

**Calendar No. 890**

110TH CONGRESS  
2D SESSION

**S. 3289**

**[Report No. 110–426]**

Making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2009, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

JULY 21 (legislative day, JULY 17), 2008

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

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**A BILL**

Making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2009, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*  
3       That the following sums are appropriated, out of any  
4       money in the Treasury not otherwise appropriated, for Ag-  
5       riculture, Rural Development, Food and Drug Administra-  
6       tion, and Related Agencies programs for the fiscal year

1 ending September 30, 2009, and for other purposes,  
2 namely:

## 3 TITLE I

### 4 AGRICULTURAL PROGRAMS

#### 5 PRODUCTION, PROCESSING AND MARKETING

##### 6 OFFICE OF THE SECRETARY

7 For necessary expenses of the Office of the Secretary  
8 of Agriculture, \$5,174,000: *Provided*, That not to exceed  
9 \$11,000 of this amount shall be available for official recep-  
10 tion and representation expenses, not otherwise provided  
11 for, as determined by the Secretary.

##### 12 EXECUTIVE OPERATIONS

##### 13 OFFICE OF THE CHIEF ECONOMIST

14 For necessary expenses of the Office of the Chief  
15 Economist, including economic analysis, risk assessment,  
16 cost-benefit analysis, energy and new uses, and the func-  
17 tions of the World Agricultural Outlook Board, as author-  
18 ized by the Agricultural Marketing Act of 1946 (7 U.S.C.  
19 1622g), \$10,651,000.

##### 20 NATIONAL APPEALS DIVISION

21 For necessary expenses of the National Appeals Divi-  
22 sion, \$14,711,000.

##### 23 OFFICE OF BUDGET AND PROGRAM ANALYSIS

24 For necessary expenses of the Office of Budget and  
25 Program Analysis, \$8,449,000.

1                   OFFICE OF HOMELAND SECURITY

2           For necessary expenses of the Office of Homeland Se-  
3   curity, \$974,000.

4                   OFFICE OF THE CHIEF INFORMATION OFFICER

5           For necessary expenses of the Office of the Chief In-  
6   formation Officer, \$16,527,000.

7                   OFFICE OF THE CHIEF FINANCIAL OFFICER

8           For necessary expenses of the Office of the Chief Fi-  
9   nancial Officer, \$5,954,000: *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 expenses of the Office of the Assistant  
20 Secretary for Civil Rights, \$871,000.

21                   OFFICE OF CIVIL RIGHTS

22           For necessary expenses of the Office of Civil Rights,  
23 \$20,798,000.

1           OFFICE OF THE ASSISTANT SECRETARY FOR  
2                           ADMINISTRATION

3           For necessary expenses of the Office of the Assistant  
4 Secretary for Administration, \$687,000.

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, \$226,432,000, to remain avail-  
20 able until expended, of which \$168,901,000 shall be avail-  
21 able for payments to the General Services Administration  
22 for rent and \$13,500,000 for payment to the Department  
23 of Homeland Security for building security: *Provided,*  
24 That amounts which are made available for space rental  
25 and related costs for the Department of Agriculture in this

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

5           HAZARDOUS MATERIALS MANAGEMENT

6           (INCLUDING TRANSFERS OF FUNDS)

7       For necessary expenses of the Department of Agri-  
8 culture, to comply with the Comprehensive Environmental  
9 Response, Compensation, and Liability Act (42 U.S.C.  
10 9601 et seq.) and the Resource Conservation and Recovery  
11 Act (42 U.S.C. 6901 et seq.), \$4,933,000, to remain avail-  
12 able until expended: *Provided*, That appropriations and  
13 funds available herein to the Department for Hazardous  
14 Materials Management may be transferred to any agency  
15 of the Department for its use in meeting all requirements  
16 pursuant to the above Acts on Federal and non-Federal  
17 lands.

18           DEPARTMENTAL ADMINISTRATION

19           (INCLUDING TRANSFERS OF FUNDS)

20       For Departmental Administration, \$27,011,000, 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 expenses of the Office of the Assistant  
9 Secretary for Congressional Relations to carry out the pro-  
10 grams funded by this Act, including programs involving  
11 intergovernmental affairs and liaison within the executive  
12 branch, \$3,877,000: *Provided*, That these funds may be  
13 transferred to agencies of the Department of Agriculture  
14 funded by this Act to maintain personnel at the agency  
15 level: *Provided further*, That no funds made available by  
16 this appropriation may be obligated after 30 days from  
17 the date of enactment of this Act, unless the Secretary  
18 has notified the Committees on Appropriations of both  
19 Houses of Congress on the allocation of these funds by  
20 USDA agency: *Provided further*, That no other funds ap-  
21 propriated to the Department by this Act shall be available  
22 to the Department for support of activities of congres-  
23 sional relations.

1                   OFFICE OF COMMUNICATIONS

2           For necessary expenses of the Office of Communica-  
3 tions to carry out services relating to the coordination of  
4 programs involving public affairs, for the dissemination of  
5 agricultural information, and the coordination of informa-  
6 tion, work, and programs authorized by Congress in the  
7 Department, \$9,514,000.

8                   OFFICE OF THE INSPECTOR GENERAL

9           For necessary expenses of the Office of the Inspector  
10 General, including employment pursuant to the Inspector  
11 General Act of 1978, \$81,517,000, including such sums  
12 as may be necessary for contracting and other arrange-  
13 ments with public agencies and private persons pursuant  
14 to section 6(a)(9) of the Inspector General Act of 1978,  
15 and including not to exceed \$125,000 for certain confiden-  
16 tial operational expenses, including the payment of inform-  
17 ants, to be expended under the direction of the Inspector  
18 General pursuant to Public Law 95–452 and section 1337  
19 of Public Law 97–98.

20                   OFFICE OF THE GENERAL COUNSEL

21           For necessary expenses of the Office of the General  
22 Counsel, \$40,083,000.

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

3         For necessary expenses of the Office of the Under  
 4 Secretary for Research, Education and Economics to ad-  
 5 minister the laws enacted by the Congress for the Eco-  
 6 nomic Research Service, the National Agricultural Statis-  
 7 tics Service, the Agricultural Research Service, and the  
 8 Cooperative State Research, Education, and Extension  
 9 Service, \$609,000.

10                           ECONOMIC RESEARCH SERVICE

11         For necessary expenses of the Economic Research  
 12 Service in conducting economic research and analysis,  
 13 \$78,209,000.

14                   NATIONAL AGRICULTURAL STATISTICS SERVICE

15         For necessary expenses of the National Agricultural  
 16 Statistics Service in conducting statistical reporting and  
 17 service work, \$149,115,000, of which up to \$37,265,000  
 18 shall be available until expended for the Census of Agri-  
 19 culture.

