

Calendar No. 331

110TH CONGRESS
1ST SESSION**H. R. 3161**

IN THE SENATE OF THE UNITED STATES

AUGUST 3, 2007

Received; read twice and placed on the calendar

AN ACT

Making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2008, 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
7 ending September 30, 2008, and for other purposes,
8 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, \$5,505,000 (reduced by \$100,100): *Pro-*
7 *vided*, That not to exceed \$11,000 of this amount shall
8 be available for official reception and representation ex-
9 penses, not otherwise provided for, as determined by the
10 Secretary.

11 EXECUTIVE OPERATIONS

12 CHIEF ECONOMIST

13 For necessary expenses of the Chief Economist, in-
14 cluding economic analysis, risk assessment, cost-benefit
15 analysis, energy and new uses, and the functions of the
16 World Agricultural Outlook Board, as authorized by the
17 Agricultural Marketing Act of 1946 (7 U.S.C. 1622g),
18 \$10,847,000.

19 NATIONAL APPEALS DIVISION

20 For necessary expenses of the National Appeals Divi-
21 sion, \$15,056,000.

22 OFFICE OF BUDGET AND PROGRAM ANALYSIS

23 For necessary expenses of the Office of Budget and
24 Program Analysis, \$8,622,000.

1 HOMELAND SECURITY STAFF

2 For necessary expenses of the Homeland Security
3 Staff, \$2,252,000.

4 OFFICE OF THE CHIEF INFORMATION OFFICER

5 For necessary expenses of the Office of the Chief In-
6 formation Officer, \$16,723,000.

7 OFFICE OF THE CHIEF FINANCIAL OFFICER

8 For necessary expenses of the Office of the Chief Fi-
9 nancial Officer, \$6,076,000: *Provided*, That no funds
10 made available by this appropriation may be obligated for
11 FAIR Act or Circular A-76 activities until the Secretary
12 has submitted to the Committees on Appropriations of
13 both Houses of Congress and the Committee on Oversight
14 and Government Reform of the House of Representatives
15 a report on the Department's contracting out policies, in-
16 cluding agency budgets for contracting out.

17 OFFICE OF THE ASSISTANT SECRETARY FOR CIVIL
18 RIGHTS

19 For necessary salaries and expenses of the Office of
20 the Assistant Secretary for Civil Rights, \$897,000.

21 OFFICE OF CIVIL RIGHTS

22 For necessary expenses of the Office of Civil Rights,
23 \$23,147,000.

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, \$709,000.

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, \$196,616,000, to remain avail-
20 able until expended, of which \$156,590,000 shall be for
21 payments to the General Services Administration for rent
22 and the Department of Homeland Security for building
23 security: *Provided*, That amounts which are made avail-
24 able for space rental and related costs for the Department
25 of Agriculture in this Act may be transferred between such

1 appropriations to cover the costs of additional, new, or re-
2 placement space 15 days after notice thereof is trans-
3 mitted to the Appropriations Committees of both Houses
4 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.), \$12,200,000, 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, \$23,913,000, 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, \$3,936,000: *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, \$9,720,000.

7 OFFICE OF INSPECTOR GENERAL

8 For necessary expenses of the Office of the Inspector
9 General, including employment pursuant to the Inspector
10 General Act of 1978, \$85,998,000, including such sums
11 as may be necessary for contracting and other arrange-
12 ments with public agencies and private persons pursuant
13 to section 6(a)(9) of the Inspector General Act of 1978,
14 and including not to exceed \$125,000 for certain confiden-
15 tial operational expenses, including the payment of inform-
16 ants, to be expended under the direction of the Inspector
17 General pursuant to Public Law 95–452 and section 1337
18 of Public Law 97–98.

19 OFFICE OF THE GENERAL COUNSEL

20 For necessary expenses of the Office of the General
21 Counsel, \$40,964,000.

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

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

1 nomics to administer the laws enacted by the Congress
2 for the Economic Research Service, the National Agricul-
3 tural Statistics Service, the Agricultural Research Service,
4 and the Cooperative State Research, Education, and Ex-
5 tension Service, \$626,000.

6 ECONOMIC RESEARCH SERVICE

7 For necessary expenses of the Economic Research
8 Service in conducting economic research and analysis,
9 \$79,282,000.

10 NATIONAL AGRICULTURAL STATISTICS SERVICE

11 For necessary expenses of the National Agricultural
12 Statistics Service in conducting statistical reporting and
13 service work, \$166,099,000, of which up to \$52,725,000
14 shall be available until expended for the Census of Agri-
15 culture.

16 AGRICULTURAL RESEARCH SERVICE

17 SALARIES AND EXPENSES

18 For necessary expenses to enable the Agricultural Re-
19 search Service to perform agricultural research and dem-
20 onstration relating to production, utilization, marketing,
21 and distribution (not otherwise provided for); home eco-
22 nomics or nutrition and consumer use including the acqui-
23 sition, preservation, and dissemination of agricultural in-
24 formation; and for acquisition of lands by donation, ex-
25 change, or purchase at a nominal cost not to exceed \$100,

1 and for land exchanges where the lands exchanged shall
2 be of equal value or shall be equalized by a payment of
3 money to the grantor which shall not exceed 25 percent
4 of the total value of the land or interests transferred out
5 of Federal ownership, \$1,076,340,000: *Provided*, That ap-
6 propriations hereunder shall be available for the operation
7 and maintenance of aircraft and the purchase of not to
8 exceed one for replacement only: *Provided further*, That
9 appropriations hereunder shall be available pursuant to 7
10 U.S.C. 2250 for the construction, alteration, and repair
11 of buildings and improvements, but unless otherwise pro-
12 vided, the cost of constructing any one building shall not
13 exceed \$375,000, except for headhouses or greenhouses
14 which shall each be limited to \$1,200,000, and except for
15 10 buildings to be constructed or improved at a cost not
16 to exceed \$750,000 each, and the cost of altering any one
17 building during the fiscal year shall not exceed 10 percent
18 of the current replacement value of the building or
19 \$375,000, whichever is greater: *Provided further*, That the
20 limitations on alterations contained in this Act shall not
21 apply to modernization or replacement of existing facilities
22 at Beltsville, Maryland: *Provided further*, That appropria-
23 tions hereunder shall be available for granting easements
24 at the Beltsville Agricultural Research Center: *Provided*
25 *further*, That the foregoing limitations shall not apply to

1 replacement of buildings needed to carry out the Act of
2 April 24, 1948 (21 U.S.C. 113a): *Provided further*, That
3 funds may be received from any State, other political sub-
4 division, organization, or individual for the purpose of es-
5 tablishing or operating any research facility or research
6 project of the Agricultural Research Service, as authorized
7 by law: *Provided further*, That none of the funds appro-
8 priated under this heading shall be available to carry out
9 research related to the production, processing, or mar-
10 keting of tobacco or tobacco products.

11 BUILDINGS AND FACILITIES

12 For acquisition of land, construction, repair, improve-
13 ment, extension, alteration, and purchase of fixed equip-
14 ment or facilities as necessary to carry out the agricultural
15 research programs of the Department of Agriculture,
16 where not otherwise provided, \$64,000,000, to remain
17 available until expended.

18 COOPERATIVE STATE RESEARCH, EDUCATION, AND

19 EXTENSION SERVICE

20 RESEARCH AND EDUCATION ACTIVITIES

21 For payments to agricultural experiment stations, for
22 cooperative forestry and other research, for facilities, and
23 for other expenses, \$671,419,000, as follows: to carry out
24 the provisions of the Hatch Act of 1887 (7 U.S.C. 361a–
25 i), \$195,817,000; for grants for cooperative forestry re-
26 search (16 U.S.C. 582a through a–7), \$23,318,000; for

1 payments to eligible institutions (7 U.S.C. 3222),
2 \$42,000,000, of which \$944,737 shall be made available
3 only for the purpose of ensuring that each institution shall
4 receive no less than \$1,000,000; for special grants for ag-
5 ricultural research (7 U.S.C. 450i(c)), \$94,242,000; for
6 competitive grants for agricultural research on improved
7 pest control (7 U.S.C. 450i(c)), \$15,973,000; for competi-
8 tive research grants (7 U.S.C. 450i(b)), \$190,229,000; for
9 the support of animal health and disease programs (7
10 U.S.C. 3195), \$5,006,000; for the 1994 research grants
11 program for 1994 institutions pursuant to section 536 of
12 Public Law 103–382 (7 U.S.C. 301 note), \$1,544,000, to
13 remain available until expended; for higher education
14 graduate fellowship grants (7 U.S.C. 3152(b)(6)),
15 \$3,701,000, to remain available until expended (7 U.S.C.
16 2209b); for a veterinary medicine loan repayment program
17 pursuant to section 1415A of the National Agricultural
18 Research, Extension, and Teaching Policy Act of 1977 (7
19 U.S.C. 3101 et seq.), \$1,000,000; for higher education
20 challenge grants (7 U.S.C. 3152(b)(1)), \$5,423,000; for
21 a higher education multicultural scholars program (7
22 U.S.C. 3152(b)(5)), \$988,000, to remain available until
23 expended (7 U.S.C. 2209b); for an education grants pro-
24 gram for Hispanic-serving Institutions (7 U.S.C. 3241),
25 \$6,237,000; for competitive grants for the purpose of car-

1 rying out all provisions of 7 U.S.C. 3242 (section 759 of
 2 Public Law 106–78) to individual eligible institutions or
 3 consortia of eligible institutions in Alaska and in Hawaii,
 4 with funds awarded equally to each of the States of Alaska
 5 and Hawaii, \$3,218,000; for a secondary agriculture edu-
 6 cation program and 2-year post-secondary education (7
 7 U.S.C. 3152(j)), \$990,000; for aquaculture grants (7
 8 U.S.C. 3322), \$3,956,000; for sustainable agriculture re-
 9 search and education (7 U.S.C. 5811), \$14,000,000; for
 10 a program of capacity building grants (7 U.S.C.
 11 3152(b)(4)) to institutions eligible to receive funds under
 12 7 U.S.C. 3221 and 3222, \$15,000,000, to remain avail-
 13 able until expended (7 U.S.C. 2209b); for payments to the
 14 1994 Institutions pursuant to section 534(a)(1) of Public
 15 Law 103–382, \$3,342,000; for resident instruction grants
 16 for insular areas under section 1491 of the National Agri-
 17 cultural Research, Extension, and Teaching Policy Act of
 18 1977 (7 U.S.C. 3363), \$1,000,000; and for necessary ex-
 19 penses of Research and Education Activities,
 20 \$44,435,000, of which \$2,723,000 for the Research, Edu-
 21 cation, and Economics Information System and
 22 \$2,151,000 for the Electronic Grants Information System,
 23 are to remain available until expended: *Provided*, That
 24 none of the funds appropriated under this heading shall
 25 be available to carry out research related to the produc-

tion, processing, or marketing of tobacco or tobacco products: *Provided further*, That this paragraph shall not apply to research on the medical, biotechnological, food, and industrial uses of tobacco.

