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2D SESSION

H.R. 5384

[Report No. 109-266]

IN THE SENATE OF THE UNITED STATES

MAY 24, 2006

Received; read twice and referred to the Committee on Appropriations

JUNE 22, 2006

Reported by MR. BENNETT, with an amendment

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

AN ACT

Making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2007, 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, 2007, 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, \$5,499,000: *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 EXECUTIVE OPERATIONS

13 CHIEF ECONOMIST

14 For necessary expenses of the Chief Economist, in-
 15 cluding economic analysis, risk assessment, cost-benefit
 16 analysis, energy and new uses, and the functions of the
 17 World Agricultural Outlook Board, as authorized by the
 18 Agricultural Marketing Act of 1946 (7 U.S.C. 1622g),
 19 \$11,226,000.

20 NATIONAL APPEALS DIVISION

21 For necessary expenses of the National Appeals Divi-
 22 sion, \$14,795,000.

23 OFFICE OF BUDGET AND PROGRAM ANALYSIS

24 For necessary expenses of the Office of Budget and
 25 Program Analysis, \$8,479,000.

1 HOMELAND SECURITY STAFF

2 For necessary expenses of the Homeland Security
3 Staff, \$954,000.

4 OFFICE OF THE CHIEF INFORMATION OFFICER

5 For necessary expenses of the Office of the Chief In-
6 formation Officer, \$16,936,000.

7 COMMON COMPUTING ENVIRONMENT

8 For necessary expenses to acquire a Common Com-
9 puting Environment for the Natural Resources Conserva-
10 tion Service, the Farm and Foreign Agricultural Service,
11 and Rural Development mission areas for information
12 technology, systems, and services, \$68,971,000 (reduced
13 by \$5,000,000) (reduced by \$25,576,000), of which
14 \$4,494,127 (reduced by \$1,666,523) is for rural develop-
15 ment-related activities, \$14,494,273 (reduced by
16 \$5,000,000) (reduced by \$5,374,803) is for Natural Re-
17 source Conservation Service-related activities, and
18 \$49,982,600 (reduced by \$18,534,674) is for Farm Serv-
19 ice Agency-related activities, to remain available until ex-
20 pended, for the capital asset acquisition of shared informa-
21 tion technology systems, including services as authorized
22 by 7 U.S.C. 6915–16 and 40 U.S.C. 1421–28: *Provided*,
23 That obligation of these funds shall be consistent with the
24 Department of Agriculture Service Center Modernization
25 Plan of the county-based agencies, and shall be with the

1 concurrence of the Department's Chief Information Offi-
 2 cer: *Provided further*, That of the funds provided under
 3 this section, \$410,000 shall be available to process data
 4 to acquire fourband digital color infrared imagery of the
 5 entire State of New Mexico.

6 OFFICE OF THE CHIEF FINANCIAL OFFICER

7 For necessary expenses of the Office of the Chief Fi-
 8 nancial Officer, \$5,991,000: *Provided*, That no funds
 9 made available by this appropriation may be obligated for
 10 FAIR Act or Circular A-76 activities until the Secretary
 11 has submitted to the Committees on Appropriations of
 12 both Houses of Congress and the Committee on Govern-
 13 ment Reform of the House of Representatives a report on
 14 the Department's contracting out policies, including agen-
 15 cy budgets for contracting out.

16 OFFICE OF THE ASSISTANT SECRETARY FOR CIVIL
 17 RIGHTS

18 For necessary salaries and expenses of the Office of
 19 the Assistant Secretary for Civil Rights, \$836,000.

20 OFFICE OF CIVIL RIGHTS

21 For necessary expenses of the Office of Civil Rights,
 22 \$22,650,000.

1 OFFICE OF THE ASSISTANT SECRETARY FOR
2 ADMINISTRATION

3 For necessary salaries and expenses of the Office of
4 the Assistant Secretary for Administration, ~~\$736,000.~~

5 AGRICULTURE BUILDINGS AND FACILITIES AND RENTAL
6 PAYMENTS

7 (INCLUDING TRANSFERS OF FUNDS)

8 For payment of space rental and related costs pursu-
9 ant to Public Law 92-313, including authorities pursuant
10 to the 1984 delegation of authority from the Adminis-
11 trator of General Services to the Department of Agri-
12 culture under 40 U.S.C. 486, for programs and activities
13 of the Department which are included in this Act, and for
14 alterations and other actions needed for the Department
15 and its agencies to consolidate unneeded space into con-
16 figurations suitable for release to the Administrator of
17 General Services, and for the operation, maintenance, im-
18 provement, and repair of Agriculture buildings and facili-
19 ties, and for related costs, ~~\$209,814,000 (reduced by~~
20 ~~\$3,145,000)~~, to remain available until expended, of which
21 ~~\$155,851,000~~ shall be available for payments to the Gen-
22 eral Services Administration for rent and the Department
23 of Homeland Security for building security: *Provided,*
24 That amounts which are made available for space rental
25 and related costs for the Department of Agriculture in this

1 Act may be transferred between such appropriations to
 2 cover the costs of additional, new, or replacement space
 3 15 days after notice thereof is transmitted to the Appro-
 4 priations Committees of both Houses of Congress.

5 HAZARDOUS MATERIALS MANAGEMENT

6 (INCLUDING TRANSFERS OF FUNDS)

7 For necessary expenses of the Department of Agri-
 8 culture, to comply with the Comprehensive Environmental
 9 Response, Compensation, and Liability Act (42 U.S.C.
 10 9601 et seq.) and the Resource Conservation and Recovery
 11 Act (42 U.S.C. 6901 et seq.), \$12,020,000, to remain
 12 available until expended: *Provided*, That appropriations
 13 and funds available herein to the Department for Haz-
 14 ardous Materials Management may be transferred to any
 15 agency of the Department for its use in meeting all re-
 16 quirements pursuant to the above Acts on Federal and
 17 non-Federal lands.

18 DEPARTMENTAL ADMINISTRATION

19 (INCLUDING TRANSFERS OF FUNDS)

20 For Departmental Administration, \$24,114,000, to
 21 provide for necessary expenses for management support
 22 services to offices of the Department and for general ad-
 23 ministration, security, repairs and alterations, and other
 24 miscellaneous supplies and expenses not otherwise pro-
 25 vided for and necessary for the practical and efficient work

1 of the Department: *Provided*, That this appropriation shall
2 be reimbursed from applicable appropriations in this Act
3 for travel expenses incident to the holding of hearings as
4 required by 5 U.S.C. 551–558.

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

8 For necessary salaries and expenses of the Office of
9 the Assistant Secretary for Congressional Relations to
10 carry out the programs funded by this Act, including pro-
11 grams involving intergovernmental affairs and liaison
12 within the executive branch, \$3,940,000: *Provided*, That
13 these funds may be transferred to agencies of the Depart-
14 ment of Agriculture funded by this Act to maintain per-
15 sonnel at the agency level: *Provided further*, That no funds
16 made available by this appropriation may be obligated
17 after 30 days from the date of enactment of this Act, un-
18 less the Secretary has notified the Committees on Appro-
19 priations of both Houses of Congress on the allocation of
20 these funds by USDA agency: *Provided further*, That no
21 other funds appropriated to the Department by this Act
22 shall be available to the Department for support of activi-
23 ties of congressional relations.

1 OFFICE OF COMMUNICATIONS

2 For necessary expenses to carry out services relating
3 to the coordination of programs involving public affairs;
4 for the dissemination of agricultural information; and the
5 coordination of information, work, and programs author-
6 ized by Congress in the Department, \$9,695,000: *Pro-*
7 *vided,* That not to exceed \$2,000,000 may be used for
8 farmers' bulletins.

9 OFFICE OF THE INSPECTOR GENERAL

10 For necessary expenses of the Office of the Inspector
11 General, including employment pursuant to the Inspector
12 General Act of 1978, \$82,493,000, including such sums
13 as may be necessary for contracting and other arrange-
14 ments with public agencies and private persons pursuant
15 to section 6(a)(9) of the Inspector General Act of 1978,
16 and including not to exceed \$125,000 for certain confiden-
17 tial operational expenses, including the payment of inform-
18 ants, to be expended under the direction of the Inspector
19 General pursuant to Public Law 95-452 and section 1337
20 of Public Law 97-98.

21 OFFICE OF THE GENERAL COUNSEL

22 For necessary expenses of the Office of the General
23 Counsel, \$40,455,000.

1 OFFICE OF THE UNDER SECRETARY FOR RESEARCH,
2 EDUCATION AND ECONOMICS

3 For necessary salaries and expenses of the Office of
4 the Under Secretary for Research, Education and Eco-
5 nomics to administer the laws enacted by the Congress
6 for the Economic Research Service, the National Agricul-
7 tural Statistics Service, the Agricultural Research Service,
8 and the Cooperative State Research, Education, and Ex-
9 tension Service, \$651,000.

10 ECONOMIC RESEARCH SERVICE

11 For necessary expenses of the Economic Research
12 Service in conducting economic research and analysis,
13 \$80,963,000.

14 NATIONAL AGRICULTURAL STATISTICS SERVICE

15 For necessary expenses of the National Agricultural
16 Statistics Service in conducting statistical reporting and
17 service work, \$148,719,000 (reduced by \$500,000), of
18 which up to \$36,582,000 shall be available until expended
19 for the Census of Agriculture.

20 AGRICULTURAL RESEARCH SERVICE

21 SALARIES AND EXPENSES

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

1 nomics or nutrition and consumer use including the acqui-
2 sition, preservation, and dissemination of agricultural in-
3 formation; and for acquisition of lands by donation, ex-
4 change, or purchase at a nominal cost not to exceed \$100;
5 and for land exchanges where the lands exchanged shall
6 be of equal value or shall be equalized by a payment of
7 money to the grantor which shall not exceed 25 percent
8 of the total value of the land or interests transferred out
9 of Federal ownership, \$1,057,603,000, of which
10 \$2,350,000 shall remain available until expended: *Pro-*
11 *vided*, That appropriations hereunder shall be available for
12 the operation and maintenance of aircraft and the pur-
13 chase of not to exceed one for replacement only: *Provided*
14 *further*, That appropriations hereunder shall be available
15 pursuant to 7 U.S.C. 2250 for the construction, alteration,
16 and repair of buildings and improvements, but unless oth-
17 erwise provided, the cost of constructing any one building
18 shall not exceed \$375,000, except for headhouses or green-
19 houses which shall each be limited to \$1,200,000, and ex-
20 cept for 10 buildings to be constructed or improved at a
21 cost not to exceed \$750,000 each, and the cost of altering
22 any one building during the fiscal year shall not exceed
23 10 percent of the current replacement value of the build-
24 ing or \$375,000, whichever is greater: *Provided further*,
25 That the limitations on alterations contained in this Act

1 shall not apply to modernization or replacement of existing
2 facilities at Beltsville, Maryland: *Provided further*, That
3 appropriations hereunder shall be available for granting
4 easements at the Beltsville Agricultural Research Center:
5 *Provided further*, That the foregoing limitations shall not
6 apply to replacement of buildings needed to carry out the
7 Act of April 24, 1948 (21 U.S.C. 113a): *Provided further*,
8 That the foregoing limitations shall not apply to the pur-
9 chase of land at Florence, South Carolina: *Provided fur-*
10 *ther*, That funds may be received from any State, other
11 political subdivision, organization, or individual for the
12 purpose of establishing or operating any research facility
13 or research project of the Agricultural Research Service,
14 as authorized by law: *Provided further*, That the Secretary,
15 through the Agricultural Research Service, or successor,
16 is authorized to lease approximately 40 acres of land at
17 the Central Plains Experiment Station, Nunn, Colorado,
18 to the Board of Governors of the Colorado State Univer-
19 sity System, for its Shortgrass Steppe Biological Field
20 Station, on such terms and conditions as the Secretary
21 deems in the public interest: *Provided further*, That the
22 Secretary understands that it is the intent of the Univer-
23 sity to construct research and educational buildings on the
24 subject acreage and to conduct agricultural research and
25 educational activities in these buildings: *Provided further*,

1 That as consideration for a lease, the Secretary may ac-
2 cept the benefits of mutual cooperative research to be con-
3 ducted by the Colorado State University and the Govern-
4 ment at the Shortgrass Steppe Biological Field Station:
5 *Provided further*, That the term of any lease shall be for
6 no more than 20 years, but a lease may be renewed at
7 the option of the Secretary on such terms and conditions
8 as the Secretary deems in the public interest: *Provided*
9 *further*, That the Agricultural Research Service may con-
10 vey all rights and title of the United States, to a parcel
11 of land comprising 19 acres, more or less, located in Sec-
12 tion 2, Township 18 North, Range 14 East in Oktibbeha
13 County, Mississippi, originally conveyed by the Board of
14 Trustees of the Institution of Higher Learning of the
15 State of Mississippi, and described in instruments re-
16 corded in Deed Book 306 at pages 553–554, Deed Book
17 319 at page 219, and Deed Book 33 at page 115, of the
18 public land records of Oktibbeha County, Mississippi, in-
19 cluding facilities, and fixed equipment, to the Mississippi
20 State University, Starkville, Mississippi, in their “as is”
21 condition, when vacated by the Agricultural Research
22 Service: *Provided further*, That none of the funds appro-
23 priated under this heading shall be available to carry out
24 research related to the production, processing, or mar-
25 keting of tobacco or tobacco products.

1 BUILDINGS AND FACILITIES

2 For acquisition of land, construction, repair, improve-
 3 ment, extension, alteration, and purchase of fixed equip-
 4 ment or facilities as necessary to carry out the agricultural
 5 research programs of the Department of Agriculture,
 6 where not otherwise provided, \$140,000,000, to remain
 7 available until expended.

8 COOPERATIVE STATE RESEARCH, EDUCATION, AND
 9 EXTENSION SERVICE

10 RESEARCH AND EDUCATION ACTIVITIES

11 For payments to agricultural experiment stations, for
 12 cooperative forestry and other research, for facilities, and
 13 for other expenses, \$651,606,000 (reduced by \$100,000),
 14 as follows: to carry out the provisions of the Hatch Act
 15 of 1887 (7 U.S.C. 361a-i), \$183,275,000; for grants for
 16 cooperative forestry research (16 U.S.C. 582a through a-
 17 7), \$22,668,000; for payments to the 1890 land-grant col-
 18 leges, including Tuskegee University and West Virginia
 19 State University (7 U.S.C. 3222), \$38,331,000, of which
 20 \$1,507,496 shall be made available only for the purpose
 21 of ensuring that each institution shall receive no less than
 22 \$1,000,000; for special grants for agricultural research (7
 23 U.S.C. 450i(c)), \$103,471,000; for special grants for agri-
 24 cultural research on improved pest control (7 U.S.C.
 25 450i(c)), \$14,952,000; for competitive research grants (7

1 U.S.C. 450i(b)), \$190,000,000 (reduced by \$800,000) (re-
 2 duced by \$200,000); for the support of animal health and
 3 disease programs (7 U.S.C. 3195), \$5,006,000; for sup-
 4 plemental and alternative crops and products (7 U.S.C.
 5 3319d), \$1,175,000; for grants for research pursuant to
 6 the Critical Agricultural Materials Act (7 U.S.C. 178 et
 7 seq.), \$1,091,000, to remain available until expended; for
 8 the 1994 research grants program for 1994 institutions
 9 pursuant to section 536 of Public Law 103-382 (7 U.S.C.
 10 301 note), \$1,250,000, to remain available until expended;
 11 for rangeland research grants (7 U.S.C. 3333),
 12 \$1,000,000; for higher education graduate fellowship
 13 grants (7 U.S.C. 3152(b)(6)), \$4,455,000, to remain
 14 available until expended (7 U.S.C. 2209b); for higher edu-
 15 cation challenge grants (7 U.S.C. 3152(b)(1)),
 16 \$5,445,000; for a higher education multicultural scholars
 17 program (7 U.S.C. 3152(b)(5)), \$988,000 to remain avail-
 18 able until expended (7 U.S.C. 2209b); for an education
 19 grants program for Hispanic-serving Institutions (7
 20 U.S.C. 3241), \$5,940,000 (increased by \$700,000); for a
 21 secondary agriculture education program and 2-year post-
 22 secondary education (7 U.S.C. 3152(j)), \$990,000; for
 23 aquaculture grants (7 U.S.C. 3322), \$3,956,000; for sus-
 24 tainable agriculture research and education (7 U.S.C.
 25 5811), \$12,196,000; for a program of capacity building

1 grants (~~7 U.S.C. 3152(b)(4)~~) to colleges eligible to receive
 2 funds under the Act of August 30, 1890 (~~7 U.S.C. 321–~~
 3 ~~326 and 328~~), including Tuskegee University and West
 4 Virginia State University, \$12,375,000, to remain avail-
 5 able until expended (~~7 U.S.C. 2209b~~); for payments to the
 6 1994 Institutions pursuant to section 534(a)(1) of Public
 7 Law ~~103–382~~, \$3,000,000; for resident instruction grants
 8 for insular areas under section 1491 of the National Agri-
 9 cultural Research, Extension, and Teaching Policy Act of
 10 1977 (~~7 U.S.C. 3363~~), \$500,000 (increased by \$200,000);
 11 and for necessary expenses of Research and Education Ac-
 12 tivities, \$39,542,000, of which \$2,723,000 for the Re-
 13 search, Education, and Economics Information System
 14 and \$2,151,000 for the Electronic Grants Information
 15 System, are to remain available until expended: *Provided*,
 16 That none of the funds appropriated under this heading
 17 shall be available to carry out research related to the pro-
 18 duction, processing, or marketing of tobacco or tobacco
 19 products: *Provided further*, That this paragraph shall not
 20 apply to research on the medical, biotechnological, food,
 21 and industrial uses of tobacco.

22 NATIVE AMERICAN INSTITUTIONS ENDOWMENT FUND

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

EXTENSION ACTIVITIES

For payments to States, the District of Columbia, Puerto Rico, Guam, the Virgin Islands, Micronesia, Northern Marianas, and American Samoa, \$457,042,000, as follows: payments for cooperative extension work under the Smith-Lever Act, to be distributed under sections 3(b) and 3(c) of said Act, and under section 208(c) of Public Law 93-471, for retirement and employees' compensation costs for extension agents, \$281,429,000; payments for extension work at the 1994 Institutions under the Smith-Lever Act (7 U.S.C. 343(b)(3)), \$3,273,000; payments for the nutrition and family education program for low-income areas under section 3(d) of the Act, \$62,634,000; payments for the pest management program under section 3(d) of the Act, \$10,152,000; payments for the farm safety program under section 3(d) of the Act, \$4,517,000; payments for New Technologies for Ag Extension under Section 3(d) of the Act, \$1,985,000; payments to upgrade research, extension, and teaching facilities at the 1890 land-grant colleges, including Tuskegee University and West Virginia State University, as authorized by section 1447 of Public Law 95-113 (7 U.S.C. 3222b), \$16,777,000, to remain available until expended; payments for youth-at-risk programs under section 3(d) of the Smith-Lever Act, \$8,396,000; for youth farm safety edu-

1 cation and certification extension grants, to be awarded
 2 competitively under section 3(d) of the Act, \$494,000;
 3 payments for carrying out the provisions of the Renewable
 4 Resources Extension Act of 1978 (16 U.S.C. 1671 et
 5 seq.), \$4,052,000; payments for federally-recognized
 6 Tribes Extension Program under section 3(d) of the
 7 Smith-Lever Act, \$3,000,000; payments for sustainable
 8 agriculture programs under section 3(d) of the Act,
 9 \$4,067,000; payments for rural health and safety edu-
 10 cation as authorized by section 502(i) of Public Law 92-
 11 419 (7 U.S.C. 2662(i)), \$1,945,000; payments for cooper-
 12 ative extension work by the colleges receiving the benefits
 13 of the second Morrill Act (7 U.S.C. 321-326 and 328)
 14 and Tuskegee University and West Virginia State Univer-
 15 sity, \$34,073,000, of which \$1,724,884 shall be made
 16 available only for the purpose of ensuring that each insti-
 17 tution shall receive no less than \$1,000,000; for grants
 18 to youth organizations pursuant to section 7630 of title
 19 7, United States Code, \$2,000,000; and for necessary ex-
 20 penses of Extension Activities, \$18,248,000.

21 INTEGRATED ACTIVITIES

22 For the integrated research, education, and extension
 23 grants programs, including necessary administrative ex-
 24 penses, \$55,234,000 (increased by \$3,145,000), as fol-
 25 lows: for competitive grants programs authorized under
 26 section 406 of the Agricultural Research, Extension, and

1 Education Reform Act of 1998 (7 U.S.C. 7626),
2 \$45,792,000, including \$11,278,000 for the water quality
3 program, \$12,997,000 for the food safety program,
4 \$3,890,000 for the regional pest management centers pro-
5 gram, \$4,219,000 for the Food Quality Protection Act
6 risk mitigation program for major food crop systems,
7 \$1,275,000 for the crops affected by Food Quality Protec-
8 tion Act implementation, \$3,075,000 for the methyl bro-
9 mide transition program, and \$1,855,000 (increased by
10 \$3,145,000) for the organic transition program; for a
11 competitive international science and education grants
12 program authorized under section 1459A of the National
13 Agricultural Research, Extension, and Teaching Policy
14 Act of 1977 (7 U.S.C. 3292b), to remain available until
15 expended, \$990,000; for grants programs authorized
16 under section 2(c)(1)(B) of Public Law 89-106, as
17 amended, \$1,000,000, to remain available until September
18 30, 2008 for the critical issues program; and \$1,378,000,
19 for the regional rural development centers program;
20 \$2,277,000 for asian soybean rust; and \$11,000,000 for
21 the Food and Agriculture Defense Initiative authorized
22 under section 1484 of the National Agricultural Research,
23 Extension, and Teaching Act of 1977, to remain available
24 until September 30, 2008.

1 OUTREACH FOR SOCIALLY DISADVANTAGED FARMERS

2 For grants and contracts pursuant to section 2501
3 of the Food, Agriculture, Conservation, and Trade Act of
4 1990 (7 U.S.C. 2279), \$6,930,000 (increased by
5 \$100,000), to remain available until expended.

6 OFFICE OF THE UNDER SECRETARY FOR MARKETING
7 AND REGULATORY PROGRAMS

8 For necessary salaries and expenses of the Office of
9 the Under Secretary for Marketing and Regulatory Pro-
10 grams to administer programs under the laws enacted by
11 the Congress for the Animal and Plant Health Inspection
12 Service; the Agricultural Marketing Service; and the Grain
13 Inspection, Packers and Stockyards Administration;
14 \$741,000.

15 ANIMAL AND PLANT HEALTH INSPECTION SERVICE

16 SALARIES AND EXPENSES

17 (INCLUDING TRANSFERS OF FUNDS)

18 For expenses, not otherwise provided for, necessary
19 to prevent, control, and eradicate pests and plant and ani-
20 mal diseases; to carry out inspection, quarantine, and reg-
21 ulatory activities; and to protect the environment, as au-
22 thorized by law, \$898,116,000 (increased by \$23,000,000)
23 (increased by \$500,000), of which \$4,127,000 shall be
24 available for the control of outbreaks of insects, plant dis-
25 eases, animal diseases and for control of pest animals and
26 birds to the extent necessary to meet emergency condi-

1 tions; of which \$40,269,000 shall be used for the Cotton
2 Pests program for cost share purposes or for debt retire-
3 ment for active eradication zones; of which \$33,107,000
4 shall be available for a National Animal Identification pro-
5 gram; of which \$47,205,000 shall be used to conduct a
6 surveillance and preparedness program for highly patho-
7 genic avian influenza: *Provided*, That no funds shall be
8 used to formulate or administer a brucellosis eradication
9 program for the current fiscal year that does not require
10 minimum matching by the States of at least 40 percent:
11 *Provided further*, That none of the funds appropriated
12 under this heading for the National Animal Identification
13 program may be obligated until the Committee on Appro-
14 priations of the House of Representatives receives from
15 the Secretary a complete and detailed plan for the Na-
16 tional Animal Identification System, including, but not
17 limited to, proposed legislative changes, cost estimates,
18 and means of program evaluation, and such plan is pub-
19 lished as an Advanced Notice of Proposed Rulemaking in
20 the Federal Register for comment by interested parties:
21 *Provided further*, That this appropriation shall be available
22 for the operation and maintenance of aircraft and the pur-
23 chase of not to exceed four, of which two shall be for re-
24 placement only: *Provided further*, That, in addition, in
25 emergencies which threaten any segment of the agricul-

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

20 In fiscal year 2007, the agency is authorized to collect
21 fees to cover the total costs of providing technical assist-
22 ance, goods, or services requested by States, other political
23 subdivisions, domestic and international organizations,
24 foreign governments, or individuals, provided that such
25 fees are structured such that any entity's liability for such

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

6 BUILDINGS AND FACILITIES

7 For plans, construction, repair, preventive mainte-
8 nance, environmental support, improvement, extension, al-
9 teration, and purchase of fixed equipment or facilities, as
10 authorized by 7 U.S.C. 2250, and acquisition of land as
11 authorized by 7 U.S.C. 428a, \$5,946,000, to remain avail-
12 able until expended.

13 AGRICULTURAL MARKETING SERVICE

14 MARKETING SERVICES

15 For necessary expenses to carry out services related
16 to consumer protection, agricultural marketing and dis-
17 tribution, transportation, and regulatory programs, as au-
18 thorized by law, and for administration and coordination
19 of payments to States, \$77,269,000, including funds for
20 the wholesale market development program for the design
21 and development of wholesale and farmer market facilities
22 for the major metropolitan areas of the country: *Provided,*
23 That this appropriation shall be available pursuant to law
24 (7 U.S.C. 2250) for the alteration and repair of buildings
25 and improvements, but the cost of altering any one build-

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

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

6 LIMITATION ON ADMINISTRATIVE EXPENSES

7 Not to exceed \$62,211,000 (from fees collected) shall
 8 be obligated during the current fiscal year for administra-
 9 tive expenses: *Provided*, That if crop size is understated
 10 and/or other uncontrollable events occur, the agency may
 11 exceed this limitation by up to 10 percent with notification
 12 to the Committees on Appropriations of both Houses of
 13 Congress.

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

16 (INCLUDING TRANSFERS OF FUNDS)

17 Funds available under section 32 of the Act of Au-
 18 gust 24, 1935 (7 U.S.C. 612c), shall be used only for com-
 19 modity program expenses as authorized therein, and other
 20 related operating expenses, including not less than
 21 \$9,900,000 for replacement of a system to support com-
 22 modity purchases, except for: (1) transfers to the Depart-
 23 ment of Commerce as authorized by the Fish and Wildlife
 24 Act of August 8, 1956; (2) transfers otherwise provided
 25 in this Act; and (3) not more than \$16,425,000 for formu-
 26 lation and administration of marketing agreements and

1 orders pursuant to the Agricultural Marketing Agreement
2 Act of 1937 and the Agricultural Act of 1961.

3 PAYMENTS TO STATES AND POSSESSIONS

4 For payments to departments of agriculture, bureaus
5 and departments of markets, and similar agencies for
6 marketing activities under section 204(b) of the Agricul-
7 tural Marketing Act of 1946 (7 U.S.C. 1623(b)),
8 \$1,334,000.

9 GRAIN INSPECTION, PACKERS AND STOCKYARDS

10 ADMINISTRATION

11 SALARIES AND EXPENSES

12 For necessary expenses to carry out the provisions
13 of the United States Grain Standards Act, for the admin-
14 istration of the Packers and Stockyards Act, for certifying
15 procedures used to protect purchasers of farm products,
16 and the standardization activities related to grain under
17 the Agricultural Marketing Act of 1946, \$39,737,000:
18 *Provided*, That this appropriation shall be available pursu-
19 ant to law (7 U.S.C. 2250) for the alteration and repair
20 of buildings and improvements, but the cost of altering
21 any one building during the fiscal year shall not exceed
22 10 percent of the current replacement value of the build-
23 ing.

10 OFFICE OF THE UNDER SECRETARY FOR FOOD SAFETY

15 ~~FOOD SAFETY AND INSPECTION SERVICE~~

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1 as authorized by section 1327 of the Food, Agriculture,
 2 Conservation and Trade Act of 1990 (7 U.S.C. 138f): *Pro-*
 3 *vided*, That of the total amount made available under this
 4 heading, no less than \$20,653,000 shall be obligated for
 5 regulatory and scientific training: *Provided further*, That
 6 not to exceed \$565,000 is for construction of a laboratory
 7 sample receiving facility at the Russell Research Center
 8 in Athens, Georgia: *Provided further*, That this appropria-
 9 tion shall be available pursuant to law (7 U.S.C. 2250)
 10 for the alteration and repair of buildings and improve-
 11 ments, but the cost of altering any one building during
 12 the fiscal year shall not exceed 10 percent of the current
 13 replacement value of the building.

14 FARM ASSISTANCE PROGRAMS

15 OFFICE OF THE UNDER SECRETARY FOR FARM AND

16 FOREIGN AGRICULTURAL SERVICES

17 For necessary salaries and expenses of the Office of
 18 the Under Secretary for Farm and Foreign Agricultural
 19 Services to administer the laws enacted by Congress for
 20 the Farm Service Agency, the Foreign Agricultural Serv-
 21 ice, the Risk Management Agency, and the Commodity
 22 Credit Corporation, \$691,000.

1 FARM SERVICE AGENCY

2 SALARIES AND EXPENSES

3 (INCLUDING TRANSFERS OF FUNDS)

4 For necessary expenses for carrying out the adminis-
5 tration and implementation of programs administered by
6 the Farm Service Agency, \$1,053,760,000: *Provided*, That
7 the Secretary is authorized to use the services, facilities,
8 and authorities (but not the funds) of the Commodity
9 Credit Corporation to make program payments for all pro-
10 grams administered by the Agency: *Provided further*, That
11 other funds made available to the Agency for authorized
12 activities may be advanced to and merged with this ac-
13 count: *Provided further*, That none of the funds made
14 available by this Act may be used to pay the salaries or
15 expenses of any officer or employee of the Department of
16 Agriculture to close any local or county office of the Farm
17 Service Agency unless the Secretary of Agriculture, not
18 later than 30 days before the date on which the Secretary
19 proposed the closure, holds a public meeting about the
20 proposed closure in the county in which the local or county
21 office is located, and, after the public meeting but not later
22 than 120 days before the date on which the Secretary ap-
23 proves the closure, notifies the Committee on Agriculture
24 and the Committee on Appropriations of the House of
25 Representatives and the Committee on Agriculture, Nutri-
26 tion, and Forestry and the Committee on Appropriations

1 of the Senate, and the members of Congress from the
 2 State in which the local or county office is located of the
 3 proposed closure.

