies to consolidate unneeded space into con-
19 figurations suitable for release to the Administrator of
20 General Services, and for the operation, maintenance, im-
21 provement, and repair of Agriculture buildings and facili-
22 ties, and for related costs, \$274,482,000, to remain avail-
23 able until expended, of which \$168,901,000 shall be avail-
24 able for payments to the General Services Administration
25 for rent; of which \$13,500,000 for payment to the Depart-

1 ment of Homeland Security for building security activities;
2 and of which \$92,081,000 for buildings operations and
3 maintenance expenses: *Provided*, That the Secretary is au-
4 thorized to transfer funds from a Departmental agency
5 to this account to recover the full cost of the space and
6 security expenses of that agency that are funded by this
7 account when the actual costs exceed the agency estimate
8 which will be available for the activities and payments de-
9 scribed herein.

10 HAZARDOUS MATERIALS MANAGEMENT

11 (INCLUDING TRANSFERS OF FUNDS)

12 For necessary expenses of the Department of Agri-
13 culture, to comply with the Comprehensive Environmental
14 Response, Compensation, and Liability Act (42 U.S.C.
15 9601 et seq.) and the Resource Conservation and Recovery
16 Act (42 U.S.C. 6901 et seq.), \$5,125,000, to remain avail-
17 able until expended: *Provided*, That appropriations and
18 funds available herein to the Department for Hazardous
19 Materials Management may be transferred to any agency
20 of the Department for its use in meeting all requirements
21 pursuant to the above Acts on Federal and non-Federal
22 lands.

1 DEPARTMENTAL ADMINISTRATION
2 (INCLUDING TRANSFERS OF FUNDS)

3 For Departmental Administration, \$41,319,000, to
4 provide for necessary expenses for management support
5 services to offices of the Department and for general ad-
6 ministration, security, repairs and alterations, and other
7 miscellaneous supplies and expenses not otherwise pro-
8 vided for and necessary for the practical and efficient work
9 of the Department: *Provided*, That this appropriation shall
10 be reimbursed from applicable appropriations in this Act
11 for travel expenses incident to the holding of hearings as
12 required by 5 U.S.C. 551–558: *Provided further*, That of
13 the amount appropriated, \$13,000,000 is for stabilization
14 and developmental activities to be carried out under the
15 authority provided by title XIV of the Food and Agri-
16 culture Act of 1977 (7 U.S.C. 3101 et seq.) and other
17 applicable laws.

18 OFFICE OF THE ASSISTANT SECRETARY FOR
19 CONGRESSIONAL RELATIONS
20 (INCLUDING TRANSFERS OF FUNDS)

21 For necessary expenses of the Office of the Assistant
22 Secretary for Congressional Relations to carry out the pro-
23 grams funded by this Act, including programs involving
24 intergovernmental affairs and liaison within the executive
25 branch, \$3,968,000: *Provided*, That these funds may be

1 transferred to agencies of the Department of Agriculture
2 funded by this Act to maintain personnel at the agency
3 level: *Provided further*, That no funds made available by
4 this appropriation may be obligated after 30 days from
5 the date of enactment of this Act, unless the Secretary
6 has notified the Committees on Appropriations of both
7 Houses of Congress on the allocation of these funds by
8 USDA agency: *Provided further*, That no other funds ap-
9 propriated to the Department by this Act shall be available
10 to the Department for support of activities of congress-
11 sional relations.

12 OFFICE OF COMMUNICATIONS

13 For necessary expenses of the Office of Communica-
14 tions, \$9,722,000.

15 OFFICE OF INSPECTOR GENERAL

16 For necessary expenses of the Office of Inspector
17 General, including employment pursuant to the Inspector
18 General Act of 1978, \$88,025,000, including such sums
19 as may be necessary for contracting and other arrange-
20 ments with public agencies and private persons pursuant
21 to section 6(a)(9) of the Inspector General Act of 1978,
22 and including not to exceed \$125,000 for certain confiden-
23 tial operational expenses, including the payment of inform-
24 ants, to be expended under the direction of the Inspector

1 General pursuant to Public Law 95–452 and section 1337
2 of Public Law 97–98.

3 OFFICE OF THE GENERAL COUNSEL

4 For necessary expenses of the Office of the General
5 Counsel, \$43,551,000.

6 OFFICE OF THE UNDER SECRETARY FOR RESEARCH,

7 EDUCATION AND ECONOMICS

8 For necessary expenses of the Office of the Under
9 Secretary for Research, Education and Economics,
10 \$895,000.

11 ECONOMIC RESEARCH SERVICE

12 For necessary expenses of the Economic Research
13 Service, \$82,078,000.

14 NATIONAL AGRICULTURAL STATISTICS SERVICE

15 For necessary expenses of the National Agricultural
16 Statistics Service, \$161,830,000, of which up to
17 \$37,908,000 shall be available until expended for the Cen-
18 sus of Agriculture.

19 AGRICULTURAL RESEARCH SERVICE

20 SALARIES AND EXPENSES

21 For necessary expenses of the Agricultural Research
22 Service and for acquisition of lands by donation, exchange,
23 or purchase at a nominal cost not to exceed \$100, and
24 for land exchanges where the lands exchanged shall be of
25 equal value or shall be equalized by a payment of money

1 to the grantor which shall not exceed 25 percent of the
2 total value of the land or interests transferred out of Fed-
3 eral ownership, \$1,181,632,000, of which \$35,512,000
4 shall be for the purposes, and in the amounts, specified
5 in the table titled “Congressionally Designated Projects”
6 in the report to accompany this Act: *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.

9 BUILDINGS AND FACILITIES

10 For acquisition of land, construction, repair, improve-
11 ment, extension, alteration, and purchase of fixed equip-
12 ment or facilities as necessary to carry out the agricultural
13 research programs of the Department of Agriculture,
14 where not otherwise provided, \$47,027,000, of which
15 \$47,027,000 shall be for the purposes, and in the
16 amounts, specified in the table titled “Congressionally
17 Designated Projects” in the report to accompany this Act,
18 to remain available until expended.

19 NATIONAL INSTITUTE OF FOOD AND AGRICULTURE

20 RESEARCH AND EDUCATION ACTIVITIES

21 For payments to agricultural experiment stations, for
22 cooperative forestry and other research, for facilities, and
23 for other expenses, \$757,821,000, of which \$61,406,000
24 shall be for the purposes, and in the amounts, specified
25 in the table titled “Congressionally Designated Projects”

1 in the report to accompany this Act, as follows: to carry
2 out the provisions of the Hatch Act of 1887 (7 U.S.C.
3 361a-i), \$215,000,000; for grants for cooperative forestry
4 research (16 U.S.C. 582a through a-7), \$30,000,000; for
5 payments to eligible institutions (7 U.S.C. 3222),
6 \$49,000,000, provided that each institution receives no
7 less than \$1,000,000; for special grants (7 U.S.C.
8 450i(c)), \$50,456,000; for competitive grants on improved
9 pest control (7 U.S.C. 450i(c)), \$16,423,000; for competi-
10 tive grants (7 U.S.C. 450(i)(b)), \$295,181,000, to remain
11 available until expended; for the support of animal health
12 and disease programs (7 U.S.C. 3195), \$1,000,000; for
13 supplemental and alternative crops and products (7
14 U.S.C. 3319d), \$850,000; for grants for research pursu-
15 ant to the Critical Agricultural Materials Act (7 U.S.C.
16 178 et seq.), \$1,083,000, to remain available until ex-
17 pended; for the 1994 research grants program for 1994
18 institutions pursuant to section 536 of Public Law 103-
19 382 (7 U.S.C. 301 note), \$2,000,000, to remain available
20 until expended; for rangeland research grants (7 U.S.C.
21 3333), \$983,000; for higher education graduate fellowship
22 grants (7 U.S.C. 3152(b)(6)), \$3,859,000, to remain
23 available until expended (7 U.S.C. 2209b); for a program
24 pursuant to section 1415A of the National Agricultural
25 Research, Extension, and Teaching Policy Act of 1977 (7

1 U.S.C. 3151a), \$5,000,000, to remain available until ex-
2 pended; for higher education challenge grants (7 U.S.C.
3 3152(b)(1)), \$5,654,000; for a higher education multicul-
4 tural scholars program (7 U.S.C. 3152(b)(5)), \$981,000,
5 to remain available until expended (7 U.S.C. 2209b); for
6 an education grants program for Hispanic-serving Institu-
7 tions (7 U.S.C. 3241), \$7,737,000; for competitive grants
8 for the purpose of carrying out all provisions of 7 U.S.C.
9 3156 to individual eligible institutions or consortia of eligi-
10 ble institutions in Alaska and in Hawaii, with funds
11 awarded equally to each of the States of Alaska and Ha-
12 waii, \$3,200,000; for a secondary agriculture education
13 program and 2-year post-secondary education (7 U.S.C.
14 3152(j)), \$983,000; for aquaculture grants (7 U.S.C.
15 3322), \$3,928,000; for sustainable agriculture research
16 and education (7 U.S.C. 5811), \$14,500,000; for a pro-
17 gram of capacity building grants (7 U.S.C. 3152(b)(4))
18 to institutions eligible to receive funds under 7 U.S.C.
19 3221 and 3222, \$16,500,000, to remain available until ex-
20 pended (7 U.S.C. 2209b); for payments to the 1994 Insti-
21 tutions pursuant to section 534(a)(1) of Public Law 103-
22 382, \$3,342,000; for resident instruction grants for insu-
23 lar areas under section 1491 of the National Agricultural
24 Research, Extension, and Teaching Policy Act of 1977 (7
25 U.S.C. 3363), \$800,000; for a new era rural technology

1 program pursuant to section 1473E of the National Agri-
2 cultural Research, Extension, and Teaching Policy Act of
3 1977 (7 U.S.C. 3319e), \$750,000; for a competitive
4 grants program for farm business management and
5 benchmarking (7 U.S.C. 5925f), \$2,000,000; for a com-
6 petitive grants program regarding biobased energy (7
7 U.S.C. 8114), \$1,500,000; and for necessary expenses of
8 Research and Education Activities, \$25,111,000, of which
9 \$2,704,000 for the Research, Education, and Economics
10 Information System and \$2,136,000 for the Electronic
11 Grants Information System, are to remain available until
12 expended.

13 NATIVE AMERICAN INSTITUTIONS ENDOWMENT FUND

14 For the Native American Institutions Endowment
15 Fund authorized by Public Law 103–382 (7 U.S.C. 301
16 note), \$11,880,000, to remain available until expended.

17 EXTENSION ACTIVITIES

18 For payments to States, the District of Columbia,
19 Puerto Rico, Guam, the Virgin Islands, Micronesia, the
20 Northern Marianas, and American Samoa, \$491,292,000,
21 of which \$7,898,000 shall be for the purposes, and in the
22 amounts, specified in the table titled “Congressionally
23 Designated Projects” in the report to accompany this Act,
24 as follows: payments for cooperative extension work under
25 the Smith-Lever Act, to be distributed under sections 3(b)

1 and 3(c) of said Act, and under section 208(c) of Public
2 Law 93–471, for retirement and employees’ compensation
3 costs for extension agents, \$300,000,000; payments for
4 extension work at the 1994 Institutions under the Smith-
5 Lever Act (7 U.S.C. 343(b)(3)), \$4,000,000; payments for
6 the nutrition and family education program for low-income
7 areas under section 3(d) of the Act, \$68,139,000; pay-
8 ments for the pest management program under section
9 3(d) of the Act, \$10,085,000; payments for the farm safe-
10 ty program under section 3(d) of the Act, \$4,863,000;
11 payments for New Technologies for Ag Extension under
12 section 3(d) of the Act, \$2,000,000; payments to upgrade
13 research, extension, and teaching facilities at institutions
14 eligible to receive funds under 7 U.S.C. 3221 and 3222,
15 \$18,540,000, to remain available until expended; pay-
16 ments for youth-at-risk programs under section 3(d) of the
17 Smith-Lever Act, \$8,427,000; for youth farm safety edu-
18 cation and certification extension grants, to be awarded
19 competitively under section 3(d) of the Act, \$493,000;
20 payments for carrying out the provisions of the Renewable
21 Resources Extension Act of 1978 (16 U.S.C. 1671 et
22 seq.), \$4,128,000; payments for the federally-recognized
23 Tribes Extension Program under section 3(d) of the
24 Smith-Lever Act, \$3,090,000; payments for sustainable
25 agriculture programs under section 3(d) of the Act,

1 \$4,705,000; payments for rural health and safety edu-
2 cation as authorized by section 502(i) of Public Law 92-
3 419 (7 U.S.C. 2662(i)), \$1,738,000; payments for cooper-
4 ative extension work by eligible institutions (7 U.S.C.
5 3221), \$41,354,000, provided that each institution re-
6 ceives no less than \$1,000,000; for grants to youth organi-
7 zations pursuant to 7 U.S.C. 7630, \$1,767,000; payments
8 to carry out the food animal residue avoidance database
9 program as authorized by 7 U.S.C. 7642, \$1,000,000;
10 payments to carry out section 1672(e)(49) of the Food,
11 Agriculture, Conservation, and Trade Act of 1990 (7
12 U.S.C. 5925), as amended, \$500,000; and for necessary
13 expenses of Extension Activities, \$16,463,000.