NATIVE AMERICAN INSTITUTIONS ENDOWMENT FUND

For the Native American Institutions Endowment Fund authorized by Public Law 103–382 (7 U.S.C. 301 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, \$463,886,000, 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)), \$3,321,000; payments for the nutrition and family education program for low-income areas under section 3(d) of the Act, \$68,500,000; payments for the pest management program under section 3(d) of the Act, \$9,860,000; payments for the farm safety program under section 3(d) of the Act, \$5,000,000; payments for New Technologies for Ag Extension under Section 3(d) of the Act, \$1,485,000; payments to upgrade re-

1 search, extension, and teaching facilities at institutions eli-
 2 gible to receive funds under 7 U.S.C. 3221 and 3222,
 3 \$18,000,000, to remain available until expended; pay-
 4 ments for youth-at-risk programs under section 3(d) of the
 5 Smith-Lever Act, \$8,396,000; for youth farm safety edu-
 6 cation and certification extension grants, to be awarded
 7 competitively under section 3(d) of the Act, \$494,000;
 8 payments for carrying out the provisions of the Renewable
 9 Resources Extension Act of 1978 (16 U.S.C. 1671 et
 10 seq.), \$4,052,000; payments for the federally-recognized
 11 Tribes Extension Program under section 3(d) of the
 12 Smith-Lever Act, \$3,000,000; payments for sustainable
 13 agriculture programs under section 3(d) of the Act,
 14 \$4,200,000; payments for cooperative extension work by
 15 eligible institutions (7 U.S.C. 3221), \$37,000,000, of
 16 which \$1,113,333 shall be made available only for the pur-
 17 pose of ensuring that each institution shall receive no less
 18 than \$1,000,000; for grants to youth organizations pursu-
 19 ant to section 7630 of title 7, United States Code,
 20 \$1,980,000; and for necessary expenses of Extension Ac-
 21 tivities, \$17,169,000.

22 INTEGRATED ACTIVITIES

23 For the integrated research, education, and extension
 24 grants programs, including necessary administrative ex-
 25 penses, \$57,244,000, as follows: for competitive grants
 26 programs authorized under section 406 of the Agricultural

1 Research, Extension, and Education Reform Act of 1998
2 (7 U.S.C. 7626), \$42,286,000, including \$12,738,000 for
3 the water quality program, \$14,699,000 for the food safe-
4 ty program, \$4,125,000 for the regional pest management
5 centers program, \$4,419,000 for the Food Quality Protec-
6 tion Act risk mitigation program for major food crop sys-
7 tems, \$1,375,000 for the crops affected by Food Quality
8 Protection Act implementation, \$3,075,000 for the methyl
9 bromide transition program, and \$1,855,000 for the or-
10 ganic transition program; for a competitive international
11 science and education grants program authorized under
12 section 1459A of the National Agricultural Research, Ex-
13 tension, and Teaching Policy Act of 1977 (7 U.S.C.
14 3292b), to remain available until expended, \$3,000,000;
15 for grants programs authorized under section 2(c)(1)(B)
16 of Public Law 89–106, as amended, \$737,000, to remain
17 available until September 30, 2009, for the critical issues
18 program; \$1,321,000 for the regional rural development
19 centers program; and \$9,900,000 for the Food and Agri-
20 culture Defense Initiative authorized under section 1484
21 of the National Agricultural Research, Extension, and
22 Teaching Act of 1977, to remain available until September
23 30, 2009.

24 OUTREACH FOR SOCIALLY DISADVANTAGED FARMERS

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

1 1990 (7 U.S.C. 2279), \$6,930,000, to remain available
2 until expended.

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

5 For necessary salaries and expenses of the Office of
6 the Under Secretary for Marketing and Regulatory Pro-
7 grams to administer programs under the laws enacted by
8 the Congress for the Animal and Plant Health Inspection
9 Service; the Agricultural Marketing Service; and the Grain
10 Inspection, Packers and Stockyards Administration;
11 \$759,000.

12 ANIMAL AND PLANT HEALTH INSPECTION SERVICE
13 SALARIES AND EXPENSES
14 (INCLUDING TRANSFERS OF FUNDS)

15 For expenses, not otherwise provided for, necessary
16 to prevent, control, and eradicate pests and plant and ani-
17 mal diseases; to carry out inspection, quarantine, and reg-
18 ulatory activities; and to protect the environment, as au-
19 thorized by law, \$874,643,000, of which \$4,113,000 shall
20 be available for the control of outbreaks of insects, plant
21 diseases, animal diseases and for control of pest animals
22 and birds to the extent necessary to meet emergency con-
23 ditions; of which \$36,269,000 shall be used for the cotton
24 pests program for cost share purposes or for debt retire-
25 ment for active eradication zones; of which \$57,044,000
26 shall be used to conduct a surveillance and preparedness

1 program for highly pathogenic avian influenza: *Provided*,
2 That no funds shall be used to formulate or administer
3 a brucellosis eradication program for the current fiscal
4 year that does not require minimum matching by the
5 States of at least 40 percent: *Provided further*, That this
6 appropriation shall be available for the operation and
7 maintenance of aircraft and the purchase of not to exceed
8 four, of which two shall be for replacement only: *Provided*
9 *further*, That, in addition, in emergencies which threaten
10 any segment of the agricultural production industry of this
11 country, the Secretary may transfer from other appropria-
12 tions or funds available to the agencies or corporations
13 of the Department such sums as may be deemed nec-
14 essary, to be available only in such emergencies for the
15 arrest and eradication of contagious or infectious disease
16 or pests of animals, poultry, or plants, and for expenses
17 in accordance with sections 10411 and 10417 of the Ani-
18 mal Health Protection Act (7 U.S.C. 8310 and 8316) and
19 sections 431 and 442 of the Plant Protection Act (7
20 U.S.C. 7751 and 7772), and any unexpended balances of
21 funds transferred for such emergency purposes in the pre-
22 ceding fiscal year shall be merged with such transferred
23 amounts: *Provided further*, That appropriations hereunder
24 shall be available pursuant to law (7 U.S.C. 2250) for the
25 repair and alteration of leased buildings and improve-

1 ments, but unless otherwise provided the cost of altering
2 any one building during the fiscal year shall not exceed
3 10 percent of the current replacement value of the build-
4 ing.

5 In fiscal year 2008, the agency is authorized to collect
6 fees to cover the total costs of providing technical assist-
7 ance, goods, or services requested by States, other political
8 subdivisions, domestic and international organizations,
9 foreign governments, or individuals, provided that such
10 fees are structured such that any entity's liability for such
11 fees is reasonably based on the technical assistance, goods,
12 or services provided to the entity by the agency, and such
13 fees shall be credited to this account, to remain available
14 until expended, without further appropriation, for pro-
15 viding such assistance, goods, or services.

16 BUILDINGS AND FACILITIES

17 For plans, construction, repair, preventive mainte-
18 nance, environmental support, improvement, extension, al-
19 teration, and purchase of fixed equipment or facilities, as
20 authorized by 7 U.S.C. 2250, and acquisition of land as
21 authorized by 7 U.S.C. 428a, \$4,946,000, to remain avail-
22 able until expended.

23 AGRICULTURAL MARKETING SERVICE

24 MARKETING SERVICES

25 For necessary expenses to carry out services related
26 to consumer protection, agricultural marketing and dis-

1 tribution, transportation, and regulatory programs, as au-
2 thorized by law, and for administration and coordination
3 of payments to States, \$79,945,000, including funds for
4 the wholesale market development program for the design
5 and development of wholesale and farmer market facilities
6 for the major metropolitan areas of the country: *Provided*,
7 That this appropriation shall be available pursuant to law
8 (7 U.S.C. 2250) for the alteration and repair of buildings
9 and improvements, but the cost of altering any one build-
10 ing during the fiscal year shall not exceed 10 percent of
11 the current replacement value of the building.

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

15 LIMITATION ON ADMINISTRATIVE EXPENSES

16 Not to exceed \$61,233,000 (from fees collected) shall
17 be obligated during the current fiscal year for administra-
18 tive expenses: *Provided*, That if crop size is understated
19 and/or other uncontrollable events occur, the agency may
20 exceed this limitation by up to 10 percent with notification
21 to the Committees on Appropriations of both Houses of
22 Congress.

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

4 Funds available under section 32 of the Act of Au-
5 gust 24, 1935 (7 U.S.C. 612c), shall be used only for com-
6 modity program expenses as authorized therein, and other
7 related operating expenses, including not less than
8 \$20,000,000 for replacement of a system to support com-
9 modity purchases, except for: (1) transfers to the Depart-
10 ment of Commerce as authorized by the Fish and Wildlife
11 Act of August 8, 1956; (2) transfers otherwise provided
12 in this Act; and (3) not more than \$16,798,000 for formu-
13 lation and administration of marketing agreements and
14 orders pursuant to the Agricultural Marketing Agreement
15 Act of 1937 and the Agricultural Act of 1961.

16 PAYMENTS TO STATES AND POSSESSIONS

17 For payments to departments of agriculture, bureaus
18 and departments of markets, and similar agencies for
19 marketing activities under section 204(b) of the Agricul-
20 tural Marketing Act of 1946 (7 U.S.C. 1623(b)),
21 \$1,334,000.