4 STATE MEDIATION GRANTS

5 For grants pursuant to section 502(b) of the Agricul-
 6 tural Credit Act of 1987, as amended (7 U.S.C. 5101-
 7 5106), \$4,208,000.

8 GRASSROOTS SOURCE WATER PROTECTION PROGRAM

9 For necessary expenses to carry out wellhead or
 10 groundwater protection activities under section 12400 of
 11 the Food Security Act of 1985 (16 U.S.C. 3839bb-2),
 12 \$3,713,000, to remain available until expended.

13 DAIRY INDEMNITY PROGRAM

14 (INCLUDING TRANSFER OF FUNDS)

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

For the cost of direct and guaranteed loans, including the cost of modifying loans as defined in section 502 of the Congressional Budget Act of 1974, as follows: farm ownership loans, \$16,293,000, of which \$6,960,000 shall be for guaranteed loans, and \$9,333,000 shall be for direct loans; operating loans, \$131,046,000, of which

1 \$28,405,000 shall be for unsubsidized guaranteed loans;
2 \$27,416,000 shall be for subsidized guaranteed loans; and
3 \$75,225,000 shall be for direct loans; Indian tribe land
4 acquisition loans, \$838,000; and for boll weevil eradication
5 program loans, \$1,129,000.

6 In addition, for administrative expenses necessary to
7 carry out the direct and guaranteed loan programs;
8 \$315,258,000, of which \$307,338,000 shall be transferred
9 to and merged with the appropriation for “Farm Service
10 Agency, Salaries and Expenses”.

11 Funds appropriated by this Act to the Agricultural
12 Credit Insurance Program Account for farm ownership
13 and operating direct loans and guaranteed loans may be
14 transferred among these programs: *Provided*, That the
15 Committees on Appropriations of both Houses of Congress
16 are notified at least 15 days in advance of any transfer:
17 *Provided further*, That none of the funds appropriated or
18 otherwise made available by this Act shall be used to pay
19 the salaries and expenses of personnel to collect from the
20 lender an annual fee on unsubsidized guaranteed oper-
21 ating loans; a guarantee fee of more than one percent of
22 the principal obligation of guaranteed unsubsidized oper-
23 ating or ownership loans; or a guarantee fee on subsidized
24 guaranteed operating loans administered by the Farm
25 Service Agency.

1 RISK MANAGEMENT AGENCY

2 For administrative and operating expenses, as au-
3 thorized by section 226A of the Department of Agriculture
4 Reorganization Act of 1994 (7 U.S.C. 6933),
5 \$77,197,000: *Provided*, That not to exceed \$1,000 shall
6 be available for official reception and representation ex-
7 penses, as authorized by 7 U.S.C. 1506(i).

8 CORPORATIONS

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

19 FEDERAL CROP INSURANCE CORPORATION FUND

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

COMMODITY CREDIT CORPORATION FUND

REIMBURSEMENT FOR NET REALIZED LOSSES

For the current fiscal year, such sums as may be necessary to reimburse the Commodity Credit Corporation for net realized losses sustained, but not previously reimbursed, pursuant to section 2 of the Act of August 17, 1961 (15 U.S.C. 713a-11): *Provided*, That of the funds available to the Commodity Credit Corporation under section 11 of the Commodity Credit Corporation Charter Act (15 U.S.C. 714i) for the conduct of its business with the Foreign Agricultural Service, up to \$5,000,000 may be transferred to and used by the Foreign Agricultural Service for information resource management activities of the Foreign Agricultural Service that are not related to Commodity Credit Corporation business.

HAZARDOUS WASTE MANAGEMENT

(LIMITATION ON EXPENSES)

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

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

5 For necessary salaries and expenses of the Office of
6 the Under Secretary for Natural Resources and Environ-
7 ment to administer the laws enacted by the Congress for
8 the Forest Service and the Natural Resources Conserva-
9 tion Service, \$810,000 (reduced by \$810,000).

10 NATURAL RESOURCES CONSERVATION SERVICE
11 CONSERVATION OPERATIONS

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

1 ation or improvement of permanent and temporary build-
2 ings; and operation and maintenance of aircraft,
3 \$791,498,000, to remain available until March 31, 2008,
4 of which not less than \$10,588,000 is for snow survey and
5 water forecasting, and not less than \$10,678,000 is for
6 operation and establishment of the plant materials cen-
7 ters, and of which not less than \$27,225,000 shall be for
8 the grazing lands conservation initiative: *Provided*, That
9 appropriations hereunder shall be available pursuant to 7
10 U.S.C. 2250 for construction and improvement of build-
11 ings and public improvements at plant materials centers,
12 except that the cost of alterations and improvements to
13 other buildings and other public improvements shall not
14 exceed \$250,000: *Provided further*, That when buildings
15 or other structures are erected on non-Federal land, that
16 the right to use such land is obtained as provided in 7
17 U.S.C. 2250a: *Provided further*, That this appropriation
18 shall be available for technical assistance and related ex-
19 penses to carry out programs authorized by section 202(c)
20 of title II of the Colorado River Basin Salinity Control
21 Act of 1974 (43 U.S.C. 1592(c)): *Provided further*, That
22 qualified local engineers may be temporarily employed at
23 per diem rates to perform the technical planning work of
24 the Service.

1 WATERSHED SURVEYS AND PLANNING

2 For necessary expenses to conduct research, inves-
3 tigation, and surveys of watersheds of rivers and other wa-
4 terways, and for small watershed investigations and plan-
5 ning, in accordance with the Watershed Protection and
6 Flood Prevention Act (16 U.S.C. 1001–1009),
7 \$6,022,000.

8 WATERSHED AND FLOOD PREVENTION OPERATIONS

9 For necessary expenses to carry out preventive meas-
10 ures, including but not limited to research, engineering op-
11 erations, methods of cultivation, the growing of vegetation,
12 rehabilitation of existing works and changes in use of land,
13 in accordance with the Watershed Protection and Flood
14 Prevention Act (16 U.S.C. 1001–1005 and 1007–1009),
15 the provisions of the Act of April 27, 1935 (16 U.S.C.
16 590a–f), and in accordance with the provisions of laws re-
17 lating to the activities of the Department, \$40,000,000,
18 to remain available until expended; of which up to
19 \$10,000,000 may be available for the watersheds author-
20 ized under the Flood Control Act (33 U.S.C. 701 and 16
21 U.S.C. 1006a): *Provided*, That not to exceed \$20,000,000
22 of this appropriation shall be available for technical assist-
23 ance: *Provided further*, That not to exceed \$1,000,000 of
24 this appropriation is available to carry out the purposes
25 of the Endangered Species Act of 1973 (Public Law 93–
26 205), including cooperative efforts as contemplated by

1 that Act to relocate endangered or threatened species to
 2 other suitable habitats as may be necessary to expedite
 3 project construction.

4 WATERSHED REHABILITATION PROGRAM

5 For necessary expenses to carry out rehabilitation of
 6 structural measures, in accordance with section 14 of the
 7 Watershed Protection and Flood Prevention Act (16
 8 U.S.C. 1012), and in accordance with the provisions of
 9 laws relating to the activities of the Department,
 10 \$31,245,000, to remain available until expended.

11 RESOURCE CONSERVATION AND DEVELOPMENT

12 For necessary expenses in planning and carrying out
 13 projects for resource conservation and development and
 14 for sound land use pursuant to the provisions of sections
 15 31 and 32 of the Bankhead-Jones Farm Tenant Act (7
 16 U.S.C. 1010–1011; 76 Stat. 607); the Act of April 27,
 17 1935 (16 U.S.C. 590a–f); and subtitle H of title XV of
 18 the Agriculture and Food Act of 1981 (16 U.S.C. 3451–
 19 3461), \$50,787,000, to remain available until expended:
 20 *Provided*, That the Secretary shall enter into a cooperative
 21 or contribution agreement, within 45 days of enactment
 22 of this Act, with a national association regarding a Re-
 23 source Conservation and Development program and such
 24 agreement shall contain the same matching, contribution
 25 requirements, and funding level, set forth in a similar co-
 26 operative or contribution agreement with a national asso-

1 ciation in fiscal year 2002: *Provided further*, That not to
 2 exceed \$3,411,000 shall be available for national head-
 3 quarters activities.

4 TITLE III

5 RURAL DEVELOPMENT PROGRAMS

6 OFFICE OF THE UNDER SECRETARY FOR RURAL

7 DEVELOPMENT

8 For necessary salaries and expenses of the Office of
 9 the Under Secretary for Rural Development to administer
 10 programs under the laws enacted by the Congress for the
 11 Rural Housing Service, the Rural Business-Cooperative
 12 Service, and the Rural Utilities Service, \$692,000.

13 RURAL COMMUNITY ADVANCEMENT PROGRAM

14 (INCLUDING TRANSFERS OF FUNDS)

15 For the cost of direct loans, loan guarantees, and
 16 grants, as authorized by 7 U.S.C. 1926, 1926a, 1926e,
 17 1926d, and 1932, except for sections 381E–H and 381N
 18 of the Consolidated Farm and Rural Development Act,
 19 \$699,893,000 (increased by \$5,000,000) (increased by
 20 \$1,500,000) (reduced by \$1,500,000), to remain available
 21 until expended, of which \$49,477,000 (increased by
 22 \$5,000,000) shall be for rural community programs de-
 23 scribed in section 381E(d)(1) of such Act; of which
 24 \$561,252,000 shall be for the rural utilities programs de-
 25 scribed in sections 381E(d)(2), 306C(a)(2), and 306D of
 26 such Act, of which not to exceed \$500,000 shall be avail-

1 able for the rural utilities program described in section
 2 306(a)(2)(B) of such Act, and of which not to exceed
 3 \$1,000,000 shall be available for the rural utilities pro-
 4 gram described in section 306E of such Act, and of which
 5 \$89,164,000 shall be for the rural business and coopera-
 6 tive development programs described in sections
 7 381E(d)(3) and 310B(f) of such Act: *Provided*, That of
 8 the total amount appropriated in this account,
 9 \$24,000,000 shall be for loans and grants to benefit Fed-
 10 erally Recognized Native American Tribes, including
 11 grants for drinking water and waste disposal systems pur-
 12 suant to section 306C of such Act, of which \$4,000,000
 13 shall be available for community facilities grants to tribal
 14 colleges, as authorized by section 306(a)(19) of the Con-
 15 solidated Farm and Rural Development Act, and of which
 16 \$250,000 shall be available for a grant to a qualified na-
 17 tional organization to provide technical assistance for
 18 rural transportation in order to promote economic develop-
 19 ment: *Provided further*, That of the amount appropriated
 20 for the rural business and cooperative development pro-
 21 grams, not to exceed \$500,000 shall be made available for
 22 a grant to a qualified national organization to provide
 23 technical assistance for rural transportation in order to
 24 promote economic development; \$3,000,000 shall be for
 25 grants to the Delta Regional Authority (7 U.S.C. 1921

1 et seq.) for any purpose under this heading: *Provided fur-*
2 *ther*, That of the amount appropriated for rural utilities
3 programs, not to exceed \$25,000,000 shall be for water
4 and waste disposal systems to benefit the Colonias along
5 the United States/Mexico border, including grants pursu-
6 ant to section 306C of such Act; \$16,215,000 shall be for
7 technical assistance grants for rural water and waste sys-
8 tems pursuant to section 306(a)(14) of such Act, of which
9 \$5,600,000 shall be for Rural Community Assistance Pro-
10 grams; and not to exceed \$14,000,000 shall be for con-
11 tracting with qualified national organizations for a circuit
12 rider program to provide technical assistance for rural
13 water systems: *Provided further*, That of the total amount
14 appropriated, not to exceed \$22,800,000 shall be available
15 through June 30, 2007, for authorized empowerment
16 zones and enterprise communities and communities des-
17 ignated by the Secretary of Agriculture as Rural Economic
18 Area Partnership Zones; of which \$1,100,000 shall be for
19 the rural community programs described in section
20 381E(d)(1) of such Act, of which \$13,400,000 shall be
21 for the rural utilities programs described in section
22 381E(d)(2) of such Act, and of which \$8,300,000 shall
23 be for the rural business and cooperative development pro-
24 grams described in section 381E(d)(3) of such Act: *Pro-*
25 *vided further*, That any prior year balances for high cost

1 energy grants authorized by section 19 of the Rural Elec-
 2 trification Act of 1936 (7 U.S.C. 901(19)) shall be trans-
 3 ferred to and merged with the “Rural Utilities Service;
 4 High Energy Costs Grants Account”.

5 RURAL DEVELOPMENT SALARIES AND EXPENSES
 6 (INCLUDING TRANSFERS OF FUNDS)

7 For necessary expenses for carrying out the adminis-
 8 tration and implementation of programs in the Rural De-
 9 velopment mission area, including activities with institu-
 10 tions concerning the development and operation of agricul-
 11 tural cooperatives; and for cooperative agreements;
 12 \$182,860,000: *Provided*, That notwithstanding any other
 13 provision of law, funds appropriated under this section
 14 may be used for advertising and promotional activities
 15 that support the Rural Development mission area: *Pro-*
 16 *vided further*, That not more than \$10,000 may be ex-
 17 pended to provide modest nonmonetary awards to non-
 18 USDA employees: *Provided further*, That any balances
 19 available from prior years for the Rural Utilities Service,
 20 Rural Housing Service, and the Rural Business-Coopera-
 21 tive Service salaries and expenses accounts shall be trans-
 22 ferred to and merged with this appropriation.

RURAL HOUSING SERVICE

RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For gross obligations for the principal amount of direct and guaranteed loans as authorized by title V of the Housing Act of 1949, to be available from funds in the rural housing insurance fund, as follows: \$4,801,736,000 for loans to section 502 borrowers, as determined by the Secretary, of which \$1,237,498,000 shall be for direct loans, and of which \$3,564,238,000 shall be for unsubsidized guaranteed loans; \$36,382,000 for section 504 housing repair loans; \$100,000,000 for section 515 rental housing; \$100,000,000 for section 538 guaranteed multi-family housing loans; \$5,045,000 for section 524 site loans; \$11,482,000 for credit sales of acquired property, of which up to \$1,482,000 may be for multi-family credit sales; and \$4,980,000 for section 523 self-help housing land development loans.

For the cost of direct and guaranteed loans, including the cost of modifying loans, as defined in section 502 of the Congressional Budget Act of 1974, as follows: section 502 loans, \$131,893,000, of which \$124,121,000 shall be for direct loans, and of which \$7,772,000, to remain available until expended, shall be for unsubsidized guaranteed loans; section 504 housing repair loans, \$10,751,000; repair, rehabilitation, and new construction of section 515

1 rental housing, \$45,670,000; section 538 multi-family
 2 housing guaranteed loans, \$7,740,000; credit sales of ac-
 3 quired property, \$720,000; and section 523 self-help hous-
 4 ing land development loans, \$123,000: *Provided*, That of
 5 the total amount appropriated in this paragraph,
 6 \$1,500,000 shall be available through June 30, 2007, for
 7 authorized empowerment zones and enterprise commu-
 8 nities and communities designated by the Secretary of Ag-
 9 riculture as Rural Economic Area Partnership Zones: *Pro-*
 10 *vided further*, That any obligated balances for a dem-
 11 onstration program for the preservation and revitalization
 12 of the section 515 multi-family rental housing properties
 13 as authorized in Public Law 109-97 shall be transferred
 14 to and merged with the “Rural Housing Service, Multi-
 15 family Housing Revitalization Program Account”.

16 In addition, for administrative expenses necessary to
 17 carry out the direct and guaranteed loan programs,
 18 \$430,080,000, which shall be transferred to and merged
 19 with the appropriation for “Rural Development, Salaries
 20 and Expenses”.

21 RENTAL ASSISTANCE PROGRAM

22 For rental assistance agreements entered into or re-
 23 newed pursuant to the authority under section 521(a)(2)
 24 or agreements entered into in lieu of debt forgiveness or
 25 payments for eligible households as authorized by section
 26 502(c)(5)(D) of the Housing Act of 1949, \$335,400,000,

1 to remain available through September 30, 2008; and, in
2 addition, such sums as may be necessary, as authorized
3 by section 521(c) of the Act, to liquidate debt incurred
4 prior to fiscal year 1992 to carry out the rental assistance
5 program under section 521(a)(2) of the Act: *Provided*,
6 That of this amount, up to \$5,900,000 shall be available
7 for debt forgiveness or payments for eligible households
8 as authorized by section 502(c)(5)(D) of the Act, and not
9 to exceed \$50,000 per project for advances to nonprofit
10 organizations or public agencies to cover direct costs
11 (other than purchase price) incurred in purchasing
12 projects pursuant to section 502(c)(5)(C) of the Act: *Pro-*
13 *vided further*, That agreements entered into or renewed
14 during the current fiscal year shall be funded for a one-
15 year period: *Provided further*, That any unexpended bal-
16 ances remaining at the end of such one-year agreements
17 may be transferred and used for the purposes of any debt
18 reduction; maintenance; repair; or rehabilitation of any ex-
19 isting projects; preservation; and rental assistance activi-
20 ties authorized under title V of the Act: *Provided further*,
21 That rental assistance that is recovered from projects that
22 are subject to prepayment shall be deobligated and reallo-
23 cated for vouchers and debt forgiveness or payments con-
24 sistent with the requirements of this Act for purposes au-
25 thorized under section 542 and section 502(c)(5)(D) of

~~ACCOUNT~~

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1 rent for such unit: *Provided further*, That funds made
2 available for such vouchers, shall be subject to the avail-
3 ability of annual appropriations: *Provided further*, That
4 the Secretary shall, to the maximum extent practicable,
5 administer such vouchers with current regulations and ad-
6 ministrative guidance applicable to section 8 housing
7 vouchers administered by the Secretary of the Department
8 of Housing and Urban Development (including the ability
9 to pay administrative costs related to delivery of the
10 voucher funds): *Provided further*, That of the funds made
11 available under this heading, \$3,000,000 shall be available
12 for loans to private non-profit organizations, or such non-
13 profit organizations' affiliate loan funds and State and
14 local housing finance agencies, to carry out a housing
15 demonstration program to provide revolving loans for the
16 preservation of low-income multi-family housing projects:
17 *Provided further*, That loans under such demonstration
18 program shall have an interest rate of not more than 1
19 percent direct loan to the recipient: *Provided further*, That
20 the Secretary may defer the interest and principal pay-
21 ment to the Rural Housing Service for up to 3 years and
22 the term of such loans shall not exceed 30 years: *Provided*
23 *further*, That of the funds made available under this head-
24 ing, \$9,000,000 shall be available for a demonstration pro-
25 gram for the preservation and revitalization of the section

1 515 multi-family rental housing properties to restructure
2 existing section 515 loans, as the Secretary deems appro-
3 priate, expressly for the purposes of ensuring the project
4 has sufficient resources to preserve the project for the pur-
5 pose of providing safe and affordable housing for low-in-
6 come residents including reducing or eliminating interest;
7 deferring loan payments, subordinating, reducing or re-
8 amortizing loan debt, and other financial assistance in-
9 cluding advances and incentives required by the Secretary:
10 *Provide further,* That if Congress enacts legislation to per-
11 manently authorize a section 515 multi-family rental hous-
12 ing loan restructuring program similar to the demonstra-
13 tion program described herein, the Secretary may use
14 funds made available for the demonstration program
15 under this heading to carry out such legislation with the
16 prior approval of the Committees on Appropriations of
17 both Houses of Congress.

18 In addition, for administrative expenses necessary to
19 carry out the direct loan program, \$990,000, which shall
20 be transferred to and merged with the appropriation for
21 “Rural Development, Salaries and Expenses”, which shall
22 be made available for the Secretary to contract with third
23 parties to acquire the necessary automation and technical
24 services needed to restructure section 515 mortgages.

1 MUTUAL AND SELF-HELP HOUSING GRANTS

2 For grants and contracts pursuant to section
3 523(b)(1)(A) of the Housing Act of 1949 (42 U.S.C.
4 1490e), \$37,620,000, to remain available until expended:
5 *Provided*, That of the total amount appropriated,
6 \$1,000,000 shall be available through June 30, 2007, for
7 authorized empowerment zones and enterprise commu-
8 nities and communities designated by the Secretary of Ag-
9 riculture as Rural Economic Area Partnership Zones.

10 RURAL HOUSING ASSISTANCE GRANTS

11 For grants and contracts for very low-income housing
12 repair, supervisory and technical assistance, compensation
13 for construction defects, and rural housing preservation
14 made by the Rural Housing Service, as authorized by 42
15 U.S.C. 1474, 1479(e), 1490e, and 1490m, \$40,590,000,
16 to remain available until expended: *Provided*, That of the
17 total amount appropriated, \$1,188,000 shall be available
18 through June 30, 2007, for authorized empowerment
19 zones and enterprise communities and communities des-
20 ignated by the Secretary of Agriculture as Rural Economic
21 Area Partnership Zones: *Provided further*, That any bal-
22 ances to carry out a housing demonstration program to
23 provide revolving loans for the preservation of low-income
24 multi-family housing projects as authorized in Public Law
25 108–447 and Public Law 109–97 shall be transferred to

1 and merged with “Rural Housing Service, Multifamily
2 Housing Revitalization Program Account”.

3 FARM LABOR PROGRAM ACCOUNT

4 For the cost of direct loans, grants, and contracts,
5 as authorized by 42 U.S.C. 1484 and 1486, \$47,525,000,
6 to remain available until expended, for direct farm labor
7 housing loans and domestic farm labor housing grants and
8 contracts.

9 RURAL BUSINESS—COOPERATIVE SERVICE

10 RURAL DEVELOPMENT LOAN FUND PROGRAM ACCOUNT

11 (INCLUDING TRANSFER OF FUNDS)

12 For the principal amount of direct loans, as author-
13 ized by the Rural Development Loan Fund (42 U.S.C.
14 9812(a)), \$33,925,000.

15 For the cost of direct loans, \$14,951,000, as author-
16 ized by the Rural Development Loan Fund (42 U.S.C.
17 9812(a)), of which \$1,724,000 shall be available through
18 June 30, 2007, for Federally Recognized Native American
19 Tribes and of which \$3,449,000 shall be available through
20 June 30, 2007, for Mississippi Delta Region counties (as
21 determined in accordance with Public Law 100-460): *Pro-*
22 *vided,* That such costs, including the cost of modifying
23 such loans, shall be as defined in section 502 of the Con-
24 gressional Budget Act of 1974: *Provided further,* That of
25 the total amount appropriated, \$880,000 shall be available
26 through June 30, 2007, for the cost of direct loans for

1 authorized empowerment zones and enterprise commu-
 2 nities and communities designated by the Secretary of Ag-
 3 riculture as Rural Economic Area Partnership Zones.

4 In addition, for administrative expenses to carry out
 5 the direct loan programs, \$4,780,000 shall be transferred
 6 to and merged with the appropriation for “Rural Develop-
 7 ment, Salaries and Expenses”.

8 RURAL ECONOMIC DEVELOPMENT LOANS PROGRAM

9 ACCOUNT

10 (INCLUDING RESCISSION OF FUNDS)

11 For the principal amount of direct loans, as author-
 12 ized under section 313 of the Rural Electrification Act,
 13 for the purpose of promoting rural economic development
 14 and job creation projects, \$34,652,000.

15 For the cost of direct loans, including the cost of
 16 modifying loans as defined in section 502 of the Congres-
 17 sional Budget Act of 1974, \$7,568,000, to remain avail-
 18 able until expended.

19 Of the funds derived from interest on the cushion of
 20 credit payments, as authorized by section 313 of the Rural
 21 Electrification Act of 1936, \$78,514,000 shall not be obli-
 22 gated and \$78,514,000 are rescinded.

23 RURAL COOPERATIVE DEVELOPMENT GRANTS

24 For rural cooperative development grants authorized
 25 under section 310B(e) of the Consolidated Farm and
 26 Rural Development Act (7 U.S.C. 1932), \$9,913,000, of

1 which \$500,000 shall be for a cooperative research agree-
 2 ment with a qualified academic institution to conduct re-
 3 search on the national economic impact of all types of co-
 4 operatives; and of which \$3,000,000 shall be for coopera-
 5 tive agreements for the appropriate technology transfer
 6 for rural areas program: *Provided*, That not to exceed
 7 \$1,485,000 shall be for cooperatives or associations of co-
 8 operatives whose primary focus is to provide assistance to
 9 small, minority producers and whose governing board and/
 10 or membership is comprised of at least 75 percent minor-
 11 ity.

12 RURAL EMPOWERMENT ZONES AND ENTERPRISE

13 COMMUNITIES GRANTS

14 For grants in connection with second and third
 15 rounds of empowerment zones and enterprise commu-
 16 nities, \$11,088,000, to remain available until expended,
 17 for designated rural empowerment zones and rural enter-
 18 prise communities, as authorized by the Taxpayer Relief
 19 Act of 1997 and the Omnibus Consolidated and Emer-
 20 gency Supplemental Appropriations Act, 1999 (Public
 21 Law 105-277): *Provided*, That of the funds appropriated,
 22 \$1,000,000 shall be made available to third round em-
 23 powerment zones, as authorized by the Community Re-
 24 newal Tax Relief Act (Public Law 106-554).

1 RENEWABLE ENERGY PROGRAM

2 For the cost of a program of direct loans, loan guar-
 3 antees, and grants, under the same terms and conditions
 4 as authorized by section 9006 of the Farm Security and
 5 Rural Investment Act of 2002 (7 U.S.C. 8106),
 6 \$20,000,000 for direct and guaranteed renewable energy
 7 loans and grants: *Provided*, That the cost of direct loans
 8 and loan guarantees, including the cost of modifying such
 9 loans, shall be as defined in section 502 of the Congres-
 10 sional Budget Act of 1974.

11 RURAL UTILITIES SERVICE

12 RURAL ELECTRIFICATION AND TELECOMMUNICATIONS

13 LOANS PROGRAM ACCOUNT

14 (INCLUDING TRANSFER OF FUNDS)

15 Insured loans pursuant to the authority of section
 16 305 of the Rural Electrification Act of 1936 (7 U.S.C.
 17 935) shall be made as follows: 5 percent rural electrifica-
 18 tion loans, \$99,018,000; municipal rate rural electric
 19 loans, \$99,000,000; loans made pursuant to section 306
 20 of that Act, rural electric loans, \$3,000,000,000; Treasury
 21 rate direct electric loans, \$990,000,000; guaranteed un-
 22 derwriting loans pursuant to section 313A, \$500,000,000;
 23 5 percent rural telecommunications loans, \$143,513,000;
 24 cost of money rural telecommunications loans,
 25 \$246,666,000; and for loans made pursuant to section 306

1 of that Act, rural telecommunications loans,
2 \$299,000,000.

3 For the cost, as defined in section 502 of the Con-
4 gressional Budget Act of 1974, including the cost of modi-
5 fying loans, of direct and guaranteed loans authorized by
6 sections 305 and 306 of the Rural Electrification Act of
7 1936 (7 U.S.C. 935 and 936), as follows: cost of rural
8 electric loans, \$3,614,000, and the cost of telecommuni-
9 cations loans, \$605,000: *Provided*, That notwithstanding
10 section 305(d)(2) of the Rural Electrification Act of 1936,
11 borrower interest rates may exceed 7 percent per year.

12 In addition, for administrative expenses necessary to
13 carry out the direct and guaranteed loan programs,
14 \$39,101,000 which shall be transferred to and merged
15 with the appropriation for “Rural Development, Salaries
16 and Expenses”.

17 DISTANCE LEARNING, TELEMEDICINE, AND BROADBAND
18 PROGRAM

19 For the principal amount of broadband telecommuni-
20 cation loans, \$503,535,000.

21 For grants for telemedicine and distance learning
22 services in rural areas, as authorized by 7 U.S.C. 950aaa
23 et seq., \$24,750,000, to remain available until expended.

24 For the cost of broadband loans, as authorized by 7
25 U.S.C. 901 et seq., \$10,826,000, to remain available until

1 September 30, 2008: *Provided*, That the interest rate for
 2 such loans shall be the cost of borrowing to the Depart-
 3 ment of the Treasury for obligations of comparable matu-
 4 rity: *Provided further*, That the cost of direct loans shall
 5 be as defined in section 502 of the Congressional Budget
 6 Act of 1974.

7 In addition, \$8,910,000, to remain available until ex-
 8 pended, for a grant program to finance broadband trans-
 9 mission in rural areas eligible for Distance Learning and
 10 Telemedicine Program benefits authorized by 7 U.S.C.
 11 950aaa.

12 TITLE IV

13 DOMESTIC FOOD PROGRAMS

14 OFFICE OF THE UNDER SECRETARY FOR FOOD, 15 NUTRITION AND CONSUMER SERVICES

16 For necessary salaries and expenses of the Office of
 17 the Under Secretary for Food, Nutrition and Consumer
 18 Services to administer the laws enacted by the Congress
 19 for the Food and Nutrition Service, \$652,000.