20                           AGRICULTURAL RESEARCH SERVICE

21                                   SALARIES AND EXPENSES

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



1 nomics or nutrition and consumer use including the acqui-  
2 sition, preservation, and dissemination of agricultural in-  
3 formation; and for acquisition of lands by donation, ex-  
4 change, or purchase at a nominal cost not to exceed \$100,  
5 and for land exchanges where the lands exchanged shall  
6 be of equal value or shall be equalized by a payment of  
7 money to the grantor which shall not exceed 25 percent  
8 of the total value of the land or interests transferred out  
9 of Federal ownership, \$1,134,084,000: *Provided*, That of  
10 this amount, \$1,115,959,000 is to maintain research pro-  
11 grams and activities at the locations and in amounts no  
12 less than provided in fiscal year 2008, \$3,000,000 is for  
13 research enhancements, and \$15,125,000 is for pay and  
14 related costs: *Provided further*, That appropriations here-  
15 under shall be available for the operation and maintenance  
16 of aircraft and the purchase of not to exceed one for re-  
17 placement only: *Provided further*, That appropriations  
18 hereunder shall be available pursuant to 7 U.S.C. 2250  
19 for the construction, alteration, and repair of buildings  
20 and improvements, but unless otherwise provided, the cost  
21 of constructing any one building shall not exceed  
22 \$375,000, except for headhouses or greenhouses which  
23 shall each be limited to \$1,200,000, and except for 10  
24 buildings to be constructed or improved at a cost not to  
25 exceed \$750,000 each, and the cost of altering any one

1 building during the fiscal year shall not exceed 10 percent  
2 of the current replacement value of the building or  
3 \$375,000, whichever is greater: *Provided further*, That the  
4 limitations on alterations contained in this Act shall not  
5 apply to modernization or replacement of existing facilities  
6 at Beltsville, Maryland: *Provided further*, That appropria-  
7 tions hereunder shall be available for granting easements  
8 at the Beltsville Agricultural Research Center: *Provided*  
9 *further*, That the foregoing limitations shall not apply to  
10 replacement of buildings needed to carry out the Act of  
11 April 24, 1948 (21 U.S.C. 113a): *Provided further*, That  
12 funds may be received from any State, other political sub-  
13 division, organization, or individual for the purpose of es-  
14 tablishing or operating any research facility or research  
15 project of the Agricultural Research Service, as authorized  
16 by law.

17 BUILDINGS AND FACILITIES

18 For acquisition of land, construction, repair, improve-  
19 ment, extension, alteration, and purchase of fixed equip-  
20 ment or facilities as necessary to carry out the agricultural  
21 research programs of the Department of Agriculture,  
22 where not otherwise provided, \$30,995,000, to remain  
23 available until expended.

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

4 For payments to agricultural experiment stations, for  
 5 cooperative forestry and other research, for facilities, and  
 6 for other expenses, \$629,871,000, as follows: to carry out  
 7 the provisions of the Hatch Act of 1887 (7 U.S.C. 361a–  
 8 i), \$205,602,000; for grants for cooperative forestry re-  
 9 search (16 U.S.C. 582a through a–7), \$26,031,000; for  
 10 payments to eligible institutions (7 U.S.C. 3222),  
 11 \$43,104,000, provided that each institution receives no  
 12 less than \$1,000,000; for special grants (7 U.S.C.  
 13 450i(c)), \$50,649,000; for grants for agricultural and  
 14 rural policy research pursuant to 7 U.S.C. 3155,  
 15 \$2,602,000; for competitive grants on improved pest con-  
 16 trol (7 U.S.C. 450i(c)), \$15,313,000; for competitive  
 17 grants (7 U.S.C. 450(i)(b)), \$200,000,000, to remain  
 18 available until expended; for supplemental and alternative  
 19 crops and products (7 U.S.C. 3319d), \$819,000; for  
 20 grants for research pursuant to the Critical Agricultural  
 21 Materials Act (7 U.S.C. 178 et seq.), \$1,083,000, to re-  
 22 main available until expended; for the 1994 research  
 23 grants program for 1994 institutions pursuant to section  
 24 536 of Public Law 103–382 (7 U.S.C. 301 note),  
 25 \$1,610,000, to remain available until expended; for range-

1 land research grants (7 U.S.C. 3333), \$983,000; for high-  
 2 er education graduate fellowship grants (7 U.S.C.  
 3 3152(b)(6)), \$3,859,000, to remain available until ex-  
 4 pended (7 U.S.C. 2209b); for a program pursuant to sec-  
 5 tion 1415A of the National Agricultural Research, Exten-  
 6 sion, and Teaching Policy Act of 1977 (7 U.S.C. 3151a),  
 7 \$5,000,000, to remain available until expended; for higher  
 8 education challenge grants (7 U.S.C. 3152(b)(1)),  
 9 \$5,654,000; for a higher education multicultural scholars  
 10 program (7 U.S.C. 3152(b)(5)), \$981,000, to remain  
 11 available until expended (7 U.S.C. 2209b); for an edu-  
 12 cation grants program for Hispanic-serving Institutions (7  
 13 U.S.C. 3241), \$6,046,000; for competitive grants for the  
 14 purpose of carrying out all provisions of 7 U.S.C. 3242  
 15 (section 759 of Public Law 106–78) to individual eligible  
 16 institutions or consortia of eligible institutions in Alaska  
 17 and in Hawaii, with funds awarded equally to each of the  
 18 States of Alaska and Hawaii, \$3,196,000; for a secondary  
 19 agriculture education program and 2-year post-secondary  
 20 education (7 U.S.C. 3152(j)), \$983,000; for aquaculture  
 21 grants (7 U.S.C. 3322), \$3,928,000; for sustainable agri-  
 22 culture research and education (7 U.S.C. 5811),  
 23 \$14,399,000; for a program of capacity building grants  
 24 (7 U.S.C. 3152(b)(4)) to institutions eligible to receive  
 25 funds under 7 U.S.C. 3221 and 3222, \$13,592,000, to

1 remain available until expended (7 U.S.C. 2209b); for pay-  
 2 ments to the 1994 Institutions pursuant to section  
 3 534(a)(1) of Public Law 103–382, \$3,319,000; for resi-  
 4 dent instruction grants for insular areas under section  
 5 1491 of the National Agricultural Research, Extension,  
 6 and Teaching Policy Act of 1977 (7 U.S.C. 3363),  
 7 \$745,000; and for necessary expenses of Research and  
 8 Education Activities, \$20,373,000, of which \$2,704,000  
 9 for the Research, Education, and Economics Information  
 10 System and \$2,136,000 for the Electronic Grants Infor-  
 11 mation System, are to remain available until expended.

#### 12 NATIVE AMERICAN INSTITUTIONS ENDOWMENT FUND

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

#### 16 EXTENSION ACTIVITIES

17 For payments to States, the District of Columbia,  
 18 Puerto Rico, Guam, the Virgin Islands, Micronesia,  
 19 Northern Marianas, and American Samoa, \$464,272,000,  
 20 as follows: payments for cooperative extension work under  
 21 the Smith-Lever Act, to be distributed under sections 3(b)  
 22 and 3(c) of said Act, and under section 208(c) of Public  
 23 Law 93–471, for retirement and employees' compensation  
 24 costs for extension agents, \$288,393,000; payments for  
 25 extension work at the 1994 Institutions under the Smith-  
 26 Lever Act (7 U.S.C. 343(b)(3)), \$3,298,000; payments for

1 the nutrition and family education program for low-income  
 2 areas under section 3(d) of the Act, \$65,557,000; pay-  
 3 ments for the pest management program under section  
 4 3(d) of the Act, \$9,791,000; payments for the farm safety  
 5 program under section 3(d) of the Act, \$4,726,000; pay-  
 6 ments for New Technologies for Ag Extension under sec-  
 7 tion 3(d) of the Act, \$1,549,000; payments to upgrade re-  
 8 search, extension, and teaching facilities at institutions eli-  
 9 gible to receive funds under 7 U.S.C. 3221 and 3222,  
 10 \$17,267,000, to remain available until expended; pay-  
 11 ments for youth-at-risk programs under section 3(d) of the  
 12 Smith-Lever Act, \$7,968,000; for youth farm safety edu-  
 13 cation and certification extension grants, to be awarded  
 14 competitively under section 3(d) of the Act, \$463,000;  
 15 payments for carrying out the provisions of the Renewable  
 16 Resources Extension Act of 1978 (16 U.S.C. 1671 et  
 17 seq.), \$4,008,000; payments for the federally-recognized  
 18 Tribes Extension Program under section 3(d) of the  
 19 Smith-Lever Act, \$2,979,000; payments for sustainable  
 20 agriculture programs under section 3(d) of the Act,  
 21 \$4,568,000; payments for rural health and safety edu-  
 22 cation as authorized by section 502(i) of Public Law 92–  
 23 419 (7 U.S.C. 2662(i)), \$1,738,000; payments for cooper-  
 24 ative extension work by eligible institutions (7 U.S.C.  
 25 3221), \$37,643,000, provided that each institution re-

1 ceives no less than \$1,000,000; payments to carry out the  
 2 food animal residue avoidance database program as au-  
 3 thorized by section 7321 of Public Law 110–246,  
 4 \$806,000; and for necessary expenses of Extension Activi-  
 5 ties, \$13,518,000.