22 GRAIN INSPECTION, PACKERS AND STOCKYARDS

23 ADMINISTRATION

24 SALARIES AND EXPENSES

25 For necessary expenses to carry out the provisions
26 of the United States Grain Standards Act, for the admin-

1 istration of the Packers and Stockyards Act, for certifying
 2 procedures used to protect purchasers of farm products,
 3 and the standardization activities related to grain under
 4 the Agricultural Marketing Act of 1946, \$41,115,000:
 5 *Provided*, That this appropriation shall be available pursu-
 6 ant to law (7 U.S.C. 2250) for the alteration and repair
 7 of buildings and improvements, but the cost of altering
 8 any one building during the fiscal year shall not exceed
 9 10 percent of the current replacement value of the build-
 10 ing.

11 LIMITATION ON INSPECTION AND WEIGHING SERVICES

12 EXPENSES

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

20 OFFICE OF THE UNDER SECRETARY FOR FOOD SAFETY

21 For necessary salaries and expenses of the Office of
 22 the Under Secretary for Food Safety to administer the
 23 laws enacted by the Congress for the Food Safety and In-
 24 spection Service, \$632,000.

1 FOOD SAFETY AND INSPECTION SERVICE

2 For necessary expenses to carry out services author-
3 ized by the Federal Meat Inspection Act, the Poultry
4 Products Inspection Act, and the Egg Products Inspection
5 Act, including not to exceed \$50,000 for representation
6 allowances and for expenses pursuant to section 8 of the
7 Act approved August 3, 1956 (7 U.S.C. 1766),
8 \$930,120,000, of which no less than \$830,057,000 shall
9 be available for Federal food safety inspection; and in ad-
10 dition, \$1,000,000 may be credited to this account from
11 fees collected for the cost of laboratory accreditation as
12 authorized by section 1327 of the Food, Agriculture, Con-
13 servation and Trade Act of 1990 (7 U.S.C. 138f): *Pro-*
14 *vided*, That of the total amount made available under this
15 heading, no less than \$20,653,000 shall be obligated for
16 regulatory and scientific training: *Provided further*, That
17 this appropriation shall be available pursuant to law (7
18 U.S.C. 2250) for the alteration and repair of buildings
19 and improvements, but the cost of altering any one build-
20 ing during the fiscal year shall not exceed 10 percent of
21 the current replacement value of the building.

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

4 For necessary salaries and expenses of the Office of
5 the Under Secretary for Farm and Foreign Agricultural
6 Services to administer the laws enacted by Congress for
7 the Farm Service Agency, the Foreign Agricultural Serv-
8 ice, the Risk Management Agency, and the Commodity
9 Credit Corporation, \$666,000.

10 FARM SERVICE AGENCY
11 SALARIES AND EXPENSES
12 (INCLUDING TRANSFERS OF FUNDS)

13 For necessary expenses for carrying out the adminis-
14 tration and implementation of programs administered by
15 the Farm Service Agency, \$1,127,409,000: *Provided*, That
16 the Secretary is authorized to use the services, facilities,
17 and authorities (but not the funds) of the Commodity
18 Credit Corporation to make program payments for all pro-
19 grams administered by the Agency: *Provided further*, That
20 other funds made available to the Agency for authorized
21 activities may be advanced to and merged with this ac-
22 count: *Provided further*, That none of the funds made
23 available by this Act may be used to pay the salary or
24 expenses of any officer or employee of the Department of
25 Agriculture to close or relocate any county or field office
26 of the Farm Service Agency (other than a county or field

1 office that had zero employees as of February 7, 2007),
2 or to develop, submit, consider, or approve any plan for
3 any such closure or relocation before the expiration of the
4 six month period following the date of the enactment of
5 an omnibus authorization law to provide for the continu-
6 ation of agricultural programs for fiscal years after 2007:
7 *Provided further*, That after the expiration of the six
8 month period following the date of the enactment of an
9 omnibus authorization law to provide for the continuation
10 of agricultural programs for fiscal years after 2007 none
11 of the funds made available by this Act may be used to
12 pay the salaries or expenses of any officer or employee
13 of the Department of Agriculture to close any local or
14 county office of the Farm Service Agency unless the Sec-
15 retary of Agriculture, not later than 30 days after the date
16 on which the Secretary proposed the closure, holds a pub-
17 lic meeting about the proposed closure in the county in
18 which the local or county office is located, and, after the
19 public meeting but not later than 120 days before the date
20 on which the Secretary approves the closure, notifies the
21 Committee on Agriculture and the Committee on Appro-
22 priations of the House of Representatives and the Com-
23 mittee on Agriculture, Nutrition, and Forestry and the
24 Committee on Appropriations of the Senate, and the mem-

1 bers of Congress from the State in which the local or coun-
2 ty office is located of the proposed closure.

3 STATE MEDIATION GRANTS

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

7 GRASSROOTS SOURCE WATER PROTECTION PROGRAM

8 For necessary expenses to carry out wellhead or
9 groundwater protection activities under section 1240O of
10 the Food Security Act of 1985 (16 U.S.C. 3839bb–2),
11 \$3,713,000, to remain available until expended.

12 DAIRY INDEMNITY PROGRAM

13 (INCLUDING TRANSFER OF FUNDS)

14 For necessary expenses involved in making indemnity
15 payments to dairy farmers and manufacturers of dairy
16 products under a dairy indemnity program, \$100,000, to
17 remain available until expended: *Provided*, That such pro-
18 gram is carried out by the Secretary in the same manner
19 as the dairy indemnity program described in the Agri-
20 culture, Rural Development, Food and Drug Administra-
21 tion, and Related Agencies Appropriations Act, 2001
22 (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, \$14,762,000, of which \$4,800,000 shall be for unsubsidized guaranteed loans, and \$9,962,000 shall be for direct loans; operating loans, \$137,446,000,

1 of which \$24,200,000 shall be for unsubsidized guaran-
2 teed loans, \$33,350,000 shall be for subsidized guaranteed
3 loans, and \$79,896,000 shall be for direct loans; and In-
4 dian tribe land acquisition loans, \$125,000.

5 In addition, for administrative expenses necessary to
6 carry out the direct and guaranteed loan programs,
7 \$318,150,000, of which \$310,230,000 shall be transferred
8 to and merged with the appropriation for “Farm Service
9 Agency, Salaries and Expenses”.

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

16 RISK MANAGEMENT AGENCY

17 For administrative and operating expenses, as au-
18 thorized by section 226A of the Department of Agriculture
19 Reorganization Act of 1994 (7 U.S.C. 6933),
20 \$78,833,000: *Provided*, That not to exceed \$1,000 shall
21 be available for official reception and representation ex-
22 penses, as authorized by 7 U.S.C. 1506(i).

23 CORPORATIONS

24 The following corporations and agencies are hereby
25 authorized to make expenditures, within the limits of

1 funds and borrowing authority available to each such cor-
2 poration or agency and in accord with law, and to make
3 contracts and commitments without regard to fiscal year
4 limitations as provided by section 104 of the Government
5 Corporation Control Act as may be necessary in carrying
6 out the programs set forth in the budget for the current
7 fiscal year for such corporation or agency, except as here-
8 inafter provided.

9 FEDERAL CROP INSURANCE CORPORATION FUND

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

13 COMMODITY CREDIT CORPORATION FUND

14 REIMBURSEMENT FOR NET REALIZED LOSSES

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

1 Foreign Agricultural Service that are not related to Com-
2 modity Credit Corporation business.

3 HAZARDOUS WASTE MANAGEMENT

4 (LIMITATION ON EXPENSES)

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

13 TITLE II

14 CONSERVATION PROGRAMS

15 OFFICE OF THE UNDER SECRETARY FOR NATURAL

16 RESOURCES AND ENVIRONMENT

17 For necessary salaries and expenses of the Office of
18 the Under Secretary for Natural Resources and Environ-
19 ment to administer the laws enacted by the Congress for
20 the Forest Service and the Natural Resources Conserva-
21 tion Service, \$781,000.

22 NATURAL RESOURCES CONSERVATION SERVICE

23 CONSERVATION OPERATIONS

24 For necessary expenses for carrying out the provi-
25 sions of the Act of April 27, 1935 (16 U.S.C. 590a–f),
26 including preparation of conservation plans and establish-

1 ment of measures to conserve soil and water (including
2 farm irrigation and land drainage and such special meas-
3 ures for soil and water management as may be necessary
4 to prevent floods and the siltation of reservoirs and to con-
5 trol agricultural related pollutants); operation of conserva-
6 tion plant materials centers; classification and mapping of
7 soil; dissemination of information; acquisition of lands,
8 water, and interests therein for use in the plant materials
9 program by donation, exchange, or purchase at a nominal
10 cost not to exceed \$100 pursuant to the Act of August
11 3, 1956 (7 U.S.C. 428a); purchase and erection or alter-
12 ation or improvement of permanent and temporary build-
13 ings; and operation and maintenance of aircraft,
14 \$851,910,000, to remain available until June 30, 2009,
15 of which not less than \$10,840,000 is for snow survey and
16 water forecasting, and not less than \$10,779,000 is for
17 operation and establishment of the plant materials cen-
18 ters, and of which not less than \$27,225,000 shall be for
19 the grazing lands conservation initiative: *Provided*, That
20 appropriations hereunder shall be available pursuant to 7
21 U.S.C. 2250 for construction and improvement of build-
22 ings and public improvements at plant materials centers,
23 except that the cost of alterations and improvements to
24 other buildings and other public improvements shall not
25 exceed \$250,000: *Provided further*, That when buildings

1 or other structures are erected on non-Federal land, that
2 the right to use such land is obtained as provided in 7
3 U.S.C. 2250a: *Provided further*, That this appropriation
4 shall be available for technical assistance and related ex-
5 penses to carry out programs authorized by section 202(c)
6 of title II of the Colorado River Basin Salinity Control
7 Act of 1974 (43 U.S.C. 1592(c)): *Provided further*, That
8 qualified local engineers may be temporarily employed at
9 per diem rates to perform the technical planning work of
10 the Service.

11 WATERSHED SURVEYS AND PLANNING

12 For necessary expenses to conduct research, inves-
13 tigation, and surveys of watersheds of rivers and other wa-
14 terways, and for small watershed investigations and plan-
15 ning, in accordance with the Watershed Protection and
16 Flood Prevention Act (16 U.S.C. 1001–1009),
17 \$6,556,000.