20 FOOD AND NUTRITION SERVICE

21 CHILD NUTRITION PROGRAMS

22 (INCLUDING TRANSFERS OF FUNDS)

23 For necessary expenses to carry out the National
 24 School Lunch Act (42 U.S.C. 1751 et seq.), except section
 25 21, and the Child Nutrition Act of 1966 (42 U.S.C. 1771
 26 et seq.), except sections 17 and 21, \$13,345,487,000, to

1 remain available through September 30, 2008, of which
 2 \$7,610,897,000 is hereby appropriated and
 3 \$5,734,590,000 shall be derived by transfer from funds
 4 available under section 32 of the Act of August 24, 1935
 5 (7 U.S.C. 612e): *Provided*, That up to \$5,335,000 shall
 6 be available for independent verification of school food
 7 service claims:

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

10 For necessary expenses to carry out the special sup-
 11 plemental nutrition program as authorized by section 17
 12 of the Child Nutrition Act of 1966 (42 U.S.C. 1786),
 13 \$5,244,000,000, to remain available through September
 14 30, 2008, of which such sums as are necessary to restore
 15 the contingency reserve to \$125,000,000 shall be placed
 16 in reserve, to remain available until expended, to be allo-
 17 cated as the Secretary deems necessary, notwithstanding
 18 section 17(i) of such Act, to support participation should
 19 cost or participation exceed budget estimates: *Provided*,
 20 That amounts over \$125,000,000 in the contingency re-
 21 serve shall be treated as general WIC appropriated funds
 22 rather than contingency reserve funds: *Provided further*,
 23 That of the total amount available, the Secretary shall ob-
 24 ligate not less than \$15,000,000 for a breastfeeding sup-
 25 port initiative in addition to the activities specified in sec-
 26 tion 17(h)(3)(A): *Provided further*, That notwithstanding

1 section 17(h)(10)(A) of such Act, only the provisions of
2 section 17(h)(10)(B)(i) and section 17(h)(10)(B)(ii) shall
3 be effective in 2007; including \$14,000,000 for the pur-
4 poses specified in section 17(h)(10)(B)(i) and
5 \$20,000,000 for the purposes specified in section
6 17(h)(10)(B)(ii): *Provided further*, That funds made avail-
7 able for the purposes specified in section 17(h)(10)(B)(ii)
8 shall only be made available upon a determination by the
9 Secretary that funds are available to meet easeload re-
10 quirements without the use of the contingency reserve
11 funds: *Provided further*, That none of the funds made
12 available under this heading shall be used for studies and
13 evaluations: *Provided further*, That none of the funds in
14 this Act shall be available to pay administrative expenses
15 of WIC clinics except those that have an announced policy
16 of prohibiting smoking within the space used to carry out
17 the program: *Provided further*, That none of the funds pro-
18 vided in this account shall be available for the purchase
19 of infant formula except in accordance with the cost con-
20 tainment and competitive bidding requirements specified
21 in section 17 of such Act: *Provided further*, That none of
22 the funds provided shall be available for activities that are
23 not fully reimbursed by other Federal Government depart-
24 ments or agencies unless authorized by section 17 of such
25 Act.

FOOD STAMP PROGRAM

1
2 For necessary expenses to carry out the Food Stamp
3 Act (~~7 U.S.C. 2011 et seq.~~), ~~\$37,865,231,000~~, of which
4 ~~\$3,000,000,000~~ to remain available through September
5 30, 2008, shall be placed in reserve for use only in such
6 amounts and at such times as may become necessary to
7 carry out program operations: *Provided*, That funds pro-
8 vided herein shall be expended in accordance with section
9 16 of the Food Stamp Act: *Provided further*, That this
10 appropriation shall be subject to any work registration or
11 workfare requirements as may be required by law: *Pro-*
12 *vided further*, That funds made available for Employment
13 and Training under this heading shall remain available
14 until expended, as authorized by section 16(h)(1) of the
15 Food Stamp Act: *Provided further*, That notwithstanding
16 section 5(d) of the Food Stamp Act of 1977, any addi-
17 tional payment received under chapter 5 of title 37,
18 United States Code, by a member of the United States
19 Armed Forces deployed to a designated combat zone shall
20 be excluded from household income for the duration of the
21 member's deployment if the additional pay is the result
22 of deployment to or while serving in a combat zone, and
23 it was not received immediately prior to serving in the
24 combat zone.

COMMODITY ASSISTANCE PROGRAM

For necessary expenses to carry out disaster assistance and the commodity supplemental food program, as authorized by section 4(a) of the Agriculture and Consumer Protection Act of 1973 (7 U.S.C. 612e note); the Emergency Food Assistance Act of 1983; special assistance for the nuclear affected islands, as authorized by section 103(f)(2) of the Compact of Free Association Amendments Act of 2003 (Public Law 108–188); and the Farmers' Market Nutrition Program, as authorized by section 17(m) of the Child Nutrition Act of 1966, \$189,370,000, to remain available through September 30, 2008: *Provided*, That none of these funds shall be available to reimburse the Commodity Credit Corporation for commodities donated to the program: *Provided further*, That notwithstanding any other provision of law, effective with funds made available in fiscal year 2007 to support the Seniors Farmers' Market Nutrition Program (SFMNP), as authorized by section 4402 of Public Law 107–171, such funds shall remain available through September 30, 2008: *Provided further*, That no funds available for SFMNP in fiscal year 2007 shall be used to pay State or local sales taxes on food purchased with SFMNP coupons or checks: *Provided further*, That the value of assistance provided by the SFMNP shall not be considered income or resources

1 for any purposes under any Federal, State or local laws
 2 related to taxation, welfare and public assistance pro-
 3 grams: *Provided further*, That of the funds made available
 4 under section 27(a) of the Food Stamp Act of 1977 (7
 5 U.S.C. 2011 et seq.), the Secretary may use up to
 6 \$10,000,000 for costs associated with the distribution of
 7 commodities.

8 NUTRITION PROGRAMS ADMINISTRATION

9 For necessary administrative expenses of the domes-
 10 tic nutrition assistance programs funded under this Act,
 11 \$142,314,000.

12 TITLE V

13 FOREIGN ASSISTANCE AND RELATED 14 PROGRAMS

15 FOREIGN AGRICULTURAL SERVICE

16 SALARIES AND EXPENSES

17 (INCLUDING TRANSFERS OF FUNDS)

18 For necessary expenses of the Foreign Agricultural
 19 Service, including carrying out title VI of the Agricultural
 20 Act of 1954 (7 U.S.C. 1761–1768), market development
 21 activities abroad, and for enabling the Secretary to coordi-
 22 nate and integrate activities of the Department in connec-
 23 tion with foreign agricultural work, including not to exceed
 24 \$158,000 for representation allowances and for expenses
 25 pursuant to section 8 of the Act approved August 3, 1956
 26 (7 U.S.C. 1766), \$156,486,000: *Provided*, That the Serv-

1 ice may utilize advances of funds, or reimburse this appro-
 2 priation for expenditures made on behalf of Federal agen-
 3 cies, public and private organizations and institutions
 4 under agreements executed pursuant to the agricultural
 5 food production assistance programs (7 U.S.C. 1737) and
 6 the foreign assistance programs of the United States
 7 Agency for International Development.

8 PUBLIC LAW 480 TITLE I DIRECT CREDIT AND FOOD FOR
 9 PROGRESS PROGRAM ACCOUNT
 10 (INCLUDING TRANSFER OF FUNDS)

11 For administrative expenses to carry out the credit
 12 program of title I, Public Law 83-480, \$2,651,000, to be
 13 transferred to and merged with the appropriation for
 14 "Farm Service Agency, Salaries and Expenses".

15 PUBLIC LAW 480 TITLE II GRANTS

16 For expenses during the current fiscal year, not oth-
 17 erwise recoverable, and unrecovered prior years' costs, in-
 18 cluding interest thereon, under the Agricultural Trade De-
 19 velopment and Assistance Act of 1954, for commodities
 20 supplied in connection with dispositions abroad under title
 21 II of said Act, \$1,223,100,000, to remain available until
 22 expended.

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

4 For administrative expenses to carry out the Com-
5 modity Credit Corporation's export guarantee program;
6 GSM 102 and GSM 103, \$5,331,000; 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 \$4,985,000 may be transferred to and merged with the
11 appropriation for "Foreign Agricultural Service, Salaries
12 and Expenses", including \$775,000 to be made available
13 for debt recovery, and of which \$346,000 may be trans-
14 ferred to and merged with the appropriation for "Farm
15 Service Agency, Salaries and Expenses".

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

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

1 TITLE VI
2 RELATED AGENCIES AND FOOD AND DRUG
3 ADMINISTRATION
4 DEPARTMENT OF HEALTH AND HUMAN
5 SERVICES
6 FOOD AND DRUG ADMINISTRATION
7 SALARIES AND EXPENSES

8 For necessary expenses of the Food and Drug Ad-
9 ministration, including hire and purchase of passenger
10 motor vehicles; for payment of space rental and related
11 costs pursuant to Public Law 92-313 for programs and
12 activities of the Food and Drug Administration which are
13 included in this Act; for rental of special purpose space
14 in the District of Columbia or elsewhere; for miscellaneous
15 and emergency expenses of enforcement activities; author-
16 ized and approved by the Secretary and to be accounted
17 for solely on the Secretary's certificate, not to exceed
18 \$25,000; and notwithstanding section 521 of Public Law
19 107-188; \$1,914,382,000: *Provided*, That of the amount
20 provided under this heading, \$320,600,000 shall be de-
21 rived from prescription drug user fees authorized by 21
22 U.S.C. 379h, shall be credited to this account and remain
23 available until expended, and shall not include any fees
24 pursuant to 21 U.S.C. 379h(a)(2) and (a)(3) assessed for
25 fiscal year 2008 but collected in fiscal year 2007;

1 \$43,726,000 shall be derived from medical device user fees
 2 authorized by 21 U.S.C. 379j, and shall be credited to this
 3 account and remain available until expended; and
 4 \$11,604,000 shall be derived from animal drug user fees
 5 authorized by 21 U.S.C. 379j, and shall be credited to this
 6 account and remain available until expended: *Provided fur-*
 7 *ther,* That fees derived from prescription drug, medical de-
 8 vice, and animal drug assessments received during fiscal
 9 year 2007, including any such fees assessed prior to the
 10 current fiscal year but credited during the current year,
 11 shall be subject to the fiscal year 2007 limitation: *Provided*
 12 *further,* That none of these funds shall be used to develop,
 13 establish, or operate any program of user fees authorized
 14 by 31 U.S.C. 9701: *Provided further,* That of the total
 15 amount appropriated: (1) \$454,006,000 shall be for the
 16 Center for Food Safety and Applied Nutrition and related
 17 field activities in the Office of Regulatory Affairs; (2)
 18 \$545,938,000 shall be for the Center for Drug Evaluation
 19 and Research and related field activities in the Office of
 20 Regulatory Affairs; (3) \$194,637,000 shall be for the Cen-
 21 ter for Biologics Evaluation and Research and for related
 22 field activities in the Office of Regulatory Affairs; (4)
 23 \$105,595,000 shall be for the Center for Veterinary Medi-
 24 cine and for related field activities in the Office of Regu-
 25 latory Affairs; (5) \$253,789,000 shall be for the Center

1 for Devices and Radiological Health and for related field
 2 activities in the Office of Regulatory Affairs; (6)
 3 \$34,118,000 shall be for the National Center for Toxi-
 4 cological Research; (7) \$62,007,000 shall be for Rent and
 5 Related activities, of which \$25,552,000 is for White Oak
 6 Consolidation, other than the amounts paid to the General
 7 Services Administration for rent; (8) \$146,013,000 shall
 8 be for payments to the General Services Administration
 9 for rent; and (9) \$118,279,000 shall be for other activi-
 10 ties, including the Office of the Commissioner; the Office
 11 of Management; the Office of External Relations; the Of-
 12 fice of Policy and Planning; and central services for these
 13 offices: *Provided further*, That funds may be transferred
 14 from one specified activity to another with the prior ap-
 15 proval of the Committees on Appropriations of both
 16 Houses of Congress.

17 In addition, mammography user fees authorized by
 18 42 U.S.C. 263b may be credited to this account, to remain
 19 available until expended.

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

23 BUILDINGS AND FACILITIES

24 For plans, construction, repair, improvement, exten-
 25 sion, alteration, and purchase of fixed equipment or facili-
 26 ties of or used by the Food and Drug Administration;

1 where not otherwise provided, \$4,950,000, to remain
 2 available until expended.

3 INDEPENDENT AGENCIES

4 COMMODITY FUTURES TRADING COMMISSION

5 For necessary expenses to carry out the provisions
 6 of the Commodity Exchange Act (7 U.S.C. 1 et seq.), in-
 7 cluding the purchase and hire of passenger motor vehicles,
 8 and the rental of space (to include multiple year leases)
 9 in the District of Columbia and elsewhere, \$109,402,000,
 10 including not to exceed \$3,000 for official reception and
 11 representation expenses.

12 FARM CREDIT ADMINISTRATION

13 LIMITATION ON ADMINISTRATIVE EXPENSES

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

21 TITLE VII

22 GENERAL PROVISIONS

23 (INCLUDING RESCISSIONS AND TRANSFERS OF FUNDS)

24 SEC. 701. Within the unit limit of cost fixed by law,
 25 appropriations and authorizations made for the Depart-

1 ment of Agriculture for the current fiscal year under this
2 Act shall be available for the purchase, in addition to those
3 specifically provided for, of not to exceed 292 passenger
4 motor vehicles, of which 290 shall be for replacement only,
5 and for the hire of such vehicles.

6 SEC. 702. New obligational authority provided for the
7 following appropriation items in this Act shall remain
8 available until expended: Animal and Plant Health Inspec-
9 tion Service, the contingency fund to meet emergency con-
10 ditions, information technology infrastructure, fruit fly
11 program, emerging plant pests, cotton pests program, low
12 pathogen avian influenza program, high pathogen avian
13 influenza program, up to \$33,107,000 in animal health
14 monitoring and surveillance for the animal identification
15 system, up to \$682,000 in the brucellosis program for in-
16 demnities, up to \$2,888,000 in the chronic wasting disease
17 program for indemnities, up to \$3,934,000 in the scrapie
18 program for indemnities, up to \$2,387,000 in the tuber-
19 culosis program for indemnities, up to \$4,900,000 in the
20 emergency management systems program for the vaccine
21 bank, up to \$1,000,000 for wildlife services methods devel-
22 opment, up to \$1,000,000 of the wildlife services oper-
23 ations program for aviation safety, and up to 25 percent
24 of the screwworm program; Flood Safety and Inspection
25 Service, field automation and information management

1 project; Cooperative State Research, Education, and Ex-
2 tension Service; funds for competitive research grants (7
3 U.S.C. 450i(b)); funds for the Research, Education, and
4 Economics Information System; and funds for the Native
5 American Institutions Endowment Fund; Farm Service
6 Agency; salaries and expenses funds made available to
7 county committees; Foreign Agricultural Service; middle-
8 income country training program; and up to \$2,000,000
9 of the Foreign Agricultural Service appropriation solely
10 for the purpose of offsetting fluctuations in international
11 currency exchange rates; subject to documentation by the
12 Foreign Agricultural Service.

13 SEC. 703. The Secretary of Agriculture may transfer
14 unobligated balances of discretionary funds appropriated
15 by this Act or other available unobligated discretionary
16 balances of the Department of Agriculture to the Working
17 Capital Fund for the acquisition of plant and capital
18 equipment necessary for the delivery of financial, financial
19 management modernization initiative, administrative, and
20 information technology services of primary benefit to the
21 agencies of the Department of Agriculture: *Provided*, That
22 none of the funds made available by this Act or any other
23 Act shall be transferred to the Working Capital Fund
24 without the prior approval of the agency administrator:
25 *Provided further*, That none of the funds transferred to

1 the Working Capital Fund pursuant to this section shall
2 be available for obligation without the prior approval of
3 the Committees on Appropriations of both Houses of Con-
4 gress.

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

8 SEC. 705. No funds appropriated by this Act may be
9 used to pay negotiated indirect cost rates on cooperative
10 agreements or similar arrangements between the United
11 States Department of Agriculture and nonprofit institu-
12 tions in excess of 10 percent of the total direct cost of
13 the agreement when the purpose of such cooperative ar-
14 rangements is to carry out programs of mutual interest
15 between the two parties. This does not preclude appro-
16 priate payment of indirect costs on grants and contracts
17 with such institutions when such indirect costs are com-
18 puted on a similar basis for all agencies for which appro-
19 priations are provided in this Act.

20 SEC. 706. None of the funds in this Act shall be avail-
21 able to pay indirect costs charged against competitive agri-
22 cultural research, education, or extension grant awards
23 issued by the Cooperative State Research, Education, and
24 Extension Service that exceed 22 percent of total Federal
25 funds provided under each award. *Provided*, That notwith-

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

8 SEC. 707. Appropriations to the Department of Agri-
9 culture for the cost of direct and guaranteed loans made
10 available in the current fiscal year shall remain available
11 until expended to disburse obligations made in the current
12 fiscal year for the following accounts: the Rural Develop-
13 ment Loan Fund program account, the Rural Electrifica-
14 tion and Telecommunication Loans program account, and
15 the Rural Housing Insurance Fund program account.

16 SEC. 708. Of the funds made available by this Act,
17 not more than \$1,800,000 shall be used to cover necessary
18 expenses of activities related to all advisory committees,
19 panels, commissions, and task forces of the Department
20 of Agriculture, except for panels used to comply with nego-
21 tiated rule makings and panels used to evaluate competi-
22 tively awarded grants.

23 SEC. 709. None of the funds appropriated by this Act
24 may be used to carry out section 410 of the Federal Meat

1 Inspection Act (~~21 U.S.C. 679a~~) or section 30 of the Poul-
2 try Products Inspection Act (~~21 U.S.C. 471~~).

3 ~~SEC. 710.~~ No employee of the Department of Agri-
4 culture may be detailed or assigned from an agency or
5 office funded by this Act to any other agency or office
6 of the Department for more than 30 days unless the indi-
7 vidual's employing agency or office is fully reimbursed by
8 the receiving agency or office for the salary and expenses
9 of the employee for the period of assignment.

10 ~~SEC. 711.~~ None of the funds appropriated or other-
11 wise made available to the Department of Agriculture or
12 the Food and Drug Administration shall be used to trans-
13 mit or otherwise make available to any non-Department
14 of Agriculture or non-Department of Health and Human
15 Services employee questions or responses to questions that
16 are a result of information requested for the appropria-
17 tions hearing process.

18 ~~SEC. 712.~~ None of the funds made available to the
19 Department of Agriculture by this Act may be used to ac-
20 quire new information technology systems or significant
21 upgrades, as determined by the Office of the Chief Infor-
22 mation Officer, without the approval of the Chief Informa-
23 tion Officer and the concurrence of the Executive Informa-
24 tion Technology Investment Review Board: *Provided*, That
25 notwithstanding any other provision of law, none of the

1 funds appropriated or otherwise made available by this
2 Act may be transferred to the Office of the Chief Informa-
3 tion Officer without the prior approval of the Committees
4 on Appropriations of both Houses of Congress: *Provided*
5 *further*, That none of the funds available to the Depart-
6 ment of Agriculture for information technology shall be
7 obligated for projects over \$25,000 prior to receipt of writ-
8 ten approval by the Chief Information Officer.

9 SEC. 713. (a) None of the funds provided by this Act,
10 or provided by previous Appropriations Acts to the agen-
11 cies funded by this Act that remain available for obligation
12 or expenditure in the current fiscal year, or provided from
13 any accounts in the Treasury of the United States derived
14 by the collection of fees available to the agencies funded
15 by this Act, shall be available for obligation or expenditure
16 through a reprogramming of funds which—

- 17 (1) creates new programs;
18 (2) eliminates a program, project, or activity;
19 (3) increases funds or personnel by any means
20 for any project or activity for which funds have been
21 denied or restricted;
22 (4) relocates an office or employees;
23 (5) reorganizes offices, programs, or activities;
24 or

1 (6) contracts out or privatizes any functions or
2 activities presently performed by Federal employees;
3 unless the Committees on Appropriations of both
4 Houses of Congress are notified 15 days in advance
5 of such reprogramming of funds.

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

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

9 SEC. 714. None of the funds appropriated by this or
10 any other Act shall be used to pay the salaries and ex-
11 penses of personnel who prepare or submit appropriations
12 language as part of the President's Budget submission to
13 the Congress of the United States for programs under the
14 jurisdiction of the Appropriations Subcommittees on Agri-
15 culture, Rural Development, Food and Drug Administra-
16 tion, and Related Agencies that assumes revenues or re-
17 flects a reduction from the previous year due to user fees
18 proposals that have not been enacted into law prior to the
19 submission of the Budget unless such Budget submission
20 identifies which additional spending reductions should
21 occur in the event the user fees proposals are not enacted
22 prior to the date of the convening of a committee of con-
23 ference for the fiscal year 2008 Appropriations Act.

24 SEC. 715. None of the funds made available by this
25 or any other Act may be used to close or relocate a State

1 Rural Development office unless or until cost effectiveness
2 and enhancement of program delivery have been deter-
3 mined.

4 SEC. 716. In addition to amounts otherwise appro-
5 priated or made available by this Act, \$2,500,000 is ap-
6 propriated for the purpose of providing Bill Emerson and
7 Mickey Leland Hunger Fellowships, through the Congres-
8 sional Hunger Center.

9 SEC. 717. There is hereby appropriated \$250,000 for
10 a grant to the National Sheep Industry Improvement Cen-
11 ter, to remain available until expended.

12 SEC. 718. Notwithstanding any other provision of
13 law, of the funds made available in this Act for competitive
14 research grants (7 U.S.C. 450i(b)), the Secretary may use
15 up to 30 percent of the amount provided to carry out a
16 competitive grants program under the same terms and
17 conditions as those provided in section 401 of the Agricul-
18 tural Research, Extension, and Education Reform Act of
19 1998 (7 U.S.C. 7621).

20 SEC. 719. No funds shall be used to pay salaries and
21 expenses of the Department of Agriculture to carry out
22 or administer the program authorized by section 14(h)(1)
23 of the Watershed Protection and Flood Prevention Act (16
24 U.S.C. 1012(h)(1)).

1 ~~SEC. 720.~~ No funds shall be used to pay salaries and
2 expenses of the Department of Agriculture to carry out
3 or administer the calendar year 2007 wetlands reserve
4 program as authorized by ~~16 U.S.C. 3837~~ in excess of
5 ~~144,776 acres.~~

6 ~~SEC. 721.~~ No funds shall be used to pay salaries and
7 expenses of the Department of Agriculture to carry out
8 or administer an environmental quality incentives program
9 authorized by chapter 4 of subtitle D of title XII of the
10 Food Security Act of 1985 (~~16 U.S.C. 3839aa et seq.~~)
11 in excess of \$1,087,000,000.

12 ~~SEC. 722.~~ No funds shall be used to pay salaries and
13 expenses of the Department of Agriculture to carry out
14 or administer a program authorized by section 601(j)(1)
15 of the Rural Electrification Act of 1936 (~~7 U.S.C.~~
16 ~~950bb(j)(1).~~).

17 ~~SEC. 723.~~ None of the funds made available in fiscal
18 year 2006 or preceding fiscal years for programs author-
19 ized under the Agricultural Trade Development and As-
20 sistance Act of 1954 (~~7 U.S.C. 1691 et seq.~~) in excess
21 of \$20,000,000 shall be used to reimburse the Commodity
22 Credit Corporation for the release of eligible commodities
23 under section 302(f)(2)(A) of the Bill Emerson Human-
24 itarian Trust Act (~~7 U.S.C. 1736f-1~~): *Provided*, That any
25 such funds made available to reimburse the Commodity

1 Credit Corporation shall only be used pursuant to section
2 302(b)(2)(B)(i) of the Bill Emerson Humanitarian Trust
3 Act.

4 SEC. 724. No funds shall be used to pay salaries and
5 expenses of the Department of Agriculture to carry out
6 or administer a program authorized by section 6401 of
7 Public Law 107–171, in excess of \$28,000,000.

8 SEC. 725. Notwithstanding subsections (c) and (c)(2)
9 of section 313A of the Rural Electrification Act (7 U.S.C.
10 940c(c) and (c)(2)) in implementing section 313A of that
11 Act, the Secretary shall, with the consent of the lender,
12 structure the schedule for payment of the annual fee, not
13 to exceed an average of 30 basis points per year for the
14 term of the loan, to ensure that sufficient funds are avail-
15 able to pay the subsidy costs for note guarantees under
16 that section.

17 SEC. 726. No funds shall be used to pay salaries and
18 expenses of the Department of Agriculture to carry out
19 or administer a conservation security program authorized
20 by 16 U.S.C. 3838 et seq., in excess of \$280,173,000.

21 SEC. 727. No funds shall be used to pay salaries and
22 expenses of the Department of Agriculture to carry out
23 or administer a program authorized by section 2502 of
24 Public Law 107–171, in excess of \$55,000,000.

1 ~~SEC. 728.~~ No funds shall be used to pay salaries and
2 expenses of the Department of Agriculture to carry out
3 or administer a program authorized by section ~~2503~~ of
4 Public Law ~~107–171~~, in excess of \$50,000,000.

5 ~~SEC. 729.~~ No funds shall be used to pay salaries and
6 expenses of the Department of Agriculture to carry out
7 or administer a ground and surface water conservation
8 program authorized by section ~~2301~~ of Public Law ~~107–~~
9 ~~171~~, in excess of \$51,000,000.

10 ~~SEC. 730.~~ None of the funds made available by this
11 Act may be used to issue a final rule in furtherance of,
12 or otherwise implement, the proposed rule on cost-sharing
13 for animal and plant health emergency programs of the
14 Animal and Plant Health Inspection Service published on
15 July 8, 2003 (~~Docket No. 02–062–1; 68 Fed. Reg.~~
16 ~~40541~~).

17 ~~SEC. 731.~~ Funds made available under section ~~1240I~~
18 and section ~~1241(a)~~ of the Food Security Act of 1985 in
19 the current fiscal year shall remain available until ex-
20 pended to disburse obligations made in the current fiscal
21 year, and are not available for new obligations. Funds
22 made available under section ~~524(b)~~ of the Federal Crop
23 Insurance Act, 7 U.S.C. ~~1524(b)~~, in fiscal years 2004,
24 2005, and 2006 shall remain available until expended to
25 disburse obligations made in fiscal years 2004, 2005, and

1 2006, respectively, and are not available for new obliga-
2 tions.

3 ~~SEC. 732.~~ Notwithstanding any other provision of
4 law, Rural Development shall provide grants from funds
5 available for the Rural Community Advancement Program
6 for the Ohio Livestock Expo Center in Springfield, Ohio,
7 in an amount not to exceed \$1,000,000.

8 ~~SEC. 733.~~ No funds shall be used to pay salaries and
9 expenses of the Department of Agriculture to carry out
10 or administer an agricultural management assistance pro-
11 gram authorized by section 524 of the Federal Crop Insur-
12 ance Act, in excess of \$6,000,000 (~~7 U.S.C. 1524~~).

13 ~~SEC. 734.~~ None of the funds provided in this Act may
14 be used for salaries and expenses to draft or implement
15 any regulation or rule insofar as it would require recertifi-
16 cation of rural status for each electric and telecommuni-
17 cations borrower for the Rural Electrification and Tele-
18 communication Loans program.

19 ~~SEC. 735.~~ Unless otherwise authorized by existing
20 law, none of the funds provided in this Act, may be used
21 by an executive branch agency to produce any pre-
22 packaged news story intended for broadcast or distribution
23 in the United States unless the story includes a clear noti-
24 fication within the text or audio of the prepackaged news

1 story that the prepackaged news story was prepared or
2 funded by that executive branch agency.

3 ~~SEC. 736.~~ In addition to other amounts appropriated
4 or otherwise made available by this Act, there is hereby
5 appropriated to the Secretary of Agriculture \$15,600,000,
6 of which not to exceed 5 percent may be available for ad-
7 ministrative expenses; to remain available until expended;
8 to make specialty crop block grants under section 101 of
9 the Specialty Crops Competitiveness Act of 2004 (Public
10 Law ~~108-465~~; 7 U.S.C. 1621 note).

11 ~~SEC. 737.~~ No funds shall be used to pay salaries and
12 expenses of the Department of Agriculture to carry out
13 or administer a program authorized by section
14 18(g)(6)(B)(i) of the Richard B. Russell National School
15 Lunch Act (42 U.S.C. ~~1769(g)(6)(B)(i)~~).

16 ~~SEC. 738.~~ Notwithstanding any other provision of
17 law, there is hereby appropriated \$25,000,000, of which
18 not to exceed 5 percent may be available for administrative
19 expenses; to carry out section 18(g) of the Richard B.
20 Russell National School Lunch Act (42 U.S.C. ~~1769(g)~~)
21 in each State and on Indian reservations.

22 ~~SEC. 739.~~ None of the funds made available in this
23 Act may be used to study, complete a study of, or enter
24 into a contract with a private party to carry out, without
25 specific authorization in a subsequent Act of Congress, a

1 competitive sourcing activity of the Secretary of Agri-
2 culture, including support personnel of the Department of
3 Agriculture, relating to rural development or farm loan
4 programs.

5 SEC. 740. Of the unobligated balances under section
6 32 of the Act of August 24, 1935, \$9,900,000 are hereby
7 rescinded.

8 SEC. 741. None of the funds appropriated or other-
9 wise made available by this Act shall be used to pay sala-
10 ries and expenses of personnel who implement or admin-
11 ister section 508(e)(3) of the Federal Crop Insurance Act
12 (7 U.S.C. 1508(e)(3)) or any regulation, bulletin, policy
13 or agency guidance issued pursuant to section 508(e)(3)
14 of such Act for the 2007 and the 2008 reinsurance years,
15 except that funds are available to administer section
16 508(e)(3) of the Federal Crop Insurance Act for policies
17 in effect as of the date of enactment of this Act.

18 SEC. 742. None of the funds made available in this
19 Act may be used—

20 (1) to grant a waiver of a financial conflict of
21 interest requirement pursuant to section 505(n)(4)
22 of the Federal Food, Drug, and Cosmetic Act for
23 any voting member of an advisory committee or
24 panel of the Food and Drug Administration; or

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

4 SEC. 743. Section 739 of the Agriculture, Rural De-
5 velopment, Food and Drug Administration, and Related
6 Agencies Appropriation Act, 2001 (H.R. 5426 as enacted
7 by Public Law 106-387, 115 Stat. 1549A-34) is amended
8 by striking “2 percent” and inserting “3 percent”.

9 SEC. 744. Of the unobligated balances available in
10 the High Energy Cost Grants account, \$25,265,000 is
11 hereby rescinded.

12 SEC. 745. Notwithstanding any other provision of
13 law, for the purposes of title V of the Housing Act of 1949
14 (42 U.S.C. 1471 et seq.), the Secretary of Agriculture
15 shall consider the City of Atascadero, California, the City
16 of Paso Robles, California, the City of Freeport, Illinois,
17 and Kitsap County (except the City of Bremerton), Wash-
18 ington, as meeting the requirements of a rural area con-
19 tained in section 520 of such Act (42 U.S.C. 1490) until
20 the receipt of the decennial Census in the year 2010.

21 SEC. 746. Of the appropriations available for pay-
22 ments for the nutrition and family education program for
23 low-income areas under section 3(d) of the Smith-Lever
24 Act (7 U.S.C. 343(d)), if the payment allocation pursuant
25 to section 1425(c) of the National Agricultural Research,

1 Extension, and Teaching Policy Act of 1977 (7 U.S.C.
2 3175(e)) would be less than \$100,000 for any institution
3 eligible under section 3(d)(2) of the Smith-Lever Act, the
4 Secretary shall adjust payment allocations under section
5 1425(e) of the National Agricultural Research, Extension,
6 and Teaching Policy Act of 1977 to ensure that each insti-
7 tution receives a payment of not less than \$100,000.