#### 6 INTEGRATED ACTIVITIES

7 For the integrated research, education, and extension  
 8 grants programs, including necessary administrative ex-  
 9 penses, \$55,850,000, as follows: for competitive grants  
 10 programs authorized under section 406 of the Agricultural  
 11 Research, Extension, and Education Reform Act of 1998  
 12 (7 U.S.C. 7626), \$41,990,000, including \$12,649,000 for  
 13 the water quality program, \$14,596,000 for the food safe-  
 14 ty program, \$4,096,000 for the regional pest management  
 15 centers program, \$4,388,000 for the Food Quality Protec-  
 16 tion Act risk mitigation program for major food crop sys-  
 17 tems, \$1,365,000 for the crops affected by Food Quality  
 18 Protection Act implementation, \$3,054,000 for the methyl  
 19 bromide transition program, and \$1,842,000 for the or-  
 20 ganic transition program; for a competitive international  
 21 science and education grants program authorized under  
 22 section 1459A of the National Agricultural Research, Ex-  
 23 tension, and Teaching Policy Act of 1977 (7 U.S.C.  
 24 3292b), to remain available until expended, \$1,986,000;  
 25 for grants programs authorized under section 2(c)(1)(B)  
 26 of Public Law 89–106, as amended, \$732,000, to remain

1 available until September 30, 2010, for the critical issues  
 2 program; \$1,312,000 for the regional rural development  
 3 centers program; and \$9,830,000 for the Food and Agri-  
 4 culture Defense Initiative authorized under section 1484  
 5 of the National Agricultural Research, Extension, and  
 6 Teaching Act of 1977, to remain available until September  
 7 30, 2010.

8 OFFICE OF THE UNDER SECRETARY FOR MARKETING  
 9 AND REGULATORY PROGRAMS

10 For necessary expenses of the Office of the Under  
 11 Secretary for Marketing and Regulatory Programs to ad-  
 12 minister programs under the laws enacted by the Congress  
 13 for the Animal and Plant Health Inspection Service; the  
 14 Agricultural Marketing Service; and the Grain Inspection,  
 15 Packers and Stockyards Administration; \$737,000.

16 ANIMAL AND PLANT HEALTH INSPECTION SERVICE  
 17 SALARIES AND EXPENSES  
 18 (INCLUDING TRANSFERS OF FUNDS)

19 For expenses, not otherwise provided for, necessary  
 20 to prevent, control, and eradicate pests and plant and ani-  
 21 mal diseases; to carry out inspection, quarantine, and reg-  
 22 ulatory activities; and to protect the environment, as au-  
 23 thorized by law, including up to \$30,000 for representa-  
 24 tion allowances and for expenses pursuant to the Foreign  
 25 Service Act of 1980 (22 U.S.C. 4085), \$860,989,000, of  
 26 which \$3,025,000 shall be available for the control of out-



1 breaks of insects, plant diseases, animal diseases and for  
2 control of pest animals and birds to the extent necessary  
3 to meet emergency conditions; of which \$29,590,000 shall  
4 be used for the cotton pests program for cost share pur-  
5 poses or for debt retirement for active eradication zones;  
6 of which \$9,787,000 shall be available for a National Ani-  
7 mal Identification program; of which \$59,849,000 shall be  
8 used to prevent and control avian influenza: *Provided*,  
9 That no funds shall be used to formulate or administer  
10 a brucellosis eradication program for the current fiscal  
11 year that does not require minimum matching by the  
12 States of at least 40 percent: *Provided further*, That this  
13 appropriation shall be available for the operation and  
14 maintenance of aircraft and the purchase of not to exceed  
15 four, of which two shall be for replacement only: *Provided*  
16 *further*, That, in addition, in emergencies which threaten  
17 any segment of the agricultural production industry of this  
18 country, the Secretary may transfer from other appropria-  
19 tions or funds available to the agencies or corporations  
20 of the Department such sums as may be deemed nec-  
21 essary, to be available only in such emergencies for the  
22 arrest and eradication of contagious or infectious disease  
23 or pests of animals, poultry, or plants, and for expenses  
24 in accordance with sections 10411 and 10417 of the Ani-  
25 mal Health Protection Act (7 U.S.C. 8310 and 8316) and

1 sections 431 and 442 of the Plant Protection Act (7  
 2 U.S.C. 7751 and 7772), and any unexpended balances of  
 3 funds transferred for such emergency purposes in the pre-  
 4 ceding fiscal year shall be merged with such transferred  
 5 amounts: *Provided further*, That appropriations hereunder  
 6 shall be available pursuant to law (7 U.S.C. 2250) for the  
 7 repair and alteration of leased buildings and improve-  
 8 ments, but unless otherwise provided the cost of altering  
 9 any one building during the fiscal year shall not exceed  
 10 10 percent of the current replacement value of the build-  
 11 ing.

12 In fiscal year 2009, the agency is authorized to collect  
 13 fees to cover the total costs of providing technical assist-  
 14 ance, goods, or services requested by States, other political  
 15 subdivisions, domestic and international organizations,  
 16 foreign governments, or individuals, provided that such  
 17 fees are structured such that any entity's liability for such  
 18 fees is reasonably based on the technical assistance, goods,  
 19 or services provided to the entity by the agency, and such  
 20 fees shall be credited to this account, to remain available  
 21 until expended, without further appropriation, for pro-  
 22 viding such assistance, goods, or services.

#### 23 BUILDINGS AND FACILITIES

24 For plans, construction, repair, preventive mainte-  
 25 nance, environmental support, improvement, extension, al-  
 26 teration, and purchase of fixed equipment or facilities, as

1 authorized by 7 U.S.C. 2250, and acquisition of land as  
 2 authorized by 7 U.S.C. 428a, \$2,000,000, to remain avail-  
 3 able until expended.

#### 4 AGRICULTURAL MARKETING SERVICE

##### 5 MARKETING SERVICES

6 For necessary expenses to carry out services related  
 7 to consumer protection, agricultural marketing and dis-  
 8 tribution, transportation, and regulatory programs, as au-  
 9 thorized by law, and for administration and coordination  
 10 of payments to States, \$71,655,000, to remain available  
 11 until September 30, 2010, including funds for the whole-  
 12 sale market development program for the design and de-  
 13 velopment of wholesale and farmer market facilities for  
 14 the major metropolitan areas of the country: *Provided*,  
 15 That this appropriation shall be available pursuant to law  
 16 (7 U.S.C. 2250) for the alteration and repair of buildings  
 17 and improvements, but the cost of altering any one build-  
 18 ing during the fiscal year shall not exceed 10 percent of  
 19 the current replacement value of the building.

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

##### 23 LIMITATION ON ADMINISTRATIVE EXPENSES

24 Not to exceed \$62,888,000 (from fees collected) shall  
 25 be obligated during the current fiscal year for administra-  
 26 tive expenses: *Provided*, That if crop size is understated

1 and/or other uncontrollable events occur, the agency may  
 2 exceed this limitation by up to 10 percent with notification  
 3 to the Committees on Appropriations of both Houses of  
 4 Congress.