18 WATERSHED AND FLOOD PREVENTION OPERATIONS

19 For necessary expenses to carry out preventive meas-
20 ures, including but not limited to research, engineering op-
21 erations, methods of cultivation, the growing of vegetation,
22 rehabilitation of existing works and changes in use of land,
23 in accordance with the Watershed Protection and Flood
24 Prevention Act (16 U.S.C. 1001–1005 and 1007–1009),
25 the provisions of the Act of April 27, 1935 (16 U.S.C.
26 590a–f), and in accordance with the provisions of laws re-

1 lating to the activities of the Department, \$37,000,000,
2 to remain available until expended; of which up to
3 \$10,000,000 may be available for the watersheds author-
4 ized under the Flood Control Act (33 U.S.C. 701 and 16
5 U.S.C. 1006a): *Provided*, That not to exceed \$18,500,000
6 of this appropriation shall be available for technical assist-
7 ance.

8 WATERSHED REHABILITATION PROGRAM

9 For necessary expenses to carry out rehabilitation of
10 structural measures, in accordance with section 14 of the
11 Watershed Protection and Flood Prevention Act (16
12 U.S.C. 1012), and in accordance with the provisions of
13 laws relating to the activities of the Department,
14 \$31,586,000, to remain available until expended.

15 RESOURCE CONSERVATION AND DEVELOPMENT

16 For necessary expenses in planning and carrying out
17 projects for resource conservation and development and
18 for sound land use pursuant to the provisions of sections
19 31 and 32 of the Bankhead-Jones Farm Tenant Act (7
20 U.S.C. 1010–1011; 76 Stat. 607); the Act of April 27,
21 1935 (16 U.S.C. 590a–f); and subtitle H of title XV of
22 the Agriculture and Food Act of 1981 (16 U.S.C. 3451–
23 3461), \$52,370,000, to remain available until expended:
24 *Provided*, That not to exceed \$3,073,000 shall be available
25 for national headquarters activities.

1 TITLE III
2 RURAL DEVELOPMENT PROGRAMS
3 OFFICE OF THE UNDER SECRETARY FOR RURAL
4 DEVELOPMENT

5 For necessary salaries and expenses of the Office of
6 the Under Secretary for Rural Development to administer
7 programs under the laws enacted by the Congress for the
8 Rural Housing Service, the Rural Business-Cooperative
9 Service, and the Rural Utilities Service, \$666,000.

10 RURAL COMMUNITY ADVANCEMENT PROGRAM
11 (INCLUDING TRANSFERS OF FUNDS)

12 For the cost of direct loans, loan guarantees, and
13 grants, as authorized by 7 U.S.C. 1926, 1926a, 1926c,
14 1926d, and 1932, except for sections 381E–H and 381N
15 of the Consolidated Farm and Rural Development Act,
16 \$728,807,000, to remain available until expended, of
17 which \$55,742,000 shall be for rural community programs
18 described in section 381E(d)(1) of such Act; of which
19 \$573,065,000 shall be for the rural utilities programs de-
20 scribed in sections 381E(d)(2), 306C(a)(2), and 306D of
21 such Act, of which not to exceed \$500,000 shall be avail-
22 able for the rural utilities program described in section
23 306(a)(2)(B) of such Act, and of which not to exceed
24 \$1,000,000 shall be available for the rural utilities pro-
25 gram described in section 306E of such Act; and of which
26 \$100,000,000 shall be for the rural business and coopera-

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

1 ant to section 306C of such Act; \$18,250,000 shall be for
2 technical assistance grants for rural water and waste sys-
3 tems pursuant to section 306(a)(14) of such Act, of which
4 \$5,600,000 shall be for Rural Community Assistance Pro-
5 grams; and not to exceed \$14,000,000 shall be for con-
6 tracting with qualified national organizations for a circuit
7 rider program to provide technical assistance for rural
8 water systems: *Provided further*, That of the total amount
9 appropriated, not to exceed \$22,800,000 shall be available
10 through June 30, 2008, for authorized empowerment
11 zones and enterprise communities and communities des-
12 ignated by the Secretary of Agriculture as Rural Economic
13 Area Partnership Zones; of which \$1,100,000 shall be for
14 the rural community programs described in section
15 381E(d)(1) of such Act, of which \$13,400,000 shall be
16 for the rural utilities programs described in section
17 381E(d)(2) of such Act, and of which \$8,300,000 shall
18 be for the rural business and cooperative development pro-
19 grams described in section 381E(d)(3) of such Act: *Pro-*
20 *vided further*, That any prior year balances for high cost
21 energy grants authorized by section 19 of the Rural Elec-
22 trification Act of 1936 (7 U.S.C. 901(19)) shall be trans-
23 ferred to and merged with the “Rural Utilities Service,
24 High Energy Costs Grants Account”.

1 RURAL DEVELOPMENT SALARIES AND EXPENSES

2 (INCLUDING TRANSFERS OF FUNDS)

3 For necessary expenses for carrying out the adminis-
4 tration and implementation of programs in the Rural De-
5 velopment mission area, including activities with institu-
6 tions concerning the development and operation of agricul-
7 tural cooperatives; and for cooperative agreements;
8 \$175,382,000: *Provided*, That notwithstanding any other
9 provision of law, funds appropriated under this section
10 may be used for advertising and promotional activities
11 that support the Rural Development mission area: *Pro-*
12 *vided further*, That not more than \$10,000 may be ex-
13 pended to provide modest nonmonetary awards to non-
14 USDA employees: *Provided further*, That any balances
15 available from prior years for the Rural Utilities Service,
16 Rural Housing Service, and the Rural Business-Coopera-
17 tive Service salaries and expenses accounts shall be trans-
18 ferred to and merged with this appropriation.

19 RURAL HOUSING SERVICE

20 RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT

21 (INCLUDING TRANSFERS OF FUNDS)

22 For gross obligations for the principal amount of di-
23 rect and guaranteed loans as authorized by title V of the
24 Housing Act of 1949, to be available from funds in the
25 rural housing insurance fund, as follows: \$4,845,816,000
26 for loans to section 502 borrowers, as determined by the

1 Secretary, of which \$1,129,391,000 shall be for direct
2 loans, and of which \$3,716,425,000 shall be for unsub-
3 sidized guaranteed loans; \$34,652,000 for section 504
4 housing repair loans; \$99,000,000 for section 515 rental
5 housing; \$99,000,000 for section 538 guaranteed multi-
6 family housing loans; \$5,046,000 for section 524 site
7 loans; \$11,486,000 for credit sales of acquired property,
8 of which up to \$1,486,000 may be for multi-family credit
9 sales; and \$5,000,000 for section 523 self-help housing
10 land development loans.

11 For the cost of direct and guaranteed loans, including
12 the cost of modifying loans, as defined in section 502 of
13 the Congressional Budget Act of 1974, as follows: section
14 502 loans, \$150,183,000, of which \$105,824,000 shall be
15 for direct loans, and of which \$44,359,000, to remain
16 available until expended, shall be for unsubsidized guaran-
17 teed loans; section 504 housing repair loans, \$9,796,000;
18 repair, rehabilitation, and new construction of section 515
19 rental housing, \$42,184,000; section 538 multi-family
20 housing guaranteed loans, \$9,306,000; credit sales of ac-
21 quired property, \$552,000; and section 523 self-help hous-
22 ing and development loans, \$142,000: *Provided*, That of
23 the total amount appropriated in this paragraph,
24 \$2,500,000 shall be available through June 30, 2008, for
25 authorized empowerment zones and enterprise commu-

1 nities and communities designated by the Secretary of Ag-
 2 riculture as Rural Economic Area Partnership Zones: *Pro-*
 3 *vided further*, That any balances for a demonstration pro-
 4 gram for the preservation and revitalization of the section
 5 515 multi-family rental housing properties as authorized
 6 in Public Law 109–97 shall be transferred to and merged
 7 with the “Rural Housing Service, Multifamily Housing
 8 Revitalization Program Account”.

9 In addition, for administrative expenses necessary to
 10 carry out the direct and guaranteed loan programs,
 11 \$462,521,000, which shall be transferred to and merged
 12 with the appropriation for “Rural Development, Salaries
 13 and Expenses”.

14 RENTAL ASSISTANCE PROGRAM

15 For rental assistance agreements entered into or re-
 16 newed pursuant to the authority under section 521(a)(2)
 17 or agreements entered into in lieu of debt forgiveness or
 18 payments for eligible households as authorized by section
 19 502(c)(5)(D) of the Housing Act of 1949, \$533,020,000,
 20 to remain available through September 30, 2009; and, in
 21 addition, such sums as may be necessary, as authorized
 22 by section 521(c) of the Act, to liquidate debt incurred
 23 prior to fiscal year 1992 to carry out the rental assistance
 24 program under section 521(a)(2) of the Act: *Provided*,
 25 That of this amount, up to \$7,920,000 shall be available
 26 for debt forgiveness or payments for eligible households

1 as authorized by section 502(c)(5)(D) of the Act, and not
2 to exceed \$50,000 per project for advances to nonprofit
3 organizations or public agencies to cover direct costs
4 (other than purchase price) incurred in purchasing
5 projects pursuant to section 502(c)(5)(C) of the Act: *Pro-*
6 *vided further*, That agreements entered into or renewed
7 during the current fiscal year shall be funded for a one-
8 year period: *Provided further*, That any unexpended bal-
9 ances remaining at the end of such one-year agreements
10 may be transferred and used for the purposes of any debt
11 reduction; maintenance, repair, or rehabilitation of any ex-
12 isting projects; preservation; and rental assistance activi-
13 ties authorized under title V of the Act: *Provided further*,
14 That rental assistance that is recovered from projects that
15 are subject to prepayment shall be deobligated and reallo-
16 cated for vouchers and debt forgiveness or payments con-
17 sistent with the requirements of this Act for purposes au-
18 thorized under section 542 and section 502(c)(5)(D) of
19 the Housing Act of 1949, as amended: *Provided further*,
20 That rental assistance provided under agreements entered
21 into prior to fiscal year 2008 for a section 514/516 project
22 may not be recaptured for use in another project until
23 such assistance has remained unused for a period of 12
24 consecutive months, if such project has a waiting list of
25 tenants seeking such assistance or the project has rental