14 INTEGRATED ACTIVITIES

15 For the integrated research, education, and extension
16 grants programs, including necessary administrative ex-
17 penses, \$56,864,000, as follows: for competitive grants
18 programs authorized under section 406 of the Agricultural
19 Research, Extension, and Education Reform Act of 1998
20 (7 U.S.C. 7626), \$41,990,000, including \$12,649,000 for
21 the water quality program, \$14,596,000 for the food safe-
22 ty program, \$4,096,000 for the regional pest management
23 centers program, \$4,388,000 for the Food Quality Protec-
24 tion Act risk mitigation program for major food crop sys-
25 tems, \$1,365,000 for the crops affected by Food Quality

1 Protection Act implementation, \$3,054,000 for the methyl
2 bromide transition program, and \$1,842,000 for the or-
3 ganic transition program; for a competitive international
4 science and education grants program authorized under
5 section 1459A of the National Agricultural Research, Ex-
6 tension, and Teaching Policy Act of 1977 (7 U.S.C.
7 3292b), to remain available until expended, \$3,000,000;
8 for grants programs authorized under section 2(c)(1)(B)
9 of Public Law 89–106, as amended, \$732,000, to remain
10 available until September 30, 2011, for the critical issues
11 program; \$1,312,000 for the regional rural development
12 centers program; and \$9,830,000 for the Food and Agri-
13 culture Defense Initiative authorized under section 1484
14 of the National Agricultural Research, Extension, and
15 Teaching Policy Act of 1977, to remain available until
16 September 30, 2011.

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

19 For necessary expenses of the Office of the Under
20 Secretary for Marketing and Regulatory Programs,
21 \$895,000.

1 ANIMAL AND PLANT HEALTH INSPECTION SERVICE
2 SALARIES AND EXPENSES
3 (INCLUDING TRANSFERS OF FUNDS)

4 For necessary expenses of the Animal and Plant
5 Health Inspection Service, including up to \$30,000 for
6 representation allowances and for expenses pursuant to
7 the Foreign Service Act of 1980 (22 U.S.C. 4085),
8 \$911,394,000, of which \$18,059,000 shall be for the pur-
9 poses, and in the amounts, specified in the table titled
10 “Congressionally Designated Projects” in the report to ac-
11 company this Act, of which \$2,058,000 shall be available
12 for the control of outbreaks of insects, plant diseases, ani-
13 mal diseases and for control of pest animals and birds to
14 the extent necessary to meet emergency conditions; of
15 which \$23,390,000 shall be used for the cotton pests pro-
16 gram for cost share purposes or for debt retirement for
17 active eradication zones; of which \$14,607,000 shall be for
18 a National Animal Identification program; of which
19 \$60,243,000 shall be used to prevent and control avian
20 influenza and shall remain available until expended: *Pro-*
21 *vided*, That funds provided for the contingency fund to
22 meet emergency conditions, information technology infra-
23 structure, fruit fly program, emerging plant pests, cotton
24 pests program, grasshopper and mormon cricket program,
25 the plum pox program, the National Veterinary Stockpile,

1 the National Animal Identification System, up to
2 \$1,500,000 in the scrapie program for indemnities, up to
3 \$1,000,000 for wildlife services methods development, up
4 to \$1,000,000 of the wildlife services operations program
5 for aviation safety, and up to 25 percent of the screwworm
6 program shall remain available until expended: *Provided*
7 *further*, That no funds shall be used to formulate or ad-
8 minister a brucellosis eradication program for the current
9 fiscal year that does not require minimum matching by
10 the States of at least 40 percent: *Provided further*, That
11 this appropriation shall be available for the operation and
12 maintenance of aircraft and the purchase of not to exceed
13 four, of which two shall be for replacement only: *Provided*
14 *further*, That, in addition, in emergencies which threaten
15 any segment of the agricultural production industry of this
16 country, the Secretary may transfer from other appropria-
17 tions or funds available to the agencies or corporations
18 of the Department such sums as may be deemed nec-
19 essary, to be available only in such emergencies for the
20 arrest and eradication of contagious or infectious disease
21 or pests of animals, poultry, or plants, and for expenses
22 in accordance with sections 10411 and 10417 of the Ani-
23 mal Health Protection Act (7 U.S.C. 8310 and 8316) and
24 sections 431 and 442 of the Plant Protection Act (7
25 U.S.C. 7751 and 7772), and any unexpended balances of

1 funds transferred for such emergency purposes in the pre-
2 ceding fiscal year shall be merged with such transferred
3 amounts: *Provided further*, That appropriations hereunder
4 shall be available pursuant to law (7 U.S.C. 2250) for the
5 repair and alteration of leased buildings and improve-
6 ments, but unless otherwise provided 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 In fiscal year 2010, the agency is authorized to collect
11 fees to cover the total costs of providing technical assist-
12 ance, goods, or services requested by States, other political
13 subdivisions, domestic and international organizations,
14 foreign governments, or individuals, provided that such
15 fees are structured such that any entity's liability for such
16 fees is reasonably based on the technical assistance, goods,
17 or services provided to the entity by the agency, and such
18 fees shall be credited to this account, to remain available
19 until expended, without further appropriation, for pro-
20 viding such assistance, goods, or services.

21 BUILDINGS AND FACILITIES

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

1 authorized by 7 U.S.C. 428a, \$4,712,000, to remain avail-
2 able until expended.

3 AGRICULTURAL MARKETING SERVICE

4 MARKETING SERVICES

5 For necessary expenses of the Agricultural Marketing
6 Service, \$90,848,000: *Provided*, That this appropriation
7 shall be available pursuant to law (7 U.S.C. 2250) for the
8 alteration and repair of buildings and improvements, but
9 the cost of altering any one building during the fiscal year
10 shall not exceed 10 percent of the current replacement
11 value of the building.

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

15 LIMITATION ON ADMINISTRATIVE EXPENSES

16 Not to exceed \$64,583,000 (from fees collected) shall
17 be obligated during the current fiscal year for administra-
18 tive expenses: *Provided*, That if crop size is understated
19 and/or other uncontrollable events occur, the agency may
20 exceed this limitation by up to 10 percent with notification
21 to the Committees on Appropriations of both Houses of
22 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. 612c), shall be used only for com-
6 modity program expenses as authorized therein, and other
7 related operating expenses, including not less than
8 \$20,000,000 for replacement of a system to support com-
9 modity purchases, 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
12 in this Act; and (3) not more than \$20,056,000 for formu-
13 lation and administration of marketing agreements and
14 orders pursuant to the Agricultural Marketing Agreement
15 Act of 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
19 marketing activities under section 204(b) of the Agricul-
20 tural Marketing Act of 1946 (7 U.S.C. 1623(b)),
21 \$1,334,000.

1 GRAIN INSPECTION, PACKERS AND STOCKYARDS

2 ADMINISTRATION

3 SALARIES AND EXPENSES

4 For necessary expenses of the Grain Inspection,
5 Packers and Stockyards Administration, \$41,564,000:
6 *Provided*, That this appropriation shall be available pursu-
7 ant to law (7 U.S.C. 2250) for the alteration and repair
8 of buildings and improvements, but the cost of altering
9 any one building during the fiscal year shall not exceed
10 10 percent of the current replacement value of the build-
11 ing.

12 LIMITATION ON INSPECTION AND WEIGHING SERVICES

13 EXPENSES

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

21 OFFICE OF THE UNDER SECRETARY FOR FOOD SAFETY

22 For necessary expenses of the Office of the Under
23 Secretary for Food Safety, \$813,000.

1 FOOD SAFETY AND INSPECTION SERVICE

2 For necessary expenses to carry out services author-
3 ized by the Federal Meat Inspection Act, the Poultry
4 Products Inspection Act, and the Egg Products Inspection
5 Act, including not to exceed \$50,000 for representation
6 allowances and for expenses pursuant to section 8 of the
7 Act approved August 3, 1956 (7 U.S.C. 1766),
8 \$1,018,520,000; and in addition, \$1,000,000 may be cred-
9 ited to this account from fees collected for the cost of lab-
10 oratory accreditation as authorized by section 1327 of the
11 Food, Agriculture, Conservation and Trade Act of 1990
12 (7 U.S.C. 138f): *Provided*, That funds provided for the
13 Public Health Data Communication Infrastructure system
14 shall remain available until expended: *Provided further*,
15 That no fewer than 150 full-time equivalent positions shall
16 be employed during fiscal year 2010 for purposes dedi-
17 cated solely to inspections and enforcement related to the
18 Humane Methods of Slaughter Act: *Provided further*, That
19 of the amount available under this heading, \$3,000,000
20 shall be obligated to maintain the Humane Animal Track-
21 ing System as part of the Public Health Data Communica-
22 tion Infrastructure System: *Provided further*, That this
23 appropriation shall be available pursuant to law (7 U.S.C.
24 2250) for the alteration and repair of buildings and im-
25 provements, but the cost of altering any one building dur-

1 ing the fiscal year shall not exceed 10 percent of the cur-
 2 rent replacement value of the building.

3 OFFICE OF THE UNDER SECRETARY FOR FARM AND
 4 FOREIGN AGRICULTURAL SERVICES

5 For necessary expenses of the Office of the Under
 6 Secretary for Farm and Foreign Agricultural Services,
 7 \$895,000.

8 FARM SERVICE AGENCY

9 SALARIES AND EXPENSES

10 (INCLUDING TRANSFERS OF FUNDS)

11 For necessary expenses of the Farm Service Agency,
 12 \$1,253,777,000: *Provided*, That the Secretary is author-
 13 ized to use the services, facilities, and authorities (but not
 14 the funds) of the Commodity Credit Corporation to make
 15 program payments for all programs administered by the
 16 Agency: *Provided further*, That other funds made available
 17 to the Agency for authorized activities may be advanced
 18 to and merged with this account: *Provided further*, That
 19 funds made available to county committees shall remain
 20 available until expended.

21 STATE MEDIATION GRANTS

22 For grants pursuant to section 502(b) of the Agricul-
 23 tural Credit Act of 1987, as amended (7 U.S.C. 5101–
 24 5106), \$4,369,000.

1 GRASSROOTS SOURCE WATER PROTECTION PROGRAM

2 For necessary expenses to carry out wellhead or
3 groundwater protection activities under section 12400 of
4 the Food Security Act of 1985 (16 U.S.C. 3839bb-2),
5 \$5,000,000, to remain available until expended.

6 DAIRY INDEMNITY PROGRAM

7 (INCLUDING TRANSFER OF FUNDS)

8 For necessary expenses involved in making indemnity
9 payments to dairy farmers and manufacturers of dairy
10 products under a dairy indemnity program, such sums as
11 may be necessary, to remain available until expended: *Pro-*
12 *vided*, That such program is carried out by the Secretary
13 in the same manner as the dairy indemnity program de-
14 scribed in the Agriculture, Rural Development, Food and
15 Drug Administration, and Related Agencies Appropria-
16 tions Act, 2001 (Public Law 106-387, 114 Stat. 1549A-
17 12).