8 SEC. 747. None of the funds made available in this
9 Act may be used to implement the final rule published by
10 the Secretary of Agriculture on April 24, 2006, amending
11 part 381 of title 9 of the Code of Federal Regulations to
12 add the People's Republic of China to the list of countries
13 eligible to export poultry products to the United States.

14 SEC. 748. None of the funds made available in this
15 Act may be used to prohibit the use of non-government
16 electronic certification forms that verify properly certified
17 results of equine infectious anemia testing for the purpose
18 of interstate or international shipment of tested animals.

19 SEC. 749. None of the funds appropriated or other-
20 wise made available by this Act for the Food and Drug
21 Administration may be used under section 801 of the Fed-
22 eral Food, Drug, and Cosmetic Act to prevent an indi-
23 vidual not in the business of importing a prescription drug
24 within the meaning of section 801(g) of such Act, whole-

1 salers, or pharmacists from importing a prescription drug
2 which complies with sections 501, 502, and 505.

3 ~~SEC. 750.~~ The limitation in section 721 shall not
4 apply below a program level of \$1,127,000,000.

5 ~~SEC. 751.~~ None of the funds provided by this Act
6 for the Agricultural Research Service may be obligated or
7 expended to reprogram programs and resources currently
8 operating at Lane, Oklahoma.

9 ~~SEC. 752.~~ None of the funds made available by this
10 Act shall be used in contravention of the Federal buildings
11 performance and reporting requirements of Executive
12 Order No. 13123, the National Energy Conservation Pol-
13 icy Act, and the Energy Policy Act of 2005.

14 ~~SEC. 753.~~ Not more than \$3,600,000 of the funds
15 made available in this Act under section 522(e) of the
16 Federal Crop Insurance Act (7 U.S.C. 1522(e)) may be
17 used for program compliance integrity under section 515
18 of such Act (7 U.S.C. 1515).

19 ~~SEC. 754.~~ None of the funds made available in this
20 Act may be used in contravention of section 303 of the
21 Energy Policy Act of 1992 (42 U.S.C. 13212).

22 ~~SEC. 755.~~ Of the total amount made available in title
23 VI in the first undesignated paragraph under the heading
24 “FOOD AND DRUG ADMINISTRATION—SALARIES AND EX-
25 PENSES”, \$1,000,000 is available to the Center for Veteri-

1 nary Medicine for application review activities to assure
 2 the safety of animal drugs with respect to antimicrobial
 3 resistance, pursuant to section 512 of the Federal Food,
 4 Drug and Cosmetic Act, in addition to all other allocations
 5 for such purpose made from such total amount.

6 ~~SEC. 756.~~ None of the funds made available in this
 7 Act may be used to send or otherwise pay for the attend-
 8 ance of more than 50 employees from a Federal depart-
 9 ment or agency at any single conference occurring outside
 10 the United States.

11 ~~SEC. 757.~~ None of the funds provided under the
 12 heading “~~TITLE IV—DOMESTIC FOOD PROGRAMS—~~
 13 ~~FOOD STAMP PROGRAM~~” shall be expended in contraven-
 14 tion of section 213a of the Immigration and Nationality
 15 Act (~~8 U.S.C. 1183a~~).

16 This Act may be cited as the “~~Agriculture, Rural De-~~
 17 ~~velopment, Food and Drug Administration, and Related~~
 18 ~~Agencies Appropriations Act, 2007~~”.

19 *That the following sums are appropriated, out of any*
 20 *money in the Treasury not otherwise appropriated, for Ag-*
 21 *riculture, Rural Development, Food and Drug Administra-*
 22 *tion, and Related Agencies programs for the fiscal year end-*
 23 *ing September 30, 2007, and for other purposes, namely:*

1 *TITLE I*2 *AGRICULTURAL PROGRAMS*3 *PRODUCTION, PROCESSING AND MARKETING*4 *OFFICE OF THE SECRETARY*

5 *For necessary expenses of the Office of the Secretary*
6 *of Agriculture, \$10,515,000: Provided, That not to exceed*
7 *\$11,000 of this amount shall be available for official recep-*
8 *tion and representation expenses, not otherwise provided*
9 *for, as determined by the Secretary.*

10 *EXECUTIVE OPERATIONS*11 *CHIEF ECONOMIST*

12 *For necessary expenses of the Chief Economist, includ-*
13 *ing economic analysis, risk assessment, cost-benefit anal-*
14 *ysis, energy and new uses, and the functions of the World*
15 *Agricultural Outlook Board, as authorized by the Agricul-*
16 *tural Marketing Act of 1946 (7 U.S.C. 1622g), \$11,226,000.*

17 *NATIONAL APPEALS DIVISION*

18 *For necessary expenses of the National Appeals Divi-*
19 *sion, \$14,795,000.*

20 *OFFICE OF BUDGET AND PROGRAM ANALYSIS*

21 *For necessary expenses of the Office of Budget and Pro-*
22 *gram Analysis, \$8,479,000.*

23 *HOMELAND SECURITY STAFF*

24 *For necessary expenses of the Homeland Security*
25 *Staff, \$954,000.*

4 OFFICE OF THE CHIEF FINANCIAL OFFICER

13 OFFICE OF THE ASSISTANT SECRETARY FOR CIVIL

15 *For necessary salaries and expenses of the Office of the*
16 *Assistant Secretary for Civil Rights, \$836,000.*

18 (INCLUDING TRANSFERS OF FUNDS)

21 *OFFICE OF THE ASSISTANT SECRETARY FOR*

23 *For necessary salaries and expenses of the Office of the*
24 *Assistant Secretary for Administration, \$681,000.*

1 *AGRICULTURE BUILDINGS AND FACILITIES AND RENTAL*
2 *PAYMENTS*

3 *(INCLUDING TRANSFERS OF FUNDS)*

4 *For payment of space rental and related costs pursu-*
5 *ant to Public Law 92–313, including authorities pursuant*
6 *to the 1984 delegation of authority from the Administrator*
7 *of General Services to the Department of Agriculture under*
8 *40 U.S.C. 486, for programs and activities of the Depart-*
9 *ment which are included in this Act, and for alterations*
10 *and other actions needed for the Department and its agen-*
11 *cies to consolidate unneeded space into configurations suit-*
12 *able for release to the Administrator of General Services,*
13 *and for the operation, maintenance, improvement, and re-*
14 *pair of Agriculture buildings and facilities, and for related*
15 *costs, \$209,814,000, to remain available until expended, of*
16 *which \$155,851,000 shall be available for payments to the*
17 *General Services Administration for rent and the Depart-*
18 *ment of Homeland Security for building security: Provided,*
19 *That amounts which are made available for space rental*
20 *and related costs for the Department of Agriculture in this*
21 *Act may be transferred between such appropriations to*
22 *cover the costs of additional, new, or replacement space 15*
23 *days after notice thereof is transmitted to the Appropria-*
24 *tions Committees of both Houses of Congress.*

1 *HAZARDOUS MATERIALS MANAGEMENT*

2 *(INCLUDING TRANSFERS OF FUNDS)*

3 *For necessary expenses of the Department of Agri-*
4 *culture, to comply with the Comprehensive Environmental*
5 *Response, Compensation, and Liability Act (42 U.S.C.*
6 *9601 et seq.) and the Resource Conservation and Recovery*
7 *Act (42 U.S.C. 6901 et seq.), \$12,020,000, to remain avail-*
8 *able until expended: Provided, That appropriations and*
9 *funds available herein to the Department for Hazardous*
10 *Materials Management may be transferred to any agency*
11 *of the Department for its use in meeting all requirements*
12 *pursuant to the above Acts on Federal and non-Federal*
13 *lands.*

14 *DEPARTMENTAL ADMINISTRATION*

15 *(INCLUDING TRANSFERS OF FUNDS)*

16 *For Departmental Administration, \$24,114,000, to*
17 *provide for necessary expenses for management support*
18 *services to offices of the Department and for general admin-*
19 *istration, security, repairs and alterations, and other mis-*
20 *cellaneous supplies and expenses not otherwise provided for*
21 *and necessary for the practical and efficient work of the*
22 *Department: Provided, That this appropriation shall be re-*
23 *imbursed from applicable appropriations in this Act for*
24 *travel expenses incident to the holding of hearings as re-*
25 *quired by 5 U.S.C. 551–558.*

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

4 *For necessary salaries and expenses of the Office of the*
5 *Assistant Secretary for Congressional Relations to carry out*
6 *the programs funded by this Act, including programs in-*
7 *volving intergovernmental affairs and liaison within the ex-*
8 *ecutive branch, \$3,830,000: Provided, That these funds may*
9 *be transferred to agencies of the Department of Agriculture*
10 *funded by this Act to maintain personnel at the agency*
11 *level: Provided further, That no funds made available by*
12 *this appropriation may be obligated after 30 days from the*
13 *date of enactment of this Act, unless the Secretary has noti-*
14 *fied the Committees on Appropriations of both Houses of*
15 *Congress on the allocation of these funds by USDA agency:*
16 *Provided further, That no other funds appropriated to the*
17 *Department by this Act shall be available to the Depart-*
18 *ment for support of activities of congressional relations.*

19 *OFFICE OF COMMUNICATIONS*

20 *For necessary expenses to carry out services relating*
21 *to the coordination of programs involving public affairs,*
22 *for the dissemination of agricultural information, and the*
23 *coordination of information, work, and programs author-*
24 *ized by Congress in the Department, \$9,695,000: Provided,*

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

3 *OFFICE OF THE INSPECTOR GENERAL*

4 *For necessary expenses of the Office of the Inspector*
 5 *General, including employment pursuant to the Inspector*
 6 *General Act of 1978, \$82,493,000, including such sums as*
 7 *may be necessary for contracting and other arrangements*
 8 *with public agencies and private persons pursuant to sec-*
 9 *tion 6(a)(9) of the Inspector General Act of 1978, and in-*
 10 *cluding not to exceed \$125,000 for certain confidential oper-*
 11 *ational expenses, including the payment of informants, to*
 12 *be expended under the direction of the Inspector General*
 13 *pursuant to Public Law 95-452 and section 1337 of Public*
 14 *Law 97-98.*

15 *OFFICE OF THE GENERAL COUNSEL*

16 *For necessary expenses of the Office of the General*
 17 *Counsel, \$40,647,000.*

18 *OFFICE OF THE UNDER SECRETARY FOR RESEARCH,*

19 *EDUCATION AND ECONOMICS*

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

1 *operative State Research, Education, and Extension Serv-*
2 *ice, \$605,000.*

3 *ECONOMIC RESEARCH SERVICE*

4 *For necessary expenses of the Economic Research Serv-*
5 *ice in conducting economic research and analysis,*
6 *\$75,963,000.*

7 *NATIONAL AGRICULTURAL STATISTICS SERVICE*

8 *For necessary expenses of the National Agricultural*
9 *Statistics Service in conducting statistical reporting and*
10 *service work, \$148,719,000, of which up to \$36,582,000*
11 *shall be available until expended for the Census of Agri-*
12 *culture.*

13 *AGRICULTURAL RESEARCH SERVICE*

14 *SALARIES AND EXPENSES*

15 *For necessary expenses to enable the Agricultural Re-*
16 *search Service to perform agricultural research and dem-*
17 *onstration relating to production, utilization, marketing,*
18 *and distribution (not otherwise provided for); home econom-*
19 *ics or nutrition and consumer use including the acquisition,*
20 *preservation, and dissemination of agricultural informa-*
21 *tion; and for acquisition of lands by donation, exchange,*
22 *or purchase at a nominal cost not to exceed \$100, and for*
23 *land exchanges where the lands exchanged shall be of equal*
24 *value or shall be equalized by a payment of money to the*
25 *grantor which shall not exceed 25 percent of the total value*

1 of the land or interests transferred out of Federal ownership,
2 \$1,127,553,000: Provided, That appropriations hereunder
3 shall be available for the operation and maintenance of air-
4 craft and the purchase of not to exceed one for replacement
5 only: Provided further, That appropriations hereunder shall
6 be available pursuant to 7 U.S.C. 2250 for the construction,
7 alteration, and repair of buildings and improvements, but
8 unless otherwise provided, the cost of constructing any one
9 building shall not exceed \$375,000, except for headhouses
10 or greenhouses which shall each be limited to \$1,200,000,
11 and except for 10 buildings to be constructed or improved
12 at a cost not to exceed \$750,000 each, and the cost of alter-
13 ing any one building during the fiscal year shall not exceed
14 10 percent of the current replacement value of the building
15 or \$375,000, whichever is greater: Provided further, That
16 the limitations on alterations contained in this Act shall
17 not apply to modernization or replacement of existing fa-
18 cilities at Beltsville, Maryland: Provided further, That ap-
19 propriations hereunder shall be available for granting ease-
20 ments at the Beltsville Agricultural Research Center: Pro-
21 vided further, That the foregoing limitations shall not apply
22 to replacement of buildings needed to carry out the Act of
23 April 24, 1948 (21 U.S.C. 113a): Provided further, That
24 the foregoing limitations shall not apply to the purchase
25 of land at Florence, South Carolina: Provided further, That

1 *funds may be received from any State, other political sub-*
2 *division, organization, or individual for the purpose of es-*
3 *tablishing or operating any research facility or research*
4 *project of the Agricultural Research Service, as authorized*
5 *by law: Provided further, That the Secretary, through the*
6 *Agricultural Research Service, or successor, is authorized*
7 *to lease approximately 40 acres of land at the Central*
8 *Plains Experiment Station, Nunn, Colorado, to the Board*
9 *of Governors of the Colorado State University System, for*
10 *its Shortgrass Steppe Biological Field Station, on such*
11 *terms and conditions as the Secretary deems in the public*
12 *interest: Provided further, That the Secretary understands*
13 *that it is the intent of the University to construct research*
14 *and educational buildings on the subject acreage and to con-*
15 *duct agricultural research and educational activities in*
16 *these buildings: Provided further, That as consideration for*
17 *a lease, the Secretary may accept the benefits of mutual co-*
18 *operative research to be conducted by the Colorado State*
19 *University and the Government at the Shortgrass Steppe*
20 *Biological Field Station: Provided further, That the term*
21 *of any lease shall be for no more than 20 years, but a lease*
22 *may be renewed at the option of the Secretary on such terms*
23 *and conditions as the Secretary deems in the public inter-*
24 *est: Provided further, That the Agricultural Research Serv-*
25 *ice may convey all rights and title of the United States,*

1 to a parcel of land comprising 19 acres, more or less, located
2 in Section 2, Township 18 North, Range 14 East in
3 Oktibbeha County, Mississippi, originally conveyed by the
4 Board of Trustees of the Institution of Higher Learning of
5 the State of Mississippi, and described in instruments re-
6 corded in Deed Book 306 at pages 553–554, Deed Book 319
7 at page 219, and Deed Book 33 at page 115, of the public
8 land records of Oktibbeha County, Mississippi, including
9 facilities, and fixed equipment, to the Mississippi State
10 University, Starkville, Mississippi, in their “as is” condi-
11 tion, when vacated by the Agricultural Research Service:
12 Provided further, That hereafter none of the funds appro-
13 priated under this heading shall be available to carry out
14 research related to the production, processing, or marketing
15 of tobacco or tobacco products.

16 *BUILDINGS AND FACILITIES*

17 *For acquisition of land, construction, repair, improve-*
18 *ment, extension, alteration, and purchase of fixed equip-*
19 *ment or facilities as necessary to carry out the agricultural*
20 *research programs of the Department of Agriculture, where*
21 *not otherwise provided, \$83,400,000, to remain available*
22 *until expended.*

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

4 *For payments to agricultural experiment stations, for*
5 *cooperative forestry and other research, for facilities, and*
6 *for other expenses, \$678,089,000, as follows: to carry out*
7 *the provisions of the Hatch Act of 1887 (7 U.S.C. 361a–*
8 *i), \$185,817,000; for grants for cooperative forestry research*
9 *(16 U.S.C. 582a through a–7), \$23,318,000; for payments*
10 *to the 1890 land-grant colleges, including Tuskegee Univer-*
11 *sity and West Virginia State University (7 U.S.C. 3222),*
12 *\$39,076,000, of which \$1,507,496 shall be made available*
13 *only for the purpose of ensuring that each institution shall*
14 *receive no less than \$1,000,000; for special grants for agri-*
15 *cultural research (7 U.S.C. 450i(c)), \$119,341,000; for spe-*
16 *cial grants for agricultural research on improved pest con-*
17 *trol (7 U.S.C. 450i(c)), \$14,650,000; for competitive re-*
18 *search grants (7 U.S.C. 450i(b)), \$190,229,000; for the sup-*
19 *port of animal health and disease programs (7 U.S.C.*
20 *3195), \$5,006,000; for supplemental and alternative crops*
21 *and products (7 U.S.C. 3319d), \$825,000; for grants for re-*
22 *search pursuant to the Critical Agricultural Materials Act*
23 *(7 U.S.C. 178 et seq.), \$1,091,000, to remain available until*
24 *expended; for the 1994 research grants program for 1994*
25 *institutions pursuant to section 536 of Public Law 103–*

1 382 (7 U.S.C. 301 note), \$2,058,000, to remain available
 2 until expended; for rangeland research grants (7 U.S.C.
 3 3333), \$990,000; for higher education graduate fellowship
 4 grants (7 U.S.C. 3152(b)(6)), \$3,701,000, to remain avail-
 5 able until expended (7 U.S.C. 2209b); for a veterinary med-
 6 icine loan repayment program pursuant to section 1415A
 7 of the National Agricultural Research, Extension, and
 8 Teaching Policy Act of 1977 (7 U.S.C. 3101 et seq.),
 9 \$750,000, to remain available until expended; for higher
 10 education challenge grants (7 U.S.C. 3152(b)(1)),
 11 \$5,423,000; for a higher education multicultural scholars
 12 program (7 U.S.C. 3152(b)(5)), \$988,000, to remain avail-
 13 able until expended (7 U.S.C. 2209b); for an education
 14 grants program for Hispanic-serving Institutions (7 U.S.C.
 15 3241), \$6,237,000; for noncompetitive grants for the pur-
 16 pose of carrying out all provisions of 7 U.S.C. 3242 (section
 17 759 of Public Law 106–78) to individual eligible institu-
 18 tions or consortia of eligible institutions in Alaska and in
 19 Hawaii, with funds awarded equally to each of the States
 20 of Alaska and Hawaii, \$3,218,000; for a secondary agri-
 21 culture education program and 2-year post-secondary edu-
 22 cation (7 U.S.C. 3152(j)), \$990,000; for aquaculture grants
 23 (7 U.S.C. 3322), \$3,928,000; for sustainable agriculture re-
 24 search and education (7 U.S.C. 5811), \$12,276,000; for a
 25 program of capacity building grants (7 U.S.C. 3152(b)(4))

1 *to colleges eligible to receive funds under the Act of August*
2 *30, 1890 (7 U.S.C. 321–326 and 328), including Tuskegee*
3 *University and West Virginia State University,*
4 *\$12,375,000, to remain available until expended (7 U.S.C.*
5 *2209b); for payments to the 1994 Institutions pursuant to*
6 *section 534(a)(1) of Public Law 103–382, \$4,456,000; and*
7 *for necessary expenses of Research and Education Activi-*
8 *ties, \$41,346,000, of which \$2,723,000 for the Research,*
9 *Education, and Economics Information System and*
10 *\$2,151,000 for the Electronic Grants Information System,*
11 *are to remain available until expended: Provided, That*
12 *hereafter none of the funds appropriated under this heading*
13 *shall be available to carry out research related to the pro-*
14 *duction, processing, or marketing of tobacco or tobacco*
15 *products: Provided further, That hereafter this paragraph*
16 *shall not apply to research on the medical, biotechnological,*
17 *food, and industrial uses of tobacco.*

18 *NATIVE AMERICAN INSTITUTIONS ENDOWMENT FUND*

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

22 *EXTENSION ACTIVITIES*

23 *For payments to States, the District of Columbia,*
24 *Puerto Rico, Guam, the Virgin Islands, Micronesia, North-*
25 *ern Marianas, and American Samoa, \$467,102,000, as fol-*
26 *lows: payments for cooperative extension work under the*

1 *Smith-Lever Act, to be distributed under sections 3(b) and*
 2 *3(c) of said Act, and under section 208(c) of Public Law*
 3 *93–471, for retirement and employees’ compensation costs*
 4 *for extension agents, \$286,622,000; payments for extension*
 5 *work at the 1994 Institutions under the Smith-Lever Act*
 6 *(7 U.S.C. 343(b)(3)), \$3,402,000; payments for the nutri-*
 7 *tion and family education program for low-income areas*
 8 *under section 3(d) of the Act, \$63,538,000; payments for*
 9 *the pest management program under section 3(d) of the Act,*
 10 *\$9,860,000; payments for the farm safety program under*
 11 *section 3(d) of the Act, \$4,517,000; payments for New Tech-*
 12 *nologies for Ag Extension under Section 3(d) of the Act,*
 13 *\$1,985,000; payments to upgrade research, extension, and*
 14 *teaching facilities at the 1890 land-grant colleges, including*
 15 *Tuskegee University and West Virginia State University,*
 16 *as authorized by section 1447 of Public Law 95–113 (7*
 17 *U.S.C. 3222b), \$16,609,000, to remain available until ex-*
 18 *pende; payments for youth-at-risk programs under section*
 19 *3(d) of the Smith-Lever Act, \$7,651,000; for youth farm*
 20 *safety education and certification extension grants, to be*
 21 *awarded competitively under section 3(d) of the Act,*
 22 *\$440,000; payments for carrying out the provisions of the*
 23 *Renewable Resources Extension Act of 1978 (16 U.S.C.*
 24 *1671 et seq.), \$4,220,000; payments for federally-recognized*
 25 *Tribes Extension Program under section 3(d) of the Smith-*

1 *Lever Act, \$1,976,000; payments for sustainable agriculture*
 2 *programs under section 3(d) of the Act, \$4,026,000; pay-*
 3 *ments for rural health and safety education as authorized*
 4 *by section 502(i) of Public Law 92–419 (7 U.S.C. 2662(i)),*
 5 *\$1,946,000; payments for cooperative extension work by the*
 6 *colleges receiving the benefits of the second Morrill Act (7*
 7 *U.S.C. 321–326 and 328) and Tuskegee University and*
 8 *West Virginia State University, \$35,205,000, of which*
 9 *\$1,724,884 shall be made available only for the purpose of*
 10 *ensuring that each institution shall receive no less than*
 11 *\$1,000,000; for grants to youth organizations pursuant to*
 12 *section 7630 of title 7, United States Code, \$1,980,000; and*
 13 *for necessary expenses of Extension Activities, \$23,125,000.*

14 *INTEGRATED ACTIVITIES*

15 *For the integrated research, education, and extension*
 16 *grants programs, including necessary administrative ex-*
 17 *penses, \$58,704,000, as follows: for competitive grants pro-*
 18 *grams authorized under section 406 of the Agricultural Re-*
 19 *search, Extension, and Education Reform Act of 1998 (7*
 20 *U.S.C. 7626), \$43,369,000, including \$12,738,000 for the*
 21 *water quality program, \$14,699,000 for the food safety pro-*
 22 *gram, \$4,125,000 for the regional pest management centers*
 23 *program, \$4,419,000 for the Food Quality Protection Act*
 24 *risk mitigation program for major food crop systems,*
 25 *\$1,375,000 for the crops affected by Food Quality Protection*
 26 *Act implementation, \$3,075,000 for the methyl bromide*

1 transition program, and \$1,948,000 for the organic transi-
 2 tion program; for a competitive international science and
 3 education grants program authorized under section 1459A
 4 of the National Agricultural Research, Extension, and
 5 Teaching Policy Act of 1977 (7 U.S.C. 3292b), to remain
 6 available until expended, \$990,000; for grants programs au-
 7 thorized under section 2(c)(1)(B) of Public Law 89–106, as
 8 amended, \$737,000, to remain available until September
 9 30, 2008 for the critical issues program; and \$1,321,000
 10 for the regional rural development centers program;
 11 \$2,277,000 for asian soybean rust; and \$11,000,000 for the
 12 Food and Agriculture Defense Initiative authorized under
 13 section 1484 of the National Agricultural Research, Exten-
 14 sion, and Teaching Act of 1977, to remain available until
 15 September 30, 2008.

16 *OUTREACH FOR SOCIALLY DISADVANTAGED FARMERS*

17 *For grants and contracts pursuant to section 2501 of*
 18 *the Food, Agriculture, Conservation, and Trade Act of 1990*
 19 *(7 U.S.C. 2279), \$5,940,000, to remain available until ex-*
 20 *pended.*

21 *OFFICE OF THE UNDER SECRETARY FOR MARKETING AND*
 22 *REGULATORY PROGRAMS*

23 *For necessary salaries and expenses of the Office of the*
 24 *Under Secretary for Marketing and Regulatory Programs*
 25 *to administer programs under the laws enacted by the Con-*
 26 *gress for the Animal and Plant Health Inspection Service;*

1 *the Agricultural Marketing Service; and the Grain Inspec-*
2 *tion, Packers and Stockyards Administration; \$731,000.*

3 *ANIMAL AND PLANT HEALTH INSPECTION SERVICE*

4 *SALARIES AND EXPENSES*

5 *(INCLUDING TRANSFERS OF FUNDS)*

6 *For expenses, not otherwise provided for, necessary to*
7 *prevent, control, and eradicate pests and plant and animal*
8 *diseases; to carry out inspection, quarantine, and regu-*
9 *latory activities; and to protect the environment, as author-*
10 *ized by law, \$900,423,000, of which \$4,127,000 shall be*
11 *available for the control of outbreaks of insects, plant dis-*
12 *eases, animal diseases and for control of pest animals and*
13 *birds to the extent necessary to meet emergency conditions;*
14 *of which \$38,200,000 shall be used for the boll weevil eradi-*
15 *cation program for cost share purposes or for debt retire-*
16 *ment for active eradication zones; of which \$33,107,000*
17 *shall be available for a National Animal Identification pro-*
18 *gram; of which \$56,730,000 shall be used to conduct a sur-*
19 *veillance and preparedness program for highly pathogenic*
20 *avian influenza: Provided, That no funds shall be used to*
21 *formulate or administer a brucellosis eradication program*
22 *for the current fiscal year that does not require minimum*
23 *matching by the States of at least 40 percent: Provided fur-*
24 *ther, That this appropriation shall be available for the oper-*
25 *ation and maintenance of aircraft and the purchase of not*
26 *to exceed four, of which two shall be for replacement only:*

1 *Provided further, That, in addition, in emergencies which*
2 *threaten any segment of the agricultural production indus-*
3 *try of this country, the Secretary may transfer from other*
4 *appropriations or funds available to the agencies or cor-*
5 *porations of the Department such sums as may be deemed*
6 *necessary, to be available only in such emergencies for the*
7 *arrest and eradication of contagious or infectious disease*
8 *or pests of animals, poultry, or plants, and for expenses*
9 *in accordance with sections 10411 and 10417 of the Animal*
10 *Health Protection Act (7 U.S.C. 8310 and 8316) and sec-*
11 *tions 431 and 442 of the Plant Protection Act (7 U.S.C.*
12 *7751 and 7772), and any unexpended balances of funds*
13 *transferred for such emergency purposes in the preceding*
14 *fiscal year shall be merged with such transferred amounts:*
15 *Provided further, That appropriations hereunder shall be*
16 *available pursuant to law (7 U.S.C. 2250) for the repair*
17 *and alteration of leased buildings and improvements, but*
18 *unless otherwise provided the cost of altering any one build-*
19 *ing during the fiscal year shall not exceed 10 percent of*
20 *the current replacement value of the building.*

21 *In fiscal year 2007, the agency is authorized to collect*
22 *fees to cover the total costs of providing technical assistance,*
23 *goods, or services requested by States, other political sub-*
24 *divisions, domestic and international organizations, foreign*
25 *governments, or individuals, provided that such fees are*

1 *structured such that any entity's liability for such fees is*
2 *reasonably based on the technical assistance, goods, or serv-*
3 *ices provided to the entity by the agency, and such fees shall*
4 *be credited to this account, to remain available until ex-*
5 *pended, without further appropriation, for providing such*
6 *assistance, goods, or services.*

7 *BUILDINGS AND FACILITIES*

8 *For plans, construction, repair, preventive mainte-*
9 *nance, environmental support, improvement, extension, al-*
10 *teration, and purchase of fixed equipment or facilities, as*
11 *authorized by 7 U.S.C. 2250, and acquisition of land as*
12 *authorized by 7 U.S.C. 428a, \$5,946,000, to remain avail-*
13 *able until expended.*

14 *AGRICULTURAL MARKETING SERVICE*

15 *MARKETING SERVICES*

16 *For necessary expenses to carry out services related to*
17 *consumer protection, agricultural marketing and distribu-*
18 *tion, transportation, and regulatory programs, as author-*
19 *ized by law, and for administration and coordination of*
20 *payments to States, \$71,170,000, including funds for the*
21 *wholesale market development program for the design and*
22 *development of wholesale and farmer market facilities for*
23 *the major metropolitan areas of the country: Provided, That*
24 *this appropriation shall be available pursuant to law (7*
25 *U.S.C. 2250) for the alteration and repair of buildings and*
26 *improvements, but the cost of altering any one building*

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

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

6 *LIMITATION ON ADMINISTRATIVE EXPENSES*

7 *Not to exceed \$62,211,000 (from fees collected) shall be*
 8 *obligated during the current fiscal year for administrative*
 9 *expenses: Provided, That if crop size is understated and/*
 10 *or other uncontrollable events occur, the agency may exceed*
 11 *this limitation by up to 10 percent with notification to the*
 12 *Committees on Appropriations of both Houses of Congress.*

13 *FUNDS FOR STRENGTHENING MARKETS, INCOME, AND*

14 *SUPPLY (SECTION 32)*

15 *(INCLUDING TRANSFERS OF FUNDS)*

16 *Funds available under section 32 of the Act of August*
 17 *24, 1935 (7 U.S.C. 612c), shall be used only for commodity*
 18 *program expenses as authorized therein, and other related*
 19 *operating expenses, including not less than \$10,000,000 for*
 20 *replacement of a system to support commodity purchases,*
 21 *except for: (1) transfers to the Department of Commerce as*
 22 *authorized by the Fish and Wildlife Act of August 8, 1956;*
 23 *(2) transfers otherwise provided in this Act; and (3) not*
 24 *more than \$16,425,000 for formulation and administration*
 25 *of marketing agreements and orders pursuant to the Agri-*