For the rural housing voucher program as authorized under section 542 of the Housing Act of 1949 (without regard to section 542(b)), for the cost to conduct a housing demonstration program to provide revolving loans for the preservation of low-income multi-family housing projects, and for additional costs to conduct a demonstration program for the preservation and revitalization of the section 515 multi-family rental housing properties, \$27,800,000, to remain available until expended: *Provided*, That of the funds made available under this heading, \$10,000,000 shall be available for rural housing vouchers to any low-income household (including those not receiving rental assistance) residing in a property financed with a section 515 loan which has been prepaid after September 30, 2005: *Provided further*, That the amount of such voucher shall be the difference between comparable market rent for the section 515 unit and the tenant paid rent for such unit: *Provided further*, That funds made available for such vouchers, shall be subject to the availability of annual appropriations: *Provided further*, That

1 the Secretary shall, to the maximum extent practicable,
2 administer such vouchers with current regulations and ad-
3 ministrative guidance applicable for section 8 housing
4 vouchers administered by the Secretary of the Department
5 of Housing and Urban Development (including the ability
6 to pay administrative costs related to delivery of the
7 voucher funds): *Provided further*, That if the Secretary de-
8 termines that the amount made available for vouchers in
9 this or any other Act is not needed for vouchers, the Sec-
10 retary may use such funds for the demonstration pro-
11 grams for the preservation and revitalization of the section
12 515 multi-family rental housing properties described in
13 this paragraph: *Provided further*, That of the funds made
14 available under this heading, \$3,000,000 shall be available
15 for loans to private non-profit organizations, or such non-
16 profit organizations' affiliate loan funds and State and
17 local housing finance agencies, to carry out a housing
18 demonstration program to provide revolving loans for the
19 preservation of low-income multi-family housing projects:
20 *Provided further*, That loans under such demonstration
21 program shall have an interest rate of not more than 1
22 percent direct loan to the recipient: *Provided further*, That
23 the Secretary may defer the interest and principal pay-
24 ment to the Rural Housing Service for up to 3 years and
25 the term of such loans shall not exceed 30 years: *Provided*

1 *further*, That of the funds made available under this head-
2 ing, \$14,800,000 shall be available for a demonstration
3 program for the preservation and revitalization of the sec-
4 tion 515 multi-family rental housing properties to restruc-
5 ture existing section 515 loans, as the Secretary deems
6 appropriate, expressly for the purposes of ensuring the
7 project has sufficient resources to preserve the project for
8 the purpose of providing safe and affordable housing for
9 low-income residents including reducing or eliminating in-
10 terest; deferring loan payments, subordinating, reducing
11 or reamortizing loan debt; and other financial assistance
12 including advances and incentives required by the Sec-
13 retary: *Provided further*, That if the Secretary determines
14 that additional funds for vouchers described in this para-
15 graph are needed, funds for the preservation and revital-
16 ization demonstration program may be used for such
17 vouchers: *Provided further*, That if Congress enacts legis-
18 lation to permanently authorize a section 515 multi-family
19 rental housing loan restructuring program similar to the
20 demonstration program described herein, the Secretary
21 may use funds made available for the demonstration pro-
22 gram under this heading to carry out such legislation with
23 the prior approval of the Committees on Appropriations
24 of both Houses of Congress.

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 1490c), \$40,000,000, to remain available until expended:
5 *Provided*, That of the total amount appropriated,
6 \$1,000,000 shall be available through June 30, 2008, 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 (INCLUDING TRANSFER OF FUNDS)

12 For grants and contracts for very low-income housing
13 repair, supervisory and technical assistance, compensation
14 for construction defects, and rural housing preservation
15 made by the Rural Housing Service, as authorized by 42
16 U.S.C. 1474, 1479(c), 1490e, and 1490m, \$39,000,000,
17 to remain available until expended: *Provided*, That of the
18 total amount appropriated, \$1,200,000 shall be available
19 through June 30, 2008, for authorized empowerment
20 zones and enterprise communities and communities des-
21 ignated by the Secretary of Agriculture as Rural Economic
22 Area Partnership Zones: *Provided further*, That any bal-
23 ances to carry out a housing demonstration program to
24 provide revolving loans for the preservation of low-income
25 multi-family housing projects authorized in Public Law
26 108–447 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, \$46,630,000,
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)), \$33,772,000.

15 For the cost of direct loans, \$14,485,000, 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, 2008, for Federally Recognized Native American
19 Tribes and of which \$3,449,000 shall be available through
20 June 30, 2008, 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, 2008, 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, \$4,861,000 shall be transferred
6 to and merged with the appropriation for “Rural Develop-
7 ment, Salaries and Expenses”.

8 RURAL COOPERATIVE DEVELOPMENT GRANTS

9 For rural cooperative development grants authorized
10 under section 310B(e) of the Consolidated Farm and
11 Rural Development Act (7 U.S.C. 1932), \$29,193,000, of
12 which \$495,000 shall be for a cooperative research agree-
13 ment with a qualified academic institution to conduct re-
14 search on the national economic impact of all types of co-
15 operatives; and of which \$2,475,000 shall be for coopera-
16 tive agreements for the appropriate technology transfer
17 for rural areas program: *Provided*, That not to exceed
18 \$1,473,000 shall be for cooperatives or associations of co-
19 operatives whose primary focus is to provide assistance to
20 small, minority producers and whose governing board and/
21 or membership is comprised of at least 75 percent minor-
22 ity; and of which \$20,295,000, to remain available until
23 expended, shall be for value-added agricultural product
24 market development grants, as authorized by section 6401
25 of the Farm Security and Rural Investment Act of 2002
26 (7 U.S.C. 1621 note).

1 RURAL EMPOWERMENT ZONES AND ENTERPRISE
2 COMMUNITIES GRANTS

3 For grants in connection with second and third
4 rounds of empowerment zones and enterprise commu-
5 nities, \$11,088,000, to remain available until expended,
6 for designated rural empowerment zones and rural enter-
7 prise communities, as authorized by the Taxpayer Relief
8 Act of 1997 and the Omnibus Consolidated and Emer-
9 gency Supplemental Appropriations Act, 1999 (Public
10 Law 105–277).

11 RENEWABLE ENERGY PROGRAM

12 For the cost of a program of direct loans, loan guar-
13 antees, and grants, under the same terms and conditions
14 as authorized by section 9006 of the Farm Security and
15 Rural Investment Act of 2002 (7 U.S.C. 8106),
16 \$46,000,000 for direct and guaranteed renewable energy
17 loans and grants: *Provided*, That the cost of direct loans
18 and loan guarantees, including the cost of modifying such
19 loans, shall be as defined in section 502 of the Congres-
20 sional Budget Act of 1974.

21 RURAL UTILITIES SERVICE

22 RURAL ELECTRIFICATION AND TELECOMMUNICATIONS

23 LOANS PROGRAM ACCOUNT

24 (INCLUDING TRANSFER OF FUNDS)

25 Insured loans pursuant to the authority of section
26 305 of the Rural Electrification Act of 1936 (7 U.S.C.

17 In addition, for administrative expenses necessary to
18 carry out the direct and guaranteed loan programs,
19 \$39,405,000 which shall be transferred to and merged
20 with the appropriation for “Rural Development, Salaries
21 and Expenses”.

24 For the principal amount of broadband telecommuni-
25 cation loans, \$300,000,000.

1 For grants for telemedicine and distance learning
2 services in rural areas, as authorized by 7 U.S.C. 950aaa
3 et seq., \$35,000,000, to remain available until expended.

4 For the cost of broadband loans, as authorized by 7
5 U.S.C. 901 et seq., \$6,450,000, to remain available until
6 September 30, 2009: *Provided*, That the interest rate for
7 such loans shall be the cost of borrowing to the Depart-
8 ment of the Treasury for obligations of comparable matu-
9 rity: *Provided further*, That the cost of direct loans shall
10 be as defined in section 502 of the Congressional Budget
11 Act of 1974.

12 In addition, \$17,820,000, to remain available until
13 expended, for a grant program to finance broadband
14 transmission in rural areas eligible for Distance Learning
15 and Telemedicine Program benefits authorized by 7
16 U.S.C. 950aaa.

17 TITLE IV

18 DOMESTIC FOOD PROGRAMS

19 OFFICE OF THE UNDER SECRETARY FOR FOOD, 20 NUTRITION AND CONSUMER SERVICES

21 For necessary salaries and expenses of the Office of
22 the Under Secretary for Food, Nutrition and Consumer
23 Services to administer the laws enacted by the Congress
24 for the Food and Nutrition Service, \$628,000.

1 FOOD AND NUTRITION SERVICE

2 CHILD NUTRITION PROGRAMS

3 (INCLUDING TRANSFERS OF FUNDS)

4 For necessary expenses to carry out the National
5 School Lunch Act (42 U.S.C. 1751 et seq.), except section
6 21, and the Child Nutrition Act of 1966 (42 U.S.C. 1771
7 et seq.), except sections 17 and 21; \$13,903,213,000, to
8 remain available through September 30, 2009, of which
9 \$7,668,156,000 is hereby appropriated and
10 \$6,235,057,000 shall be derived by transfer from funds
11 available under section 32 of the Act of August 24, 1935
12 (7 U.S.C. 612c): *Provided*, That up to \$5,505,000 shall
13 be available for independent verification of school food
14 service claims.