18 AGRICULTURAL CREDIT INSURANCE FUND PROGRAM

19 ACCOUNT

20 (INCLUDING TRANSFERS OF FUNDS)

21 For gross obligations for the principal amount of di-
22 rect and guaranteed farm ownership (7 U.S.C. 1922 et
23 seq.) and operating (7 U.S.C. 1941 et seq.) loans, Indian
24 tribe land acquisition loans (25 U.S.C. 488), boll weevil
25 loans (7 U.S.C. 1989), direct and guaranteed conservation

1 loans (7 U.S.C. 1924 et seq.) and Indian highly
2 fractionated land loans (25 U.S.C. 488), to be available
3 from funds in the Agricultural Credit Insurance Fund, as
4 follows: farm ownership loans, \$1,892,990,000, of which
5 \$1,500,000,000 shall be for unsubsidized guaranteed
6 loans and \$392,990,000 shall be for direct loans; oper-
7 ating loans, \$1,994,467,000, of which \$1,150,000,000
8 shall be for unsubsidized guaranteed loans, \$144,467,000
9 shall be for subsidized guaranteed loans and \$700,000,000
10 shall be for direct loans; Indian tribe land acquisition
11 loans, \$2,000,000; conservation loans, \$150,000,000, of
12 which \$75,000,000 shall be for guaranteed loans and
13 \$75,000,000 shall be for direct loans; Indian highly
14 fractionated land loans, \$10,000,000; and for boll weevil
15 eradication program loans, \$100,000,000: *Provided*, That
16 the Secretary shall deem the pink bollworm to be a boll
17 weevil for the purpose of boll weevil eradication program
18 loans.

19 For the cost of direct and guaranteed loans, including
20 the cost of modifying loans as defined in section 502 of
21 the Congressional Budget Act of 1974, as follows: farm
22 ownership loans, \$21,584,000, of which \$5,550,000 shall
23 be for unsubsidized guaranteed loans, and \$16,034,000
24 shall be for direct loans; operating loans, \$80,402,000, of
25 which \$26,910,000 shall be for unsubsidized guaranteed

1 loans, \$20,312,000 shall be for subsidized guaranteed
2 loans, and \$33,180,000 shall be for direct loans; conserva-
3 tion loans, \$1,343,000, of which \$278,000 shall be for
4 guaranteed loans, and \$1,065,000 shall be for direct
5 loans; and Indian highly fractionated land loans,
6 \$793,000.

7 In addition, for administrative expenses necessary to
8 carry out the direct and guaranteed loan programs,
9 \$321,093,000, of which \$313,173,000 shall be transferred
10 to and merged with the appropriation for “Farm Service
11 Agency, Salaries and Expenses”.

12 Funds appropriated by this Act to the Agricultural
13 Credit Insurance Program Account for farm ownership,
14 operating, and conservation direct loans and guaranteed
15 loans may be transferred among these programs: *Pro-*
16 *vided*, That the Committees on Appropriations of both
17 Houses of Congress are notified at least 15 days in ad-
18 vance of any transfer.

19 RISK MANAGEMENT AGENCY

20 For necessary expenses of the Risk Management
21 Agency, \$79,425,000: *Provided*, That the funds made
22 available under section 522(e) of the Federal Crop Insur-
23 ance Act (7 U.S.C. 1522(e)) may be used for the Common
24 Information Management System: *Provided further*, That
25 not to exceed \$1,000 shall be available for official recep-

1 tion and representation expenses, as authorized by 7
 2 U.S.C. 1506(i).

3 CORPORATION

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

14 FEDERAL CROP INSURANCE CORPORATION FUND

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

18 COMMODITY CREDIT CORPORATION FUND

19 REIMBURSEMENT FOR NET REALIZED LOSSES

20 (INCLUDING TRANSFERS OF FUNDS)

21 For the current fiscal year, such sums as may be nec-
 22 essary to reimburse the Commodity Credit Corporation for
 23 net realized losses sustained, but not previously reim-
 24 bursed, pursuant to section 2 of the Act of August 17,
 25 1961 (15 U.S.C. 713a-11): *Provided*, That of the funds

1 available to the Commodity Credit Corporation under sec-
2 tion 11 of the Commodity Credit Corporation Charter Act
3 (15 U.S.C. 714i) for the conduct of its business with the
4 Foreign Agricultural Service, up to \$5,000,000 may be
5 transferred to and used by the Foreign Agricultural Serv-
6 ice for information resource management activities of the
7 Foreign Agricultural Service that are not related to Com-
8 modity Credit Corporation business.

9 HAZARDOUS WASTE MANAGEMENT

10 (LIMITATION ON EXPENSES)

11 For the current fiscal year, the Commodity Credit
12 Corporation shall not expend more than \$5,000,000 for
13 site investigation and cleanup expenses, and operations
14 and maintenance expenses to comply with the requirement
15 of section 107(g) of the Comprehensive Environmental
16 Response, Compensation, and Liability Act (42 U.S.C.
17 9607(g)), and section 6001 of the Resource Conservation
18 and Recovery Act (42 U.S.C. 6961).

19 TITLE II

20 CONSERVATION PROGRAMS

21 OFFICE OF THE UNDER SECRETARY FOR NATURAL

22 RESOURCES AND ENVIRONMENT

23 For necessary expenses of the Office of the Under
24 Secretary for Natural Resources and Environment,
25 \$895,000.

1 NATURAL RESOURCES CONSERVATION SERVICE
2 CONSERVATION OPERATIONS

3 For necessary expenses for carrying out the provi-
4 sions of the Act of April 27, 1935 (16 U.S.C. 590a–f),
5 including preparation of conservation plans and establish-
6 ment of measures to conserve soil and water (including
7 farm irrigation and land drainage and such special meas-
8 ures for soil and water management as may be necessary
9 to prevent floods and the siltation of reservoirs and to con-
10 trol agricultural related pollutants); operation of conserva-
11 tion plant materials centers; classification and mapping of
12 soil; dissemination of information; acquisition of lands,
13 water, and interests therein for use in the plant materials
14 program by donation, exchange, or purchase at a nominal
15 cost not to exceed \$100 pursuant to the Act of August
16 3, 1956 (7 U.S.C. 428a); purchase and erection or alter-
17 ation or improvement of permanent and temporary build-
18 ings; and operation and maintenance of aircraft,
19 \$949,577,000, to remain available until September 30,
20 2011, of which up to \$50,730,000 may be used in plan-
21 ning and carrying out projects for resource conservation
22 and development and for sound land use pursuant to the
23 provisions of sections 31 and 32 of the Bankhead-Jones
24 Farm Tenant Act (7 U.S.C. 1010–1011; 76 Stat. 607);
25 the Act of April 27, 1935 (16 U.S.C. 590a–590f); and

1 subtitle H of title XV of the Agriculture and Food Act
2 of 1981 (16 U.S.C. 3451–3461), and of which
3 \$21,511,000 shall be for the purposes, and in the
4 amounts, specified in the table titled “Congressionally
5 Designated Projects” in the report to accompany this Act:
6 *Provided*, That appropriations hereunder shall be available
7 pursuant to 7 U.S.C. 2250 for construction and improve-
8 ment of buildings and public improvements at plant mate-
9 rials centers, except that the cost of alterations and im-
10 provements to other buildings and other public improve-
11 ments shall not exceed \$250,000: *Provided further*, That
12 the Secretary is authorized to transfer ownership of all
13 land, buildings, and related improvements of the Natural
14 Resources Conservation Service facilities located in Medi-
15 cine Bow, Wyoming, to the Medicine Bow Conservation
16 District: *Provided further*, That when buildings or other
17 structures are erected on non-Federal land, that the right
18 to use such land is obtained as provided in 7 U.S.C.
19 2250a.

20 WATERSHED AND FLOOD PREVENTION OPERATIONS

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

1 Prevention Act (16 U.S.C. 1001–1005 and 1007–1009),
2 the provisions of the Act of April 27, 1935 (16 U.S.C.
3 590a–f), and in accordance with the provisions of laws re-
4 lating to the activities of the Department, \$24,394,000,
5 to remain available until expended, of which \$16,750,000
6 shall be for the purposes, and in the amounts, specified
7 in the table titled “Congressionally Designated Projects”
8 in the report to accompany this Act: *Provided*, That not
9 to exceed \$15,000,000 of this appropriation shall be avail-
10 able for technical assistance.

11 WATERSHED REHABILITATION PROGRAM

12 For necessary expenses to carry out rehabilitation of
13 structural measures, in accordance with section 14 of the
14 Watershed Protection and Flood Prevention Act (16
15 U.S.C. 1012), and in accordance with the provisions of
16 laws relating to the activities of the Department,
17 \$40,161,000, to remain available until expended.

18 TITLE III

19 RURAL DEVELOPMENT PROGRAMS

20 OFFICE OF THE UNDER SECRETARY FOR RURAL
21 DEVELOPMENT

22 For necessary expenses of the Office of the Under
23 Secretary for Rural Development, \$895,000.

1 RURAL DEVELOPMENT SALARIES AND EXPENSES
 2 (INCLUDING TRANSFERS OF FUNDS)

3 For necessary expenses for carrying out the adminis-
 4 tration and implementation of programs in the Rural De-
 5 velopment mission area, including activities with institu-
 6 tions concerning the development and operation of agricul-
 7 tural cooperatives; and for cooperative agreements;
 8 \$207,237,000: *Provided*, That notwithstanding any other
 9 provision of law, funds appropriated under this section
 10 may be used for advertising and promotional activities
 11 that support the Rural Development mission area: *Pro-*
 12 *vided further*, That not more than \$10,000 may be ex-
 13 pended to provide modest nonmonetary awards to non-
 14 USDA employees: *Provided further*, That any balances
 15 available from prior years for the Rural Utilities Service,
 16 Rural Housing Service, and the Rural Business-Coopera-
 17 tive Service salaries and expenses accounts shall be trans-
 18 ferred to and merged with this appropriation.

19 RURAL HOUSING SERVICE
 20 RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT
 21 (INCLUDING TRANSFERS OF FUNDS)

22 For gross obligations for the principal amount of di-
 23 rect and guaranteed loans as authorized by title V of the
 24 Housing Act of 1949, to be available from funds in the
 25 rural housing insurance fund, as follows: \$13,226,501,000

1 for loans to section 502 borrowers, of which
2 \$1,226,501,000 shall be for direct loans, and of which
3 \$12,000,000,000 shall be for unsubsidized guaranteed
4 loans; \$34,412,000 for section 504 housing repair loans;
5 \$69,512,000 for section 515 rental housing; \$129,090,000
6 for section 538 guaranteed multi-family housing loans;
7 \$5,045,000 for section 524 site loans; \$11,448,000 for
8 credit sales of acquired property, of which up to
9 \$1,448,000 may be for multi-family credit sales; and
10 \$4,970,000 for section 523 self-help housing land develop-
11 ment loans.

12 For the cost of direct and guaranteed loans, including
13 the cost of modifying loans, as defined in section 502 of
14 the Congressional Budget Act of 1974, as follows: section
15 502 loans, \$217,322,000, of which \$44,522,000 shall be
16 for direct loans, and of which \$172,800,000, to remain
17 available until expended, shall be for unsubsidized guaran-
18 teed loans; section 504 housing repair loans, \$4,422,000;
19 repair, rehabilitation, and new construction of section 515
20 rental housing, \$18,935,000; section 538 multi-family
21 housing guaranteed loans, \$1,485,000; and credit sales of
22 acquired property, \$556,000: *Provided*, That section 538
23 multi-family housing guaranteed loans funded pursuant to
24 this paragraph shall not be subject to a guarantee fee and
25 the interest on such loans may not be subsidized: *Provided*

1 *further*, That any balances for a demonstration program
2 for the preservation and revitalization of the section 515
3 multi-family rental housing properties as authorized by
4 Public Law 109–97 and Public Law 110–5 shall be trans-
5 ferred to and merged with the “Rural Housing Service,
6 Multi-family Housing Revitalization Program Account”.

7 In addition, for administrative expenses necessary to
8 carry out the direct and guaranteed loan programs,
9 \$468,593,000, which shall be transferred to and merged
10 with the appropriation for “Rural Development, Salaries
11 and Expenses”.