1 *cultural Marketing Agreement Act of 1937 and the Agricul-*
 2 *tural Act of 1961.*

3 *PAYMENTS TO STATES AND POSSESSIONS*

4 *For payments to departments of agriculture, bureaus*
 5 *and departments of markets, and similar agencies for mar-*
 6 *keting activities under section 204(b) of the Agricultural*
 7 *Marketing Act of 1946 (7 U.S.C. 1623(b)), \$3,834,000, of*
 8 *which not less than \$2,500,000 shall be used to make a*
 9 *grant under this heading.*

10 *GRAIN INSPECTION, PACKERS AND STOCKYARDS*

11 *ADMINISTRATION*

12 *SALARIES AND EXPENSES*

13 *For necessary expenses to carry out the provisions of*
 14 *the United States Grain Standards Act, for the administra-*
 15 *tion of the Packers and Stockyards Act, for certifying proce-*
 16 *dures used to protect purchasers of farm products, and the*
 17 *standardization activities related to grain under the Agri-*
 18 *cultural Marketing Act of 1946, \$38,737,000: Provided,*
 19 *That this appropriation shall be available pursuant to law*
 20 *(7 U.S.C. 2250) for the alteration and repair of buildings*
 21 *and improvements, but the cost of altering any one building*
 22 *during the fiscal year shall not exceed 10 percent of the cur-*
 23 *rent replacement value of the building.*

1 *LIMITATION ON INSPECTION AND WEIGHING SERVICES*2 *EXPENSES*

3 *Not to exceed \$42,463,000 (from fees collected) shall be*
4 *obligated during the current fiscal year for inspection and*
5 *weighing services: Provided, That if grain export activities*
6 *require additional supervision and oversight, or other un-*
7 *controllable factors occur, this limitation may be exceeded*
8 *by up to 10 percent with notification to the Committees*
9 *on Appropriations of both Houses of Congress.*

10 *OFFICE OF THE UNDER SECRETARY FOR FOOD SAFETY*

11 *For necessary salaries and expenses of the Office of the*
12 *Under Secretary for Food Safety to administer the laws en-*
13 *acted by the Congress for the Food Safety and Inspection*
14 *Service, \$607,000.*

15 *FOOD SAFETY AND INSPECTION SERVICE*

16 *For necessary expenses to carry out services authorized*
17 *by the Federal Meat Inspection Act, the Poultry Products*
18 *Inspection Act, and the Egg Products Inspection Act, in-*
19 *cluding not to exceed \$50,000 for representation allowances*
20 *and for expenses pursuant to section 8 of the Act approved*
21 *August 3, 1956 (7 U.S.C. 1766), \$865,905,000, of which no*
22 *less than \$777,189,000 shall be available for Federal food*
23 *safety inspection; and in addition, \$1,000,000 may be cred-*
24 *ited to this account from fees collected for the cost of labora-*
25 *tory accreditation as authorized by section 1327 of the*

1 *Food, Agriculture, Conservation and Trade Act of 1990 (7*
 2 *U.S.C. 138f): Provided, That no fewer than 63 full time*
 3 *equivalent positions above the fiscal year 2002 level shall*
 4 *be employed during fiscal year 2007 for purposes dedicated*
 5 *solely to inspections and enforcement related to the Humane*
 6 *Methods of Slaughter Act: Provided further, That of the*
 7 *amount available under this heading, notwithstanding sec-*
 8 *tion 704 of this Act \$3,000,000, available until September*
 9 *30, 2008, shall be obligated to maintain the Humane Ani-*
 10 *mal Tracking System as part of the Field Automation and*
 11 *Information Management System: Provided further, That*
 12 *of the total amount made available under this heading, no*
 13 *less than \$20,653,000 shall be obligated for regulatory and*
 14 *scientific training: Provided further, That this appropria-*
 15 *tion shall be available pursuant to law (7 U.S.C. 2250) for*
 16 *the alteration and repair of buildings and improvements,*
 17 *but the cost of altering any one building during the fiscal*
 18 *year shall not exceed 10 percent of the current replacement*
 19 *value of the building.*

20 *OFFICE OF THE UNDER SECRETARY FOR FARM AND*
 21 *FOREIGN AGRICULTURAL SERVICES*

22 *For necessary salaries and expenses of the Office of the*
 23 *Under Secretary for Farm and Foreign Agricultural Serv-*
 24 *ices to administer the laws enacted by Congress for the*
 25 *Farm Service Agency, the Foreign Agricultural Service, the*

1 *Risk Management Agency, and the Commodity Credit Cor-*
 2 *poration, \$640,000.*

3 *FARM SERVICE AGENCY*

4 *SALARIES AND EXPENSES*

5 *(INCLUDING TRANSFERS OF FUNDS)*

6 *For necessary expenses for carrying out the adminis-*
 7 *tration and implementation of programs administered by*
 8 *the Farm Service Agency, \$1,151,779,000: Provided, That*
 9 *the Secretary is authorized to use the services, facilities, and*
 10 *authorities (but not the funds) of the Commodity Credit*
 11 *Corporation to make program payments for all programs*
 12 *administered by the Agency: Provided further, That other*
 13 *funds made available to the Agency for authorized activities*
 14 *may be advanced to and merged with this account.*

15 *STATE MEDIATION GRANTS*

16 *For grants pursuant to section 502(b) of the Agricul-*
 17 *tural Credit Act of 1987, as amended (7 U.S.C. 5101–5106),*
 18 *\$4,208,000.*

19 *GRASSROOTS SOURCE WATER PROTECTION PROGRAM*

20 *For necessary expenses to carry out wellhead or*
 21 *groundwater protection activities under section 1240O of*
 22 *the Food Security Act of 1985 (16 U.S.C. 3839bb–2),*
 23 *\$3,713,000, to remain available until expended.*

1 *DAIRY INDEMNITY PROGRAM*

2 *(INCLUDING TRANSFER OF FUNDS)*

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

12 *AGRICULTURAL CREDIT INSURANCE FUND PROGRAM*

13 *ACCOUNT*

14 *(INCLUDING TRANSFERS OF FUNDS)*

15 *For gross obligations for the principal amount of di-*
 16 *rect and guaranteed farm ownership (7 U.S.C. 1922 et seq.)*
 17 *and operating (7 U.S.C. 1941 et seq.) loans, Indian tribe*
 18 *land acquisition loans (25 U.S.C. 488), and boll weevil*
 19 *loans (7 U.S.C. 1989), to be available from funds in the*
 20 *Agricultural Credit Insurance Fund, as follows: farm own-*
 21 *ership loans, \$1,422,750,000, of which \$1,200,000,000 shall*
 22 *be for unsubsidized guaranteed loans and \$222,750,000*
 23 *shall be for direct loans; operating loans, \$1,941,360,000,*
 24 *of which \$1,025,610,000 shall be for unsubsidized guaran-*
 25 *teed loans, \$272,250,000 shall be for subsidized guaranteed*
 26 *loans and \$643,500,000 shall be for direct loans; Indian*

1 *tribe land acquisition loans, \$3,960,000; and for boll weevil*
2 *eradication program loans, \$59,400,000: Provided, That the*
3 *Secretary shall deem the pink bollworm to be a boll weevil*
4 *for the purpose of boll weevil eradication program loans.*

5 *For the cost of direct and guaranteed loans, including*
6 *the cost of modifying loans as defined in section 502 of the*
7 *Congressional Budget Act of 1974, as follows: farm owner-*
8 *ship loans, \$16,293,000, of which \$6,960,000 shall be for*
9 *guaranteed loans, and \$9,333,000 shall be for direct loans;*
10 *operating loans, \$127,973,000, of which \$25,332,000 shall*
11 *be for unsubsidized guaranteed loans, \$27,416,000 shall be*
12 *for subsidized guaranteed loans, and \$75,225,000 shall be*
13 *for direct loans; and Indian tribe land acquisition loans,*
14 *\$838,000; and boll weevil eradication program loans,*
15 *\$1,129,000.*

16 *In addition, for administrative expenses necessary to*
17 *carry out the direct and guaranteed loan programs,*
18 *\$319,657,000, of which \$311,737,000 shall be transferred to*
19 *and merged with the appropriation for “Farm Service*
20 *Agency, Salaries and Expenses”.*

21 *Funds appropriated by this Act to the Agricultural*
22 *Credit Insurance Program Account for farm ownership and*
23 *operating direct loans and guaranteed loans may be trans-*
24 *ferred among these programs: Provided, That the Commit-*
25 *tees on Appropriations of both Houses of Congress are noti-*

1 *fied at least 15 days in advance of any transfer: Provided*
 2 *further, That none of the funds appropriated or otherwise*
 3 *made available by this Act shall be used to pay the salaries*
 4 *and expenses of personnel to collect from the lender an an-*
 5 *nual fee on unsubsidized guaranteed operating loans, a*
 6 *guarantee fee of more than one percent of the principal obli-*
 7 *gation of guaranteed unsubsidized operating or ownership*
 8 *loans, or a guarantee fee on subsidized guaranteed oper-*
 9 *ating loans administered by the Farm Service Agency.*

10 *RISK MANAGEMENT AGENCY*

11 *For administrative and operating expenses, as author-*
 12 *ized by section 226A of the Department of Agriculture Reor-*
 13 *ganization Act of 1994 (7 U.S.C. 6933), \$78,477,000: Pro-*
 14 *vided, That the Secretary of Agriculture may use an*
 15 *amount not to exceed \$3,600,000 of unobligated funds made*
 16 *available under section 522(e) of the Federal Crop Insur-*
 17 *ance Act (7 U.S.C. 1522(e)) for program integrity purposes,*
 18 *including the data mining project: Provided further, That*
 19 *not to exceed \$1,000 shall be available for official reception*
 20 *and representation expenses, as authorized by 7 U.S.C.*
 21 *1506(i).*

22 *CORPORATIONS*

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

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

7 *FEDERAL CROP INSURANCE CORPORATION FUND*

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

11 *COMMODITY CREDIT CORPORATION FUND*

12 *REIMBURSEMENT FOR NET REALIZED LOSSES*

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

HAZARDOUS WASTE MANAGEMENT

(LIMITATION ON EXPENSES)

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

FARM STORAGE FACILITY LOANS PROGRAM ACCOUNT

For administrative expenses necessary to carry out the Farm Storage and Sugar Storage Facility Loan Programs, \$4,560,000, to be transferred to and merged with the appropriation for Farm Service Agency, Salaries and Expenses.

TITLE II

CONSERVATION PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR NATURAL

RESOURCES AND ENVIRONMENT

For necessary salaries and expenses of the Office of the Under Secretary for Natural Resources and Environment to administer the laws enacted by the Congress for the Forest Service and the Natural Resources Conservation Service, \$752,000.

1 *NATURAL RESOURCES CONSERVATION SERVICE*2 *CONSERVATION OPERATIONS*

3 *For necessary expenses for carrying out the provisions*
4 *of the Act of April 27, 1935 (16 U.S.C. 590a–f), including*
5 *preparation of conservation plans and establishment of*
6 *measures to conserve soil and water (including farm irriga-*
7 *tion and land drainage and such special measures for soil*
8 *and water management as may be necessary to prevent*
9 *floods and the siltation of reservoirs and to control agricul-*
10 *tural related pollutants); operation of conservation plant*
11 *materials centers; classification and mapping of soil; dis-*
12 *semination of information; acquisition of lands, water, and*
13 *interests therein for use in the plant materials program by*
14 *donation, exchange, or purchase at a nominal cost not to*
15 *exceed \$100 pursuant to the Act of August 3, 1956 (7 U.S.C.*
16 *428a); purchase and erection or alteration or improvement*
17 *of permanent and temporary buildings; and operation and*
18 *maintenance of aircraft, \$835,331,000, to remain available*
19 *until September 30, 2008, of which not less than*
20 *\$10,698,000 is for snow survey and water forecasting, and*
21 *not less than \$10,678,000 is for operation and establishment*
22 *of the plant materials centers, and of which not less than*
23 *\$27,255,000 shall be for the grazing lands conservation ini-*
24 *tiative: Provided, That appropriations hereunder shall be*
25 *available pursuant to 7 U.S.C. 2250 for construction and*

1 *improvement of buildings and public improvements at*
 2 *plant materials centers, except that the cost of alterations*
 3 *and improvements to other buildings and other public im-*
 4 *provements shall not exceed \$250,000: Provided further,*
 5 *That when buildings or other structures are erected on non-*
 6 *Federal land, that the right to use such land is obtained*
 7 *as provided in 7 U.S.C. 2250a: Provided further, That this*
 8 *appropriation shall be available for technical assistance*
 9 *and related expenses to carry out programs authorized by*
 10 *section 202(c) of title II of the Colorado River Basin Salin-*
 11 *ity Control Act of 1974 (43 U.S.C. 1592(c)): Provided fur-*
 12 *ther, That qualified local engineers may be temporarily em-*
 13 *ployed at per diem rates to perform the technical planning*
 14 *work of the Service.*

15 WATERSHED SURVEYS AND PLANNING

16 *For necessary expenses to conduct research, investiga-*
 17 *tion, and surveys of watersheds of rivers and other water-*
 18 *ways, and for small watershed investigations and planning,*
 19 *in accordance with the Watershed Protection and Flood*
 20 *Prevention Act (16 U.S.C. 1001–1009), \$6,022,000.*

21 WATERSHED AND FLOOD PREVENTION OPERATIONS

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

1 *Prevention Act (16 U.S.C. 1001–1005 and 1007–1009), the*
 2 *provisions of the Act of April 27, 1935 (16 U.S.C. 590a–*
 3 *f), and in accordance with the provisions of laws relating*
 4 *to the activities of the Department, \$62,070,000, to remain*
 5 *available until expended; of which up to \$10,000,000 may*
 6 *be available for the watersheds authorized under the Flood*
 7 *Control Act (33 U.S.C. 701 and 16 U.S.C. 1006a): Pro-*
 8 *vided, That not to exceed \$30,000,000 of this appropriation*
 9 *shall be available for technical assistance: Provided further,*
 10 *That not to exceed \$1,000,000 of this appropriation is*
 11 *available to carry out the purposes of the Endangered Spe-*
 12 *cies Act of 1973 (Public Law 93–205), including coopera-*
 13 *tive efforts as contemplated by that Act to relocate endan-*
 14 *gered or threatened species to other suitable habitats as may*
 15 *be necessary to expedite project construction.*

16 **WATERSHED REHABILITATION PROGRAM**

17 *For necessary expenses to carry out rehabilitation of*
 18 *structural measures, in accordance with section 14 of the*
 19 *Watershed Protection and Flood Prevention Act (16 U.S.C.*
 20 *1012), and in accordance with the provisions of laws relat-*
 21 *ing to the activities of the Department, \$31,245,000, to re-*
 22 *main available until expended.*

23 **RESOURCE CONSERVATION AND DEVELOPMENT**

24 *For necessary expenses in planning and carrying out*
 25 *projects for resource conservation and development and for*
 26 *sound land use pursuant to the provisions of sections 31*

1 *and 32 of the Bankhead-Jones Farm Tenant Act (7 U.S.C.*
 2 *1010–1011; 76 Stat. 607); the Act of April 27, 1935 (16*
 3 *U.S.C. 590a–f); and subtitle H of title XV of the Agriculture*
 4 *and Food Act of 1981 (16 U.S.C. 3451–3461), \$50,787,000,*
 5 *to remain available until expended.*

6 *HEALTHY FORESTS RESERVE PROGRAM*

7 *For necessary expenses to carry out the Healthy For-*
 8 *ests Reserve Program authorized under title V of Public*
 9 *Law 108–148 (16 U.S.C. 6571–6578), \$5,000,000, to re-*
 10 *main available until expended.*

11 *TITLE III*

12 *RURAL DEVELOPMENT PROGRAMS*

13 *OFFICE OF THE UNDER SECRETARY FOR RURAL*

14 *DEVELOPMENT*

15 *For necessary salaries and expenses of the Office of the*
 16 *Under Secretary for Rural Development to administer pro-*
 17 *grams under the laws enacted by the Congress for the Rural*
 18 *Housing Service, the Rural Business-Cooperative Service,*
 19 *and the Rural Utilities Service, \$640,000.*

20 *RURAL COMMUNITY ADVANCEMENT PROGRAM*

21 *(INCLUDING TRANSFERS OF FUNDS)*

22 *For the cost of direct loans, loan guarantees, and*
 23 *grants, as authorized by 7 U.S.C. 1926, 1926a, 1926c,*
 24 *1926d, and 1932, except for sections 381E–H and 381N of*
 25 *the Consolidated Farm and Rural Development Act,*
 26 *\$714,958,000, to remain available until expended, of which*

1 \$101,764,000 shall be for rural community programs de-
2 scribed in section 381E(d)(1) of such Act; of which
3 \$524,960,000 shall be for the rural utilities programs de-
4 scribed in sections 381E(d)(2), 306C(a)(2), and 306D of
5 such Act, of which not to exceed \$500,000 shall be available
6 for the rural utilities program described in section
7 306(a)(2)(B) of such Act, and of which not to exceed
8 \$1,000,000 shall be available for the rural utilities program
9 described in section 306E of such Act; and of which
10 \$88,234,000 shall be for the rural business and cooperative
11 development programs described in sections 381E(d)(3) and
12 310B(f) of such Act: Provided, That of the total amount
13 appropriated in this account, \$26,000,000 shall be for loans
14 and grants to benefit Federally Recognized Native Amer-
15 ican Tribes, including grants for drinking water and waste
16 disposal systems pursuant to section 306C of such Act, of
17 which \$5,000,000 shall be available for community facilities
18 grants to tribal colleges, as authorized by section 306(a)(19)
19 of the Consolidated Farm and Rural Development Act, and
20 of which \$250,000 shall be available for a grant to a quali-
21 fied national organization to provide technical assistance
22 for rural transportation in order to promote economic de-
23 velopment: Provided further, That of the amount appro-
24 priated for rural community programs, \$6,287,000 shall be
25 available for a Rural Community Development Initiative:

1 *Provided further, That such funds shall be used solely to*
2 *develop the capacity and ability of private, nonprofit com-*
3 *munity-based housing and community development organi-*
4 *zations, low-income rural communities, and Federally Rec-*
5 *ognized Native American Tribes to undertake projects to*
6 *improve housing, community facilities, community and eco-*
7 *nomie development projects in rural areas: Provided fur-*
8 *ther, That such funds shall be made available to qualified*
9 *private, nonprofit and public intermediary organizations*
10 *proposing to carry out a program of financial and technical*
11 *assistance: Provided further, That such intermediary orga-*
12 *nizations shall provide matching funds from other sources,*
13 *including Federal funds for related activities, in an amount*
14 *not less than funds provided: Provided further, That of the*
15 *amount appropriated for the rural business and cooperative*
16 *development programs, not to exceed \$500,000 shall be made*
17 *available for a grant to a qualified national organization*
18 *to provide technical assistance for rural transportation in*
19 *order to promote economic development; \$2,500,000 shall be*
20 *for grants to the Delta Regional Authority (7 U.S.C. 1921*
21 *et seq.) for any purpose under this heading, of which not*
22 *more than five percent may be used for administrative ex-*
23 *penses, including conferences: Provided further, That of the*
24 *amount appropriated for rural utilities programs, not to*
25 *exceed \$25,000,000 shall be for water and waste disposal*

1 *systems to benefit the Colonias along the United States/Mex-*
2 *ico border, including grants pursuant to section 306C of*
3 *such Act; \$25,000,000 shall be for water and waste disposal*
4 *systems for rural and native villages in Alaska pursuant*
5 *to section 306D of such Act, with up to 2 percent available*
6 *to administer the program and/or improve interagency co-*
7 *ordination may be transferred to and merged with the ap-*
8 *propriation for “Rural Development, Salaries and Ex-*
9 *penses”, of which \$100,000 shall be provided to develop a*
10 *regional system for centralized billing, operation, and man-*
11 *agement of rural water and sewer utilities through regional*
12 *cooperatives, of which 25 percent shall be provided for water*
13 *and sewer projects in regional hubs, and the State of Alaska*
14 *shall provide a 25 percent cost share, and grantees may*
15 *use up to 5 percent of grant funds, not to exceed \$35,000*
16 *per community, for the completion of comprehensive com-*
17 *munity safe water plans; not to exceed \$19,000,000 shall*
18 *be for technical assistance grants for rural water and waste*
19 *systems pursuant to section 306(a)(14) of such Act, unless*
20 *the Secretary makes a determination of extreme need, of*
21 *which \$5,600,000 shall be for Rural Community Assistance*
22 *Programs and not less than \$850,000 shall be for a quali-*
23 *fied national Native American organization to provide tech-*
24 *nical assistance for rural water systems for tribal commu-*
25 *nities; and not to exceed \$13,750,000 shall be for con-*

1 *tracting with qualified national organizations for a circuit*
2 *rider program to provide technical assistance for rural*
3 *water systems: Provided further, That of the total amount*
4 *appropriated, not to exceed \$21,367,000 shall be available*
5 *through June 30, 2007, for authorized empowerment zones*
6 *and enterprise communities and communities designated by*
7 *the Secretary of Agriculture as Rural Economic Area Part-*
8 *nership Zones; of which \$1,067,000 shall be for the rural*
9 *community programs described in section 381E(d)(1) of*
10 *such Act, of which \$12,000,000 shall be for the rural utili-*
11 *ties programs described in section 381E(d)(2) of such Act,*
12 *and of which \$8,300,000 shall be for the rural business and*
13 *cooperative development programs described in section*
14 *381E(d)(3) of such Act: Provided further, That of the*
15 *amount appropriated for rural community programs,*
16 *\$21,000,000 shall be to provide grants for facilities in rural*
17 *communities with extreme unemployment and severe eco-*
18 *nomie depression (Public Law 106–387), with 5 percent for*
19 *administration and capacity building in the State rural*
20 *development offices: Provided further, That of the amount*
21 *appropriated, \$26,000,000 shall be transferred to and*
22 *merged with the “Rural Utilities Service, High Energy Cost*
23 *Grants Account” to provide grants authorized under section*
24 *19 of the Rural Electrification Act of 1936 (7 U.S.C. 918a):*
25 *Provided further, That any prior year balances for high cost*

1 *energy grants authorized by section 19 of the Rural Elec-*
 2 *trification Act of 1936 (7 U.S.C. 901(19)) shall be trans-*
 3 *ferred to and merged with the “Rural Utilities Service,*
 4 *High Energy Costs Grants Account”.*

5 *RURAL DEVELOPMENT SALARIES AND EXPENSES*

6 *(INCLUDING TRANSFERS OF FUNDS)*

7 *For necessary expenses for carrying out the adminis-*
 8 *tration and implementation of programs in the Rural De-*
 9 *velopment mission area, including activities with institu-*
 10 *tions concerning the development and operation of agricul-*
 11 *tural cooperatives; and for cooperative agreements;*
 12 *\$176,522,000: Provided, That notwithstanding any other*
 13 *provision of law, funds appropriated under this section*
 14 *may be used for advertising and promotional activities that*
 15 *support the Rural Development mission area: Provided fur-*
 16 *ther, That not more than \$10,000 may be expended to pro-*
 17 *vide modest nonmonetary awards to non-USDA employees:*
 18 *Provided further, That any balances available from prior*
 19 *years for the Rural Utilities Service, Rural Housing Serv-*
 20 *ice, and the Rural Business-Cooperative Service salaries*
 21 *and expenses accounts shall be transferred to and merged*
 22 *with this appropriation.*

RURAL HOUSING SERVICE

RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For gross obligations for the principal amount of direct and guaranteed loans as authorized by title V of the Housing Act of 1949, to be available from funds in the rural housing insurance fund, as follows: \$4,773,614,000 for loans to section 502 borrowers, as determined by the Secretary, of which \$1,129,391,000 shall be for direct loans, and of which \$3,644,223,000 shall be for unsubsidized guaranteed loans; \$34,652,000 for section 504 housing repair loans; \$100,000,000 for section 515 rental housing; \$100,000,000 for section 538 guaranteed multi-family housing loans; \$5,000,000 for section 524 site loans; \$11,482,000 for credit sales of acquired property, of which up to \$1,482,000 may be for multi-family credit sales; and \$4,980,000 for section 523 self-help housing land development loans.

For the cost of direct and guaranteed loans, including the cost of modifying loans, as defined in section 502 of the Congressional Budget Act of 1974, as follows: section 502 loans, \$155,919,000, of which \$113,278,000 shall be for direct loans, and of which \$42,641,000, to remain available until expended, shall be for unsubsidized guaranteed loans; section 504 housing repair loans, \$10,240,000; repair, rehabilitation, and new construction of section 515 rental housing, \$45,880,000; section 538 multi-family housing guaran-

1 teed loans, \$7,740,000; credit sales of acquired property,
2 \$720,000; and section 523 self-help housing and develop-
3 ment loans, \$123,000: *Provided, That of the total amount*
4 *appropriated in this paragraph, \$2,500,000 shall be avail-*
5 *able through June 30, 2007, for authorized empowerment*
6 *zones and enterprise communities and communities des-*
7 *ignated by the Secretary of Agriculture as Rural Economic*
8 *Area Partnership Zones: Provided further, That any funds*
9 *under this paragraph initially allocated by the Secretary*
10 *for housing projects in the State of Alaska that are not obli-*
11 *gated by September 30, 2007, shall be carried over until*
12 *September 30, 2008, and made available for such housing*
13 *projects only in the State of Alaska: Provided further, That*
14 *any obligated balances for a demonstration program for the*
15 *preservation and revitalization of the section 515 multi-*
16 *family rental housing properties as authorized in Public*
17 *Law 109–97 shall be transferred to and merged with the*
18 *“Rural Housing Service, Multifamily Housing Revitaliza-*
19 *tion Program Account”.*

20 *In addition, for administrative expenses necessary to*
21 *carry out the direct and guaranteed loan programs,*
22 *\$455,776,000, which shall be transferred to and merged*
23 *with the appropriation for “Rural Development, Salaries*
24 *and Expenses”, of which not less than \$1,000,000 shall be*
25 *made available for the Secretary to contract with third par-*

1 *ties to acquire the necessary automation and technical serv-*
 2 *ices needed to restructure section 515 mortgages.*

3 *RENTAL ASSISTANCE PROGRAM*

4 *For rental assistance agreements entered into or re-*
 5 *newed pursuant to the authority under section 521(a)(2)*
 6 *or agreements entered into in lieu of debt forgiveness or*
 7 *payments for eligible households as authorized by section*
 8 *502(c)(5)(D) of the Housing Act of 1949, \$335,400,000, to*
 9 *remain available through September 30, 2008; and, in ad-*
 10 *dition, such sums as may be necessary, as authorized by*
 11 *section 521(c) of the Act, to liquidate debt incurred prior*
 12 *to fiscal year 1992 to carry out the rental assistance pro-*
 13 *gram under section 521(a)(2) of the Act: Provided, That*
 14 *of this amount, up to \$5,900,000 shall be available for debt*
 15 *forgiveness or payments for eligible households as authorized*
 16 *by section 502(c)(5)(D) of the Act, and not to exceed*
 17 *\$50,000 per project for advances to nonprofit organizations*
 18 *or public agencies to cover direct costs (other than purchase*
 19 *price) incurred in purchasing projects pursuant to section*
 20 *502(c)(5)(C) of the Act: Provided further, That agreements*
 21 *entered into or renewed during the current fiscal year shall*
 22 *be funded for a one-year period: Provided further, That any*
 23 *unexpended balances remaining at the end of such one-year*
 24 *agreements may be transferred and used for the purposes*
 25 *of any debt reduction; maintenance, repair, or rehabilita-*
 26 *tion of any existing projects; preservation; and rental as-*

1 *sistance activities authorized under title V of the Act: Pro-*
 2 *vided further, That rental assistance that is recovered from*
 3 *projects that are subject to prepayment shall be deobligated*
 4 *and reallocated for vouchers and debt forgiveness or pay-*
 5 *ments consistent with the requirements of this Act for pur-*
 6 *poses authorized under section 542 and section 502(c)(5)(D)*
 7 *of the Housing Act of 1949, as amended: Provided further,*
 8 *That up to \$4,190,000 may be used for the purpose of reim-*
 9 *bursing funds used for rental assistance agreements entered*
 10 *into or renewed pursuant to the authority under section*
 11 *521(a)(2) of the Act for emergency needs related to Hurri-*
 12 *canes Katrina and Rita: Provided further, That rental as-*
 13 *sistance provided under agreements entered into prior to*
 14 *fiscal year 2007 for a section 514/516 project may not be*
 15 *recaptured for use in another project until such assistance*
 16 *has remained unused for a period of 12 consecutive months,*
 17 *if such project has a waiting list of tenants seeking such*
 18 *assistance or the project has rental assistance eligible ten-*
 19 *ants who are not receiving such assistance: Provided fur-*
 20 *ther, That such recaptured rental assistance shall, to the*
 21 *extent practicable, be applied to another section 514/516*
 22 *project.*

23 *MULTIFAMILY HOUSING REVITALIZATION PROGRAM*

24 *ACCOUNT*

25 *For the rural housing voucher program as authorized*
 26 *under section 542 of the Housing Act of 1949, (without re-*

1 *gard to section 542(b)), for the cost to conduct a housing*
2 *demonstration program to provide revolving loans for the*
3 *preservation of low-income multi-family housing projects,*
4 *and for additional costs to conduct a demonstration pro-*
5 *gram for the preservation and revitalization of the section*
6 *515 multi-family rental housing properties, \$28,000,000, to*
7 *remain available until expended: Provided, That of the*
8 *funds made available under this heading, \$10,000,000 shall*
9 *be available for rural housing vouchers to any low-income*
10 *household (including those not receiving rental assistance)*
11 *residing in a property financed with a section 515 loan*
12 *which has been prepaid after September 30, 2005: Provided*
13 *further, That the amount of such voucher shall be the dif-*
14 *ference between comparable market rent for the section 515*
15 *unit and the tenant paid rent for such unit: Provided fur-*
16 *ther, That funds made available for such vouchers, shall be*
17 *subject to the availability of annual appropriations: Pro-*
18 *vided further, That the Secretary shall, to the maximum*
19 *extent practicable, administer such vouchers with current*
20 *regulations and administrative guidance applicable to sec-*
21 *tion 8 housing vouchers administered by the Secretary of*
22 *the Department of Housing and Urban Development (in-*
23 *cluding the ability to pay administrative costs related to*
24 *delivery of the voucher funds): Provided further, That if the*
25 *Secretary determines that the amount made available for*

1 vouchers in this or any other Act is not needed for vouchers,
2 the Secretary may use such funds for the demonstration
3 programs for the preservation and revitalization of the sec-
4 tion 515 multifamily rental housing properties described in
5 this paragraph: Provided further, That of the funds made
6 available under this heading, \$3,000,000 shall be available
7 for loans to private non-profit organizations, or such non-
8 profit organizations' affiliate loan funds and State and
9 local housing finance agencies, to carry out a housing dem-
10 onstration program to provide revolving loans for the pres-
11 ervation of low-income multi-family housing projects: Pro-
12 vided further, That loans under such demonstration pro-
13 gram shall have an interest rate of not more than 1 percent
14 direct loan to the recipient: Provided further, That the Sec-
15 retary may defer the interest and principal payment to the
16 Rural Housing Service for up to 3 years and the term of
17 such loans shall not exceed 30 years: Provided further, That
18 of the funds made available under this heading, \$15,000,000
19 shall be available for a demonstration program for the pres-
20 ervation and revitalization of the section 515 multi-family
21 rental housing properties to restructure existing section 515
22 loans, as the Secretary deems appropriate, expressly for the
23 purposes of ensuring the project has sufficient resources to
24 preserve the project for the purpose of providing safe and
25 affordable housing for low-income residents including re-

1 *ducing or eliminating interest; deferring loan payments,*
2 *subordinating, reducing or reamortizing loan debt; and*
3 *other financial assistance including advances and incen-*
4 *tives required by the Secretary: Provided further, That if*
5 *the Secretary determines that additional funds for vouchers*
6 *described in this paragraph are needed, funds for the preser-*
7 *vation and revitalization demonstration program may be*
8 *used for such vouchers: Provided further, That if Congress*
9 *enacts legislation to permanently authorize a section 515*
10 *multi-family rental housing loan restructuring program*
11 *similar to the demonstration program described herein, the*
12 *Secretary may use funds made available for the demonstra-*
13 *tion program under this heading to carry out such legisla-*
14 *tion with the prior approval of the Committees on Appro-*
15 *priations of both Houses of Congress.*

16 *MUTUAL AND SELF-HELP HOUSING GRANTS*

17 *For grants and contracts pursuant to section*
18 *523(b)(1)(A) of the Housing Act of 1949 (42 U.S.C. 1490c),*
19 *\$33,660,000, to remain available until expended: Provided,*
20 *That of the total amount appropriated, \$1,000,000 shall be*
21 *available through June 30, 2007, for authorized empower-*
22 *ment zones and enterprise communities and communities*
23 *designated by the Secretary of Agriculture as Rural Eco-*
24 *nomic Area Partnership Zones.*

RURAL HOUSING ASSISTANCE GRANTS

For grants and contracts for very low-income housing repair, supervisory and technical assistance, compensation for construction defects, and rural housing preservation made by the Rural Housing Service, as authorized by 42 U.S.C. 1474, 1479(c), 1490e, and 1490m, \$40,590,000, to remain available until expended: Provided, That of the total amount appropriated, \$1,200,000 shall be available through June 30, 2007, for authorized empowerment zones and enterprise communities and communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones.