15 SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR

16 WOMEN, INFANTS, AND CHILDREN (WIC)

17 For necessary expenses to carry out the special sup-
18 plemental nutrition program as authorized by section 17
19 of the Child Nutrition Act of 1966 (42 U.S.C. 1786),
20 \$5,620,000,000, to remain available through September
21 30, 2009, of which such sums as are necessary to restore
22 the contingency reserve to \$125,000,000 shall be placed
23 in reserve, to remain available until expended, to be allo-
24 cated as the Secretary deems necessary, notwithstanding
25 section 17(i) of such Act, to support participation should
26 cost or participation exceed budget estimates: *Provided*,

1 That of the total amount available, the Secretary shall ob-
2 ligate not less than \$15,000,000 for a breastfeeding sup-
3 port initiative in addition to the activities specified in sec-
4 tion 17(h)(3)(A): *Provided further*, That only the provi-
5 sions of section 17(h)(10)(B)(i) and section
6 17(h)(10)(B)(ii) shall be effective in 2008; including
7 \$14,000,000 for the purposes specified in section
8 17(h)(10)(B)(i) and \$30,000,000 for the purposes speci-
9 fied in section 17(h)(10)(B)(ii): *Provided further*, That
10 funds made available for the purposes specified in section
11 17(h)(10)(B)(ii) shall only be made available upon a deter-
12 mination by the Secretary that funds are available to meet
13 caseload requirements without the use of the contingency
14 reserve funds: *Provided further*, That none of the funds
15 in this Act shall be available to pay administrative ex-
16 penses of WIC clinics except those that have an announced
17 policy of prohibiting smoking within the space used to
18 carry out the program: *Provided further*, That none of the
19 funds provided in this account shall be available for the
20 purchase of infant formula except in accordance with the
21 cost containment and competitive bidding requirements
22 specified in section 17 of such Act: *Provided further*, That
23 none of the funds provided shall be available for activities
24 that are not fully reimbursed by other Federal Govern-

1 ment departments or agencies unless authorized by section
2 17 of such Act.

3 FOOD STAMP PROGRAM

4 For necessary expenses to carry out the Food Stamp
5 Act (7 U.S.C. 2011 et seq.), \$39,816,223,000, of which
6 \$3,000,000,000 to remain available through September
7 30, 2009, shall be placed in reserve for use only in such
8 amounts and at such times as may become necessary to
9 carry out program operations: *Provided*, That funds pro-
10 vided herein shall be expended in accordance with section
11 16 of the Food Stamp Act: *Provided further*, That this
12 appropriation shall be subject to any work registration or
13 workfare requirements as may be required by law: *Pro-*
14 *vided further*, That funds made available for Employment
15 and Training under this heading shall remain available
16 until expended, as authorized by section 16(h)(1) of the
17 Food Stamp Act: *Provided further*, That notwithstanding
18 section 5(d) of the Food Stamp Act of 1977, any addi-
19 tional payment received under chapter 5 of title 37,
20 United States Code, by a member of the United States
21 Armed Forces deployed to a designated combat zone shall
22 be excluded from household income for the duration of the
23 member's deployment if the additional pay is the result
24 of deployment to or while serving in a combat zone, and
25 it was not received immediately prior to serving in the
26 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. 612c 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, \$221,070,000, to remain available through September 30, 2009: *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 2008 to support the Seniors Farmers’ Market Nutrition Program (SFMNP), such funds shall remain available through September 30, 2009: *Provided further*, That of the funds made available under section 27(a) of the Food Stamp Act of 1977 (7 U.S.C. 2011 et seq.), the Secretary may use up to \$10,000,000 for costs associated with the distribution of commodities.

1 NUTRITION PROGRAMS ADMINISTRATION

2 For necessary administrative expenses of the domes-
3 tic nutrition assistance programs funded under this Act,
4 \$146,926,000.

5 TITLE V

6 FOREIGN ASSISTANCE AND RELATED

7 PROGRAMS

8 FOREIGN AGRICULTURAL SERVICE

9 SALARIES AND EXPENSES

10 (INCLUDING TRANSFERS OF FUNDS)

11 For necessary expenses of the Foreign Agricultural
12 Service, including carrying out title VI of the Agricultural
13 Act of 1954 (7 U.S.C. 1761–1768), market development
14 activities abroad, and for enabling the Secretary to coordi-
15 nate and integrate activities of the Department in connec-
16 tion with foreign agricultural work, including not to exceed
17 \$158,000 for representation allowances and for expenses
18 pursuant to section 8 of the Act approved August 3, 1956
19 (7 U.S.C. 1766), \$159,136,000: *Provided*, That the Serv-
20 ice may utilize advances of funds, or reimburse this appro-
21 priation for expenditures made on behalf of Federal agen-
22 cies, public and private organizations and institutions
23 under agreements executed pursuant to the agricultural
24 food production assistance programs (7 U.S.C. 1737) and
25 the foreign assistance programs of the United States
26 Agency for International Development.

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

4 For administrative expenses to carry out the credit
5 program of title I, Public Law 83–480, and the Food for
6 Progress Act of 1985, \$2,749,000, to be transferred to
7 and merged with the appropriation for “Farm Service
8 Agency, Salaries and Expenses”.

9 In addition, the funds made available for the cost of
10 agreements under title I of the Agricultural Trade Devel-
11 opment and Assistance Act of 1954 and for title I ocean
12 freight differential may be used interchangeably between
13 the two accounts with prior notice to the Committees on
14 Appropriations of both Houses of Congress.

15 PUBLIC LAW 480 TITLE II GRANTS

16 For expenses during the current fiscal year, not oth-
17 erwise recoverable, and unrecovered prior years’ costs, in-
18 cluding interest thereon, under the Agricultural Trade De-
19 velopment and Assistance Act of 1954, for commodities
20 supplied in connection with dispositions abroad under title
21 II of said Act, \$1,219,400,000, to remain available until
22 expended.

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

HR 3161 PCS

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; \$1,683,405,000: *Provided*, That of the amount
20 provided under this heading, \$13,696,000 shall be derived
21 from animal drug user fees authorized by 21 U.S.C. 379j,
22 and shall be credited to this account and remain available
23 until expended: *Provided further*, That fees derived from
24 animal drug assessments received during fiscal year 2008,
25 including any such fees assessed prior to the current fiscal

1 year but credited during the current year, shall be subject
2 to the fiscal year 2008 limitation: *Provided further*, That
3 none of these funds shall be used to develop, establish,
4 or operate any program of user fees authorized by 31
5 U.S.C. 9701: *Provided further*, That of the total amount
6 appropriated: (1) \$475,726,000 shall be for the Center for
7 Food Safety and Applied Nutrition and related field activi-
8 ties in the Office of Regulatory Affairs; (2) \$348,438,000
9 shall be for the Center for Drug Evaluation and Research
10 and related field activities in the Office of Regulatory Af-
11 fairs; (3) \$155,073,000 shall be for the Center for Bio-
12 logics Evaluation and Research and for related field activi-
13 ties in the Office of Regulatory Affairs; (4) \$94,809,000
14 shall be for the Center for Veterinary Medicine and for
15 related field activities in the Office of Regulatory Affairs;
16 (5) \$240,122,000 shall be for the Center for Devices and
17 Radiological Health and for related field activities in the
18 Office of Regulatory Affairs; (6) \$36,455,000 shall be for
19 the National Center for Toxicological Research; (7)
20 \$97,976,000 shall be for Rent and Related activities, of
21 which \$38,808,000 is for White Oak Consolidation, other
22 than the amounts paid to the General Services Adminis-
23 tration for rent; (8) \$131,533,000 shall be for payments
24 to the General Services Administration for rent; and (9)
25 \$89,577,000 shall be for other activities, including the Of-

1 fice of the Commissioner; the Office of Management; the
 2 Office of External Relations; the Office of Policy and
 3 Planning; and central services for these offices: *Provided*
 4 *further*, That funds may be transferred from one specified
 5 activity to another with the prior approval of the Commit-
 6 tees on Appropriations of both Houses of Congress.

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

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

13 In addition, \$28,000,000 shall be for the Center for
 14 Food Safety and Applied Nutrition, to remain available
 15 from July 1, 2008, through September 30, 2009.

16 BUILDINGS AND FACILITIES

17 For plans, construction, repair, improvement, exten-
 18 sion, alteration, and purchase of fixed equipment or facili-
 19 ties of or used by the Food and Drug Administration,
 20 where not otherwise provided, \$4,950,000, to remain
 21 available until expended.

22 INDEPENDENT AGENCIES

23 COMMODITY FUTURES TRADING COMMISSION

24 For necessary expenses to carry out the provisions
 25 of the Commodity Exchange Act (7 U.S.C. 1 et seq.), in-
 26 cluding the purchase and hire of passenger motor vehicles,

1 and the rental of space (to include multiple year leases)
2 in the District of Columbia and elsewhere, \$102,550,000,
3 including not to exceed \$3,000 for official reception and
4 representation expenses.

5 FARM CREDIT ADMINISTRATION

6 LIMITATION ON ADMINISTRATIVE EXPENSES

7 Not to exceed \$46,000,000 (from assessments col-
8 lected from farm credit institutions and from the Federal
9 Agricultural Mortgage Corporation) shall be obligated
10 during the current fiscal year for administrative expenses
11 as authorized under 12 U.S.C. 2249: *Provided*, That this
12 limitation shall not apply to expenses associated with re-
13 ceiverships.

14 TITLE VII

15 GENERAL PROVISIONS

16 (INCLUDING RESCISSIONS AND TRANSFERS OF FUNDS)

17 SEC. 701. Within the unit limit of cost fixed by law,
18 appropriations and authorizations made for the Depart-
19 ment of Agriculture for the current fiscal year under this
20 Act shall be available for the purchase, in addition to those
21 specifically provided for, of not to exceed 182 passenger
22 motor vehicles, of which 142 shall be for replacement only,
23 and for the hire of such vehicles.

24 SEC. 702. New obligational authority provided for the
25 following appropriation items in this Act shall remain

1 available until expended: Animal and Plant Health Inspec-
2 tion Service, the contingency fund to meet emergency con-
3 ditions, information technology infrastructure, fruit fly
4 program, emerging plant pests, cotton pests program,
5 avian influenza programs, up to \$4,505,000 in the pest
6 and disease management program to control grasshoppers
7 and Mormon cricket, up to \$1,500,000 in the scrapie pro-
8 gram for indemnities, up to \$3,000,000 in the emergency
9 management systems program for the vaccine bank, up
10 to \$1,000,000 for wildlife services methods development,
11 up to \$1,000,000 of the wildlife services operations pro-
12 gram for aviation safety, and up to 25 percent of the
13 screwworm program; Food Safety and Inspection Service,
14 Public Health Data Communication Infrastructure Sys-
15 tem; Cooperative State Research, Education, and Exten-
16 sion Service, funds for competitive research grants (7
17 U.S.C. 450i(b)), funds for the Research, Education, and
18 Economics Information System, and funds for the Native
19 American Institutions Endowment Fund; Farm Service
20 Agency, salaries and expenses funds made available to
21 county committees; Foreign Agricultural Service, middle-
22 income country training program, and up to \$2,000,000
23 of the Foreign Agricultural Service appropriation solely
24 for the purpose of offsetting fluctuations in international

1 currency exchange rates, subject to documentation by the
2 Foreign Agricultural Service.