12 RENTAL ASSISTANCE PROGRAM

13 For rental assistance agreements entered into or re-
14 newed pursuant to the authority under section 521(a)(2)
15 or agreements entered into in lieu of debt forgiveness or
16 payments for eligible households as authorized by section
17 502(c)(5)(D) of the Housing Act of 1949, \$980,000,000;
18 and, in addition, such sums as may be necessary, as au-
19 thorized by section 521(c) of the Act, to liquidate debt
20 incurred prior to fiscal year 1992 to carry out the rental
21 assistance program under section 521(a)(2) of the Act:
22 *Provided*, That of this amount, up to \$5,958,000 may be
23 available for debt forgiveness or payments for eligible
24 households as authorized by section 502(c)(5)(D) of the
25 Act, and not to exceed \$50,000 per project for advances

1 to nonprofit organizations or public agencies to cover di-
2 rect costs (other than purchase price) incurred in pur-
3 chasing projects pursuant to section 502(c)(5)(C) of the
4 Act: *Provided further*, That of this amount not less than
5 \$2,030,000 is available for newly constructed units fi-
6 nanced by section 515 of the Housing Act of 1949, and
7 not less than \$3,400,000 is for newly constructed units
8 financed under sections 514 and 516 of the Housing Act
9 of 1949: *Provided further*, That rental assistance agree-
10 ments entered into or renewed during the current fiscal
11 year shall be funded for a one-year period: *Provided fur-*
12 *ther*, That any unexpended balances remaining at the end
13 of such one-year agreements may be transferred and used
14 for the purposes of any debt reduction; maintenance, re-
15 pair, or rehabilitation of any existing projects; preserva-
16 tion; and rental assistance activities authorized under title
17 V of the Act: *Provided further*, That rental assistance pro-
18 vided under agreements entered into prior to fiscal year
19 2010 for a farm labor multi-family housing project fi-
20 nanced under section 514 or 516 of the Act may not be
21 recaptured for use in another project until such assistance
22 has remained unused for a period of 12 consecutive
23 months, if such project has a waiting list of tenants seek-
24 ing such assistance or the project has rental assistance
25 eligible tenants who are not receiving such assistance: *Pro-*

1 *vided further*, That such recaptured rental assistance shall,
 2 to the extent practicable, be applied to another farm labor
 3 multi-family housing project financed under section 514
 4 or 516 of the Act.

5 MULTI-FAMILY HOUSING REVITALIZATION PROGRAM
 6 ACCOUNT

7 For the rural housing voucher program as authorized
 8 under section 542 of the Housing Act of 1949, but not-
 9 withstanding subsection (b) of such section, for the cost
 10 to conduct a housing demonstration program to provide
 11 revolving loans for the preservation of low-income multi-
 12 family housing projects, and for additional costs to con-
 13 duct a demonstration program for the preservation and
 14 revitalization of multi-family rental housing properties de-
 15 scribed in this paragraph, \$39,651,000, to remain avail-
 16 able until expended: *Provided*, That of the funds made
 17 available under this heading, \$18,000,000 shall be avail-
 18 able for rural housing vouchers to any low-income house-
 19 hold (including those not receiving rental assistance) re-
 20 siding in a property financed with a section 515 loan
 21 which has been prepaid after September 30, 2005: *Pro-*
 22 *vided further*, That the amount of such voucher shall be
 23 the difference between comparable market rent for the sec-
 24 tion 515 unit and the tenant paid rent for such unit: *Pro-*
 25 *vided further*, That funds made available for such vouchers

1 shall be subject to the availability of annual appropria-
2 tions: *Provided further*, That the Secretary shall, to the
3 maximum extent practicable, administer such vouchers
4 with current regulations and administrative guidance ap-
5 plicable to section 8 housing vouchers administered by the
6 Secretary of the Department of Housing and Urban De-
7 velopment (including the ability to pay administrative
8 costs related to delivery of the voucher funds): *Provided*
9 *further*, That if the Secretary determines that the amount
10 made available for vouchers in this or any other Act is
11 not needed for vouchers, the Secretary may use such funds
12 for the demonstration programs for the preservation and
13 revitalization of multi-family rental housing properties de-
14 scribed in this paragraph: *Provided further*, That of the
15 funds made available under this heading, \$1,791,000 shall
16 be available for the cost of loans to private nonprofit orga-
17 nizations, or such nonprofit organizations' affiliate loan
18 funds and State and local housing finance agencies, to
19 carry out a housing demonstration program to provide re-
20 volving loans for the preservation of low-income multi-fam-
21 ily housing projects: *Provided further*, That loans under
22 such demonstration program shall have an interest rate
23 of not more than 1 percent direct loan to the recipient:
24 *Provided further*, That the Secretary may defer the inter-
25 est and principal payment to the Rural Housing Service

1 for up to 3 years and the term of such loans shall not
2 exceed 30 years: *Provided further*, That of the funds made
3 available under this heading, \$19,860,000 shall be avail-
4 able for a demonstration program for the preservation and
5 revitalization of the section 514, 515, and 516 multi-fam-
6 ily rental housing properties to restructure existing USDA
7 multi-family housing loans, as the Secretary deems appro-
8 priate, expressly for the purposes of ensuring the project
9 has sufficient resources to preserve the project for the pur-
10 pose of providing safe and affordable housing for low-in-
11 come residents and farm laborers including reducing or
12 eliminating interest; deferring loan payments, subordi-
13 nating, reducing or reamortizing loan debt; and other fi-
14 nancial assistance including advances, payments and in-
15 centives (including the ability of owners to obtain reason-
16 able returns on investment) required by the Secretary:
17 *Provided further*, That the Secretary shall as part of the
18 preservation and revitalization agreement obtain a restric-
19 tive use agreement consistent with the terms of the re-
20 structuring: *Provided further*, That if the Secretary deter-
21 mines that additional funds for vouchers described in this
22 paragraph are needed, funds for the preservation and revi-
23 talization demonstration program may be used for such
24 vouchers: *Provided further*, That the Secretary may use
25 any unobligated funds appropriated for the rural housing

1 voucher program in a prior fiscal year to support informa-
2 tion technology activities of the Rural Housing Service to
3 the extent the Secretary determines that additional funds
4 are not needed for this fiscal year to provide vouchers de-
5 scribed in this paragraph: *Provided further*, That if Con-
6 gress enacts legislation to permanently authorize a multi-
7 family rental housing loan restructuring program similar
8 to the demonstration program described herein, the Sec-
9 retary may use funds made available for the demonstra-
10 tion program under this heading to carry out such legisla-
11 tion with the prior notification of the Committees on Ap-
12 propriations of both Houses of Congress.

13 MUTUAL AND SELF-HELP HOUSING GRANTS

14 For grants and contracts pursuant to section
15 523(b)(1)(A) of the Housing Act of 1949 (42 U.S.C.
16 1490c), \$38,727,000, to remain available until expended.

17 RURAL HOUSING ASSISTANCE GRANTS

18 (INCLUDING TRANSFER OF FUNDS)

19 For grants and contracts for very low-income housing
20 repair, supervisory and technical assistance, compensation
21 for construction defects, and rural housing preservation
22 made by the Rural Housing Service, as authorized by 42
23 U.S.C. 1474, 1479(c), 1490e, and 1490m, \$41,500,000,
24 to remain available until expended: *Provided*, That any
25 balances to carry out a housing demonstration program

1 to provide revolving loans for the preservation of low-in-
 2 come multi-family housing projects as authorized in Public
 3 Law 108–447 and Public Law 109–97 shall be transferred
 4 to and merged with the “Rural Housing Service, Multi-
 5 family Housing Revitalization Program Account”.

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, \$16,968,000,
 9 to remain available until expended, for direct farm labor
 10 housing loans and domestic farm labor housing grants and
 11 contracts.

12 RURAL COMMUNITY FACILITIES PROGRAM ACCOUNT

13 (INCLUDING TRANSFERS OF FUNDS)

14 For the cost of direct loans, loan guarantees, and
 15 grants for rural community facilities programs as author-
 16 ized by section 306 and described in section 381E(d)(1)
 17 of the Consolidated Farm and Rural Development Act,
 18 \$54,993,000, to remain available until expended: *Pro-*
 19 *vided*, That \$6,256,000 of the amount appropriated under
 20 this heading shall be available for a Rural Community De-
 21 velopment Initiative: *Provided further*, That such funds
 22 shall be used solely to develop the capacity and ability of
 23 private, nonprofit community-based housing and commu-
 24 nity development organizations, low-income rural commu-
 25 nities, and Federally Recognized Native American Tribes

1 to undertake projects to improve housing, community fa-
2 cilities, community and economic development projects in
3 rural areas: *Provided further*, That such funds shall be
4 made available to qualified private, nonprofit and public
5 intermediary organizations proposing to carry out a pro-
6 gram of financial and technical assistance: *Provided fur-*
7 *ther*, That such intermediary organizations shall provide
8 matching funds from other sources, including Federal
9 funds for related activities, in an amount not less than
10 funds provided: *Provided further*, That \$13,902,000 of the
11 amount appropriated under this heading shall be to pro-
12 vide grants for facilities in rural communities with extreme
13 unemployment and severe economic depression (Public
14 Law 106–387), with up to 5 percent for administration
15 and capacity building in the State rural development of-
16 fices: *Provided further*, That \$3,972,000 of the amount ap-
17 propriated under this heading shall be available for com-
18 munity facilities grants to tribal colleges, as authorized by
19 section 306(a)(19) of such Act: *Provided further*, That sec-
20 tions 381E–H and 381N of the Consolidated Farm and
21 Rural Development Act are not applicable to the funds
22 made available under this heading: *Provided further*, That
23 any prior balances in the Rural Development, Rural Com-
24 munity Advancement Program account for programs au-
25 thorized by section 306 and described in section

1 381E(d)(1) of such Act be transferred and merged with
 2 this account and any other prior balances from the Rural
 3 Development, Rural Community Advancement Program
 4 account that the Secretary determines is appropriate to
 5 transfer.

6 RURAL BUSINESS—COOPERATIVE SERVICE

7 RURAL BUSINESS PROGRAM ACCOUNT

8 (INCLUDING TRANSFERS OF FUNDS)

9 For the cost of loan guarantees and grants, for the
 10 rural business development programs authorized by sec-
 11 tions 306 and 310B and described in sections 310B(f) and
 12 381E(d)(3) of the Consolidated Farm and Rural Develop-
 13 ment Act, \$97,116,000, to remain available until ex-
 14 pended: *Provided*, That of the amount appropriated under
 15 this heading, not to exceed \$500,000 shall be made avail-
 16 able for a grant to a qualified national organization to pro-
 17 vide technical assistance for rural transportation in order
 18 to promote economic development and \$2,979,000 shall be
 19 for grants to the Delta Regional Authority (7 U.S.C.
 20 2009aa et seq.) for any Rural Community Advancement
 21 Program purpose as described in section 381E(d) of the
 22 Consolidated Farm and Rural Development Act, of which
 23 not more than 5 percent may be used for administrative
 24 expenses: *Provided further*, That \$4,000,000 of the
 25 amount appropriated under this heading shall be for busi-

1 ness grants to benefit Federally Recognized Native Amer-
2 ican Tribes, including \$250,000 for a grant to a qualified
3 national organization to provide technical assistance for
4 rural transportation in order to promote economic develop-
5 ment: *Provided further*, That sections 381E–H and 381N
6 of the Consolidated Farm and Rural Development Act are
7 not applicable to funds made available under this heading:
8 *Provided further*, That any prior balances in the Rural De-
9 velopment, Rural Community Advancement Program ac-
10 count for programs authorized by sections 306 and 310B
11 and described in sections 310B(f) and 381E(d)(3) of such
12 Act be transferred and merged with this account and any
13 other prior balances from the Rural Development, Rural
14 Community Advancement Program account that the Sec-
15 retary determines is appropriate to transfer.

16 RURAL DEVELOPMENT LOAN FUND PROGRAM ACCOUNT
17 (INCLUDING TRANSFER OF FUNDS)

18 For the principal amount of direct loans, as author-
19 ized by the Rural Development Loan Fund (42 U.S.C.
20 9812(a)), \$33,536,000.

21 For the cost of direct loans, \$8,464,000, as author-
22 ized by the Rural Development Loan Fund (42 U.S.C.
23 9812(a)), of which \$1,035,000 shall be available through
24 June 30, 2010, for Federally Recognized Native American
25 Tribes and of which \$2,070,000 shall be available through

1 June 30, 2010, for Mississippi Delta Region counties (as
 2 determined in accordance with Public Law 100–460): *Pro-*
 3 *vided*, That such costs, including the cost of modifying
 4 such loans, shall be as defined in section 502 of the Con-
 5 gressional Budget Act of 1974.