5 FUNDS FOR STRENGTHENING MARKETS, INCOME, AND

6 SUPPLY (SECTION 32)

7 (INCLUDING TRANSFERS OF FUNDS)

8 Funds available under section 32 of the Act of Au-  
 9 gust 24, 1935 (7 U.S.C. 612c), shall be used only for com-  
 10 modity program expenses as authorized therein, and other  
 11 related operating expenses, including not less than  
 12 \$10,000,000 for replacement of a system to support com-  
 13 modity purchases, except for: (1) transfers to the Depart-  
 14 ment of Commerce as authorized by the Fish and Wildlife  
 15 Act of August 8, 1956; (2) transfers otherwise provided  
 16 in this Act; and (3) not more than \$17,270,000 for formu-  
 17 lation and administration of marketing agreements and  
 18 orders pursuant to the Agricultural Marketing Agreement  
 19 Act of 1937 and the Agricultural Act of 1961.

20 PAYMENTS TO STATES AND POSSESSIONS

21 For payments to departments of agriculture, bureaus  
 22 and departments of markets, and similar agencies for  
 23 marketing activities under section 204(b) of the Agricul-  
 24 tural Marketing Act of 1946 (7 U.S.C. 1623(b)),  
 25 \$1,685,000, of which not less than \$360,000 shall be used  
 26 to make a grant under this heading.

1       GRAIN INSPECTION, PACKERS AND STOCKYARDS

2                   ADMINISTRATION

3                           SALARIES AND EXPENSES

4       For necessary expenses to carry out the provisions  
5 of the United States Grain Standards Act, for the admin-  
6 istration of the Packers and Stockyards Act, for certifying  
7 procedures used to protect purchasers of farm products,  
8 and the standardization activities related to grain under  
9 the Agricultural Marketing Act of 1946, \$39,182,000, to  
10 remain available until September 30, 2010: *Provided*,  
11 That this appropriation shall be available pursuant to law  
12 (7 U.S.C. 2250) for the alteration and repair of buildings  
13 and improvements, but the cost of altering any one build-  
14 ing during the fiscal year shall not exceed 10 percent of  
15 the current replacement value of the building.

16       LIMITATION ON INSPECTION AND WEIGHING SERVICES

17                           EXPENSES

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

1 OFFICE OF THE UNDER SECRETARY FOR FOOD SAFETY

2 For necessary expenses of the Office of the Under  
3 Secretary for Food Safety to administer the laws enacted  
4 by the Congress for the Food Safety and Inspection Serv-  
5 ice, \$613,000.

6 FOOD SAFETY AND INSPECTION SERVICE

7 For necessary expenses to carry out services author-  
8 ized by the Federal Meat Inspection Act, the Poultry  
9 Products Inspection Act, and the Egg Products Inspection  
10 Act, including not to exceed \$50,000 for representation  
11 allowances and for expenses pursuant to section 8 of the  
12 Act approved August 3, 1956 (7 U.S.C. 1766),  
13 \$973,566,000, to remain available until September 30,  
14 2010; and in addition, \$1,000,000 may be credited to this  
15 account from fees collected for the cost of laboratory ac-  
16 creditation as authorized by section 1327 of the Food, Ag-  
17 riculture, Conservation and Trade Act of 1990 (7 U.S.C.  
18 138f): *Provided*, That no fewer than 120 full-time equiva-  
19 lent positions shall be employed during fiscal year 2009  
20 for purposes dedicated solely to inspections and enforce-  
21 ment related to the Humane Methods of Slaughter Act:  
22 *Provided further*, That of the amount available under this  
23 heading, \$3,000,000 shall be obligated to maintain the  
24 Humane Animal Tracking System as part of the Public  
25 Health Data Communication Infrastructure System: *Pro-*

1 *vided further*, That this appropriation shall be available  
 2 pursuant to law (7 U.S.C. 2250) for the alteration and  
 3 repair of buildings and improvements, but the cost of al-  
 4 tering any one building during the fiscal year shall not  
 5 exceed 10 percent of the current replacement value of the  
 6 building.

7 OFFICE OF THE UNDER SECRETARY FOR FARM AND  
 8 FOREIGN AGRICULTURAL SERVICES

9 For necessary expenses of the Office of the Under  
 10 Secretary for Farm and Foreign Agricultural Services to  
 11 administer the laws enacted by Congress for the Farm  
 12 Service Agency, the Foreign Agricultural Service, the Risk  
 13 Management Agency, and the Commodity Credit Corpora-  
 14 tion, \$646,000.

15 FARM SERVICE AGENCY

16 SALARIES AND EXPENSES

17 (INCLUDING TRANSFERS OF FUNDS)

18 For necessary expenses for carrying out the adminis-  
 19 tration and implementation of programs administered by  
 20 the Farm Service Agency, \$1,164,123,000, to remain  
 21 available until September 30, 2010: *Provided*, That the  
 22 Secretary is authorized to use the services, facilities, and  
 23 authorities (but not the funds) of the Commodity Credit  
 24 Corporation to make program payments for all programs  
 25 administered by the Agency: *Provided further*, That other

1 funds made available to the Agency for authorized activi-  
 2 ties may be advanced to and merged with this account.

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), \$4,369,000.

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 \$3,687,000, 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, \$400,000, 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, \$16,803,000, of which \$4,088,000 shall be for unsubsidized guaranteed loans, and \$12,715,000 shall be for direct loans; operating loans, \$130,371,000,

1 of which \$25,336,000 shall be for unsubsidized guaran-  
2 teed loans, \$37,231,000 shall be for subsidized guaranteed  
3 loans, and \$67,804,000 shall be for direct loans; and In-  
4 dian tribe land acquisition loans, \$248,000.

5 In addition, for administrative expenses necessary to  
6 carry out the direct and guaranteed loan programs,  
7 \$331,559,000, to remain available until September 30,  
8 2010, of which \$323,694,000 shall be transferred to and  
9 merged with the appropriation for “Farm Service Agency,  
10 Salaries and Expenses”.

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

17 RISK MANAGEMENT AGENCY

18 For administrative and operating expenses, as au-  
19 thorized by section 226A of the Department of Agriculture  
20 Reorganization Act of 1994 (7 U.S.C. 6933),  
21 \$77,177,000, to remain available until September 30,  
22 2010: *Provided*, That not more than \$11,166,000 of the  
23 funds made available under section 522(e) of the Federal  
24 Crop Insurance Act (7 U.S.C. 1522(e)) may be used for  
25 program compliance and integrity purposes, including the

1 data mining project, and for the Common Information  
 2 Management System: *Provided further*, That not to exceed  
 3 \$1,000 shall be available for official reception and rep-  
 4 resentation expenses, as authorized by 7 U.S.C. 1506(i).

## 5 CORPORATIONS

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

### 16 FEDERAL CROP INSURANCE CORPORATION FUND

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

### 20 COMMODITY CREDIT CORPORATION FUND

#### 21 REIMBURSEMENT FOR NET REALIZED LOSSES

22 For the current fiscal year, such sums as may be nec-  
 23 essary to reimburse the Commodity Credit Corporation for  
 24 net realized losses sustained, but not previously reim-  
 25 bursed, pursuant to section 2 of the Act of August 17,

1 1961 (15 U.S.C. 713a–11): *Provided*, That of the funds  
 2 available to the Commodity Credit Corporation under sec-  
 3 tion 11 of the Commodity Credit Corporation Charter Act  
 4 (15 U.S.C. 714i) for the conduct of its business with the  
 5 Foreign Agricultural Service, up to \$5,000,000 may be  
 6 transferred to and used by the Foreign Agricultural Serv-  
 7 ice for information resource management activities of the  
 8 Foreign Agricultural Service that are not related to Com-  
 9 modity Credit Corporation business and not more than  
 10 \$6,500,000 may be used to reimburse administrative costs  
 11 associated with carrying out the Food for Peace program.