FARM LABOR PROGRAM ACCOUNT

For the cost of direct loans, grants, and contracts, as authorized by 42 U.S.C. 1484 and 1486, \$30,643,000, to remain available until expended, for direct farm labor housing loans and domestic farm labor housing grants and contracts.

RURAL BUSINESS—COOPERATIVE SERVICE

RURAL DEVELOPMENT LOAN FUND PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the principal amount of direct loans, as authorized by the Rural Development Loan Fund (42 U.S.C. 9812(a)), \$33,925,000.

For the cost of direct loans, \$14,951,000, as authorized by the Rural Development Loan Fund (42 U.S.C. 9812(a)),

1 of which \$1,724,000 shall be available through June 30,
 2 2007, for Federally Recognized Native American Tribes and
 3 of which \$3,449,000 shall be available through June 30,
 4 2007, for Mississippi Delta Region counties (as determined
 5 in accordance with Public Law 100–460): Provided, That
 6 such costs, including the cost of modifying such loans, shall
 7 be as defined in section 502 of the Congressional Budget
 8 Act of 1974: Provided further, That of the total amount ap-
 9 propriated, \$887,000 shall be available through June 30,
 10 2007, for the cost of direct loans for authorized empower-
 11 ment zones and enterprise communities and communities
 12 designated by the Secretary of Agriculture as Rural Eco-
 13 nomic Area Partnership Zones.

14 In addition, for administrative expenses to carry out
 15 the direct loan programs, \$4,950,000 shall be transferred
 16 to and merged with the appropriation for “Rural Develop-
 17 ment, Salaries and Expenses”.

18 RURAL ECONOMIC DEVELOPMENT LOANS PROGRAM

19 ACCOUNT

20 (INCLUDING RESCISSION OF FUNDS)

21 For the principal amount of direct loans, as authorized
 22 under section 313 of the Rural Electrification Act, for the
 23 purpose of promoting rural economic development and job
 24 creation projects, \$34,652,000.

25 For the cost of direct loans, including the cost of modi-
 26 fying loans as defined in section 502 of the Congressional

1 *Budget Act of 1974, \$7,568,000, to remain available until*
2 *expended.*

3 *Of the funds derived from interest on the cushion of*
4 *credit payments in the current fiscal year, as authorized*
5 *by section 313 of the Rural Electrification Act of 1936,*
6 *\$78,514,000 shall not be obligated and \$78,514,000 are re-*
7 *scinded.*

8 *RURAL COOPERATIVE DEVELOPMENT GRANTS*

9 *For rural cooperative development grants authorized*
10 *under section 310B(e) of the Consolidated Farm and Rural*
11 *Development Act (7 U.S.C. 1932), \$29,500,000, of which*
12 *\$500,000 shall be for a cooperative research agreement with*
13 *a qualified academic institution to conduct research on the*
14 *national economic impact of all types of cooperatives; and*
15 *of which \$2,500,000 shall be for cooperative agreements for*
16 *the appropriate technology transfer for rural areas pro-*
17 *gram: Provided, That not to exceed \$1,500,000 shall be for*
18 *cooperatives or associations of cooperatives whose primary*
19 *focus is to provide assistance to small, minority producers*
20 *and whose governing board and/or membership is com-*
21 *prised of at least 75 percent minority; and of which*
22 *\$20,000,000, to remain available until expended, shall be*
23 *for value-added agricultural product market development*
24 *grants, as authorized by section 6401 of the Farm Security*
25 *and Rural Investment Act of 2002 (7 U.S.C. 1621 note).*

1 *RURAL EMPOWERMENT ZONES AND ENTERPRISE*2 *COMMUNITY GRANTS*

3 *For grants in connection with second and third rounds*
4 *of empowerment zones and enterprise communities,*
5 *\$10,000,000, to remain available until expended, for des-*
6 *ignated rural empowerment zones and rural enterprise com-*
7 *munities, as authorized by the Taxpayer Relief Act of 1997*
8 *and the Omnibus Consolidated and Emergency Supple-*
9 *mental Appropriations Act, 1999 (Public Law 105-277):*
10 *Provided, That of the funds appropriated, \$1,000,000 shall*
11 *be made available to third round empowerment zones, as*
12 *authorized by the Community Renewal Tax Relief Act*
13 *(Public Law 106-554).*

14 *RENEWABLE ENERGY PROGRAM*

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

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

5 *Insured loans pursuant to the authority of section 305*
 6 *of the Rural Electrification Act of 1936 (7 U.S.C. 935) shall*
 7 *be made as follows: 5 percent rural electrification loans,*
 8 *\$99,000,000; municipal rate rural electric loans,*
 9 *\$99,000,000; loans made pursuant to section 306 of that*
 10 *Act, rural electric, \$5,000,000,000; Treasury rate direct*
 11 *electric loans, \$990,000,000; guaranteed electric loans,*
 12 *\$99,000,000; guaranteed underwriting loans pursuant to*
 13 *section 313A, \$1,500,000,000; 5 percent rural telecommuni-*
 14 *cations loans, \$143,513,000; cost of money rural tele-*
 15 *communications loans, \$419,760,000; and for loans made*
 16 *pursuant to section 306 of that Act, rural telecommuni-*
 17 *cations loans, \$299,000,000.*

18 *For the cost, as defined in section 502 of the Congres-*
 19 *sional Budget Act of 1974, including the cost of modifying*
 20 *loans, of direct and guaranteed loans authorized by sections*
 21 *305 and 306 of the Rural Electrification Act of 1936 (7*
 22 *U.S.C. 935 and 936), as follows: cost of rural electric loans,*
 23 *\$3,703,000, and the cost of telecommunications loans,*
 24 *\$657,000: Provided, That notwithstanding section*
 25 *305(d)(2) of the Rural Electrification Act of 1936, borrower*
 26 *interest rates may exceed 7 percent per year.*

8 *For the principal amount of the broadband tele-*
9 *communication loans, \$500,000,000.*

24 *For the cost of broadband loans, as authorized by 7*
25 *U.S.C. 901 et seq., \$10,750,000, to remain available until*
26 *September 30, 2008: Provided, That the interest rate for*

1 *such loans shall be the cost of borrowing to the Department*
 2 *of the Treasury for obligations of comparable maturity:*
 3 *Provided further, That the cost of direct loans shall be as*
 4 *defined in section 502 of the Congressional Budget Act of*
 5 *1974.*

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

11 *TITLE IV*

12 *DOMESTIC FOOD PROGRAMS*

13 *OFFICE OF THE UNDER SECRETARY FOR FOOD,*

14 *NUTRITION AND CONSUMER SERVICES*

15 *For necessary salaries and expenses of the Office of the*
 16 *Under Secretary for Food, Nutrition and Consumer Serv-*
 17 *ices to administer the laws enacted by the Congress for the*
 18 *Food and Nutrition Service, \$604,000.*

19 *FOOD AND NUTRITION SERVICE*

20 *CHILD NUTRITION PROGRAMS*

21 *(INCLUDING TRANSFERS OF FUNDS)*

22 *For necessary expenses to carry out the National*
 23 *School Lunch Act (42 U.S.C. 1751 et seq.), except section*
 24 *21, and the Child Nutrition Act of 1966 (42 U.S.C. 1771*
 25 *et seq.), except sections 17 and 21; \$13,654,487,000, to re-*
 26 *main available through September 30, 2008, of which*

1 \$7,923,414,000 is hereby appropriated and \$5,731,073,000
2 shall be derived by transfer from funds available under sec-
3 tion 32 of the Act of August 24, 1935 (7 U.S.C. 612c): Pro-
4 vided, That of the funds made available under this heading,
5 \$300,000,000 shall be placed in reserve and used only in
6 such amounts and at such times as may become necessary
7 to carry out program operations: Provided further, That up
8 to \$5,335,000 shall be available for independent verification
9 of school food service claims: Provided further, That of the
10 funds made available under this heading, \$9,000,000, avail-
11 able until September 30, 2008, of which not to exceed 5 per-
12 cent may be available for Federal administrative expenses,
13 shall be used to carry out section 120 of Public Law 108-
14 265 in an additional 9 States.

15 SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR

16 WOMEN, INFANTS, AND CHILDREN (WIC)

17 For necessary expenses to carry out the special supple-
18 mental nutrition program as authorized by section 17 of
19 the Child Nutrition Act of 1966 (42 U.S.C. 1786),
20 \$5,264,000,000, to remain available through September 30,
21 2008, of which such sums as are necessary to restore the
22 contingency reserve to \$125,000,000 shall be placed in re-
23 serve, to remain available until expended, to be allocated
24 as the Secretary deems necessary, notwithstanding section
25 17(i) of such Act, to support participation should cost or
26 participation exceed budget estimates: Provided, That

1 amounts over \$125,000,000 in the contingency reserve shall
 2 be treated as general WIC appropriated funds rather than
 3 contingency reserve funds: Provided further, That of the
 4 total amount available, the Secretary shall obligate not less
 5 than \$15,000,000 for a breastfeeding support initiative in
 6 addition to the activities specified in section 17(h)(3)(A):
 7 Provided further, That only the provisions of section
 8 17(h)(10)(B)(i) and section 17(h)(10)(B)(ii) shall be effec-
 9 tive in 2007; including \$14,000,000 for the purposes speci-
 10 fied in section 17(h)(10)(B)(i) and \$20,000,000 for the pur-
 11 poses specified in section 17(h)(10)(B)(ii): Provided further,
 12 That none of the funds in this Act shall be available to pay
 13 administrative expenses of WIC clinics except those that
 14 have an announced policy of prohibiting smoking within
 15 the space used to carry out the program: Provided further,
 16 That none of the funds provided in this account shall be
 17 available for the purchase of infant formula except in ac-
 18 cordance with the cost containment and competitive bidding
 19 requirements specified in section 17 of such Act: Provided
 20 further, That none of the funds provided shall be available
 21 for activities that are not fully reimbursed by other Federal
 22 Government departments or agencies unless authorized by
 23 section 17 of such Act.

24 *FOOD STAMP PROGRAM*

25 *For necessary expenses to carry out the Food Stamp*
 26 *Act (7 U.S.C. 2011 et seq.), \$37,865,231,000, of which*

1 \$3,000,000,000 to remain available through September 30,
2 2008, shall be placed in reserve for use only in such
3 amounts and at such times as may become necessary to
4 carry out program operations: Provided, That funds pro-
5 vided herein shall be expended in accordance with section
6 16 of the Food Stamp Act: Provided further, That this ap-
7 propriation shall be subject to any work registration or
8 workfare requirements as may be required by law: Provided
9 further, That funds made available for Employment and
10 Training under this heading shall remain available until
11 expended, as authorized by section 16(h)(1) of the Food
12 Stamp Act: Provided further, That funds made available
13 under this heading may be used to enter into contracts and
14 employ staff to conduct studies, evaluations, or to conduct
15 activities related to food stamp program integrity provided
16 that such activities are authorized by the Food Stamp Act:
17 Provided further, That notwithstanding section 5(d) of the
18 Food Stamp Act of 1977, any additional payment received
19 under chapter 5 of title 37, United States Code, by a mem-
20 ber of the United States Armed Forces deployed to a des-
21 ignated combat zone shall be excluded from household in-
22 come for the duration of the member's deployment if the
23 additional pay is the result of deployment to or while serv-
24 ing in a combat zone, and it was not received immediately
25 prior to serving in the combat zone.

COMMODITY ASSISTANCE PROGRAM

1 *For necessary expenses to carry out disaster assistance*
2 *and the commodity supplemental food program, as author-*
3 *ized by section 4(a) of the Agriculture and Consumer Pro-*
4 *tection Act of 1973 (7 U.S.C. 612c note); the Emergency*
5 *Food Assistance Act of 1983; special assistance (in a form*
6 *determined by the Secretary of Agriculture) for the nuclear*
7 *affected islands, as authorized by section 103(f)(2) of the*
8 *Compact of Free Association Amendments Act of 2003*
9 *(Public Law 108–188); and the Farmers’ Market Nutrition*
10 *Program, as authorized by section 17(m) of the Child Nutri-*
11 *tion Act of 1966, \$179,366,000, to remain available through*
12 *September 30, 2008: Provided, That none of these funds*
13 *shall be available to reimburse the Commodity Credit Cor-*
14 *poration for commodities donated to the program: Provided*
15 *further, That notwithstanding any other provision of law,*
16 *effective with funds made available in fiscal year 2007 to*
17 *support the Seniors Farmers’ Market Nutrition Program*
18 *(SFMNP), as authorized by section 4402 of Public Law*
19 *107–171, such funds shall remain available through Sep-*
20 *tember 30, 2008: Provided further, That hereafter no funds*
21 *available for SFMNP shall be used to pay State or local*
22 *sales taxes on food purchased with SFMNP coupons or*
23 *checks: Provided further, That hereafter the value of assist-*
24 *ance provided by the SFMNP shall not be considered in-*
25

1 *come or resources for any purposes under any Federal,*
 2 *State or local laws related to taxation, welfare and public*
 3 *assistance programs: Provided further, That of the funds*
 4 *made available under section 27(a) of the Food Stamp Act*
 5 *of 1977 (7 U.S.C. 2011 et seq.), the Secretary may use up*
 6 *to \$10,000,000 for costs associated with the distribution of*
 7 *commodities.*

8 *NUTRITION PROGRAMS ADMINISTRATION*

9 *For necessary administrative expenses of the domestic*
 10 *nutrition assistance programs funded under this Act,*
 11 *\$143,114,000.*

12 *TITLE V*

13 *FOREIGN ASSISTANCE AND RELATED PROGRAMS*

14 *FOREIGN AGRICULTURAL SERVICE*

15 *SALARIES AND EXPENSES*

16 *(INCLUDING TRANSFERS OF FUNDS)*

17 *For necessary expenses of the Foreign Agricultural*
 18 *Service, including carrying out title VI of the Agricultural*
 19 *Act of 1954 (7 U.S.C. 1761–1768), market development ac-*
 20 *tivities abroad, and for enabling the Secretary to coordinate*
 21 *and integrate activities of the Department in connection*
 22 *with foreign agricultural work, including not to exceed*
 23 *\$158,000 for representation allowances and for expenses*
 24 *pursuant to section 8 of the Act approved August 3, 1956*
 25 *(7 U.S.C. 1766), \$156,186,000: Provided, That the Service*
 26 *may utilize advances of funds, or reimburse this appropria-*

1 *tion for expenditures made on behalf of Federal agencies,*
 2 *public and private organizations and institutions under*
 3 *agreements executed pursuant to the agricultural food pro-*
 4 *duction assistance programs (7 U.S.C. 1737) and the for-*
 5 *ign assistance programs of the United States Agency for*
 6 *International Development.*

7 *PUBLIC LAW 480 TITLE I DIRECT CREDIT AND FOOD FOR*
 8 *PROGRESS PROGRAM ACCOUNT*
 9 *(INCLUDING TRANSFERS OF FUNDS)*

10 *For administrative expenses to carry out the credit*
 11 *program of title I, Public Law 83-480 and the Food for*
 12 *Progress Act of 1985, \$2,651,000, to be transferred to and*
 13 *merged with the appropriation for "Farm Service Agency,*
 14 *Salaries and Expenses".*

15 *PUBLIC LAW 480 TITLE II GRANTS*

16 *For expenses during the current fiscal year, not other-*
 17 *wise recoverable, and unrecovered prior years' costs, includ-*
 18 *ing interest thereon, under the Agricultural Trade Develop-*
 19 *ment and Assistance Act of 1954, for commodities supplied*
 20 *in connection with dispositions abroad under title II of said*
 21 *Act, \$1,225,000,000, to remain available until expended.*

22 *COMMODITY CREDIT CORPORATION EXPORT LOANS*
 23 *PROGRAM ACCOUNT*
 24 *(INCLUDING TRANSFERS OF FUNDS)*

25 *For administrative expenses to carry out the Com-*
 26 *modity Credit Corporation's export guarantee program,*

1 *GSM 102 and GSM 103, \$5,331,000; to cover common over-*
2 *head expenses as permitted by section 11 of the Commodity*
3 *Credit Corporation Charter Act and in conformity with the*
4 *Federal Credit Reform Act of 1990, of which \$4,985,000*
5 *may be transferred to and merged with the appropriation*
6 *for “Foreign Agricultural Service, Salaries and Expenses”,*
7 *and of which \$346,000 may be transferred to and merged*
8 *with the appropriation for “Farm Service Agency, Salaries*
9 *and Expenses”.*

10 *MCGOVERN-DOLE INTERNATIONAL FOOD FOR EDUCATION*

11 *AND CHILD NUTRITION PROGRAM GRANTS*

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

1 *TITLE VI*
2 *RELATED AGENCIES AND FOOD AND DRUG*
3 *ADMINISTRATION*
4 *DEPARTMENT OF HEALTH AND HUMAN*
5 *SERVICES*
6 *FOOD AND DRUG ADMINISTRATION*
7 *SALARIES AND EXPENSES*
8 *For necessary expenses of the Food and Drug Adminis-*
9 *tration, including hire and purchase of passenger motor ve-*
10 *hicles; for payment of space rental and related costs pursu-*
11 *ant to Public Law 92–313 for programs and activities of*
12 *the Food and Drug Administration which are included in*
13 *this Act; for rental of special purpose space in the District*
14 *of Columbia or elsewhere; for miscellaneous and emergency*
15 *expenses of enforcement activities, authorized and approved*
16 *by the Secretary and to be accounted for solely on the Sec-*
17 *retary’s certificate, not to exceed \$25,000; and notwith-*
18 *standing section 521 of Public Law 107–188;*
19 *\$1,941,646,000: Provided, That of the amount provided*
20 *under this heading, \$320,600,000 shall be derived from pre-*
21 *scription drug user fees authorized by 21 U.S.C. 379h, shall*
22 *be credited to this account and remain available until ex-*
23 *pendent, and shall not include any fees pursuant to 21*
24 *U.S.C. 379h(a)(2) and (a)(3) assessed for fiscal year 2008*
25 *but collected in fiscal year 2007; \$43,726,000 shall be de-*

1 rived from medical device user fees authorized by 21 U.S.C.
2 379j, and shall be credited to this account and remain
3 available until expended; and \$11,604,000 shall be derived
4 from animal drug user fees authorized by 21 U.S.C. 379j,
5 and shall be credited to this account and remain available
6 until expended: Provided further, That fees derived from
7 prescription drug, medical device, and animal drug assess-
8 ments received during fiscal year 2007, including any such
9 fees assessed prior to the current fiscal year but credited
10 during the current year, shall be subject to the fiscal year
11 2007 limitation: Provided further, That none of these funds
12 shall be used to develop, establish, or operate any program
13 of user fees authorized by 31 U.S.C. 9701: Provided further,
14 That of the total amount appropriated: (1) \$457,936,000
15 shall be for the Center for Food Safety and Applied Nutri-
16 tion and related field activities in the Office of Regulatory
17 Affairs; (2) \$544,961,000 shall be for the Center for Drug
18 Evaluation and Research and related field activities in the
19 Office of Regulatory Affairs, of which no less than
20 \$39,079,000 shall be available for the Office of Generic
21 Drugs; (3) \$210,000,000 shall be for the Center for Biologics
22 Evaluation and Research and for related field activities in
23 the Office of Regulatory Affairs; (4) \$105,031,000 shall be
24 for the Center for Veterinary Medicine and for related field
25 activities in the Office of Regulatory Affairs; (5)

1 \$255,480,000 shall be for the Center for Devices and Radio-
 2 logical Health and for related field activities in the Office
 3 of Regulatory Affairs; (6) \$41,273,000 shall be for the Na-
 4 tional Center for Toxicological Research; (7) \$62,007,000
 5 shall be for Rent and Related activities, of which
 6 \$25,552,000 is for White Oak Consolidation, other than the
 7 amounts paid to the General Services Administration for
 8 rent; (8) \$146,013,000 shall be for payments to the General
 9 Services Administration for rent; and (9) \$118,945,000
 10 shall be for other activities, including the Office of the Com-
 11 missioner; the Office of Management; the Office of External
 12 Relations; the Office of Policy and Planning; and central
 13 services for these offices: Provided further, That funds may
 14 be transferred from one specified activity to another with
 15 the prior notification of the Committees on Appropriations
 16 of both Houses of Congress.

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

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

23 BUILDINGS AND FACILITIES

24 For plans, construction, repair, improvement, exten-
 25 sion, alteration, and purchase of fixed equipment or facili-
 26 ties of or used by the Food and Drug Administration, where

1 *not otherwise provided, \$4,950,000, to remain available*
 2 *until expended.*

3 *INDEPENDENT AGENCIES*

4 *COMMODITY FUTURES TRADING COMMISSION*

5 *For necessary expenses to carry out the provisions of*
 6 *the Commodity Exchange Act (7 U.S.C. 1 et seq.), including*
 7 *the purchase and hire of passenger motor vehicles, and the*
 8 *rental of space (to include multiple year leases) in the Dis-*
 9 *trict of Columbia and elsewhere, \$99,502,000, including not*
 10 *to exceed \$3,000 for official reception and representation*
 11 *expenses.*

12 *FARM CREDIT ADMINISTRATION*

13 *LIMITATION ON ADMINISTRATIVE EXPENSES*

14 *Not to exceed \$44,250,000 (from assessments collected*
 15 *from farm credit institutions and from the Federal Agricul-*
 16 *tural Mortgage Corporation) shall be obligated during the*
 17 *current fiscal year for administrative expenses as author-*
 18 *ized under 12 U.S.C. 2249: Provided, That this limitation*
 19 *shall not apply to expenses associated with receiverships.*

20 *TITLE VII*

21 *GENERAL PROVISIONS*

22 *(INCLUDING RESCISSIONS AND TRANSFERS OF FUNDS)*

23 *SEC. 701. Within the unit limit of cost fixed by law,*
 24 *appropriations and authorizations made for the Depart-*
 25 *ment of Agriculture for the current fiscal year under this*

1 *Act shall be available for the purchase, in addition to those*
2 *specifically provided for, of not to exceed 292 passenger*
3 *motor vehicles, of which 290 shall be for replacement only,*
4 *and for the hire of such vehicles.*

5 *SEC. 702. New obligational authority provided for the*
6 *following appropriation items in this Act shall remain*
7 *available until expended: Animal and Plant Health Inspec-*
8 *tion Service, the contingency fund to meet emergency condi-*
9 *tions, information technology infrastructure, fruit fly pro-*
10 *gram and rearing facility design, emerging plant pests, boll*
11 *weevil program, low pathogenic avian influenza program,*
12 *highly pathogenic avian influenza program, up to*
13 *\$33,107,000 in animal health monitoring and surveillance*
14 *for the animal identification system, up to \$1,500,000 in*
15 *the scrapie program for indemnities, up to \$3,970,000 in*
16 *the emergency management systems program for the vaccine*
17 *bank, up to \$1,000,000 for wildlife services methods develop-*
18 *ment, up to \$1,000,000 of the wildlife services operations*
19 *program for aviation safety, and up to 25 percent of the*
20 *screwworm program; Food Safety and Inspection Service,*
21 *field automation and information management project; Co-*
22 *operative State Research, Education, and Extension Serv-*
23 *ice, funds for competitive research grants (7 U.S.C.*
24 *450i(b)), and funds for the Native American Institutions*
25 *Endowment Fund; Farm Service Agency, salaries and ex-*

1 *penses funds made available to county committees; Foreign*
2 *Agricultural Service, middle-income country training pro-*
3 *gram, and up to \$2,000,000 of the Foreign Agricultural*
4 *Service appropriation solely for the purpose of offsetting*
5 *fluctuations in international currency exchange rates, sub-*
6 *ject to documentation by the Foreign Agricultural Service.*

7 *SEC. 703. The Secretary of Agriculture may transfer*
8 *unobligated balances of discretionary funds appropriated*
9 *by this Act or other available unobligated discretionary bal-*
10 *ances of the Department of Agriculture to the Working Cap-*
11 *ital Fund for the acquisition of plant and capital equip-*
12 *ment necessary for the delivery of financial, administrative,*
13 *and information technology services of primary benefit to*
14 *the agencies of the Department of Agriculture: Provided,*
15 *That none of the funds made available by this Act or any*
16 *other Act shall be transferred to the Working Capital Fund*
17 *without the prior approval of the agency administrator:*
18 *Provided further, That none of the funds transferred to the*
19 *Working Capital Fund pursuant to this section shall be*
20 *available for obligation without the prior notification of the*
21 *Committees on Appropriations of both Houses of Congress.*

22 *SEC. 704. No part of any appropriation contained in*
23 *this Act shall remain available for obligation beyond the*
24 *current fiscal year unless expressly so provided herein.*

1 *SEC. 705. No funds appropriated by this Act may be*
2 *used to pay negotiated indirect cost rates on cooperative*
3 *agreements or similar arrangements between the United*
4 *States Department of Agriculture and nonprofit institu-*
5 *tions in excess of 10 percent of the total direct cost of the*
6 *agreement when the purpose of such cooperative arrange-*
7 *ments is to carry out programs of mutual interest between*
8 *the two parties. This does not preclude appropriate pay-*
9 *ment of indirect costs on grants and contracts with such*
10 *institutions when such indirect costs are computed on a*
11 *similar basis for all agencies for which appropriations are*
12 *provided in this Act.*

13 *SEC. 706. None of the funds in this Act shall be avail-*
14 *able to pay indirect costs charged against competitive agri-*
15 *cultural research, education, or extension grant awards*
16 *issued by the Cooperative State Research, Education, and*
17 *Extension Service that exceed 20 percent of total Federal*
18 *funds provided under each award: Provided, That notwith-*
19 *standing section 1462 of the National Agricultural Re-*
20 *search, Extension, and Teaching Policy Act of 1977 (7*
21 *U.S.C. 3310), funds provided by this Act for grants award-*
22 *ed competitively by the Cooperative State Research, Edu-*
23 *cation, and Extension Service shall be available to pay full*
24 *allowable indirect costs for each grant awarded under sec-*
25 *tion 9 of the Small Business Act (15 U.S.C. 638).*

1 *SEC. 707. 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. 708. Of the funds made available by this Act, not*
10 *more than \$1,800,000 shall be used to cover necessary ex-*
11 *penses of activities related to all advisory committees, pan-*
12 *els, commissions, and task forces of the Department of Agri-*
13 *culture, except for panels used to comply with negotiated*
14 *rule makings and panels used to evaluate competitively*
15 *awarded grants.*

16 *SEC. 709. None of the funds appropriated by this Act*
17 *may be used to carry out section 410 of the Federal Meat*
18 *Inspection Act (21 U.S.C. 679a) or section 30 of the Poultry*
19 *Products Inspection Act (21 U.S.C. 471).*

20 *SEC. 710. No employee of the Department of Agri-*
21 *culture may be detailed or assigned from an agency or office*
22 *funded by this Act to any other agency or office of the De-*
23 *partment for more than 30 days unless the individual's em-*
24 *ploying agency or office is fully reimbursed by the receiving*

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

3 *SEC. 711. None of the funds appropriated or otherwise*
4 *made available to the Department of Agriculture or the*
5 *Food and Drug Administration shall be used to transmit*
6 *or otherwise make available to any non-Department of Ag-*
7 *riculture or non-Department of Health and Human Serv-*
8 *ices employee questions or responses to questions that are*
9 *a result of information requested for the appropriations*
10 *hearing process.*