6 In addition, for administrative expenses to carry out
 7 the direct loan programs, \$4,941,000 shall be transferred
 8 to and merged with the appropriation for “Rural Develop-
 9 ment, Salaries and Expenses”.

10 RURAL ECONOMIC DEVELOPMENT LOANS PROGRAM

11 ACCOUNT

12 (INCLUDING RESCISSION OF FUNDS)

13 For the principal amount of direct loans, as author-
 14 ized under section 313 of the Rural Electrification Act,
 15 for the purpose of promoting rural economic development
 16 and job creation projects, \$33,077,000.

17 Of the funds derived from interest on the cushion of
 18 credit payments, as authorized by section 313 of the Rural
 19 Electrification Act of 1936, \$43,000,000 shall not be obli-
 20 gated and \$43,000,000 are rescinded.

21 RURAL COOPERATIVE DEVELOPMENT GRANTS

22 For rural cooperative development grants authorized
 23 under section 310B(e) of the Consolidated Farm and
 24 Rural Development Act (7 U.S.C. 1932(i)), \$38,854,000,
 25 of which \$300,000 shall be for a cooperative research

1 agreement with a qualified academic institution to conduct
2 research on the national economic impact of all types of
3 cooperatives; and of which \$2,800,000 shall be for cooper-
4 ative agreements for the appropriate technology transfer
5 for rural areas program: *Provided*, That not to exceed
6 \$3,463,000 shall be for cooperatives or associations of co-
7 operatives whose primary focus is to provide assistance to
8 small, socially disadvantaged producers and whose gov-
9 erning board and/or membership is comprised of at least
10 75 percent socially disadvantaged members; and of which
11 \$21,867,000, to remain available until expended, shall be
12 for value-added agricultural product market development
13 grants, as authorized by section 231 of the Agricultural
14 Risk Protection Act of 2000 (7 U.S.C. 1621 note).

15 RURAL MICROENTERPRISE INVESTMENT PROGRAM

16 ACCOUNT

17 For the cost of loans and grants, \$22,000,000 as au-
18 thorized by section 379E of the Consolidated Farm and
19 Rural Development Act (7 U.S.C. 1981 et seq.): *Provided*,
20 That such costs of loans, including the cost of modifying
21 such loans, shall be as defined in section 502 of the Con-
22 gressional Budget Act of 1974.

23 RURAL ENERGY FOR AMERICA PROGRAM

24 For the cost of a program of loan guarantees and
25 grants, under the same terms and conditions as authorized

1 by section 9007 of the Farm Security and Rural Invest-
2 ment Act of 2002 (7 U.S.C. 8107), \$68,130,000: *Pro-*
3 *vided*, That the cost of loan guarantees, including the cost
4 of modifying such loans, shall be as defined in section 502
5 of the Congressional Budget Act of 1974.

6 BIOREFINERY ASSISTANCE PROGRAM ACCOUNT

7 For the cost of guaranteed loans, \$17,339,000, as au-
8 thorized by section 9003 of the Farm Security and Rural
9 Investment Act of 2002 (7 U.S.C. 8107): *Provided*, That
10 such costs, including the cost of modifying such loans,
11 shall be as defined in section 502 of the Congressional
12 Budget Act of 1974.

13 RURAL UTILITIES SERVICE

14 RURAL WATER AND WASTE DISPOSAL PROGRAM ACCOUNT

15 (INCLUDING TRANSFERS OF FUNDS)

16 For the cost of direct loans, loan guarantees, and
17 grants for the rural water, waste water, waste disposal,
18 and solid waste management programs authorized by sec-
19 tions 306, 306A, 306C, 306D, 306E, and 310B and de-
20 scribed in sections 306C(a)(2), 306D, 306E, and
21 381E(d)(2) of the Consolidated Farm and Rural Develop-
22 ment Act, \$568,730,000, to remain available until ex-
23 pended, of which not to exceed \$497,000 shall be available
24 for the rural utilities program described in section
25 306(a)(2)(B) of such Act, and of which not to exceed

1 \$993,000 shall be available for the rural utilities program
2 described in section 306E of such Act: *Provided*, That
3 \$70,000,000 of the amount appropriated under this head-
4 ing shall be for loans and grants including water and
5 waste disposal systems grants authorized by
6 306C(a)(2)(B) and 306D of the Consolidated Farm and
7 Rural Development Act, Federally-recognized Native
8 American Tribes authorized by 306C(a)(1), and the De-
9 partment of Hawaiian Home Lands (of the State of Ha-
10 waii): *Provided further*, That such loans and grants shall
11 not be subject to any matching requirements: *Provided*
12 *further*, That not to exceed \$19,000,000 of the amount
13 appropriated under this heading shall be for technical as-
14 sistance grants for rural water and waste systems pursu-
15 ant to section 306(a)(14) of such Act, unless the Secretary
16 makes a determination of extreme need, of which
17 \$5,600,000 shall be made available for a grant to a quali-
18 fied non-profit multi-state regional technical assistance or-
19 ganization, with experience in working with small commu-
20 nities on water and waste water problems, the principal
21 purpose of such grant shall be to assist rural communities
22 with populations of 3,300 or less, in improving the plan-
23 ning, financing, development, operation, and management
24 of water and waste water systems, and of which not less
25 than \$800,000 shall be for a qualified national Native

1 American organization to provide technical assistance for
2 rural water systems for tribal communities: *Provided fur-*
3 *ther*, That not to exceed \$14,000,000 of the amount ap-
4 propriated under this heading shall be for contracting with
5 qualified national organizations for a circuit rider program
6 to provide technical assistance for rural water systems:
7 *Provided further*, That \$17,500,000 of the amount appro-
8 priated under this heading shall be transferred to, and
9 merged with, the Rural Utilities Service, High Energy
10 Cost Grants Account to provide grants authorized under
11 section 19 of the Rural Electrification Act of 1936 (7
12 U.S.C. 918a): *Provided further*, That any prior year bal-
13 ances for high cost energy grants authorized by section
14 19 of the Rural Electrification Act of 1936 (7 U.S.C.
15 918a) shall be transferred to and merged with the Rural
16 Utilities Service, High Energy Costs Grants Account: *Pro-*
17 *vided further*, That sections 381E–H and 381N of the
18 Consolidated Farm and Rural Development Act are not
19 applicable to the funds made available under this heading:
20 *Provided further*, That any prior balances in the Rural De-
21 velopment, Rural Community Advancement Program ac-
22 count programs authorized by sections 306, 306A, 306C,
23 306D, 306E, and 310B and described in sections
24 306C(a)(2), 306D, 306E, and 381E(d)(2) of such Act be
25 transferred to and merged with this account and any other

1 prior balances from the Rural Development, Rural Com-
2 munity Advancement Program account that the Secretary
3 determines is appropriate to transfer.

4 RURAL ELECTRIFICATION AND TELECOMMUNICATIONS
5 LOANS PROGRAM ACCOUNT
6 (INCLUDING TRANSFER OF FUNDS)

7 The principal amount of direct and guaranteed loans
8 as authorized by sections 305 and 306 of the Rural Elec-
9 trification Act of 1936 (7 U.S.C. 935 and 936) shall be
10 made as follows: 5 percent rural electrification loans,
11 \$100,000,000; loans made pursuant to section 306 of that
12 Act, rural electric, \$6,500,000,000; guaranteed under-
13 writing loans pursuant to section 313A, \$500,000,000; 5
14 percent rural telecommunications loans, \$145,000,000;
15 cost of money rural telecommunications loans,
16 \$250,000,000; and for loans made pursuant to section 306
17 of that Act, rural telecommunications loans,
18 \$295,000,000.

19 In addition, for administrative expenses necessary to
20 carry out the direct and guaranteed loan programs,
21 \$39,959,000, which shall be transferred to and merged
22 with the appropriation for “Rural Development, Salaries
23 and Expenses”.

1 DISTANCE LEARNING, TELEMEDICINE, AND BROADBAND
2 PROGRAM

3 For the principal amount of broadband telecommuni-
4 cation loans, \$531,699,000.

5 For grants for telemedicine and distance learning
6 services in rural areas, as authorized by 7 U.S.C. 950aaa
7 et seq., \$37,755,000, to remain available until expended:
8 *Provided*, That \$3,000,000 shall be made available for
9 grants authorized by 379G of the Consolidated Farm and
10 Rural Development Act: *Provided further*, That
11 \$4,965,000 shall be made available to those noncommer-
12 cial educational television broadcast stations that serve
13 rural areas and are qualified for Community Service
14 Grants by the Corporation for Public Broadcasting under
15 section 396(k) of the Communications Act of 1934, includ-
16 ing associated translators and repeaters, regardless of the
17 location of their main transmitter, studio-to-transmitter
18 links, and equipment to allow local control over digital con-
19 tent and programming through the use of high-definition
20 broadcast, multi-casting and datacasting technologies.

21 For the cost of broadband loans, as authorized by
22 section 601 of the Rural Electrification Act, \$38,495,000,
23 to remain available until expended: *Provided*, That the
24 cost of direct loans shall be as defined in section 502 of
25 the Congressional Budget Act of 1974.

1 In addition, \$13,406,000, to remain available until
2 expended, for a grant program to finance broadband
3 transmission in rural areas eligible for Distance Learning
4 and Telemedicine Program benefits authorized by 7
5 U.S.C. 950aaa.

6 TITLE IV

7 DOMESTIC FOOD PROGRAMS

8 OFFICE OF THE UNDER SECRETARY FOR FOOD,
9 NUTRITION AND CONSUMER SERVICES

10 For necessary expenses of the Office of the Under
11 Secretary for Food, Nutrition and Consumer Services,
12 \$813,000.

13 FOOD AND NUTRITION SERVICE

14 CHILD NUTRITION PROGRAMS

15 (INCLUDING TRANSFERS OF FUNDS)

16 In lieu of the amounts made available in section
17 14222(b) of the Food, Conservation, and Energy Act of
18 2008, for necessary expenses to carry out the Richard B.
19 Russell National School Lunch Act (42 U.S.C. 1751 et
20 seq.), except section 21, and the Child Nutrition Act of
21 1966 (42 U.S.C. 1771 et seq.), except sections 17 and
22 21; \$16,799,584,000, to remain available through Sep-
23 tember 30, 2011, of which \$10,051,707,000 is hereby ap-
24 propriated and \$6,747,877,000 shall be derived by trans-
25 fer from funds available under section 32 of the Act of

1 August 24, 1935 (7 U.S.C. 612c): *Provided*, That of the
2 total amount available, \$5,000,000 shall be available to
3 be awarded as competitive grants to implement section
4 4405 of the Food, Conservation, and Energy Act of 2008
5 (Public Law 110–246), and may be awarded notwith-
6 standing the limitations imposed by sections
7 4405(b)(1)(A) and 4405(c)(1)(A).

8 SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR
9 WOMEN, INFANTS, AND CHILDREN (WIC)

10 For necessary expenses to carry out the WIC Pro-
11 gram as authorized by section 17 of the Child Nutrition
12 Act of 1966 (42 U.S.C. 1786), \$7,552,000,000, to remain
13 available through September 30, 2011: *Provided*, That
14 none of the funds provided in this account shall be avail-
15 able for the purchase of infant formula except in accord-
16 ance with the cost containment and competitive bidding
17 requirements specified in section 17 of such Act: *Provided*
18 *further*, That none of the funds provided shall be available
19 for activities that are not fully reimbursed by other Fed-
20 eral Government departments or agencies unless author-
21 ized by section 17 of such Act.

22 SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM

23 For necessary expenses to carry out the Food and
24 Nutrition Act of 2008 (7 U.S.C. 2011 et seq.),
25 \$61,351,846,000, of which \$3,000,000,000, to remain

1 available through September 30, 2011, shall be placed in
2 reserve for use only in such amounts and at such times
3 as may become necessary to carry out program operations:
4 *Provided*, That funds provided herein shall be expended
5 in accordance with section 16 of the Food and Nutrition
6 Act of 2008: *Provided further*, That this appropriation
7 shall be subject to any work registration or workfare re-
8 quirements as may be required by law: *Provided further*,
9 That funds made available for Employment and Training
10 under this heading shall remain available until expended,
11 notwithstanding section 16(h)(1) of the Food and Nutri-
12 tion Act of 2008: *Provided further*, That funds made avail-
13 able under this heading may be used to enter into con-
14 tracts and employ staff to conduct studies, evaluations, or
15 to conduct activities related to program integrity provided
16 that such activities are authorized by the Food and Nutri-
17 tion Act of 2008.