#### 12 HAZARDOUS WASTE MANAGEMENT

##### 13 (LIMITATION ON EXPENSES)

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

#### 22 FARM STORAGE FACILITY LOANS PROGRAM ACCOUNT

23 For administrative expenses necessary to carry out  
 24 the Farm Storage and Sugar Storage Facility Loan Pro-  
 25 grams, \$4,724,000, to remain available until September  
 26 30, 2010, which shall be transferred to and merged with

1 the appropriation for “Farm Service Agency, Salaries and  
2 Expenses”.

## 3 TITLE II

### 4 CONSERVATION PROGRAMS

#### 5 OFFICE OF THE UNDER SECRETARY FOR NATURAL 6 RESOURCES AND ENVIRONMENT

7 For necessary expenses of the Office of the Under  
8 Secretary for Natural Resources and Environment to ad-  
9 minister the laws enacted by the Congress for the Forest  
10 Service and the Natural Resources Conservation Service,  
11 \$758,000.

#### 12 NATURAL RESOURCES CONSERVATION SERVICE

##### 13 CONSERVATION OPERATIONS

14 For necessary expenses for carrying out the provi-  
15 sions of the Act of April 27, 1935 (16 U.S.C. 590a–f),  
16 including preparation of conservation plans and establish-  
17 ment of measures to conserve soil and water (including  
18 farm irrigation and land drainage and such special meas-  
19 ures for soil and water management as may be necessary  
20 to prevent floods and the siltation of reservoirs and to con-  
21 trol agricultural related pollutants); operation of conserva-  
22 tion plant materials centers; classification and mapping of  
23 soil; dissemination of information; acquisition of lands,  
24 water, and interests therein for use in the plant materials  
25 program by donation, exchange, or purchase at a nominal

1 cost not to exceed \$100 pursuant to the Act of August  
2 3, 1956 (7 U.S.C. 428a); purchase and erection or alter-  
3 ation or improvement of permanent and temporary build-  
4 ings; and operation and maintenance of aircraft,  
5 \$866,899,000, to remain available until June 30, 2010:  
6 *Provided*, That appropriations hereunder shall be available  
7 pursuant to 7 U.S.C. 2250 for construction and improve-  
8 ment of buildings and public improvements at plant mate-  
9 rials centers, except that the cost of alterations and im-  
10 provements to other buildings and other public improve-  
11 ments shall not exceed \$250,000: *Provided further*, That  
12 when buildings or other structures are erected on non-  
13 Federal land, that the right to use such land is obtained  
14 as provided in 7 U.S.C. 2250a: *Provided further*, That this  
15 appropriation shall be available for technical assistance  
16 and related expenses to carry out programs authorized by  
17 section 202(c) of title II of the Colorado River Basin Sa-  
18 linity Control Act of 1974 (43 U.S.C. 1592(c)): *Provided*  
19 *further*, That qualified local engineers may be temporarily  
20 employed at per diem rates to perform the technical plan-  
21 ning work of the Service.

22 WATERSHED AND FLOOD PREVENTION OPERATIONS

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

1 in accordance with the Watershed Protection and Flood  
 2 Prevention Act (16 U.S.C. 1001–1005 and 1007–1009),  
 3 the provisions of the Act of April 27, 1935 (16 U.S.C.  
 4 590a–f), and in accordance with the provisions of laws re-  
 5 lating to the activities of the Department, \$29,790,000,  
 6 to remain available until expended: *Provided*, That not to  
 7 exceed \$15,500,000 of this appropriation shall be available  
 8 for technical assistance.

9           WATERSHED REHABILITATION PROGRAM

10       For necessary expenses to carry out rehabilitation of  
 11 structural measures, in accordance with section 14 of the  
 12 Watershed Protection and Flood Prevention Act (16  
 13 U.S.C. 1012), and in accordance with the provisions of  
 14 laws relating to the activities of the Department,  
 15 \$20,000,000, to remain available until expended.

16       RESOURCE CONSERVATION AND DEVELOPMENT

17       For necessary expenses in planning and carrying out  
 18 projects for resource conservation and development and  
 19 for sound land use pursuant to the provisions of sections  
 20 31 and 32 of the Bankhead-Jones Farm Tenant Act (7  
 21 U.S.C. 1010–1011; 76 Stat. 607); the Act of April 27,  
 22 1935 (16 U.S.C. 590a–f); and subtitle H of title XV of  
 23 the Agriculture and Food Act of 1981 (16 U.S.C. 3451–  
 24 3461), \$50,730,000, to remain available until expended:  
 25 *Provided*, That not to exceed \$3,073,000 shall be available  
 26 for national headquarters activities.

1 HEALTHY FORESTS RESERVE PROGRAM

2 For necessary expenses to carry out the Healthy For-  
 3 ests Reserve Program authorized under title V of Public  
 4 Law 108–148 (16 U.S.C. 6571–6578), \$1,986,000, to re-  
 5 main available until expended.

6 TITLE III

7 RURAL DEVELOPMENT PROGRAMS

8 OFFICE OF THE UNDER SECRETARY FOR RURAL  
 9 DEVELOPMENT

10 For necessary salaries and expenses of the Office of  
 11 the Under Secretary for Rural Development to administer  
 12 programs under the laws enacted by the Congress for the  
 13 rural housing service, the rural business-cooperative serv-  
 14 ice, and the rural utilities service, \$646,000.

15 RURAL DEVELOPMENT SALARIES AND EXPENSES

16 (INCLUDING TRANSFERS OF FUNDS)

17 For necessary expenses for carrying out the adminis-  
 18 tration and implementation of programs in the Rural De-  
 19 velopment mission area, including activities with institu-  
 20 tions concerning the development and operation of agricul-  
 21 tural cooperatives; and for cooperative agreements;  
 22 \$210,748,000, to remain available until September 30,  
 23 2010: *Provided*, That notwithstanding any other provision  
 24 of law, funds appropriated under this section may be used  
 25 for advertising and promotional activities that support the



1 Rural Development mission area: *Provided further*, That  
 2 not more than \$10,000 may be expended to provide mod-  
 3 est nonmonetary awards to non-USDA employees: *Pro-*  
 4 *vided further*, That any balances available from prior years  
 5 for the Rural Utilities Service, Rural Housing Service, and  
 6 the Rural Business-Cooperative Service salaries and ex-  
 7 penses accounts shall be transferred to and merged with  
 8 this appropriation.

#### 9 RURAL HOUSING SERVICE

##### 10 RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT

##### 11 (INCLUDING TRANSFERS OF FUNDS)

12 For gross obligations for the principal amount of di-  
 13 rect and guaranteed loans as authorized by title V of the  
 14 Housing Act of 1949, to be available from funds in the  
 15 rural housing insurance fund, as follows: \$5,312,009,000  
 16 for loans for section 502 borrowers, of which  
 17 \$1,121,488,000 shall be for direct loans, and of which  
 18 \$4,190,521,000 shall be for unsubsidized guaranteed  
 19 loans; \$34,409,000 for section 504 housing repair loans;  
 20 \$69,510,000 for section 515 rental housing; \$129,090,000  
 21 for section 538 guaranteed multi-family housing loans;  
 22 \$5,045,000 for section 524 site loans; \$11,476,000 for  
 23 credit sales of acquired property, of which up to  
 24 \$1,476,000 may be for multi-family credit sales; and  
 25 \$4,965,000 for section 523 self-help housing land develop-  
 26 ment loans.