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

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

23 SEC. 705. No funds appropriated by this Act may be
24 used to pay negotiated indirect cost rates on cooperative
25 agreements or similar arrangements between the United

1 States Department of Agriculture and nonprofit institu-
2 tions in excess of 10 percent of the total direct cost of
3 the agreement when the purpose of such cooperative ar-
4 rangements is to carry out programs of mutual interest
5 between the two parties. This does not preclude appro-
6 priate payment of indirect costs on grants and contracts
7 with such institutions when such indirect costs are com-
8 puted on a similar basis for all agencies for which appro-
9 priations are provided in this Act.

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

23 SEC. 707. Appropriations to the Department of Agri-
24 culture for the cost of direct and guaranteed loans made
25 available in the current fiscal year shall remain available

1 until expended to cover obligations made in the current
2 fiscal year for the following accounts: the Rural Develop-
3 ment Loan Fund program account, the Rural Electrifica-
4 tion and Telecommunication Loans program account, and
5 the Rural Housing Insurance Fund program account.

6 SEC. 708. Of the funds made available by this Act,
7 not more than \$1,800,000 shall be used to cover necessary
8 expenses of activities related to all advisory committees,
9 panels, commissions, and task forces of the Department
10 of Agriculture, except for panels used to comply with nego-
11 tiated rule makings and panels used to evaluate competi-
12 tively awarded grants.

13 SEC. 709. None of the funds appropriated by this Act
14 may be used to carry out section 410 of the Federal Meat
15 Inspection Act (21 U.S.C. 679a) or section 30 of the Poul-
16 try Products Inspection Act (21 U.S.C. 471).

17 SEC. 710. No employee of the Department of Agri-
18 culture may be detailed or assigned from an agency or
19 office funded by this Act to any other agency or office
20 of the Department for more than 30 days unless the indi-
21 vidual's employing agency or office is fully reimbursed by
22 the receiving agency or office for the salary and expenses
23 of the employee for the period of assignment.

24 SEC. 711. None of the funds appropriated or other-
25 wise made available to the Department of Agriculture or

1 the Food and Drug Administration shall be used to trans-
2 mit or otherwise make available to any non-Department
3 of Agriculture or non-Department of Health and Human
4 Services employee questions or responses to questions that
5 are a result of information requested for the appropria-
6 tions hearing process.

7 SEC. 712. None of the funds made available to the
8 Department of Agriculture by this Act may be used to ac-
9 quire new information technology systems or significant
10 upgrades, as determined by the Office of the Chief Infor-
11 mation Officer, without the approval of the Chief Informa-
12 tion Officer and the concurrence of the Executive Informa-
13 tion Technology Investment Review Board: *Provided*, That
14 notwithstanding any other provision of law, none of the
15 funds appropriated or otherwise made available by this
16 Act may be transferred to the Office of the Chief Informa-
17 tion Officer without the prior approval of the Committees
18 on Appropriations of both Houses of Congress: *Provided*
19 *further*, That none of the funds available to the Depart-
20 ment of Agriculture for information technology shall be
21 obligated for projects over \$25,000 prior to receipt of writ-
22 ten approval by the Chief Information Officer.

23 SEC. 713. (a) None of the funds provided by this Act,
24 or provided by previous Appropriations Acts to the agen-
25 cies funded by this Act that remain available for obligation

1 or expenditure in the current fiscal year, or provided from
2 any accounts in the Treasury of the United States derived
3 by the collection of fees available to the agencies funded
4 by this Act, shall be available for obligation or expenditure
5 through a reprogramming of funds which—

6 (1) creates new programs;

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

8 (3) increases funds or personnel by any means
9 for any project or activity for which funds have been
10 denied or restricted;

11 (4) relocates an office or employees;

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

13 or

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

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

1 for activities, programs, or projects through a reprogram-
2 ming of funds in excess of \$500,000 or 10 percent, which-
3 ever is less, that: (1) augments existing programs,
4 projects, or activities; (2) reduces by 10 percent funding
5 for any existing program, project, or activity, or numbers
6 of personnel by 10 percent as approved by Congress; or
7 (3) results from any general savings from a reduction in
8 personnel which would result in a change in existing pro-
9 grams, activities, or projects as approved by Congress; un-
10 less the Committees on Appropriations of both Houses of
11 Congress are notified 15 days in advance of such re-
12 programming of funds.

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

21 SEC. 714. None of the funds appropriated by this or
22 any other Act shall be used to pay the salaries and ex-
23 penses of personnel who prepare or submit appropriations
24 language as part of the President's Budget submission to
25 the Congress of the United States for programs under the

1 jurisdiction of the Appropriations Subcommittees on Agri-
2 culture, Rural Development, Food and Drug Administra-
3 tion, and Related Agencies that assumes revenues or re-
4 fleets a reduction from the previous year due to user fees
5 proposals that have not been enacted into law prior to the
6 submission of the Budget unless such Budget submission
7 identifies which additional spending reductions should
8 occur in the event the user fees proposals are not enacted
9 prior to the date of the convening of a committee of con-
10 ference for the fiscal year 2009 appropriations Act.

11 SEC. 715. None of the funds made available by this
12 or any other Act may be used to close or relocate a Rural
13 Development office unless or until the Secretary of Agri-
14 culture determines the cost effectiveness and enhancement
15 of program delivery: *Provided*, That not later than 120
16 days before the date of the proposed closure or relocation,
17 the Secretary notifies the Committees on Appropriation of
18 the House and Senate, and the members of Congress from
19 the State in which the office is located of the proposed
20 closure or relocation and provides a report that describes
21 in detail the justifications for such closures and reloca-
22 tions.

23 SEC. 716. Notwithstanding any other provision of
24 law, of the funds made available in this Act for competitive
25 research grants (7 U.S.C. 450i(b)), the Secretary may use

1 up to 22 percent of the amount provided to carry out a
2 competitive grants program under the same terms and
3 conditions as those provided in section 401 of the Agricul-
4 tural Research, Extension, and Education Reform Act of
5 1998 (7 U.S.C. 7621).

6 SEC. 717. None of the funds appropriated or other-
7 wise made available by this or any other Act shall be used
8 to pay the salaries and expenses of personnel who carry
9 out an environmental quality incentives program author-
10 ized by chapter 4 of subtitle D of title XII of the Food
11 Security Act of 1985 (16 U.S.C. 3839aa et seq.) in excess
12 of \$1,017,000,000.

13 SEC. 718. None of the funds made available in fiscal
14 year 2008 or preceding fiscal years for programs author-
15 ized under the Agricultural Trade Development and As-
16 sistance Act of 1954 (7 U.S.C. 1691 et seq.) in excess
17 of \$20,000,000 shall be used to reimburse the Commodity
18 Credit Corporation for the release of eligible commodities
19 under section 302(f)(2)(A) of the Bill Emerson Humani-
20 tarian Trust Act (7 U.S.C. 1736f–1): *Provided*, That any
21 such funds made available to reimburse the Commodity
22 Credit Corporation shall only be used pursuant to section
23 302(b)(2)(B)(i) of the Bill Emerson Humanitarian Trust
24 Act.

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

6 SEC. 720. Of the funds derived from interest on the
7 cushion of credit payments, as authorized by section 313
8 of the Rural Electrification Act of 1936, \$34,000,000
9 shall not be obligated and \$34,000,000 are rescinded.

10 SEC. 721. 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. 722. 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, 2006, 2007, and 2008 shall remain available until
25 expended to disburse obligations made in fiscal years

1 2004, 2005, 2006, 2007, and 2008 respectively, and ex-
2 cept for fiscal year 2008 funds, are not available for new
3 obligations.

4 SEC. 723. None of the funds provided in this Act may
5 be used for salaries and expenses to draft or implement
6 any regulation or rule insofar as it would require recertifi-
7 cation of rural status for each electric and telecommuni-
8 cations borrower for the Rural Electrification and Tele-
9 communication Loans program.

10 SEC. 724. Unless otherwise authorized by existing
11 law, none of the funds provided in this Act, may be used
12 by an executive branch agency to produce any pre-
13 packaged news story intended for broadcast or distribution
14 in the United States unless the story includes a clear noti-
15 fication within the text or audio of the prepackaged news
16 story that the prepackaged news story was prepared or
17 funded by that executive branch agency.

18 SEC. 725. In addition to other amounts appropriated
19 or otherwise made available by this Act, there is hereby
20 appropriated to the Secretary of Agriculture \$10,000,000,
21 of which not to exceed 5 percent may be available for ad-
22 ministrative expenses, to remain available until expended,
23 to make specialty crop block grants under section 101 of
24 the Specialty Crops Competitiveness Act of 2004 (Public
25 Law 108–465; 7 U.S.C. 1621 note).

1 SEC. 726. None of the funds appropriated or other-
2 wise made available by this Act for the Food and Drug
3 Administration may be used under section 801 of the Fed-
4 eral Food, Drug, and Cosmetic Act to prevent an indi-
5 vidual not in the business of importing a prescription drug
6 within the meaning of section 801(g) of such Act, whole-
7 salers, or pharmacists from importing a prescription drug
8 (as defined in section 804(a)(3) of such Act) which com-
9 plies with sections 501, 502, and 505 of such Act.

10 SEC. 727. None of the funds made available in this
11 Act may be used to study, complete a study of, or enter
12 into a contract with a private party to carry out, without
13 specific authorization in a subsequent Act of Congress, a
14 competitive sourcing activity of the Secretary of Agri-
15 culture, including support personnel of the Department of
16 Agriculture, relating to rural development or farm loan
17 programs.

18 SEC. 728. Of the amount available for Estimated Fu-
19 ture Needs under section 32 of the Act of August 24,
20 1935, \$63,361,000 are hereby rescinded: *Provided*, That
21 in addition, of the unobligated balances under section 32
22 of the Act of August 24, 1935, \$147,000,000 are hereby
23 rescinded.