18 COMMODITY ASSISTANCE PROGRAM

19 For necessary expenses to carry out disaster assist-
20 ance and the Commodity Supplemental Food Program as
21 authorized by section 4(a) of the Agriculture and Con-
22 sumer Protection Act of 1973 (7 U.S.C. 612c note); the
23 Emergency Food Assistance Act of 1983; special assist-
24 ance for the nuclear affected islands, as authorized by sec-
25 tion 103(f)(2) of the Compact of Free Association Amend-

1 ments Act of 2003 (Public Law 108–188); and the Farm-
2 ers’ Market Nutrition Program, as authorized by section
3 17(m) of the Child Nutrition Act of 1966, \$233,388,000,
4 to remain available through September 30, 2011: *Pro-*
5 *vided*, That none of these funds shall be available to reim-
6 burse the Commodity Credit Corporation for commodities
7 donated to the program: *Provided further*, That notwith-
8 standing any other provision of law, effective with funds
9 made available in fiscal year 2010 to support the Seniors
10 Farmers’ Market Nutrition Program, as authorized by
11 section 4402 of the Farm Security and Rural Investment
12 Act of 2002, such funds shall remain available through
13 September 30, 2011: *Provided further*, That of the funds
14 made available under section 27(a) of the Food and Nutri-
15 tion Act of 2008 (7 U.S.C. 2036(a)), the Secretary may
16 use up to 10 percent for costs associated with the distribu-
17 tion of commodities.

18 NUTRITION PROGRAMS ADMINISTRATION

19 For necessary administrative expenses of the Food
20 and Nutrition Service for carrying out any domestic nutri-
21 tion assistance program, \$147,801,000.

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

7 For necessary expenses of the Foreign Agricultural
8 Service, including not to exceed \$158,000 for representa-
9 tion allowances and for expenses pursuant to section 8 of
10 the Act approved August 3, 1956 (7 U.S.C. 1766),
11 \$180,367,000: *Provided*, That the Service may utilize ad-
12 vances of funds, or reimburse this appropriation for ex-
13 penditures made on behalf of Federal agencies, public and
14 private organizations and institutions under agreements
15 executed pursuant to the agricultural food production as-
16 sistance programs (7 U.S.C. 1737) and the foreign assist-
17 ance programs of the United States Agency for Inter-
18 national Development: *Provided further*, That funds made
19 available for middle-income country training programs
20 and up to \$2,000,000 of the Foreign Agricultural Service
21 appropriation solely for the purpose of offsetting fluctua-
22 tions in international currency exchange rates, subject to
23 documentation by the Foreign Agricultural Service, shall
24 remain available until expended.

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

4 For administrative expenses to carry out the credit
5 program of title I, Public Law 83–480 and the Food for
6 Progress Act of 1985, \$2,812,000, shall be transferred to
7 and merged with the appropriation for “Farm Service
8 Agency, Salaries and Expenses”: *Provided*, That funds
9 made available for the cost of agreements under title I
10 of the Agricultural Trade Development and Assistance Act
11 of 1954 and for title I ocean freight differential may be
12 used interchangeably between the two accounts with prior
13 notice to the Committees on Appropriations of both
14 Houses of Congress.

15 FOOD FOR PEACE TITLE II GRANTS

16 For expenses during the current fiscal year, not oth-
17 erwise recoverable, and unrecovered prior years’ costs, in-
18 cluding interest thereon, under the Food for Peace Act
19 (Public Law 83–480, as amended), for commodities sup-
20 plied in connection with dispositions abroad under title II
21 of said Act, \$1,690,000,000, to remain available until ex-
22 pended.

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

4 For administrative expenses to carry out the Com-
5 modity Credit Corporation's export guarantee program,
6 GSM 102 and GSM 103, \$6,820,000; to cover common
7 overhead expenses as permitted by section 11 of the Com-
8 modity Credit Corporation Charter Act and in conformity
9 with the Federal Credit Reform Act of 1990, of which
10 \$6,465,000 shall be transferred to and merged with the
11 appropriation for "Foreign Agricultural Service, Salaries
12 and Expenses", and of which \$355,000 shall be trans-
13 ferred to and merged with the appropriation for "Foreign
14 Agricultural Service, Salaries and Expenses".

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

17 For necessary expenses to carry out the provisions
18 of section 3107 of the Farm Security and Rural Invest-
19 ment Act of 2002 (7 U.S.C. 1736o-1), \$199,500,000, to
20 remain available until expended: *Provided*, That of this
21 amount, the Secretary shall use up to \$10,000,000 to con-
22 duct pilot projects to field test new and improved micro-
23 nutrient fortified food products designed to meet energy
24 and nutrient needs of program participants: *Provided fur-*
25 *ther*, That the Commodity Credit Corporation is author-

1 ized to provide the services, facilities, and authorities for
2 the purpose of implementing such section, subject to reim-
3 bursement from amounts provided herein.

4 TITLE VI
5 RELATED AGENCY AND FOOD AND DRUG
6 ADMINISTRATION
7 DEPARTMENT OF HEALTH AND HUMAN
8 SERVICES
9 FOOD AND DRUG ADMINISTRATION
10 SALARIES AND EXPENSES

11 For necessary expenses of the Food and Drug Ad-
12 ministration, including hire and purchase of passenger
13 motor vehicles; for payment of space rental and related
14 costs pursuant to Public Law 92–313 for programs and
15 activities of the Food and Drug Administration which are
16 included in this Act; for rental of special purpose space
17 in the District of Columbia or elsewhere; for miscellaneous
18 and emergency expenses of enforcement activities, author-
19 ized and approved by the Secretary and to be accounted
20 for solely on the Secretary’s certificate, not to exceed
21 \$25,000; and notwithstanding section 521 of Public Law
22 107–188; \$2,995,218,000: *Provided*, That of the amount
23 provided under this heading, \$578,162,000 shall be de-
24 rived from prescription drug user fees authorized by 21
25 U.S.C. 379h shall be credited to this account and remain

1 available until expended, and shall not include any fees
2 pursuant to 21 U.S.C. 379h(a)(2) and (a)(3) assessed for
3 fiscal year 2011 but collected in fiscal year 2010;
4 \$57,014,000 shall be derived from medical device user fees
5 authorized by 21 U.S.C. 379j, and shall be credited to this
6 account and remain available until expended; \$17,280,000
7 shall be derived from animal drug user fees authorized by
8 21 U.S.C. 379j, and shall be credited to this account and
9 remain available until expended; and \$5,106,000 shall be
10 derived from animal generic drug user fees authorized by
11 21 U.S.C. 379f, and shall be credited to this account and
12 shall remain available until expended: *Provided further*,
13 That fees derived from prescription drug, medical device,
14 animal drug, and animal generic drug assessments for fis-
15 cal year 2010 received during fiscal year 2010, including
16 any such fees assessed prior to fiscal year 2010 but cred-
17 ited for fiscal year 2010, shall be subject to the fiscal year
18 2010 limitations: *Provided further*, That none of these
19 funds shall be used to develop, establish, or operate any
20 program of user fees authorized by 31 U.S.C. 9701: *Pro-*
21 *vided further*, That of the total amount appropriated: (1)
22 \$782,915,000 shall be for the Center for Food Safety and
23 Applied Nutrition and related field activities in the Office
24 of Regulatory Affairs; (2) \$873,104,000 shall be for the
25 Center for Drug Evaluation and Research and related

1 field activities in the Office of Regulatory Affairs, of which
2 no less than \$51,545,000 shall be available for the Office
3 of Generic Drugs; (3) \$305,249,000 shall be for the Cen-
4 ter for Biologics Evaluation and Research and for related
5 field activities in the Office of Regulatory Affairs; (4)
6 \$155,540,000 shall be for the Center for Veterinary Medi-
7 cine and for related field activities in the Office of Regu-
8 latory Affairs; (5) \$349,262,000 shall be for the Center
9 for Devices and Radiological Health and for related field
10 activities in the Office of Regulatory Affairs; (6)
11 \$58,745,000 shall be for the National Center for Toxi-
12 cological Research; (7) not to exceed \$115,882,000 shall
13 be for Rent and Related activities, of which \$41,496,000
14 is for White Oak Consolidation, other than the amounts
15 paid to the General Services Administration for rent; (8)
16 not to exceed \$168,728,000 shall be for payments to the
17 General Services Administration for rent; and (9)
18 \$185,793,000 shall be for other activities, including the
19 Office of the Commissioner; the Office of Scientific and
20 Medical Programs; the Office of Policy, Planning and Pre-
21 paredness; the Office of International and Special Pro-
22 grams; the Office of Operations; and central services for
23 these offices: *Provided further*, That funds may be trans-
24 ferred from one specified activity to another with the prior

1 notification of the Committees on Appropriations of both
2 Houses of Congress.

3 In addition, mammography user fees authorized by
4 42 U.S.C. 263b, export certification user fees authorized
5 by 21 U.S.C. 381, and priority review user fees authorized
6 by 21 U.S.C. 360n may be credited to this account, to
7 remain available until expended.

8 BUILDINGS AND FACILITIES

9 For plans, construction, repair, improvement, exten-
10 sion, alteration, and purchase of fixed equipment or facili-
11 ties of or used by the Food and Drug Administration,
12 where not otherwise provided, \$12,433,000, to remain
13 available until expended.

14 INDEPENDENT AGENCY

15 FARM CREDIT ADMINISTRATION

16 LIMITATION ON ADMINISTRATIVE EXPENSES

17 Not to exceed \$54,500,000 (from assessments col-
18 lected from farm credit institutions, including the Federal
19 Agricultural Mortgage Corporation) shall be obligated
20 during the current fiscal year for administrative expenses
21 as authorized under 12 U.S.C. 2249: *Provided*, That this
22 limitation shall not apply to expenses associated with re-
23 ceiverships.

1 TITLE VII
2 GENERAL PROVISIONS
3 (INCLUDING RESCISSION)

4 SEC. 701. Within the unit limit of cost fixed by law,
5 appropriations and authorizations made for the Depart-
6 ment of Agriculture for the current fiscal year under this
7 Act shall be available for the purchase, in addition to those
8 specifically provided for, of not to exceed 204 passenger
9 motor vehicles, of which 170 shall be for replacement only,
10 and for the hire of such vehicles.

11 SEC. 702. Section 10101 of division B of the Consoli-
12 dated Security, Disaster Assistance, and Continuing Ap-
13 propriations Act, 2009, (Public Law 110–329) is amended
14 in subsection (b) by inserting at the end the following: “In
15 carrying out this section, the Secretary may transfer funds
16 into existing or new accounts as determined by the Sec-
17 retary.”.

18 SEC. 703. The Secretary of Agriculture may transfer
19 unobligated balances of discretionary funds appropriated
20 by this Act or other available unobligated discretionary
21 balances of the Department of Agriculture to the Working
22 Capital Fund for the acquisition of plant and capital
23 equipment necessary for the delivery of financial, adminis-
24 trative, and information technology services of primary
25 benefit to the agencies of the Department of Agriculture:

1 *Provided*, That none of the funds made available by this
2 Act or any other Act shall be transferred to the Working
3 Capital Fund without the prior notification of the agency
4 administrator: *Provided further*, That none of the funds
5 transferred to the Working Capital Fund pursuant to this
6 section shall be available for obligation without the prior
7 notification of the Committees on Appropriations of both
8 Houses of Congress: *Provided further*, That none of the
9 funds appropriated by this Act or made available to the
10 Department's Working Capital Fund shall be available for
11 obligation or expenditure to make any changes to the De-
12 partment's National Finance Center without prior ap-
13 proval of the Committees on Appropriations of both
14 Houses of Congress as required by section 712 of this Act:
15 *Provided further*, That of annual income amounts in the
16 Working Capital Fund of the Department of Agriculture
17 allocated for the National Finance Center, the Secretary
18 may reserve not more than 4 percent for the replacement
19 or acquisition of capital equipment, including equipment
20 for the improvement and implementation of a financial
21 management plan, information technology, and other sys-
22 tems of the National Finance Center or to pay any unfore-
23 seen, extraordinary cost of the National Finance Center:
24 *Provided further*, That none of the amounts reserved shall
25 be available for obligation unless the Secretary submits

1 notification of the obligation to the Committees on Appro-
2 priations of the House of Representatives and the Senate:
3 *Provided further*, That the limitation on the obligation of
4 funds pending notification to Congressional Committees
5 shall not apply to any obligation that, as determined by
6 the Secretary, is necessary to respond to a declared state
7 of emergency that significantly impacts the operations of
8 the National Finance Center; or to evacuate employees of
9 the National Finance Center to a safe haven to continue
10 operations of the National Finance Center.