11 *SEC. 712. None of the funds made available to the De-*
12 *partment of Agriculture by this Act may be used to acquire*
13 *new information technology systems or significant up-*
14 *grades, as determined by the Office of the Chief Information*
15 *Officer, without the approval of the Chief Information Offi-*
16 *cer and the concurrence of the Executive Information Tech-*
17 *nology Investment Review Board: Provided, That notwith-*
18 *standing any other provision of law, none of the funds ap-*
19 *propriated or otherwise made available by this Act may be*
20 *transferred to the Office of the Chief Information Officer*
21 *unless prior notification has been transmitted to the Com-*
22 *mittees on Appropriations of both Houses of Congress: Pro-*
23 *vided further, That none of the funds available to the De-*
24 *partment of Agriculture for information technology shall be*

1 *obligated for projects over \$25,000 prior to receipt of writ-*
2 *ten approval by the Chief Information Officer.*

3 *SEC. 713. (a) None of the funds provided by this Act,*
4 *or provided by previous Appropriations Acts to the agencies*
5 *funded by this Act that remain available for obligation or*
6 *expenditure in the current fiscal year, or provided from any*
7 *accounts in the Treasury of the United States derived by*
8 *the collection of fees available to the agencies funded by this*
9 *Act, shall be available for obligation or expenditure through*
10 *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; or*

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

23 *(b) None of the funds provided by this Act, or provided*
24 *by previous Appropriations Acts to the agencies funded by*
25 *this Act that remain available for obligation or expenditure*

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

16 *(c) The Secretary of Agriculture, the Secretary of*
17 *Health and Human Services, or the Chairman of the Com-*
18 *modity Futures Trading Commission shall notify the Com-*
19 *mittees on Appropriations of both Houses of Congress before*
20 *implementing a program or activity not carried out during*
21 *the previous fiscal year unless the program or activity is*
22 *funded by this Act or specifically funded by any other Act.*

23 *SEC. 714. Notwithstanding any other provision of law,*
24 *the Natural Resources Conservation Service shall provide*
25 *financial and technical assistance—*

1 *(1) through the Watershed and Flood Prevention*
2 *Operations program for—*

3 *(A) the Matanuska River erosion control*
4 *project in Alaska;*

5 *(B) the Little Red River irrigation project*
6 *in Arkansas;*

7 *(C) the Manoa Watershed project in Ha-*
8 *waii;*

9 *(D) the West Tarkio project in Iowa;*

10 *(E) the West Branch DuPage River Water-*
11 *shed project in DuPage County, Illinois; and*

12 *(F) the Coal Creek project in Utah;*

13 *(2) through the Watershed and Flood Prevention*
14 *Operations program to carry out the East Locust*
15 *Creek Watershed Plan Revision in Missouri, includ-*
16 *ing up to 100 percent of the engineering assistance*
17 *and 75 percent cost share for construction cost of site*
18 *RW1; and*

19 *(3) through the Watershed Flood Prevention Op-*
20 *erations program to carry out the Little Otter Creek*
21 *Watershed project. The sponsoring local organization*
22 *may obtain land rights by perpetual easements.*

23 *SEC. 715. None of the funds made available to the Food*
24 *and Drug Administration by this Act shall be used to close*
25 *or relocate, or to plan to close or relocate, the Food and*

1 *Drug Administration Division of Pharmaceutical Analysis*
2 *in St. Louis, Missouri, outside the city or county limits*
3 *of St. Louis, Missouri.*

4 *SEC. 716. In addition to amounts otherwise appro-*
5 *priated or made available by this Act, \$2,500,000 is appro-*
6 *priated for the purpose of providing Bill Emerson and*
7 *Mickey Leland Hunger Fellowships, through the Congres-*
8 *sional Hunger Center.*

9 *SEC. 717. There is hereby appropriated \$1,000,000 for*
10 *a grant to the National Sheep Industry Improvement Cen-*
11 *ter, to remain available until expended.*

12 *SEC. 718. Notwithstanding any other provision of law,*
13 *of the funds made available in this Act for competitive re-*
14 *search grants (7 U.S.C. 450i(b)), the Secretary may use up*
15 *to 30 percent of the amount provided to carry out a com-*
16 *petitive grants program under the same terms and condi-*
17 *tions as those provided in section 401 of the Agricultural*
18 *Research, Extension, and Education Reform Act of 1998*
19 *(7 U.S.C. 7621).*

20 *SEC. 719. None of the funds appropriated or made*
21 *available by this or any other Act may be used to pay the*
22 *salaries and expenses of personnel to carry out section*
23 *14(h)(1) of the Watershed Protection and Flood Prevention*
24 *Act (16 U.S.C. 1012(h)(1)).*

1 *SEC. 720. None of the funds appropriated or otherwise*
2 *made available by this or any other Act shall be used to*
3 *pay the salaries and expenses of personnel to expend the*
4 *\$3,000,000 made available by section 9006(f) of the Farm*
5 *Security and Rural Investment Act of 2002 (7 U.S.C.*
6 *8106(f)).*

7 *SEC. 721. None of the funds appropriated or otherwise*
8 *made available by this or any other Act shall be used to*
9 *pay the salaries and expenses of personnel to carry out an*
10 *environmental quality incentives program authorized by*
11 *chapter 4 of subtitle D of title XII of the Food Security*
12 *Act of 1985 (16 U.S.C. 3839aa et seq.) in excess of*
13 *\$1,031,000,000.*

14 *SEC. 722. None of the funds appropriated or otherwise*
15 *made available under this or any other Act shall be used*
16 *to pay the salaries and expenses of personnel to carry out*
17 *section 601(j)(1) of the Rural Electrification Act of 1936*
18 *(7 U.S.C. 950bb(j)(1)).*

19 *SEC. 723. None of the funds made available in fiscal*
20 *year 2007 or preceding fiscal years for programs authorized*
21 *under the Agricultural Trade Development and Assistance*
22 *Act of 1954 (7 U.S.C. 1691 et seq.) in excess of \$20,000,000*
23 *shall be used to reimburse the Commodity Credit Corpora-*
24 *tion for the release of eligible commodities under section*
25 *302(f)(2)(A) of the Bill Emerson Humanitarian Trust Act*

1 (7 U.S.C. 1736f–1): *Provided, That any such funds made*
2 *available to reimburse the Commodity Credit Corporation*
3 *shall only be used pursuant to section 302(b)(2)(B)(i) of*
4 *the Bill Emerson Humanitarian Trust Act.*

5 *SEC. 724. None of the funds appropriated or otherwise*
6 *made available by this or any other Act shall be used to*
7 *pay the salaries and expenses of personnel to carry out sec-*
8 *tion 6401(a) of Public Law 107–171, in excess of*
9 *\$28,000,000.*

10 *SEC. 725. Notwithstanding subsections (c) and (e)(2)*
11 *of section 313A of the Rural Electrification Act (7 U.S.C.*
12 *940c(c) and (e)(2)) in implementing section 313A of that*
13 *Act, the Secretary shall, with the consent of the lender,*
14 *structure the schedule for payment of the annual fee, not*
15 *to exceed an average of 30 basis points per year for the*
16 *term of the loan, to ensure that sufficient funds are avail-*
17 *able to pay the subsidy costs for note guarantees under that*
18 *section.*

19 *SEC. 726. There is hereby appropriated \$750,000, to*
20 *remain available until expended, for the Denali Commis-*
21 *sion to address deficiencies in solid waste disposal sites*
22 *which threaten to contaminate rural drinking water sup-*
23 *plies.*

24 *SEC. 727. None of the funds appropriated or otherwise*
25 *made available by this or any other Act shall be used to*

1 *pay the salaries and expenses of personnel to carry out sec-*
2 *tion 2502 of Public Law 107–171 in excess of \$63,000,000.*

3 *SEC. 728. None of the funds appropriated or otherwise*
4 *made available by this or any other Act shall be used to*
5 *pay the salaries and expenses of personnel to carry out sec-*
6 *tion 2503 of Public Law 107–171 in excess of \$58,000,000.*

7 *SEC. 729. None of the funds appropriated or otherwise*
8 *made available by this or any other Act shall be used to*
9 *pay the salaries and expenses of personnel to carry out a*
10 *ground and surface water conservation program authorized*
11 *by section 2301 of Public Law 107–171 in excess of*
12 *\$54,000,000.*

13 *SEC. 730. None of the funds made available by this*
14 *Act may be used to issue a final rule in furtherance of,*
15 *or otherwise implement, the proposed rule on cost-sharing*
16 *for animal and plant health emergency programs of the*
17 *Animal and Plant Health Inspection Service published on*
18 *July 8, 2003 (Docket No. 02–062–1; 68 Fed. Reg. 40541).*

19 *SEC. 731. Funds made available under section 1240I*
20 *and section 1241(a) of the Food Security Act of 1985 in*
21 *the current fiscal year shall remain available until ex-*
22 *pended to disburse obligations made in the current fiscal*
23 *year, and are not available for new obligations. Funds*
24 *made available under section 524(b) of the Federal Crop*
25 *Insurance Act, 7 U.S.C. 1524(b), in fiscal years 2004, 2005,*

1 2006, and 2007 shall remain available until expended to
2 disburse obligations made in fiscal years 2004, 2005, 2006,
3 and 2007, respectively, and are not available for new obli-
4 gations.

5 SEC. 732. Notwithstanding any other provision of
6 law—

7 (1) the City of Palmer, Alaska shall be eligible
8 to receive a water and waste disposal grant under sec-
9 tion 306(a) of the Consolidated Farm and Rural De-
10 velopment Act (7 U.S.C. 1926(a)) in an amount that
11 is equal to not more than 75 percent of the total cost
12 of providing water and sewer service to the proposed
13 hospital in the Matanuska-Susitna Borough, Alaska;

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

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

8 (4) any former RUS borrower that has repaid or
9 prepaid an insured, direct or guaranteed loan under
10 the Rural Electrification Act, or any not-for-profit
11 utility that is eligible to receive an insured or direct
12 loan under such Act, shall be eligible for assistance
13 under Section 313(b)(2)(B) of such Act in the same
14 manner as a borrower under such Act.

15 SEC. 733. Notwithstanding any other provision of law,
16 the Secretary of Agriculture is authorized to make funding
17 and other assistance available through the emergency water-
18 shed protection program under section 403 of the Agricul-
19 tural Credit Act of 1978 (16 U.S.C. 2203) to repair and
20 prevent damage to non-Federal land in watersheds that
21 have been impaired by fires initiated by the Federal Gov-
22 ernment and shall waive cost sharing requirements for the
23 funding and assistance.

24 SEC. 734. None of the funds provided in this Act may
25 be used for salaries and expenses to draft or implement any

1 *regulation or rule insofar as it would require recertification*
2 *of rural status for each electric and telecommunications bor-*
3 *rower for the Rural Electrification and Telecommunication*
4 *Loans program.*

5 *SEC. 735. The Secretary of Agriculture may use any*
6 *unobligated carryover funds made available for any pro-*
7 *gram administered by the Rural Utilities Service (not in-*
8 *cluding funds made available under the heading “Rural*
9 *Community Advancement Program” in any Act of appro-*
10 *priation) to carry out section 315 of the Rural Electrifica-*
11 *tion Act of 1936 (7 U.S.C. 940e).*

12 *SEC. 736. In addition to other amounts appropriated*
13 *or otherwise made available by this Act, there is hereby ap-*
14 *propriated to the Secretary of Agriculture \$10,000,000, of*
15 *which not to exceed 5 percent may be available for adminis-*
16 *trative expenses, to remain available until expended, to*
17 *make specialty crop block grants under section 101 of the*
18 *Specialty Crops Competitiveness Act of 2004 (Public Law*
19 *108–465; 7 U.S.C. 1621 note).*

20 *SEC. 737. The Secretary of Agriculture is authorized*
21 *and directed to quitclaim to the City of Elkhart, Kansas,*
22 *all rights, title and interests of the United States in that*
23 *tract of land comprising 151.7 acres, more or less, located*
24 *in Morton County, Kansas, and more specifically described*
25 *in a deed dated March 11, 1958, from the United States*

1 *of America to the City of Elkhart, State of Kansas, and*
2 *filed of record April 4, 1958 at Book 34 at Page 520 in*
3 *the office of the Register of Deeds of Morton County, Kansas*
4 *as necessary, to provide for additional uses of said land*
5 *for any public purpose.*

6 *SEC. 738. (a) Section 18(f)(1) of the Richard B. Rus-*
7 *sell National School Lunch Act (42 U.S.C. 1769(f)(1)) is*
8 *amended—*

9 *(1) in subparagraph (A), by striking “2004” and*
10 *inserting “2006”; and*

11 *(2) in subparagraph (B)—*

12 *(A) in the matter before clause (i), by strik-*
13 *ing “June 2005” and inserting “May 2006”;*
14 *and*

15 *(B) in clause (ii), by striking “75” and in-*
16 *serting “78”.*

17 *(b) The amendments made by subsection (a) take effect*
18 *on January 1, 2007.*

19 *SEC. 739. None of the funds made available in this*
20 *Act may be used to study, complete a study of, or enter*
21 *into a contract with a private party to carry out, without*
22 *specific authorization in a subsequent Act of Congress, a*
23 *competitive sourcing activity of the Secretary of Agri-*
24 *culture, including support personnel of the Department of*

1 *Agriculture, relating to rural development or farm loan*
2 *programs.*

3 *SEC. 740. Of the unobligated balances under section*
4 *32 of the Act of August 24, 1935, \$9,900,000 are hereby*
5 *rescinded.*

6 *SEC. 741. None of the funds made available under this*
7 *Act shall be available to pay the administrative expenses*
8 *of a State agency that, after the date of enactment of this*
9 *Act and prior to receiving certification in accordance with*
10 *the provisions set forth in section 17(h)(11)(E) of the Child*
11 *Nutrition Act of 1966, authorizes any new for-profit ven-*
12 *dor(s) to transact food instruments under the Special Sup-*
13 *plemental Nutrition Program for Women, Infants, and*
14 *Children (WIC) if it is expected that more than 50 percent*
15 *of the annual revenue of the vendor from the sale of food*
16 *items will be derived from the sale of supplemental foods*
17 *that are obtained with WIC food instruments, except that*
18 *the Secretary may approve the authorization of such a ven-*
19 *dor if the approval is necessary to assure participant access*
20 *to program benefits.*

21 *SEC. 742. (a) Subject to subsection (b), none of the*
22 *funds made available in this Act may be used to—*

23 *(1) grant a waiver of a financial conflict of in-*
24 *terest requirement pursuant to section 505(n)(4) of*
25 *the Federal Food, Drug, and Cosmetic Act (21 U.S.C.*

1 355(n)(4)) for any voting member of an advisory
2 committee or panel of the Food and Drug Adminis-
3 tration; or

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

7 (b) Subsection (a) shall not apply to a waiver or cer-
8 tification if—

9 (1)(A) not later than 15 days prior to a meeting
10 of an advisory committee or panel to which such
11 waiver or certification applies, the Secretary of
12 Health and Human Services discloses on the Internet
13 website of the Food and Drug Administration—

14 (i) the nature of the conflict of interest at
15 issue; and

16 (ii) the nature and basis of such waiver or
17 certification (other than information exempted
18 from disclosure under section 552 of title 5,
19 United States Code); or

20 (B) in the case of a conflict of interest that be-
21 comes known to the Secretary less than 15 days prior
22 to a meeting to which such waiver or certification ap-
23 plies, the Secretary shall make such public disclosure
24 as soon as possible thereafter, but in no event later
25 than the date of such meeting; and

1 (2)(A) not later than 15 days prior to a meeting
2 of an advisory committee or panel, the Secretary of
3 Health and Human Services discloses on the Internet
4 website of the Food and Drug Administration—

5 (i) any recusal due to the potential for con-
6 flict of interest, and

7 (ii) the nature of the conflict of interest at
8 issue

9 (other than information exempted from disclosure
10 under section 552 of title 5, United States Code); or

11 (B) in the case of a recusal that becomes known
12 to the Secretary less than 15 days prior to a meeting
13 to which such recusal applies, the Secretary shall
14 make such public disclosure as soon as possible there-
15 after, but in no event later than the date of such meet-
16 ing.

17 (c) None of the funds made available in this Act may
18 be used to make a new appointment to an advisory com-
19 mittee or panel of the Food and Drug Administration un-
20 less the Commissioner of Food and Drugs submits a semi-
21 annual report to the Inspector General of the Department
22 of Health and Human Services and the Committees on Ap-
23 propriations of the House and Senate, the Energy and
24 Commerce Committee of the House, and the Health, Edu-
25 cation, Labor, and Pensions Committee of the Senate on

1 *the efforts made to identify qualified persons for such ap-*
2 *pointments with minimal or no potential conflicts of inter-*
3 *est.*

4 *Such report must include a description (that identifies*
5 *no individual by name or affiliation), by advisory com-*
6 *mittee or panel, of the types of experts sought, the number*
7 *of candidates considered, the number of those candidates*
8 *willing to serve, the number of those willing to serve who*
9 *have no or low involvement as specified in the FDA Waiver*
10 *Criteria 2000 document, the number of new appointees that*
11 *have no or low involvement as specified in the FDA Waiver*
12 *Criteria 2000 document, the number of vacancies remain-*
13 *ing, the number of meetings and waivers granted by type*
14 *of meeting, and, when an individual who has a medium*
15 *or high involvement as specified in the FDA Waiver Cri-*
16 *teria 2000 document is appointed, the rationale for such*
17 *appointment.*

18 *SEC. 743. Section 514(f)(3) of the Housing Act of 1949*
19 *is amended by inserting “or the processing of such commod-*
20 *ities” after “unprocessed stage”.*

21 *SEC. 744. Starting in fiscal year 2006, the Secretary*
22 *shall administer the Farm and Ranchland Protection Pro-*
23 *gram exclusively in accordance with 7 CFR Part 1491 as*
24 *published on May 16, 2003.*

1 *SEC. 745. (a) Notwithstanding any other provision of*
2 *law, and until the receipt of the decennial Census in the*
3 *year 2010, the Secretary of Agriculture shall consider—*

4 *(1) the City of Lake City, Florida and the City*
5 *of Parsons, Kansas rural areas for purposes of eligi-*
6 *bility for Rural Utilities Service water and waste*
7 *water loans and grants;*

8 *(2) the City of Lansing, Kansas a rural area for*
9 *purposes of eligibility for Rural Housing Service pro-*
10 *grams, and the City of Leavenworth, Kansas and the*
11 *City of Lansing, Kansas as separate geographic enti-*
12 *ties for purposes of Rural Development grants and*
13 *loans;*

14 *(3) the City of Vineland, New Jersey and the*
15 *City of Millville, New Jersey, and urbanized areas*
16 *contiguous and adjacent to both cities, (including in-*
17 *dividuals and entities with projects within these cities*
18 *and areas) as eligible for all Rural Business Program*
19 *loans and grants except rural development (inter-*
20 *mediary relending) loans authorized by section 1323*
21 *of the Food Security Act of 1985 and rural economic*
22 *development loans and grants authorized by section*
23 *313 of the Rural Electrification Act of 1936, as*
24 *amended (7 U.S.C. 940C);*

1 (4) *the City of Celina, Ohio and the City of Ash-*
2 *tabula, Ohio as eligible for the purposes of Rural De-*
3 *velopment grants and loans;*

4 (5) *the Gooseberry Lake Project in the State of*
5 *Iowa as eligible for the Rural Utilities Service water*
6 *and wastewater loans and grant program including*
7 *the purchase of land and moving of utilities; and*

8 (6) *the Cities of Alamo, Mercedes, Weslaco, and*
9 *Donna in the State of Texas as eligible for the pur-*
10 *poses of Rural Development grants and loans.*

11 *SEC. 746. Of the appropriations available for pay-*
12 *ments for the nutrition and family education program for*
13 *low-income areas under section 3(d) of the Smith-Lever Act*
14 *(7 U.S.C. 343(d)), if the payment allocation pursuant to*
15 *section 1425(c) of the National Agricultural Research, Ex-*
16 *tension, and Teaching Policy Act of 1977 (7 U.S.C.*
17 *3175(c)) would be less than \$100,000 for any institution*
18 *eligible under section 3(d)(2) of the Smith-Lever Act, the*
19 *Secretary shall adjust payment allocations under section*
20 *1425(c) of the National Agricultural Research, Extension,*
21 *and Teaching Policy Act of 1977 to ensure that each insti-*
22 *tution receives a payment of not less than \$100,000.*

23 *SEC. 747. There is hereby appropriated \$4,000,000, to*
24 *remain available until expended, for a grant to the Na-*
25 *tional Center for Natural Products Research for construc-*

1 *tion or renovation to carry out the research objectives of*
 2 *the natural products research grant issued by the Food and*
 3 *Drug Administration.*

4 *SEC. 748. None of the funds made available by this*
 5 *or any other Act shall be used to transfer funds or assess*
 6 *charges or fees in excess of 5 percent from any program,*
 7 *project, or activity funded under the Animal and Plant*
 8 *Health Inspection Service.*

9 *SEC. 749. There is hereby appropriated \$1,000,000 to*
 10 *continue section 791 of Public Law 109–97.*

11 *SEC. 750. Notwithstanding any other provision of law,*
 12 *the service areas being acquired by Mid-Kansas Electric Co-*
 13 *operative shall be considered eligible for financing under*
 14 *the provisions of the Rural Electrification Act of 1936, as*
 15 *amended.*

16 *SEC. 751. Section 759 of Public Law 106–78 (7 U.S.C.*
 17 *3242) is amended—*

18 *(1) in subsection (a)(3), by striking “2006” and*
 19 *inserting “2011”; and*

20 *(2) in subsection (b)(3), by striking “2006” and*
 21 *inserting “2011”.*

22 *SEC. 752. The Agricultural Trade Act of 1978 (7*
 23 *U.S.C. 5601 et seq.) is amended—*

24 *(1) in section 202 (7 U.S.C. 5622)—*

25 *(A) by striking subsections (b) and (c);*

1 (B) by redesignating subsections (d) through
2 (l) as subsections (b) through (j), respectively;

3 (C) in subsection (b) (as redesignated by
4 subparagraph (B))—

5 (i) in paragraph (2), by inserting
6 “and” after “exports;”;

7 (ii) in paragraph (3)(B), by striking
8 “commodities; and” and inserting “com-
9 modities.”; and

10 (iii) by striking paragraph (4);

11 (D) in subsection (d) (as redesignated by
12 subparagraph (B))—

13 (i) by striking “(1) IN GENERAL.—”;

14 and

15 (ii) by striking paragraph (2); and

16 (E) in subsection (g)(2) (as redesignated by
17 subparagraph (B)), by striking “subsections (a)
18 and (b)” and inserting “subsection (a)”; and

19 (2) in section 211(b) (7 U.S.C. 5641(b))—

20 (A) in paragraph (1)—

21 (i) by striking “(1) EXPORT CREDIT
22 GUARANTEES.—”; and

23 (ii) by striking “subsections (a) and
24 (b)” and inserting “subsection (a)”; and

25 (B) by striking paragraph (2).

1 *SEC. 753. Section 343 of the Consolidated Farm and*
 2 *Rural Development Act (7 U.S.C. 1991) is amended—*

3 *(1) in subsection (a), by inserting “and, in the*
 4 *case of subtitle B, commercial fishing” before the pe-*
 5 *riod at the end of each of paragraphs (1) and (2);*
 6 *and*

7 *(2) by adding at the end the following:*

8 *“(c) DEFINITION OF FARM.—In subtitle B, the term*
 9 *‘farm’ includes a commercial fishing enterprise.”.*

10 *SEC. 754. (a) Section 1307(a)(6) of the Farm Security*
 11 *and Rural Investment Act of 2002 (7 U.S.C. 7957(a)(6))*
 12 *is amended—*

13 *(1) in the first sentence, by striking “2006” and*
 14 *inserting “2007”; and*

15 *(2) in the second sentence, by striking “2007”*
 16 *and inserting “2008”.*

17 *(b) The authority provided by section 1307(a)(6) of the*
 18 *Farm Security and Rural Investment Act of 2002 (7 U.S.C.*
 19 *7957(a)(6)), as amended by subsection (a), shall terminate*
 20 *beginning with the 2008 crop of peanuts, and shall be con-*
 21 *sidered to have terminated notwithstanding section 257 of*
 22 *the Balanced Budget and Emergency Deficit Control Act*
 23 *of 1985 (2 U.S.C. 907).*

24 *SEC. 755. TRAVEL RELATING TO COMMERCIAL SALES*
 25 *OF AGRICULTURAL AND MEDICAL GOODS. Section 910(a)*

1 *of the Trade Sanctions Reform and Export Enhancement*
2 *Act of 2000 (22 U.S.C. 7209(a)) is amended to read as fol-*
3 *lows:*

4 “(a) *AUTHORIZATION OF TRAVEL RELATING TO COM-*
5 *MERCIAL SALES OF AGRICULTURAL AND MEDICAL*
6 *GOODS.—The Secretary of the Treasury shall promulgate*
7 *regulations under which the travel-related transactions list-*
8 *ed in paragraph (c) of section 515.560 of title 31, Code of*
9 *Federal Regulations, are authorized by general license for*
10 *travel to, from, or within Cuba for the purpose of confer-*
11 *ring, exhibiting, marketing, planning, sales negotiation, de-*
12 *livery, expediting, facilitating, or servicing commercial ex-*
13 *port sale of agricultural and medical goods pursuant to the*
14 *provisions of this title.”.*

15 *SEC. 756. ADDITIONAL AMOUNTS FOR VETERANS. For*
16 *an additional amount for “General Operating Expenses”*
17 *for necessary expenses to respond to the data theft at the*
18 *Department of Veterans Affairs and to provide remedial as-*
19 *sistance to veterans who have had personal data stolen from*
20 *the Department of Veterans Affairs, \$160,000,000: Pro-*
21 *vided, That the amount provided in this section is des-*
22 *ignated as an emergency requirement pursuant to section*
23 *402 of S. Con. Res. 83 (109th Congress), the concurrent res-*
24 *olution on the budget for fiscal year 2007, as made applica-*
25 *ble in the Senate by section 7035 of Public Law 109–234.*

1 *SEC. 757. (a) The Senate finds that—*

2 *(1) the United States cattle industry produces*
3 *abundant, safe, and healthful food for consumers in*
4 *the United States and around the world;*

5 *(2) Japan prohibited imports of beef from the*
6 *United States during the period beginning December*
7 *2003 and ending December 2005, after a single case*
8 *of Bovine Spongiform Encephalopathy (BSE, or*
9 *“mad cow disease”) was found in a Canadian-born*
10 *animal in Washington State;*

11 *(3) the United States has implemented and*
12 *maintained a BSE surveillance and safeguard pro-*
13 *gram that exceeds the internationally recognized*
14 *standards of the World Organization for Animal*
15 *Health (OIE) for BSE control, eradication, and test-*
16 *ing to protect human and animal health;*

17 *(4) the United States and the Government of*
18 *Japan concluded an agreement on December 12, 2005,*
19 *that established the conditions under which beef ex-*
20 *ports to Japan could resume;*

21 *(5) as a result of errors by a single United States*
22 *exporter certified to sell beef to Japan and inadequate*
23 *oversight by the Department of Agriculture, a single*
24 *shipment of United States beef was found to be non-*
25 *compliant with the terms of the agreement resulting*

1 *in a suspension of all United States beef exports to*
2 *Japan;*

3 *(6) the United States has taken substantive cor-*
4 *rective actions to ensure that United States beef ex-*
5 *ports to Japan are in full compliance with the terms*
6 *of the agreement, fully disclosed the actions taken to*
7 *the Government of Japan, and allowed Japanese offi-*
8 *cials the opportunity to review those actions and per-*
9 *sonally inspect and determine the eligibility of all*
10 *United States beef processing plants certified for the*
11 *export of beef to Japan;*

12 *(7) notwithstanding the membership of Japan in*
13 *the OIE and the commitment of Japan under the*
14 *Agreement on the Application of Sanitary and*
15 *Phytosanitary Measures of the World Trade Organi-*
16 *zation to apply sanitary and phytosanitary measures*
17 *only to the extent necessary to protect human, ani-*
18 *mal, and plant health, based on scientific principles,*
19 *Japan continues to maintain an unjustified suspen-*
20 *sion of imports of United States beef; and*

21 *(8) the continued violation by Japan of the spir-*
22 *it and letter of the World Trade Organization com-*
23 *mitments of Japan has resulted in the cumulative*
24 *economic loss to the United States beef industry of*

1 *approximately \$6,300,000,000 and current annual*
 2 *economic trade losses of \$3,140,000,000 per year.*

3 *(b) It is the sense of the Senate that if, by the date*
 4 *of enactment of this Act, Japan does not permit the impor-*
 5 *tation of beef from the United States, additional tariffs on*
 6 *selected articles that are grown by, the products of, or man-*
 7 *ufactured by Japan and that enter the customs territory*
 8 *of the United States should be imposed until Japan permits*
 9 *the importation of beef from the United States.*

10 ***TITLE VIII—EMERGENCY AGRICULTURAL DISASTER ASSIST-***
 11 ***CULTURAL DISASTER ASSIST-***
 12 ***ANCE***

13 ***SEC. 801. SHORT TITLE.***

14 *This title may be cited as the “Emergency Farm Relief*
 15 *Act of 2006”.*

16 ***SEC. 802. DEFINITIONS.***

17 *In this title:*

18 (1) *ADDITIONAL COVERAGE.*—*The term “addi-*
 19 *tional coverage” has the meaning given the term in*
 20 *section 502(b)(1) of the Federal Crop Insurance Act*
 21 *(7 U.S.C. 1502(b)(1)).*

22 (2) *DISASTER COUNTY.*—*The term “disaster*
 23 *county” means—*

1 (A) a county included in the geographic
2 area covered by a natural disaster declaration;
3 and

4 (B) each county contiguous to a county de-
5 scribed in subparagraph (A).

6 (3) *HURRICANE-AFFECTED COUNTY*.—The term
7 “hurricane-affected county” means—

8 (A) a county included in the geographic
9 area covered by a natural disaster declaration
10 related to Hurricane Katrina, Hurricane Rita,
11 Hurricane Wilma, or a related condition; and

12 (B) each county contiguous to a county de-
13 scribed in subparagraph (A).