24 SEC. 729. None of the funds made available in this
25 Act may be used to—

1 (1) grant a waiver of a financial conflict of in-
2 terest requirement pursuant to section 505(n)(4) of
3 the Federal Food, Drug, and Cosmetic Act (21
4 U.S.C. 355(n)(4)) for any voting member of an advi-
5 sory committee or panel of the Food and Drug Ad-
6 ministration; or

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

10 SEC. 730. Of the appropriations available for pay-
11 ments for the nutrition and family education program for
12 low-income areas under section 3(d) of the Smith-Lever
13 Act (7 U.S.C. 343(d)), if the payment allocation pursuant
14 to section 1425(c) of the National Agricultural Research,
15 Extension, and Teaching Policy Act of 1977 (7 U.S.C.
16 3175(c)) would be less than \$100,000 for any institution
17 eligible under section 3(d)(2) of the Smith-Lever Act, the
18 Secretary shall adjust payment allocations under section
19 1425(c) of the National Agricultural Research, Extension,
20 and Teaching Policy Act of 1977 to ensure that each insti-
21 tution receives a payment of not less than \$100,000.

22 SEC. 731. None of the funds made available in this
23 Act may be used to establish or implement a rule allowing
24 poultry products to be imported into the United States
25 from the People's Republic of China.

1 SEC. 732. Of the unobligated balances available in
2 the High Energy Cost Grants account, \$25,740,000 is
3 hereby rescinded.

4 SEC. 733. None of the funds made available to the
5 Department of Agriculture in this Act may be used to im-
6 plement the risk-based inspection program in the 30 pro-
7 totype locations announced on February 22, 2007, by the
8 Under Secretary for Food Safety, or at any other loca-
9 tions, until the USDA Office of Inspector General has pro-
10 vided its findings to the Food Safety and Inspection Serv-
11 ice and the Committees on Appropriations of the House
12 of Representatives and the Senate on the data used in sup-
13 port of the development and design of the risk-based in-
14 spection program and FSIS has addressed and resolved
15 issues identified by OIG.

16 SEC. 734. Not more than \$11,166,000 of the funds
17 made available under section 522(e) of the Federal Crop
18 Insurance Act (7 U.S.C. 1522(e)) may be used for pro-
19 gram compliance and integrity purposes, including the
20 data mining project, and for the Common Information
21 Management System.

22 SEC. 735. The Secretary of Agriculture shall continue
23 the Water and Waste Systems Direct Loan Program
24 under the authority and conditions (including the fees,
25 borrower interest rate, and the President's economic as-

1 sumptions for the 2008 Fiscal Year, as of June 1, 2007)
2 provided by the “Continuing Appropriations Resolution,
3 2007”.

4 SEC. 736. (a) Section 13(b) of the Richard B. Russell
5 National School Lunch Act (42 U.S.C. 1761(b)) is amend-
6 ed—

7 (1) in paragraph (1)—

8 (A) by striking subparagraph (A);

9 (B) by redesignating subparagraphs (B)
10 through (D) as subparagraphs (A) through (C),
11 respectively;

12 (C) in subparagraph (A) (as redesignated
13 by subparagraph (B)), striking “(B)” and all
14 that follows through “shall not exceed” and in-
15 serting the following:

16 “(A) IN GENERAL.—Subject to subpara-
17 graph (B) and in addition to amounts made
18 available under paragraph (3), payments to
19 service institutions shall be”;

20 (D) in subparagraph (B) (as redesignated
21 by subparagraph (B)), by striking “subpara-
22 graph (B)” and inserting “subparagraph (A)”;
23 and

1 (E) in subparagraph (C) (as redesignated
2 by subparagraph (B)), by striking “(A), (B),
3 and (C)” and inserting “(A) and (B)”; and
4 (2) in the second sentence of paragraph (3), by
5 striking “full amount of State approved” and all
6 that follows through “maximum allowable”.

7 (b) CONFORMING AMENDMENT.—Section 18 of the
8 Richard B. Russell National School Lunch Act (42 U.S.C.
9 1769) is amended—

10 (1) by striking subsection (f); and

11 (2) by redesignating subsection (g) through (k)
12 as subsections (f) through (j), respectively.

13 (c) EFFECTIVE DATE.—The amendments made by
14 this section take effect on January 1 of the first full cal-
15 endar year following the date of enactment of this Act.

16 SEC. 737. There is hereby appropriated \$21,000,000,
17 to remain available until September 30, 2009, of which
18 not to exceed 5 percent may be available for Federal and/
19 or State administrative expenses, as determined by the
20 Secretary of Agriculture, to carry out a program similar
21 to section 18(g) of the Richard B. Russell National School
22 Lunch Act (42 U.S.C. 1769(g)) in each State not cur-
23 rently served by the authorized program.

1 SEC. 738. None of the funds made available in this
2 Act may be used to pay the salaries or expenses of per-
3 sonnel to—

4 (1) inspect horses under section 3 of the Fed-
5 eral Meat Inspection Act (21 U.S.C. 603);

6 (2) inspect horses under section 903 of the
7 Federal Agriculture Improvement and Reform Act of
8 1996 (7 U.S.C. 1901 note; Public Law 104-127); or

9 (3) implement or enforce section 352.19 of title
10 9, Code of Federal Regulations.

11 SEC. 739. Of the unobligated balances available in
12 the Special Supplemental Nutrition Program for Women,
13 Infants, and Children reserve account, \$16,069,000 is
14 hereby rescinded.

15 SEC. 740. In addition to amounts otherwise appro-
16 priated or made available by this Act, \$2,475,000 is ap-
17 propriated for the purpose of providing Bill Emerson and
18 Mickey Leland Hunger Fellowships, through the Congres-
19 sional Hunger Center.

20 SEC. 741. From the unobligated balances of funds
21 transferred to the Department of Homeland Security
22 when the Department was established pursuant to the
23 Homeland Security Act of 2002 (Public Law 107-296),
24 excluding mandatory appropriations, \$8,000,000 is re-
25 scinded.

1 SEC. 742. Effective as of May 25, 2007, section 9012
2 of Public Law 110–28 (121 Stat. 218) is repealed.

3 SEC. 743. Section 17(r)(5) of the Richard B. Russell
4 National School Lunch Act (42 U.S.C. 1766(r)(5)) is
5 amended—

6 (1) by striking “seven” and inserting “eight”;

7 (2) by striking “five” and inserting “six”; and

8 (3) by inserting “West Virginia,” after the first
9 instance of “States shall be”.

10 SEC. 744. Hereafter, notwithstanding any other pro-
11 vision of law, of the funds made available for the Com-
12 modity Assistance Program under division B of Public
13 Law 109–148, Emergency Supplemental Appropriations
14 to Address Hurricanes in the Gulf of Mexico and Pan-
15 demic Influenza, 2006, all unexpended funds shall be
16 made available to support normal program operations of
17 the Commodity Supplemental Food Program under the
18 Agriculture and Consumer Protection Act of 1973 and of
19 the Emergency Food Assistance Program under the
20 Emergency Food Assistance Act of 1983: *Provided*, That
21 any commodities purchased with funds made available
22 under Public Law 109–148 and remaining undistributed
23 shall be used to support normal program operations under
24 the authorities cited in this section.

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

4 (1) the City of Alamo, Texas; the City of Mer-
5 cedes, Texas; the City of Weslaco, Texas; the City
6 of Donna, Texas; and the City of La Feria, Texas,
7 (including individuals and entities with projects
8 within the cities) eligible for loans and grants funded
9 through the rural business and cooperative develop-
10 ment programs in the Rural Community Advance-
11 ment Program account;

12 (2) the City of Bainbridge Island, Washington;
13 and the City of Havelock, North Carolina, (including
14 individuals and entities with projects within the cit-
15 ies) eligible for loans and grants funded through the
16 rural community programs in the Rural Community
17 Advancement Program account;

18 (3) the City of Freeport, Illinois; Kitsap County
19 (except the City of Bremerton), Washington; the
20 City of Atascadero, California; and the City of Paso
21 Robles, California, (including individuals and entities
22 with projects within the cities) eligible for loans and
23 grants funded through the Rural Housing Insurance
24 Fund Program account and the Rural Housing As-
25 sistance Grants account; and

1 (4) the City of Canton, Mississippi, (including
2 individuals and entities with projects within the cit-
3 ies) eligible for loans and grants funded through the
4 rural utilities programs in the Rural Community Ad-
5 vancement Program account.

6 SEC. 746. No funds in this Act for the Food and
7 Drug Administration may be used to authorize qualified
8 health claims for conventional foods.

9 SEC. 747. None of the funds made available in this
10 Act may be used to enter into a contract with an entity
11 that does not participate in the basic pilot program de-
12 scribed in section 403(a) of the Illegal Immigration Re-
13 form and Immigrant Responsibility Act of 1996 (8 U.S.C.
14 1324a note).

15 SEC. 748. None of the funds in this Act shall be avail-
16 able for the Canaan Valley Institute (CVI) in Thomas,
17 West Virginia.

18 SEC. 749. None of the funds made available in this
19 Act may be used—

20 (1) to terminate any of the 13 field laboratories
21 that are operated by the Food and Drug Adminis-
22 tration as of January 1, 2007, or 20 District Of-
23 fices, or any of the inspection or compliance func-
24 tions of any of the 20 District Offices, of the Food

(2) to consolidate any such laboratory with any other laboratory, or any such District Office, or any of the inspection or compliance functions of any District Office, with any other District Office.

7 SEC. 750. None of the funds made available in this
8 Act may be used to purchase light bulbs unless the light
9 bulbs have the “ENERGY STAR” or “Federal Energy
10 Management Program” designation.

11 This Act may be cited as the “Agriculture, Rural De-
12 velopment, Food and Drug Administration, and Related
13 Agencies Appropriations Act, 2008”.

Passed the House of Representatives August 2, 2007.

Attest: LORRAINE C. MILLER,
Clerk.

By DEBORAH M. SPRIGGS,
Deputy Clerk.

Calendar No. 331

110TH CONGRESS
1ST Session

H. R. 3161

AN ACT

Making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2008, and for other purposes.

August 3, 2007

Received; read twice and placed on the calendar