11 SEC. 704. No part of any appropriation contained in
12 this Act shall remain available for obligation beyond the
13 current fiscal year unless expressly so provided herein.

14 SEC. 705. No funds appropriated by this Act may be
15 used to pay negotiated indirect cost rates on cooperative
16 agreements or similar arrangements between the United
17 States Department of Agriculture and nonprofit institu-
18 tions in excess of 10 percent of the total direct cost of
19 the agreement when the purpose of such cooperative ar-
20 rangements is to carry out programs of mutual interest
21 between the two parties: *Provided*, That this does not pre-
22 clude appropriate payment of indirect costs on grants and
23 contracts with such institutions when such indirect costs
24 are computed on a similar basis for all agencies for which
25 appropriations are provided in this Act.

1 SEC. 706. Appropriations to the Department of Agri-
2 culture for the cost of direct and guaranteed loans made
3 available in the current fiscal year shall remain available
4 until expended to disburse obligations made in the current
5 fiscal year for the following accounts: the Rural Develop-
6 ment Loan Fund program account, the Rural Electrifica-
7 tion and Telecommunication Loans program account, and
8 the Rural Housing Insurance Fund program account.

9 SEC. 707. Of the funds made available by this Act,
10 not more than \$1,800,000 shall be used to cover necessary
11 expenses of activities related to all advisory committees,
12 panels, commissions, and task forces of the Department
13 of Agriculture, except for panels used to comply with nego-
14 tiated rule makings and panels used to evaluate competi-
15 tively awarded grants.

16 SEC. 708. Hereafter, none of the funds appropriated
17 by this Act or any other Act may be used to carry out
18 section 410 of the Federal Meat Inspection Act (21 U.S.C.
19 679a) or section 30 of the Poultry Products Inspection
20 Act (21 U.S.C. 471).

21 SEC. 709. No employee of the Department of Agri-
22 culture may be detailed or assigned from an agency or
23 office funded by this Act or any other Act to any other
24 agency or office of the Department for more than 30 days
25 unless the individual's employing agency or office is fully

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

3 SEC. 710. None of the funds appropriated or other-
4 wise made available to the Department of Agriculture or
5 the Food and Drug Administration shall be used to trans-
6 mit or otherwise make available to any non-Department
7 of Agriculture or non-Department of Health and Human
8 Services employee questions or responses to questions that
9 are a result of information requested for the appropria-
10 tions hearing process.

11 SEC. 711. None of the funds made available to the
12 Department of Agriculture by this Act may be used to ac-
13 quire new information technology systems or significant
14 upgrades, as determined by the Office of the Chief Infor-
15 mation Officer, without the approval of the Chief Informa-
16 tion Officer and the concurrence of the Executive Informa-
17 tion Technology Investment Review Board: *Provided*, That
18 notwithstanding any other provision of law, none of the
19 funds appropriated or otherwise made available by this
20 Act may be transferred to the Office of the Chief Informa-
21 tion Officer unless prior notification has been transmitted
22 to the Committees on Appropriations of both Houses of
23 Congress: *Provided further*, That none of the funds avail-
24 able to the Department of Agriculture for information
25 technology shall be obligated for projects over \$25,000

1 prior to receipt of written approval by the Chief Informa-
2 tion Officer.

3 SEC. 712. (a) None of the funds provided by this Act,
4 or provided by previous Appropriations Acts to the agen-
5 cies funded by this Act that remain available for obligation
6 or expenditure in the current fiscal year, or provided from
7 any accounts in the Treasury of the United States derived
8 by the collection of fees available to the agencies funded
9 by this Act, shall be available for obligation or expenditure
10 through a reprogramming of funds which—

11 (1) creates new programs;

12 (2) eliminates a program, project, or activity;

13 (3) increases funds or personnel by any means
14 for any project or activity for which funds have been
15 denied or restricted;

16 (4) relocates an office or employees;

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

18 or

19 (6) contracts out or privatizes any functions or
20 activities presently performed by Federal employees;
21 unless the Committees on Appropriations of both
22 Houses of Congress are notified 15 days in advance
23 of such reprogramming of funds.

24 (b) None of the funds provided by this Act, or pro-
25 vided by previous Appropriations Acts to the agencies

1 funded by this Act that remain available for obligation or
2 expenditure in the current fiscal year, or provided from
3 any accounts in the Treasury of the United States derived
4 by the collection of fees available to the agencies funded
5 by this Act, shall be available for obligation or expenditure
6 for activities, programs, or projects through a reprogram-
7 ming of funds in excess of \$500,000 or 10 percent, which-
8 ever is less, that: (1) augments existing programs,
9 projects, or activities; (2) reduces by 10 percent funding
10 for any existing program, project, or activity, or numbers
11 of personnel by 10 percent as approved by Congress; or
12 (3) results from any general savings from a reduction in
13 personnel which would result in a change in existing pro-
14 grams, activities, or projects as approved by Congress; un-
15 less the Committees on Appropriations of both Houses of
16 Congress are notified 15 days in advance of such re-
17 programming of funds.

18 (c) The Secretary of Agriculture or the Secretary of
19 Health and Human Services shall notify the Committees
20 on Appropriations of both Houses of Congress before im-
21 plementing a program or activity not carried out during
22 the previous fiscal year unless the program or activity is
23 funded by this Act or specifically funded by any other Act.

24 SEC. 713. None of the funds appropriated by this or
25 any other Act shall be used to pay the salaries and ex-

1 penses of personnel who prepare or submit appropriations
2 language as part of the President's Budget submission to
3 the Congress of the United States for programs under the
4 jurisdiction of the Appropriations Subcommittees on Agri-
5 culture, Rural Development, Food and Drug Administra-
6 tion, and Related Agencies that assumes revenues or re-
7 flects a reduction from the previous year due to user fees
8 proposals that have not been enacted into law prior to the
9 submission of the Budget unless such Budget submission
10 identifies which additional spending reductions should
11 occur in the event the user fees proposals are not enacted
12 prior to the date of the convening of a committee of con-
13 ference for the fiscal year 2011 appropriations Act.

14 SEC. 714. None of the funds made available by this
15 or any other Act may be used to close or relocate a Rural
16 Development office unless or until the Secretary of Agri-
17 culture determines the cost effectiveness and/or enhance-
18 ment of program delivery: *Provided*, That not later than
19 120 days before the date of the proposed closure or reloca-
20 tion, the Secretary notifies the Committees on Appropria-
21 tion of the House and Senate, and the members of Con-
22 gress from the State in which the office is located of the
23 proposed closure or relocation and provides a report that
24 describes the justifications for such closures and reloca-
25 tions.

1 SEC. 715. None of the funds made available to the
2 Food and Drug Administration by this Act shall be used
3 to close or relocate, or to plan to close or relocate, the
4 Food and Drug Administration Division of Pharma-
5 ceutical Analysis in St. Louis, Missouri, outside the city
6 or county limits of St. Louis, Missouri.

7 SEC. 716. There is hereby appropriated \$499,000 for
8 any authorized Rural Development program purpose, in
9 communities suffering from extreme outmigration and sit-
10 uated in areas that were designated as part of an Em-
11 powerment Zone pursuant to section 111 of the Commu-
12 nity Renewal Tax Relief Act of 2000 (as contained in ap-
13 pendix G of Public Law 106–554).

14 SEC. 717. None of the funds made available in fiscal
15 year 2010 or preceding fiscal years for programs author-
16 ized under the Food for Peace Act (7 U.S.C. 1691 et seq.)
17 in excess of \$20,000,000 shall be used to reimburse the
18 Commodity Credit Corporation for the release of eligible
19 commodities under section 302(f)(2)(A) of the Bill Emer-
20 son Humanitarian Trust Act (7 U.S.C. 1736f–1): *Pro-*
21 *vided*, That any such funds made available to reimburse
22 the Commodity Credit Corporation shall only be used pur-
23 suant to section 302(b)(2)(B)(i) of the Bill Emerson Hu-
24 manitarian Trust Act.

1 SEC. 718. There is hereby appropriated \$3,497,000,
2 to remain available until expended, for a grant to the Na-
3 tional Center for Natural Products Research for construc-
4 tion or renovation to carry out the research objectives of
5 the natural products research grant issued by the Food
6 and Drug Administration.

7 SEC. 719. Funds made available under section 1240I
8 and section 1241(a) of the Food Security Act of 1985 and
9 section 524(b) of the Federal Crop Insurance Act (7
10 U.S.C. 1524(b)) in the current fiscal year shall remain
11 available until expended to disburse obligations made in
12 the current fiscal year.

13 SEC. 720. 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 the following:

17 (1) An Environmental Quality Incentives Pro-
18 gram as authorized by sections 1241–240H of the
19 Food Security Act of 1985, as amended (16 U.S.C.
20 3839aa–3839aa(8)), in excess of \$1,180,000,000.

21 (2) a program authorized by section 14(h)(1) of
22 the Watershed Protection and Flood Prevention Act
23 (16 U.S.C. 1012(h)(1)).

24 (3) a program under subsection (b)(2)(A)(ii) of
25 section 14222 of Public Law 110–246 in excess of

1 \$1,123,000,000: *Provided*, That none of the funds
2 made available in this Act or any other Act shall be
3 used for salaries and expenses to carry out section
4 19(i)(1)(C) of the Richard B. Russell National
5 School Lunch Act as amended by section 4304 of
6 Public Law 110–246 in excess of \$25,000,000 until
7 October 1, 2010: *Provided further*, That the unobli-
8 gated balances under section 32 of the Act of Au-
9 gust 24, 1935, \$52,000,000 are hereby rescinded.

10 SEC. 721. Hereafter, notwithstanding any other pro-
11 vision of law, any former RUS borrower that has repaid
12 or prepaid an insured, direct or guaranteed loan under the
13 Rural Electrification Act, or any not-for-profit utility that
14 is eligible to receive an insured or direct loan under such
15 Act, shall be eligible for assistance under section
16 313(b)(2)(B) of such Act in the same manner as a bor-
17 rower under such Act.

18 SEC. 722. There is hereby appropriated \$2,600,000,
19 to remain available until expended, for the planning and
20 design of construction of an agricultural pest facility in
21 the State of Hawaii.

22 SEC. 723. There is hereby appropriated \$4,000,000
23 to the Secretary of Agriculture to award grant(s) to de-
24 velop and field test new food products designed to improve
25 the nutritional delivery of humanitarian food assistance

1 provided through the McGovern-Dole (section 3107 of the
2 Farm Security and Rural Investment Act of 2002 (7
3 U.S.C. 1736o-1)) and the Food for Peace title II (7
4 U.S.C. 1691 et seq.) programs: *Provided*, That the Sec-
5 retary shall use the authorities provided under the Re-
6 search, Education, and Economics mission area of the De-
7 partment in awarding such grant(s), with priority given
8 to proposals that demonstrate partnering with and in-kind
9 support from the private sector.

10 SEC. 724. The Rural Utilities Service, Rural Housing
11 Service, and Rural Business and Cooperative Service shall
12 permit an applicant to solicit and procure professional
13 services and have prepared all environmental reviews, as-
14 sessments, and impact statements: *Provided*, That such
15 professional services will be funded by the applicants and
16 selected by the agencies from procurement schedules of
17 contractors determined qualified to perform said services:
18 *Provided further*, That the Agencies shall establish the
19 scope of work and procedures for such services as well as
20 procedures to assure contractors have no financial or other
21 conflicts of interest in the outcome of the action and the
22 documentation meets the needs of the Agencies: *Provided*
23 *further*, That nothing herein shall affect the responsibility
24 of the Agencies to comply with the National Environ-
25 mental Policy Act.

1 SEC. 725. Notwithstanding any other provision of
2 law, and until receipt of the decennial Census for the year
3 2010, the Secretary of Agriculture shall consider—

4 (1) The unincorporated community of Los
5 Osos, in the County of San Luis Obispo, California,
6 to be a rural area for the purposes of eligibility for
7 Rural Utilities Service water and waste disposal
8 loans and grants; and

9 (2) The unincorporated community of
10 Thermalito in Butte County, California, (including
11 individuals and entities with projects within the com-
12 munity) eligible for loans and grants funded under
13 the housing programs of the Rural Housing Service.