14 (4) *INSURABLE COMMODITY*.—The term “insur-
15 able commodity” means an agricultural commodity
16 (excluding livestock) for which the producers on a
17 farm are eligible to obtain a policy or plan of insur-
18 ance under the Federal Crop Insurance Act (7 U.S.C.
19 1501 et seq.).

20 (5) *LIVESTOCK*.—The term “livestock” in-
21 cludes—

22 (A) cattle (including dairy cattle);

23 (B) bison;

24 (C) sheep;

25 (D) swine; and

1 (E) other livestock, as determined by the
2 Secretary.

3 (6) *NATURAL DISASTER DECLARATION.*—The
4 term “natural disaster declaration” means—

5 (A) a natural disaster declared by the Sec-
6 retary—

7 (i) during calendar year 2005 under
8 section 321(a) of the Consolidated Farm
9 and Rural Development Act (7 U.S.C.
10 1961(a)); or

11 (ii) during calendar year 2006 under
12 that section, but for which a request was
13 pending as of the date of enactment of this
14 Act; or

15 (B) a major disaster or emergency des-
16 ignated by the President—

17 (i) during calendar year 2005 under
18 the Robert T. Stafford Disaster Relief and
19 Emergency Assistance Act (42 U.S.C. 5121
20 et seq.); or

21 (ii) during calendar year 2006 under
22 that Act, but for which a request was pend-
23 ing as of the date of enactment of this Act.

24 (7) *NONINSURABLE COMMODITY.*—The term
25 “noninsurable commodity” means a crop for which

1 *the producers on a farm are eligible to obtain assist-*
 2 *ance under section 196 of the Federal Agriculture Im-*
 3 *provement and Reform Act of 1996 (7 U.S.C. 7333).*

4 (8) *SECRETARY.*—*The term “Secretary” means*
 5 *the Secretary of Agriculture.*

6 ***Subtitle A—Agricultural*** 7 ***Production Losses***

8 ***SEC. 811. CROP DISASTER ASSISTANCE.***

9 (a) *IN GENERAL.*—*The Secretary shall use such sums*
 10 *as are necessary of funds of the Commodity Credit Corpora-*
 11 *tion to make emergency financial assistance authorized*
 12 *under this section available to producers on a farm that*
 13 *have incurred qualifying losses described in subsection (c).*

14 (b) *ADMINISTRATION.*—

15 (1) *IN GENERAL.*—*Except as provided in para-*
 16 *graphs (2) and (3), the Secretary shall make assist-*
 17 *ance available under this section in the same manner*
 18 *as provided under section 815 of the Agriculture,*
 19 *Rural Development, Food and Drug Administration*
 20 *and Related Agencies Appropriations Act, 2001 (Pub-*
 21 *lic Law 106–387; 114 Stat. 1549A–55), including*
 22 *using the same loss thresholds for quantity and eco-*
 23 *nomical losses as were used in administering that sec-*
 24 *tion, except that the payment rate shall be 50 percent*
 25 *of the established price, instead of 65 percent.*

1 (2) *NONINSURED PRODUCERS.*—*Except as pro-*
2 *vided in paragraph (3), for producers on a farm that*
3 *were eligible to acquire crop insurance for the appli-*
4 *cable production loss and failed to do so or failed to*
5 *submit an application for the noninsured assistance*
6 *program for the loss, the Secretary shall make assist-*
7 *ance in accordance with paragraph (1), except that*
8 *the payment rate shall be 35 percent of the established*
9 *price, instead of 50 percent.*

10 (3) *LOSS THRESHOLDS FOR QUALITY LOSSES.*—
11 *In the case of a payment for quality loss for a crop*
12 *under subsection (c)(2), the loss thresholds for quality*
13 *loss for the crop shall be determined under subsection*
14 *(d).*

15 (c) *QUALIFYING LOSSES.*—*Assistance under this sec-*
16 *tion shall be made available to producers on farms, other*
17 *than producers of sugar cane and sugar beets, that incurred*
18 *qualifying quantity or quality losses for—*

19 (1) *the 2005 crop due to damaging weather or*
20 *any related condition (including losses due to crop*
21 *diseases, insects, and delayed harvest), as determined*
22 *by the Secretary; and*

23 (2) *the 2006 crop due to flooding in California,*
24 *Hawaii, and Vermont that occurred prior to the date*
25 *of enactment of this Act and for which a petition for*

1 *a disaster designation has been filed with the Sec-*
2 *retary not later than that date.*

3 *(d) QUALITY LOSSES.—*

4 *(1) IN GENERAL.—Subject to paragraph (3), the*
5 *amount of a payment made to producers on a farm*
6 *for a quality loss for a crop under subsection (c)(2)*
7 *shall be equal to the amount obtained by multi-*
8 *plying—*

9 *(A) 65 percent of the payment quantity de-*
10 *termined under paragraph (2); by*

11 *(B) 50 percent of the payment rate deter-*
12 *mined under paragraph (3).*

13 *(2) PAYMENT QUANTITY.—For the purpose of*
14 *paragraph (1)(A), the payment quantity for quality*
15 *losses for a crop of a commodity on a farm shall*
16 *equal the lesser of—*

17 *(A) the actual production of the crop af-*
18 *ected by a quality loss of the commodity on the*
19 *farm; or*

20 *(B) the quantity of expected production of*
21 *the crop affected by a quality loss of the com-*
22 *modity on the farm, using the formula used by*
23 *the Secretary to determine quantity losses for the*
24 *crop of the commodity under subsection (c)(1).*

1 (3) *PAYMENT RATE.*—For the purpose of para-
2 graph (1)(B) and in accordance with paragraphs (5)
3 and (6), the payment rate for quality losses for a crop
4 of a commodity on a farm shall be equal to the dif-
5 ference between—

6 (A) the per unit market value that the units
7 of the crop affected by the quality loss would
8 have had if the crop had not suffered a quality
9 loss; and

10 (B) the per unit market value of the units
11 of the crop affected by the quality loss.

12 (4) *ELIGIBILITY.*—For producers on a farm to be
13 eligible to obtain a payment for a quality loss for a
14 crop under subsection (c)(2), the amount obtained by
15 multiplying the per unit loss determined under para-
16 graph (1) by the number of units affected by the qual-
17 ity loss shall be at least 25 percent of the value that
18 all affected production of the crop would have had if
19 the crop had not suffered a quality loss.

20 (5) *MARKETING CONTRACTS.*—In the case of any
21 production of a commodity that is sold pursuant to
22 1 or more marketing contracts (regardless of whether
23 the contract is entered into by the producers on the
24 farm before or after harvest) and for which appro-
25 priate documentation exists, the quantity designated

1 *in the contracts shall be eligible for quality loss assist-*
 2 *ance based on the 1 or more prices specified in the*
 3 *contracts.*

4 (6) *OTHER PRODUCTION.*—*For any additional*
 5 *production of a commodity for which a marketing*
 6 *contract does not exist or for which production con-*
 7 *tinues to be owned by the producer, quality losses*
 8 *shall be based on the average local market discounts*
 9 *for reduced quality, as determined by the appropriate*
 10 *State committee of the Farm Service Agency.*

11 (7) *QUALITY ADJUSTMENTS AND DISCOUNTS.*—
 12 *The appropriate State committee of the Farm Service*
 13 *Agency shall identify the appropriate quality adjust-*
 14 *ment and discount factors to be considered in car-*
 15 *rying out this subsection, including—*

16 (A) *the average local discounts actually ap-*
 17 *plied to a crop; and*

18 (B) *the discount schedules applied to loans*
 19 *made by the Farm Service Agency or crop insur-*
 20 *ance coverage under the Federal Crop Insurance*
 21 *Act (7 U.S.C. 1501 et seq.).*

22 (8) *ELIGIBLE PRODUCTION.*—*The Secretary shall*
 23 *carry out this subsection in a fair and equitable man-*
 24 *ner for all eligible production, including the produc-*

1 *tion of fruits and vegetables, other specialty crops,*
 2 *and field crops.*

3 *(e) TIMING.—*

4 *(1) IN GENERAL.—Subject to paragraph (2), the*
 5 *Secretary shall make payments to producers on a*
 6 *farm for a crop under this section not later than 60*
 7 *days after the date the producers on the farm submit*
 8 *to the Secretary a completed application for the pay-*
 9 *ments.*

10 *(2) INTEREST.—If the Secretary does not make*
 11 *payments to the producers on a farm by the date de-*
 12 *scribed in paragraph (1), the Secretary shall pay to*
 13 *the producers on a farm interest on the payments at*
 14 *a rate equal to the current (as of the sign-up deadline*
 15 *established by the Secretary) market yield on out-*
 16 *standing, marketable obligations of the United States*
 17 *with maturities of 30 years.*

18 **SEC. 812. LIVESTOCK ASSISTANCE.**

19 *(a) LIVESTOCK COMPENSATION PROGRAM.—*

20 *(1) USE OF COMMODITY CREDIT CORPORATION*
 21 *FUNDS.—Effective beginning on the date of enactment*
 22 *of this Act, the Secretary shall use funds of the Com-*
 23 *modity Credit Corporation to carry out the 2002*
 24 *Livestock Compensation Program announced by the*
 25 *Secretary on October 10, 2002 (67 Fed. Reg. 63070),*

1 *to provide compensation for livestock losses during*
 2 *calendar years 2005 and 2006 for losses that occurred*
 3 *prior to the date of enactment of this Act (including*
 4 *wildfire disaster losses in the State of Texas and other*
 5 *States) due to a disaster, as determined by the Sec-*
 6 *retary, except that the payment rate shall be 75 per-*
 7 *cent of the payment rate established for the 2002*
 8 *Livestock Compensation Program.*

9 (2) *ELIGIBLE APPLICANTS.*—*In carrying out the*
 10 *program described in paragraph (1), the Secretary*
 11 *shall provide assistance to any applicant that—*

12 (A)(i) *conducts a livestock operation that is*
 13 *located in a disaster county, including any ap-*
 14 *plicant conducting a livestock operation with eli-*
 15 *gible livestock (within the meaning of the live-*
 16 *stock assistance program under section 101(b) of*
 17 *division B of Public Law 108–324 (118 Stat.*
 18 *1234)); or*

19 (ii) *produces an animal described in section*
 20 *10806(a)(1) of the Farm Security and Rural In-*
 21 *vestment Act of 2002 (21 U.S.C. 321d(a)(1));*
 22 *and*

23 (B) *meets all other eligibility requirements*
 24 *established by the Secretary for the program.*

1 (3) *MITIGATION.*—*In determining the eligibility*
2 *for or amount of payments for which a producer is*
3 *eligible under the livestock compensation program, the*
4 *Secretary shall not penalize a producer that takes ac-*
5 *tions (recognizing disaster conditions) that reduce the*
6 *average number of livestock the producer owned for*
7 *grazing during the production year for which assist-*
8 *ance is being provided.*

9 (b) *LIVESTOCK INDEMNITY PAYMENTS.*—

10 (1) *IN GENERAL.*—*The Secretary shall use such*
11 *sums as are necessary of funds of the Commodity*
12 *Credit Corporation to make livestock indemnity pay-*
13 *ments to producers on farms that have incurred live-*
14 *stock losses during calendar years 2005 and 2006 for*
15 *losses that occurred prior to the date of enactment of*
16 *this Act (including wildfire disaster losses in the*
17 *State of Texas and other States) due to a disaster, as*
18 *determined by the Secretary, including losses due to*
19 *hurricanes, floods, anthrax, and wildfires.*

20 (2) *PAYMENT RATES.*—*Indemnity payments to a*
21 *producer on a farm under paragraph (1) shall be*
22 *made at a rate of not less than 30 percent of the mar-*
23 *ket value of the applicable livestock on the day before*
24 *the date of death of the livestock, as determined by the*
25 *Secretary.*

1 (c) *EWE LAMB REPLACEMENT AND RETENTION.*—

2 (1) *IN GENERAL.*—*The Secretary shall use*
 3 *\$13,000,000 of funds of the Commodity Credit Cor-*
 4 *poration to make payments under the Ewe Lamb Re-*
 5 *placement and Retention Payment Program under*
 6 *part 784 of title 7, Code of Federal Regulations (or*
 7 *a successor regulation) for each qualifying ewe lamb*
 8 *retained or purchased during the period beginning on*
 9 *January 1, 2006, and ending on December 31, 2006.*

10 (2) *INELIGIBILITY FOR OTHER ASSISTANCE.*—*A*
 11 *producer that receives assistance under this subsection*
 12 *shall not be eligible to receive assistance under sub-*
 13 *section (a).*

14 **SEC. 813. FLOODED CROP AND GRAZING LAND.**

15 (a) *IN GENERAL.*—*The Secretary shall compensate eli-*
 16 *gible owners of flooded crop and grazing land in—*

17 (1) *the Devils Lake basin; and*

18 (2) *the McHugh, Lake Laretta, and Rose Lake*
 19 *closed drainage areas of the State of North Dakota.*

20 (b) *ELIGIBILITY.*—

21 (1) *IN GENERAL.*—*To be eligible to receive com-*
 22 *ensation under this section, an owner shall own land*
 23 *described in subsection (a) that, during the 2 crop*
 24 *years preceding receipt of compensation, was rendered*
 25 *incapable of use for the production of an agricultural*

1 *commodity or for grazing purposes (in a manner con-*
 2 *sistent with the historical use of the land) as the re-*
 3 *sult of flooding, as determined by the Secretary.*

4 (2) *INCLUSIONS.—Land described in paragraph*
 5 *(1) shall include—*

6 (A) *land that has been flooded;*

7 (B) *land that has been rendered inaccessible*
 8 *due to flooding; and*

9 (C) *a reasonable buffer strip adjoining the*
 10 *flooded land, as determined by the Secretary.*

11 (3) *ADMINISTRATION.—The Secretary may estab-*
 12 *lish—*

13 (A) *reasonable minimum acreage levels for*
 14 *individual parcels of land for which owners may*
 15 *receive compensation under this section; and*

16 (B) *the location and area of adjoining*
 17 *flooded land for which owners may receive com-*
 18 *penetration under this section.*

19 (c) *SIGN-UP.—The Secretary shall establish a sign-up*
 20 *program for eligible owners to apply for compensation from*
 21 *the Secretary under this section.*

22 (d) *COMPENSATION PAYMENTS.—*

23 (1) *IN GENERAL.—Subject to paragraphs (2) and*
 24 *(3), the rate of an annual compensation payment*
 25 *under this section shall be equal to 90 percent of the*

1 *average annual per acre rental payment rate (at the*
2 *time of entry into the contract) for comparable crop*
3 *or grazing land that has not been flooded and re-*
4 *mains in production in the county where the flooded*
5 *land is located, as determined by the Secretary.*

6 (2) *REDUCTION.*—*An annual compensation pay-*
7 *ment under this section shall be reduced by the*
8 *amount of any conservation program rental payments*
9 *or Federal agricultural commodity program pay-*
10 *ments received by the owner for the land during any*
11 *crop year for which compensation is received under*
12 *this section.*

13 (3) *EXCLUSION.*—*During any year in which an*
14 *owner receives compensation for flooded land under*
15 *this section, the owner shall not be eligible to partici-*
16 *pate in or receive benefits for the flooded land*
17 *under—*

18 (A) *the Federal crop insurance program es-*
19 *tablished under the Federal Crop Insurance Act*
20 *(7 U.S.C. 1501 et seq.);*

21 (B) *the noninsured crop assistance program*
22 *established under section 196 of the Federal Ag-*
23 *riculture Improvement and Reform Act of 1996*
24 *(7 U.S.C. 7333); or*

1 (C) *any Federal agricultural crop disaster*
 2 *assistance program.*

3 (e) *RELATIONSHIP TO AGRICULTURAL COMMODITY*
 4 *PROGRAMS.—The Secretary, by regulation, shall provide*
 5 *for the preservation of cropland base, allotment history, and*
 6 *payment yields applicable to land described in subsection*
 7 *(a) that was rendered incapable of use for the production*
 8 *of an agricultural commodity or for grazing purposes as*
 9 *the result of flooding.*

10 (f) *USE OF LAND.—*

11 (1) *IN GENERAL.—An owner that receives com-*
 12 *penstation under this section for flooded land shall*
 13 *take such actions as are necessary to not degrade any*
 14 *wildlife habitat on the land that has naturally devel-*
 15 *oped as a result of the flooding.*

16 (2) *RECREATIONAL ACTIVITIES.—To encourage*
 17 *owners that receive compensation for flooded land to*
 18 *allow public access to and use of the land for rec-*
 19 *reational activities, as determined by the Secretary,*
 20 *the Secretary may—*

21 (A) *offer an eligible owner additional com-*
 22 *penstation; and*

23 (B) *provide compensation for additional*
 24 *acreage under this section.*

25 (g) *FUNDING.—*

1 (1) *IN GENERAL.*—*The Secretary shall use*
 2 *\$6,000,000 of funds of the Commodity Credit Cor-*
 3 *poration to carry out this section.*

4 (2) *PRO-RATED PAYMENTS.*—*In a case in which*
 5 *the amount made available under paragraph (1) for*
 6 *a fiscal year is insufficient to compensate all eligible*
 7 *owners under this section, the Secretary shall pro-rate*
 8 *payments for that fiscal year on a per acre basis.*

9 **SEC. 814. SUGAR BEET DISASTER ASSISTANCE.**

10 (a) *IN GENERAL.*—*The Secretary shall use*
 11 *\$24,000,000 of funds of the Commodity Credit Corporation*
 12 *to provide assistance to sugar beet producers that suffered*
 13 *production losses (including quality losses) for the 2005*
 14 *crop year.*

15 (b) *REQUIREMENT.*—*The Secretary shall make pay-*
 16 *ments under subsection (a) in the same manner as pay-*
 17 *ments were made under section 208 of the Agricultural As-*
 18 *sistance Act of 2003 (Public Law 108–7; 117 Stat. 544),*
 19 *including using the same indemnity benefits as were used*
 20 *in carrying out that section.*

21 (c) *HAWAII.*—*The Secretary shall use \$6,000,000 of*
 22 *funds of the Commodity Credit Corporation to assist suga-*
 23 *cane growers in Hawaii by making a payment in that*
 24 *amount to an agricultural transportation cooperative in*
 25 *Hawaii, the members of which are eligible to obtain a loan*

1 *under section 156(a) of the Federal Agriculture Improve-*
2 *ment and Reform Act of 1996 (7 U.S.C. 7272(a)).*

3 **SEC. 815. BOVINE TUBERCULOSIS HERD INDEMNIFICATION.**

4 *The Secretary shall use \$2,000,000 of funds of the*
5 *Commodity Credit Corporation to indemnify producers*
6 *that suffered losses to herds of cattle due to bovine tuber-*
7 *culosis during calendar year 2005.*

8 **SEC. 816. REDUCTION IN PAYMENTS.**

9 *The amount of any payment for which a producer is*
10 *eligible under this subtitle shall be reduced by any amount*
11 *received by the producer for the same loss or any similar*
12 *loss under—*

13 *(1) the Department of Defense, Emergency Sup-*
14 *plemental Appropriations to Address Hurricanes in*
15 *the Gulf of Mexico, and Pandemic Influenza Act,*
16 *2006 (Public Law 109–148; 119 Stat. 2680);*

17 *(2) an agricultural disaster assistance provision*
18 *contained in the announcement of the Secretary on*
19 *January 26, 2006; or*

20 *(3) the Emergency Supplemental Appropriations*
21 *Act for Defense, the Global War on Terror, and Hur-*
22 *ricane Recovery, 2006 (Public Law 109-234; 120*
23 *Stat. 418).*

1 ***Subtitle B—Supplemental Nutrition***
 2 ***and Agricultural Economic Dis-***
 3 ***aster Assistance***

4 ***SEC. 821. REPLENISHMENT OF SECTION 32.***

5 *(a) DEFINITION OF SPECIALTY CROP.—In this section:*

6 *(1) IN GENERAL.—The term “specialty crop”*
 7 *means any agricultural crop.*

8 *(2) EXCEPTION.—The term “specialty crop” does*
 9 *not include—*

10 *(A) wheat;*

11 *(B) feed grains;*

12 *(C) oilseeds;*

13 *(D) cotton;*

14 *(E) rice;*

15 *(F) peanuts; or*

16 *(G) milk.*

17 *(b) BASE STATE GRANTS.—*

18 *(1) IN GENERAL.—The Secretary shall use*
 19 *\$25,000,000 of funds of the Commodity Credit Cor-*
 20 *poration to make grants to the several States to be*
 21 *used to support activities that promote agriculture.*

22 *(2) AMOUNTS.—The amount of the grants shall*
 23 *be \$500,000 to each of the several States.*

24 *(c) GRANTS FOR VALUE OF PRODUCTION.—The Sec-*
 25 *retary shall use \$74,500,000 of funds of the Commodity*

1 *Credit Corporation to make a grant to each of the several*
 2 *States in an amount equal to the product obtained by mul-*
 3 *tiplying—*

4 (1) *the share of the State of the total value of*
 5 *specialty crop and livestock of the United States for*
 6 *the 2004 crop year, as determined by the Secretary;*
 7 *by*

8 (2) *\$74,500,000.*

9 (d) *SPECIAL CROP AND LIVESTOCK PRIORITY.—As a*
 10 *condition on the receipt of a grant under this section, a*
 11 *State shall agree to give priority to the support of specialty*
 12 *crops and livestock in the use of the grant funds.*

13 (e) *USE OF FUNDS.—A State may use funds from a*
 14 *grant awarded under this section—*

15 (1) *to supplement State food bank programs or*
 16 *other nutrition assistance programs;*

17 (2) *to promote the purchase, sale, or consump-*
 18 *tion of agricultural products;*

19 (3) *to provide economic assistance to agricul-*
 20 *tural producers, giving a priority to the support of*
 21 *specialty crops and livestock; or*

22 (4) *for other purposes as determined by the Sec-*
 23 *retary.*

1 **SEC. 822. SUPPLEMENTAL ECONOMIC LOSS PAYMENTS.**

2 (a) *IN GENERAL.*—Subject to subsection (b), the Sec-
3 retary shall make a supplemental economic loss payment
4 to—

5 (1) *any producers on a farm that received a di-*
6 *rect payment for crop year 2005 under title I of the*
7 *Farm Security and Rural Investment Act of 2002 (7*
8 *U.S.C. 7901 et seq.); and*

9 (2) *any dairy producer that was eligible to re-*
10 *ceive a payment during the 2005 calendar year under*
11 *section 1502 of the Farm Security and Rural Invest-*
12 *ment Act of 2002 (7 U.S.C. 7982).*

13 (b) *AMOUNT.*—

14 (1) *COVERED COMMODITIES.*—Subject to para-
15 graph (3), the amount of a supplemental economic
16 loss payment made to the producers on a farm under
17 subsection (a)(1) shall be equal to the product ob-
18 tained by multiplying—

19 (A) *30 percent of the direct payment rate in*
20 *effect for the covered commodity of the producers*
21 *on the farm;*

22 (B) *85 percent of the base acres of the cov-*
23 *ered commodity of the producers on the farm;*
24 *and*

25 (C) *the payment yield for each covered com-*
26 *modity of the producers on the farm.*

1 (2) *DAIRY PAYMENTS.*—

2 (A) *DISTRIBUTION.*—*Supplemental eco-*
 3 *nomie loss payments under subsection (a)(2)*
 4 *shall be distributed in a manner that is con-*
 5 *sistent with section 1502 of the Farm and Rural*
 6 *Investment Act of 2002 (7 U.S.C. 7982).*

7 (B) *MAXIMUM AMOUNT.*—*Subject to para-*
 8 *graph (3), the total amount available for supple-*
 9 *mental economic loss payments under subsection*
 10 *(a)(2) shall not exceed \$147,000,000.*

11 (3) *LIMITATIONS.*—

12 (A) *IN GENERAL.*—*Subject to subparagraph*
 13 *(B), the Secretary shall ensure that no person re-*
 14 *ceives supplemental economic loss payments*
 15 *under—*

16 (i) *subsection (a)(1) in excess of the per*
 17 *person limitations applicable to a person*
 18 *that receives payments described in sub-*
 19 *section (a)(1); and*

20 (ii) *subsection (a)(2) in excess of the*
 21 *per dairy operation limitation applicable to*
 22 *producers on a dairy farm described in sub-*
 23 *section (a)(2).*

24 (B) *ADMINISTRATION.*—*In carrying out*
 25 *subparagraph (A), the Secretary—*

1 (i) shall establish separate limitations
 2 for supplemental economic loss payments
 3 received under this section; and

4 (ii) shall not include the supplemental
 5 economic loss payments in applying pay-
 6 ment limitations under section 1001 of the
 7 Food Security Act of 1985 (7 U.S.C. 1001)
 8 for payments made pursuant to the under-
 9 lying normal operation of the program de-
 10 scribed in subsection (a)(1) or section 1502
 11 of the Farm and Rural Investment Act of
 12 2002 (7 U.S.C. 7982).

13 **SEC. 823. EMERGENCY WATERSHED PROTECTION PRO-**
 14 **GRAM.**

15 The Secretary shall use an additional \$53,600,000 of
 16 funds of the Commodity Credit Corporation to carry out
 17 emergency measures identified by the Chief of the Natural
 18 Resources Conservation Service as of the date of enactment
 19 of this Act through the emergency watershed protection pro-
 20 gram established under section 403 of the Agricultural
 21 Credit Act of 1978 (16 U.S.C. 2203).

22 **Subtitle C—Conservation**

23 **SEC. 831. NATURAL RESOURCES CONSERVATION SERVICE.**

24 (a) **AUTHORITY TO CLEAR DEBRIS AND ANIMAL CAR-**
 25 **CASSES.**—Notwithstanding any other provision of law, the

1 *Secretary, acting through the Natural Resources Conserva-*
2 *tion Service, using funds made available for the emergency*
3 *watershed protection program established under section 403*
4 *of the Agricultural Credit Act of 1978 (16 U.S.C. 2203),*
5 *may provide financial and technical assistance to remove*
6 *and dispose of debris and animal carcasses that could ad-*
7 *versely affect health and safety on non-Federal land in a*
8 *hurricane-affected county.*

9 **(b) AUTHORITY TO USE CERTAIN PRACTICES.**—*Not-*
10 *withstanding any other provision of law, the Secretary, act-*
11 *ing through the Natural Resources Conservation Service,*
12 *may use direct check-writing practices and electronic trans-*
13 *fers to provide financial and technical assistance under the*
14 *emergency watershed protection program established under*
15 *section 403 of the Agricultural Credit Act of 1978 (16*
16 *U.S.C. 2203) in a hurricane-affected county.*

17 **SEC. 832. EMERGENCY CONSERVATION PROGRAM.**

18 *The Secretary shall use an additional \$17,000,000 of*
19 *funds of the Commodity Credit Corporation to carry out*
20 *emergency measures identified by the Administrator of the*
21 *Farm Service Agency as of the date of enactment of this*
22 *Act through the emergency conservation program estab-*
23 *lished under title IV of the Agricultural Credit Act of 1978*
24 *(16 U.S.C. 2201 et seq.).*

1 ***Subtitle D—Farm Service Agency***

2 ***SEC. 841. FUNDING FOR ADDITIONAL PERSONNEL.***

3 *The Secretary shall use \$13,400,000 of funds of the*
 4 *Commodity Credit Corporation to hire additional County*
 5 *Farm Service Agency personnel—*

6 *(1) to expedite the implementation of, and deliv-*
 7 *ery under, the agricultural disaster and economic as-*
 8 *istance programs under this title; and*

9 *(2) as the Secretary determines to be necessary*
 10 *to carry out other agriculture and disaster assistance*
 11 *programs.*

12 ***Subtitle E—Miscellaneous***

13 ***SEC. 851. AUTHORITY TO PROVIDE IMMUNIZATIONS.***

14 *Notwithstanding any other provision of law, the Sec-*
 15 *retary of Defense may provide immunizations to employees*
 16 *of the Department of Agriculture involved in direct recovery*
 17 *work in a hurricane-affected county.*

18 ***SEC. 852. WAIVER OF CERTAIN PROVISIONS.***

19 *Notwithstanding any other provision of law, the Sec-*
 20 *retary may provide assistance in a hurricane-affected coun-*
 21 *ty under the emergency conservation program established*
 22 *under title IV of the Agricultural Credit Act of 1978 (16*
 23 *U.S.C. 2201 et seq.) without regard to subtitle C of title*
 24 *XII of the Food Security Act of 1985 (16 U.S.C. 3821 et*
 25 *seq.).*

1 **SEC. 853. FUNDING.**

2 *The Secretary shall use the funds, facilities, and au-*
3 *thorities of the Commodity Credit Corporation to carry out*
4 *this title, to remain available until expended.*

5 **SEC. 854. REGULATIONS.**

6 (a) *IN GENERAL.*—*The Secretary may promulgate*
7 *such regulations as are necessary to implement this title.*

8 (b) *PROCEDURE.*—*The promulgation of the regulations*
9 *and administration of this title shall be made without re-*
10 *gard to—*

11 (1) *the notice and comment provisions of section*
12 *553 of title 5, United States Code;*

13 (2) *the Statement of Policy of the Secretary of*
14 *Agriculture effective July 24, 1971 (36 Fed. Reg.*
15 *13804), relating to notices of proposed rulemaking*
16 *and public participation in rulemaking; and*

17 (3) *chapter 35 of title 44, United States Code*
18 *(commonly known as the “Paperwork Reduction*
19 *Act”).*

20 (c) *CONGRESSIONAL REVIEW OF AGENCY RULE-*
21 *MAKING.*—*In carrying out this section, the Secretary shall*
22 *use the authority provided under section 808 of title 5,*
23 *United States Code.*

1 ***Subtitle F—Emergency Designation***

2 ***SEC. 861. EMERGENCY DESIGNATION.***

3 *The amounts provided in this title are designated as*
4 *an emergency requirement pursuant to section 402 of S.*
5 *Con. Res. 83 (109th Congress), the concurrent resolution on*
6 *the budget for fiscal year 2007, as made applicable in the*
7 *Senate by section 7035 of Public Law 109–234.*

8 *This Act may be cited as the “Agriculture, Rural De-*
9 *velopment, Food and Drug Administration, and Related*
10 *Agencies Appropriations Act, 2007”.*

Calendar No. 477

109TH CONGRESS
2^D Session

H.R. 5384

[Report No. 109-266]

AN ACT

Making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2007, and for other purposes.

MAY 24, 2006

Received; read twice and referred to the Committee on
Appropriations

JUNE 22, 2006

Reported with an amendment