1       For the cost of direct and guaranteed loans, including  
2 the cost of modifying loans, as defined in section 502 of  
3 the Congressional Budget Act of 1974, as follows: section  
4 502 loans, \$128,406,000, of which \$75,364,000 shall be  
5 for direct loans, and of which \$53,042,000, to remain  
6 available until expended, shall be for unsubsidized guaran-  
7 teed loans; section 504 housing repair loans, \$9,246,000;  
8 repair, rehabilitation, and new construction of section 515  
9 rental housing, \$28,610,000; section 538 multi-family  
10 housing guaranteed loans, \$20,241,000; credit sales of ac-  
11 quired property, \$533,000; and section 523 self-help hous-  
12 ing and development loans, \$82,000: *Provided*, That of the  
13 total amount appropriated in this paragraph, \$2,500,000  
14 shall be available through June 30, 2009, for authorized  
15 empowerment zones and enterprise communities and com-  
16 munities designated by the Secretary of Agriculture as  
17 Rural Economic Area Partnership Zones: *Provided fur-*  
18 *ther*, That any funds under this paragraph initially allo-  
19 cated by the Secretary for housing projects in the State  
20 of Alaska that are not obligated by September 30, 2009,  
21 shall be carried over until September 30, 2010, and made  
22 available for such housing projects only in the State of  
23 Alaska: *Provided further*, That any unobligated balances  
24 for a demonstration program for the preservation and re-  
25 vitalization of the section 515 multi-family rental housing

1 properties as authorized by Public Law 109–97 and Public  
 2 Law 110–5 shall be transferred to and merged with the  
 3 “Rural Housing Service, Multi-family Housing Revitaliza-  
 4 tion Program Account”.

5 In addition, for administrative expenses necessary to  
 6 carry out the direct and guaranteed loan programs,  
 7 \$449,757,000, to remain available until September 30,  
 8 2010, which shall be transferred to and merged with the  
 9 appropriation for “Rural Development, Salaries and Ex-  
 10 penses”.

#### 11 RENTAL ASSISTANCE PROGRAM

12 For rental assistance agreements entered into or re-  
 13 newed pursuant to the authority under section 521(a)(2)  
 14 or agreements entered into in lieu of debt forgiveness or  
 15 payments for eligible households as authorized by section  
 16 502(c)(5)(D) of the Housing Act of 1949,  
 17 \$1,005,000,000; and, in addition, such sums as may be  
 18 necessary, as authorized by section 521(c) of the Act, to  
 19 liquidate debt incurred prior to fiscal year 1992 to carry  
 20 out the rental assistance program under section 521(a)(2)  
 21 of the Act: *Provided*, That of this amount, up to  
 22 \$5,958,000 shall be available for debt forgiveness or pay-  
 23 ments for eligible households as authorized by section  
 24 502(c)(5)(D) of the Act, and not to exceed \$50,000 per  
 25 project for advances to nonprofit organizations or public  
 26 agencies to cover direct costs (other than purchase price)

1 incurred in purchasing projects pursuant to section  
 2 502(c)(5)(C) of the Act: *Provided further*, That rental as-  
 3 sistance agreements entered into or renewed during the  
 4 current fiscal year shall be funded for a 1-year period:  
 5 *Provided further*, That any unexpended balances remain-  
 6 ing at the end of such 1-year agreements may be trans-  
 7 ferred and used for the purposes of any debt reduction;  
 8 maintenance, repair, or rehabilitation of any existing  
 9 projects; preservation; and rental assistance activities au-  
 10 thorized under title V of the Act: *Provided further*, That  
 11 rental assistance provided under agreements entered into  
 12 prior to fiscal year 2009 for a farm labor multi-family  
 13 housing project financed under section 514 or 516 of the  
 14 Act may not be recaptured for use in another project until  
 15 such assistance has remained unused for a period of 12  
 16 consecutive months, if such project has a waiting list of  
 17 tenants seeking such assistance or the project has rental  
 18 assistance eligible tenants who are not receiving such as-  
 19 sistance: *Provided further*, That such recaptured rental as-  
 20 sistance shall, to the extent practicable, be applied to an-  
 21 other farm labor multi-family housing project financed  
 22 under section 514 or 516 of the Act.

23 MULTI-FAMILY HOUSING REVITALIZATION PROGRAM

24 ACCOUNT

25 For the rural housing voucher program as authorized  
 26 under section 542 of the Housing Act of 1949, but not-

1 withstanding subsection (b) of such section, for the cost  
2 to conduct a housing program to provide revolving loans  
3 for the preservation of low-income multi-family housing  
4 projects, and for additional costs to conduct a program  
5 for the preservation and revitalization of multi-family  
6 rental housing properties described in this paragraph,  
7 \$27,714,000, to remain available until expended: *Pro-*  
8 *vided*, That of the funds made available under this head-  
9 ing, \$4,965,000 shall be available for rural housing vouch-  
10 ers to any low-income household (including those not re-  
11 ceiving rental assistance) residing in a property financed  
12 with a section 515 loan which has been prepaid after Sep-  
13 tember 30, 2005: *Provided further*, That the amount of  
14 such voucher shall be the difference between comparable  
15 market rent for the section 515 unit and the tenant paid  
16 rent for such unit: *Provided further*, That funds made  
17 available for such vouchers shall be subject to the avail-  
18 ability of annual appropriations: *Provided further*, That  
19 the Secretary shall, to the maximum extent practicable,  
20 administer such vouchers with current regulations and ad-  
21 ministrative guidance applicable to section 8 housing  
22 vouchers administered by the Secretary of the Department  
23 of Housing and Urban Development (including the ability  
24 to pay administrative costs related to delivery of the  
25 voucher funds): *Provided further*, That if the Secretary de-

1 terminates that the amount made available for vouchers in  
2 this or any other Act is not needed for vouchers, the Sec-  
3 retary may use such funds for the programs for the pres-  
4 ervation and revitalization of multi-family rental housing  
5 properties described in this paragraph: *Provided further*,  
6 That of the funds made available under this heading,  
7 \$2,889,000 shall be available for the cost of loans to pri-  
8 vate nonprofit organizations, or such nonprofit organiza-  
9 tions' affiliate loan funds and State and local housing fi-  
10 nance agencies, to carry out a housing program to provide  
11 revolving loans for the preservation of low-income multi-  
12 family housing projects: *Provided further*, That loans  
13 under such program shall have an interest rate of not  
14 more than 1 percent direct loan to the recipient: *Provided*  
15 *further*, That the Secretary may defer the interest and  
16 principal payment to the Rural Housing Service for up  
17 to 3 years and the term of such loans shall not exceed  
18 30 years: *Provided further*, That of the funds made avail-  
19 able under this heading, \$19,860,000 shall be available for  
20 a program for the preservation and revitalization of the  
21 section 514, 515, and 516 multi-family rental housing  
22 properties to restructure existing USDA multi-family  
23 housing loans, as the Secretary deems appropriate, ex-  
24 pressly for the purposes of ensuring the project has suffi-  
25 cient resources to preserve the project for the purpose of

1 providing safe and affordable housing for low-income resi-  
 2 dents and farm laborers including reducing or eliminating  
 3 interest; deferring loan payments, subordinating, reducing  
 4 or reamortizing loan debt; and other financial assistance  
 5 including advances, payments and incentives (including  
 6 the ability of owners to obtain reasonable returns on in-  
 7 vestment) required by the Secretary: *Provided further*,  
 8 That the Secretary shall as part of the preservation and  
 9 revitalization agreement obtain a restrictive use agreement  
 10 consistent with the terms of the restructuring: *Provided*  
 11 *further*, That if the Secretary determines that additional  
 12 funds for vouchers described in this paragraph are needed,  
 13 funds for the preservation and revitalization program may  
 14 be used for such vouchers: *Provided further*, That the Sec-  
 15 retary may charge a processing fee to program applicants  
 16 to be used by the Secretary to obtain assistance from third  
 17 parties regarding the implementation of the program.