14 SEC. 726. There is hereby appropriated \$3,000,000
15 for section 4404 of Public Law 107–171.

16 SEC. 727. Notwithstanding any other provision of
17 law, there is hereby appropriated:

18 (1) \$3,000,000 of which \$2,000,000 shall be for
19 a grant to the Wisconsin Department of Agriculture,
20 Trade, and Consumer Protection, and \$1,000,000
21 shall be for a grant to the Vermont Agency of Agri-
22 culture, Foods, and Markets, as authorized by sec-
23 tion 6402 of the Farm Security and Rural Invest-
24 ment Act of 2002 (7 U.S.C. 1621 note); and

1 (2) \$350,000 for a grant to the Wisconsin De-
2 partment of Agriculture, Trade and Consumer Pro-
3 tection.

4 SEC. 728. Notwithstanding any other provision of
5 law, the Natural Resources Conservation Service shall pro-
6 vide financial and technical assistance—

7 (1) through the Watershed and Flood Preven-
8 tion Operations program for the Pocasset River
9 Floodplain Management Project in the State of
10 Rhode Island;

11 (2) through the Watershed and Flood Preven-
12 tion Operations program to carry out the East Lo-
13 cust Creek Watershed Plan Revision in Missouri, in-
14 cluding up to 100 percent of the engineering assist-
15 ance and 75 percent cost share for construction cost
16 of site RW1;

17 (3) through the Watershed and Flood Preven-
18 tion Operations program to carry out the Little
19 Otter Creek Watershed project in Missouri. The
20 sponsoring local organization may obtain land rights
21 by perpetual easements;

22 (4) through the Watershed and Flood Preven-
23 tion Operations program to carry out the DuPage
24 County Watershed project in the State of Illinois;

1 (5) through the Watershed and Flood Preven-
2 tion Operations program to carry out the Dunloup
3 Creek Watershed Project in Fayette and Raleigh
4 Counties, West Virginia;

5 (6) through the Watershed and Flood Preven-
6 tion Operations program to carry out the Dry Creek
7 Watershed project in the State of California; and

8 (7) through the Watershed and Flood Preven-
9 tion Operations program to carry out the Upper
10 Clark Fork Watershed project in the State of Mon-
11 tana.

12 SEC. 729. Section 17(r)(5) of the Richard B. Russell
13 National School Lunch Act (42 U.S.C. 1766(r)(5)) is
14 amended—

15 (1) by striking “ten” and inserting “eleven”;

16 (2) by striking “eight” and inserting “nine”;

17 and

18 (3) by inserting “Wisconsin,” after the first in-
19 stance of “States shall be”.

20 SEC. 730. Notwithstanding any other provision of
21 law, for the purposes of a grant under section 412 of the
22 Agricultural Research, Extension, and Education Reform
23 Act of 1998, none of the funds in this or any other Act
24 may be used to prohibit the provision of in-kind support
25 from non-Federal sources under section 412(e)(3) in the

1 form of unrecovered indirect costs not otherwise charged
2 against the grant, consistent with the indirect rate of cost
3 approved for a recipient.

4 SEC. 731. Except as otherwise specifically provided
5 by law, unobligated balances remaining available at the
6 end of the fiscal year from appropriations made available
7 for salaries and expenses in this Act for the Farm Service
8 Agency and the Rural Development mission area, shall re-
9 main available through September 30, 2011, for informa-
10 tion technology expenses.

11 SEC. 732. (a) CHILD NUTRITION PROGRAMS.—Sec-
12 tion 9(b) of the Richard B. Russell National School Lunch
13 Act (42 U.S.C. 1758(b)) is amended by adding at the end
14 the following:

15 “(14) COMBAT PAY.—

16 “(A) DEFINITION OF COMBAT PAY.—In
17 this paragraph, the term ‘combat pay’ means
18 any additional payment under chapter 5 of title
19 37, United States Code, or otherwise designated
20 by the Secretary to be appropriate for exclusion
21 under this paragraph, that is received by or
22 from a member of the United States Armed
23 Forces deployed to a designated combat zone, if
24 the additional pay—

1 “(i) is the result of deployment to or
2 service in a combat zone; and

3 “(ii) was not received immediately
4 prior to serving in a combat zone.

5 “(B) EXCLUSION.—Combat pay shall not
6 be considered to be income for the purpose of
7 determining the eligibility for free or reduced
8 price meals of a child who is a member of the
9 household of a member of the United States
10 Armed Forces.”.

11 (b) SPECIAL SUPPLEMENTAL NUTRITION PROGRAM
12 FOR WOMEN, INFANTS, AND CHILDREN.—Section
13 17(d)(2) of the Child Nutrition Act of 1966 (42 U.S.C.
14 1786(d)(2)) is amended—

15 (1) by redesignating subparagraph (C) as sub-
16 paragraph (D); and

17 (2) by inserting after subparagraph (B) the fol-
18 lowing:

19 “(C) COMBAT PAY.—For the purpose of
20 determining income eligibility under this sec-
21 tion, a State agency shall exclude from income
22 any additional payment under chapter 5 of title
23 37, United States Code, or otherwise designated
24 by the Secretary to be appropriate for exclusion
25 under this subparagraph, that is received by or

1 from a member of the United States Armed
2 Forces deployed to a designated combat zone, if
3 the additional pay—

4 “(i) is the result of deployment to or
5 service in a combat zone; and

6 “(ii) was not received immediately
7 prior to serving in a combat zone.”.

8 SEC. 733. (a) Section 531(g)(7)(F) of the Federal
9 Crop Insurance Act (7 U.S.C. 1531(g)(7)(F)) is amend-
10 ed—

11 (1) in the matter preceding clause (i), by insert-
12 ing “(including multiyear assistance)” after “assist-
13 ance”; and

14 (2) in clause (i), by inserting “or multiyear pro-
15 duction losses” after “a production loss”.

16 (b) Section 901(g)(7)(F) of the Trade Act of 1974
17 (19 U.S.C. 2497(g)(7)(F)) is amended—

18 (1) in the matter preceding clause (i), by insert-
19 ing “(including multiyear assistance)” after “assist-
20 ance”; and

21 (2) in clause (i), by inserting “or multiyear pro-
22 duction losses” after “a production loss”.

23 SEC. 734. Notwithstanding section 17(g)(5) of the
24 Child Nutrition Act of 1966 (42.U.S.C. 1786(g)(5)), not
25 more than \$15,000,000 of funds provided in this Act may

1 be used for the purpose of evaluating program perform-
2 ance in the Special Supplemental Nutrition Program for
3 Women, Infants and Children.

4 SEC. 735. Notwithstanding section 17(h)(10)(A) of
5 the Child Nutrition Act of 1966 (42 U.S.C.
6 1786(h)(10)(A)), \$154,000,000 of funds provided in this
7 Act shall be used for infrastructure, management informa-
8 tion systems and breastfeeding peer counseling support:
9 *Provided*, That of the \$154,000,000, not less than
10 \$14,000,000 shall be used for infrastructure, not less than
11 \$60,000,000 shall be used for management information
12 systems, and not less than \$80,000,000 shall be used for
13 breastfeeding peer counselors and other related activities.

14 SEC. 736. Agencies with jurisdiction for carrying out
15 international food assistance programs under the jurisdic-
16 tion of this Act, including title II of the Food for Peace
17 Act and the McGovern-Dole International Food for Edu-
18 cation Program, shall—

19 (1) provide to the Committees on Appropria-
20 tions of the House and the Senate no later than
21 March 1, 2010, the following:

22 (A) estimates on cost-savings and pro-
23 grammatic efficiencies that would result from
24 increased use of pre-positioning of food aid
25 commodities and processes to ensure such car-

1 goes are appropriately maintained to prevent
2 spoilage;

3 (B) estimates on cost-savings and pro-
4 grammatic efficiencies that would result from
5 the use of longer-term commodity procurement
6 contracts, the proportional distribution of com-
7 modity purchases throughout the fiscal year,
8 longer-term shipping contracts, contracts which
9 include shared-risk principles, and adoptions of
10 other commercially acceptable contracting prac-
11 tices;

12 (C) estimates on costs of domestic procure-
13 ment of commodities, domestic inland transpor-
14 tation of food aid commodities, domestic stor-
15 age (including loading and unloading), foreign
16 storage (including loading and unloading), for-
17 eign inland transportation, and ocean freight
18 (including ocean freight as adjusted by the
19 ocean freight differential reimbursement pro-
20 vided by the Secretary of Transportation), and
21 costs relating to allocation and distribution of
22 commodities in recipient countries;

23 (D) information on the frequency of delays
24 in transporting food aid commodities, the cause
25 or purpose of any delays (including how those

1 delays are tracked, monitored and resolved),
2 missed schedules by carriers and non-carriers
3 (and resulting program costs due to such
4 delays, including impacts to program bene-
5 ficiaries);

6 (E) information on the methodologies to
7 improve interagency coordination between host
8 governments, the World Food Program, and
9 non-governmental organization to develop more
10 consistent estimates of food aid needs and the
11 number of intended recipients to appropriately
12 inform the purchases of commodities and in
13 order to appropriately plan for commodity pro-
14 curement for food aid programs;

15 (2) provide the matter described under sub-
16 section (1) of this section in the form of a consensus
17 report under the signatures of the Secretaries of Ag-
18 riculture, State, and Transportation; and

19 (3) estimates and cost savings analysis for this
20 section shall be derived from periods representative
21 of normal program operations.

22 SEC. 737. There is hereby appropriated \$7,000,000
23 to carry out section 4202 of Public Law 110–246.

24 SEC. 738. There is hereby appropriated \$2,600,000
25 to carry out section 1621 of Public Law 110–246.

1 SEC. 739. There is hereby appropriated \$4,000,000
2 to carry out section 1613 of Public Law 110–246.

3 SEC. 740. There is hereby appropriated \$250,000, to
4 remain available until expended, for a grant to the Kansas
5 Farm Bureau Foundation for work-force development ini-
6 tiatives to address out-migration in rural areas.

7 SEC. 741. There is hereby appropriated \$800,000 to
8 the Farm Service Agency to carry out a pilot program to
9 demonstrate the use of new technologies that increase the
10 rate of growth of re-forested hardwood trees on private
11 non-industrial forests lands, enrolling lands on the coast
12 of the Gulf of Mexico that were damaged by Hurricane
13 Katrina in 2005.

14 SEC. 742. Applicants with very low, low, and mod-
15 erate incomes shall be eligible for the program established
16 in section 791 of Public Law 109–97.

17 SEC. 743. The Secretary of Agriculture may author-
18 ize a State agency to use funds provided in this Act to
19 exceed the maximum amount of reconstituted infant for-
20 mula specified in 7 C.F.R. 246.10 when issuing infant for-
21 mula to participants. Such authorizations shall not other-
22 wise impact the eligibility of manufacturers to remain eli-
23 gible under the Special Supplemental Nutrition Program
24 for Women, Infants and Children authorized by section
25 17 of the Child Nutrition Act of 1966.

1 SEC. 744. None of the funds made available by this
2 Act may be used to establish or implement a rule allowing
3 poultry products to be imported into the United States
4 from the People’s Republic of China unless the Secretary
5 of Agriculture formally commits in advance to conduct au-
6 dits of inspection systems, on-site reviews of slaughter and
7 processing facilities, laboratories and other control oper-
8 ations before any Chinese facilities are certified as eligible
9 to ship fully cooked poultry products to the United States,
10 and at least once annually in subsequent years: *Provided*,
11 That the Secretary commits in advance to implement a
12 significantly increased level of port of entry re-inspection:
13 *Provided further*, That the Secretary commits in advance
14 to conduct information sharing with other countries im-
15 porting poultry products from China that have conducted
16 audits and plant inspections.

17 This Act may be cited as the “Agriculture, Rural De-
18 velopment, Food and Drug Administration, and Related
19 Agencies Appropriations Act, 2010”.

Calendar No. 99

111TH CONGRESS
1ST Session

S. 1406

[Report No. 111-39]

A BILL

Making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes.

JULY 7, 2009

Read twice and placed on the calendar