#### 18 MUTUAL AND SELF-HELP HOUSING GRANTS

19 For grants and contracts pursuant to section  
 20 523(b)(1)(A) of the Housing Act of 1949 (42 U.S.C.  
 21 1490c), \$38,727,000, to remain available until expended:  
 22 *Provided*, That of the total amount appropriated,  
 23 \$1,000,000 shall be available through June 30, 2009, for  
 24 authorized empowerment zones and enterprise commu-  
 25 nities and communities designated by the Secretary of Ag-  
 26 riculture as Rural Economic Area Partnership Zones.

1 RURAL HOUSING ASSISTANCE GRANTS

2 (INCLUDING TRANSFER OF FUNDS)

3 For grants and contracts for very low-income housing  
 4 repair, supervisory and technical assistance, compensation  
 5 for construction defects, and rural housing preservation  
 6 made by the rural housing service, as authorized by 42  
 7 U.S.C. 1474, 1479(c), 1490e, and 1490m, \$38,727,000,  
 8 to remain available until expended: *Provided*, That of the  
 9 total amount appropriated, \$1,200,000 shall be available  
 10 through June 30, 2009, 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: *Provided further*, That any bal-  
 14 ances to carry out a housing demonstration program to  
 15 provide revolving loans for the preservation of low-income  
 16 multi-family housing projects as authorized in Public Law  
 17 108–447 and Public Law 109–97 shall be transferred to  
 18 and merged with the “Rural Housing Service, Multi-fam-  
 19 ily Housing Revitalization Program Account”.

20 FARM LABOR PROGRAM ACCOUNT

21 For the cost of direct loans, grants, and contracts,  
 22 as authorized by 42 U.S.C. 1484 and 1486, \$15,000,000,  
 23 to remain available until expended, for direct farm labor  
 24 housing loans and domestic farm labor housing grants and  
 25 contracts.



1 RURAL COMMUNITY FACILITIES PROGRAM ACCOUNT  
2 (INCLUDING TRANSFERS OF FUNDS)

3 For the cost of direct loans, loan guarantees, and  
4 grants for rural community facilities programs as author-  
5 ized by section 306 and described in section 381E(d)(1)  
6 of the Consolidated Farm and Rural Development Act,  
7 \$67,732,000, to remain available until expended: *Pro-*  
8 *vided*, That \$6,256,000 of the amount appropriated under  
9 this heading shall be available for a Rural Community De-  
10 velopment Initiative: *Provided further*, That such funds  
11 shall be used solely to develop the capacity and ability of  
12 private, nonprofit community-based housing and commu-  
13 nity development organizations, low-income rural commu-  
14 nities, and Federally Recognized Native American Tribes  
15 to undertake projects to improve housing, community fa-  
16 cilities, community and economic development projects in  
17 rural areas: *Provided further*, That such funds shall be  
18 made available to qualified private, nonprofit and public  
19 intermediary organizations proposing to carry out a pro-  
20 gram of financial and technical assistance: *Provided fur-*  
21 *ther*, That such intermediary organizations shall provide  
22 matching funds from other sources, including Federal  
23 funds for related activities, in an amount not less than  
24 funds provided: *Provided further*, That \$13,902,000 of the  
25 amount appropriated under this heading shall be to pro-  
26 vide grants for facilities in rural communities with extreme

1 unemployment and severe economic depression (Public  
2 Law 106–387), with up to 5 percent for administration  
3 and capacity building in the State rural development of-  
4 fices: *Provided further*, That \$3,972,000 of the amount ap-  
5 propriated under this heading shall be available for com-  
6 munity facilities grants to tribal colleges, as authorized by  
7 section 306(a)(19) of such Act: *Provided further*, That not  
8 to exceed \$1,000,000 of the amount appropriated under  
9 this heading shall be available through June 30, 2009, for  
10 authorized empowerment zones and enterprise commu-  
11 nities and communities designated by the Secretary of Ag-  
12 riculture as Rural Economic Area Partnership Zones for  
13 the rural community programs described in section  
14 381E(d)(1) of the Consolidated Farm and Rural Develop-  
15 ment Act: *Provided further*, That section 381E–H and  
16 381N of the Consolidated Farm and Rural Development  
17 Act are not applicable to the funds made available under  
18 this heading: *Provided further*, That any prior balances in  
19 the Rural Development, Rural Community Advancement  
20 Program account for programs authorized by section 306  
21 and described in section 381E(d)(1) of such Act be trans-  
22 ferred and merged with this account and any other prior  
23 balances from the Rural Development, Rural Community  
24 Advancement Program account that the Secretary deter-  
25 mines is appropriate to transfer.

## 1 RURAL BUSINESS—COOPERATIVE SERVICE

## 2 RURAL BUSINESS PROGRAM ACCOUNT

## 3 (INCLUDING TRANSFERS OF FUNDS)

4 For the cost of loan guarantees and grants for the  
5 rural business development programs authorized by sec-  
6 tion 306 and section 310B and described in section  
7 310B(f) and 381E(d)(3) of the Consolidated Farm and  
8 Rural Development Act, \$87,385,000, to remain available  
9 until expended: *Provided*, That of the amount appro-  
10 priated under this heading, not to exceed \$495,000 shall  
11 be made available for a grant to a qualified national orga-  
12 nization to provide technical assistance for rural transpor-  
13 tation in order to promote economic development and  
14 \$2,979,000 shall be for grants to the Delta Regional Au-  
15 thority (7 U.S.C. 1921 et seq.) for any Rural Community  
16 Advancement Program purpose as described in section  
17 381E(d) of the Consolidated Farm and Rural Develop-  
18 ment Act, of which not more than 5 percent may be used  
19 for administrative expenses: *Provided further*, That  
20 \$3,996,000 of the amount appropriated under this head-  
21 ing shall be for business grants to benefit Federally Recog-  
22 nized Native American Tribes, including \$248,000 for a  
23 grant to a qualified national organization to provide tech-  
24 nical assistance for rural transportation in order to pro-  
25 mote economic development: *Provided further*, That not to  
26 exceed \$8,300,000 of the amount appropriated under this

1 heading shall be available through June 30, 2009, for au-  
 2 thorized empowerment zones and enterprise communities  
 3 and communities designated by the Secretary of Agri-  
 4 culture as Rural Economic Area Partnership Zones for the  
 5 rural business and cooperative development programs de-  
 6 scribed in section 381E(d)(3) of the Consolidated Farm  
 7 and Rural Development Act: *Provided further*, That sec-  
 8 tion 381E–H and 381N of the Consolidated Farm and  
 9 Rural Development Act are not applicable to funds made  
 10 available under this heading: *Provided further*, That any  
 11 prior balances in the Rural Development, Rural Commu-  
 12 nity Advancement Program account for programs author-  
 13 ized by sections 306 and 310B and described in section  
 14 310B(f) and 381E(d)(3) of such Act be transferred and  
 15 merged with this account and any other prior balances  
 16 from the Rural Development, Rural Community Advance-  
 17 ment Program account that the Secretary determines is  
 18 appropriate to transfer.

19 RURAL DEVELOPMENT LOAN FUND PROGRAM ACCOUNT  
 20 (INCLUDING TRANSFER OF FUNDS)

21 For the principal amount of direct loans, as author-  
 22 ized by the Rural Development Loan Fund (42 U.S.C.  
 23 9812(a)), \$33,536,000.

24 For the cost of direct loans, \$14,035,000, as author-  
 25 ized by the Rural Development Loan Fund (42 U.S.C.  
 26 9812(a)), of which \$1,724,000 shall be available through

1 June 30, 2009, for Federally Recognized Native American  
 2 Tribes and of which \$3,449,000 shall be available through  
 3 June 30, 2009, for Mississippi Delta Region counties (as  
 4 determined in accordance with Public Law 100–460): *Pro-*  
 5 *vided*, That such costs, including the cost of modifying  
 6 such loans, shall be as defined in section 502 of the Con-  
 7 gressional Budget Act of 1974: *Provided further*, That of  
 8 the total amount appropriated, \$880,000 shall be available  
 9 through June 30, 2009, for the cost of direct loans for  
 10 authorized empowerment zones and enterprise commu-  
 11 nities and communities designated by the Secretary of Ag-  
 12 riculture as Rural Economic Area Partnership Zones.

13 In addition, for administrative expenses to carry out  
 14 the direct loan programs, \$4,741,000, to remain available  
 15 until September 30, 2010, shall be transferred to and  
 16 merged with the appropriation for “Rural Development,  
 17 Salaries and Expenses”.

18 RURAL ECONOMIC DEVELOPMENT LOANS PROGRAM

19 ACCOUNT

20 (INCLUDING RESCISSION OF FUNDS)

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

25 Of the funds derived from interest on the cushion of  
 26 credit payments, as authorized by section 313 of the Rural

1 Electrification Act of 1936, \$20,000,000 shall not be obli-  
 2 gated and \$20,000,000 are rescinded.

3 RURAL COOPERATIVE DEVELOPMENT GRANTS

4 For rural cooperative development grants authorized  
 5 under section 310B(e) of the Consolidated Farm and  
 6 Rural Development Act (7 U.S.C. 1932), \$25,114,000, of  
 7 which \$300,000 shall be for a cooperative research agree-  
 8 ment with a qualified academic institution to conduct re-  
 9 search on the national economic impact of all types of co-  
 10 operatives; and of which \$2,774,000 shall be for coopera-  
 11 tive agreements for the appropriate technology transfer  
 12 for rural areas program: *Provided*, That not to exceed  
 13 \$1,463,000 shall be for cooperatives or associations of co-  
 14 operatives whose primary focus is to provide assistance to  
 15 small, minority producers and whose governing board and/  
 16 or membership is comprised of at least 75 percent minor-  
 17 ity; and of which \$16,153,000, to remain available until  
 18 expended, shall be for value-added agricultural product  
 19 market development grants, as authorized by section 6202  
 20 of the Food, Conservation, and Energy Act of 2008 (Pub-  
 21 lic Law 110–246).

22 RURAL EMPOWERMENT ZONES AND ENTERPRISE

23 COMMUNITIES GRANTS

24 For grants in connection with empowerment zones  
 25 and enterprise communities, \$8,130,000, to remain avail-  
 26 able until expended, for designated rural empowerment

1 zones and rural enterprise communities, as authorized by  
 2 the Taxpayer Relief Act of 1997 and the Omnibus Consoli-  
 3 dated and Emergency Supplemental Appropriations Act,  
 4 1999 (Public Law 105–277): *Provided*, That the funds  
 5 provided under this paragraph shall be made available to  
 6 empowerment zones and enterprise communities in a man-  
 7 ner and with the same priorities such funds were made  
 8 available during the 2007 fiscal year.

9 RENEWABLE ENERGY PROGRAM

10 For the cost of a program of direct loans, loan guar-  
 11 antees, and grants, under the same terms and conditions  
 12 as authorized by section 9007 of the Food, Conservation,  
 13 and Energy Act of 2008 (Public Law 110–246),  
 14 \$50,000,000: *Provided*, That the cost of direct loans and  
 15 loan guarantees, including the cost of modifying such  
 16 loans, shall be as defined in section 502 of the Congres-  
 17 sional Budget Act of 1974.

18 RURAL UTILITIES SERVICE

19 RURAL WATER AND WASTE DISPOSAL PROGRAM ACCOUNT  
 20 (INCLUDING TRANSFERS OF FUNDS)

21 For the cost of direct loans, loan guarantees, and  
 22 grants for the rural water, waste water, waste disposal,  
 23 and solid waste management programs authorized by sec-  
 24 tions 306, 306A, 306C, 306D, and 310B and described  
 25 in sections 306C(a)(2), 306D, and 381E(d)(2) of the Con-  
 26 solidated Farm and Rural Development Act,

1 \$558,628,000, to remain available until expended, of  
2 which not to exceed \$497,000 shall be available for the  
3 rural utilities program described in section 306(a)(2)(B)  
4 of such Act, and of which not to exceed \$993,000 shall  
5 be available for the rural utilities program described in  
6 section 306E of such Act: *Provided*, That \$65,000,000 of  
7 the amount appropriated under this heading shall be for  
8 loans and grants including water and waste disposal sys-  
9 tems grants authorized by 306C(a)(2)(B) and 306D of the  
10 Consolidated Farm and Rural Development Act and for  
11 Federally-recognized Native American Tribes authorized  
12 by 306C(a)(1): *Provided further*, That the Secretary shall  
13 allocate the funds described in the previous proviso in a  
14 manner consistent with the historical allocation for such  
15 populations under these authorities: *Provided further*,  
16 That not to exceed \$18,500,000 of the amount appro-  
17 priated under this heading shall be for technical assistance  
18 grants for rural water and waste systems pursuant to sec-  
19 tion 306(a)(14) of such Act, unless the Secretary makes  
20 a determination of extreme need, of which \$5,600,000  
21 shall be made available for a grant to a qualified nonprofit  
22 multi-state regional technical assistance organization, with  
23 experience in working with small communities on water  
24 and waste water problems, the principal purpose of such  
25 grant shall be to assist rural communities with populations



1 of 3,300 or less, in improving the planning, financing, de-  
 2 velopment, operation, and management of water and waste  
 3 water systems, and of which not less than \$800,000 shall  
 4 be for a qualified national Native American organization  
 5 to provide technical assistance for rural water systems for  
 6 tribal communities: *Provided further*, That not to exceed  
 7 \$13,750,000 of the amount appropriated under this head-  
 8 ing shall be for contracting with qualified national organi-  
 9 zations for a circuit rider program to provide technical as-  
 10 sistance for rural water systems: *Provided further*, That  
 11 not to exceed \$12,700,000 of the amount appropriated  
 12 under this heading shall be available through June 30,  
 13 2009, for authorized empowerment zones and enterprise  
 14 communities and communities designated by the Secretary  
 15 of Agriculture as Rural Economic Area Partnership Zones  
 16 for the rural utilities programs described in section  
 17 381E(d)(2) of such Act: *Provided further*, That  
 18 \$19,860,000 of the amount appropriated under this head-  
 19 ing shall be transferred to, and merged with, the rural  
 20 utilities service, High Energy Cost Grants Account to pro-  
 21 vide grants authorized under section 19 of the Rural Elec-  
 22 trification Act of 1936 (7 U.S.C. 918a): *Provided further*,  
 23 That any prior year balances for high cost energy grants  
 24 authorized by section 19 of the Rural Electrification Act  
 25 of 1936 (7 U.S.C. 901(19)) shall be transferred to and

1 merged with the rural utilities service, High Energy Costs  
 2 Grants Account: *Provided further*, That section 381E–H  
 3 and 381N of the Consolidated Farm and Rural Develop-  
 4 ment Act are not applicable to the funds made available  
 5 under this heading: *Provided further*, That any prior bal-  
 6 ances in the Rural Development, Rural Community Ad-  
 7 vancement Program account programs authorized by sec-  
 8 tions 306, 306A, 306C, 306D, and 310B and described  
 9 in sections 306C(a)(2), 306D, and 381E(d)(2) of such Act  
 10 be transferred and merged with this account and any  
 11 other prior balances from the Rural Development, Rural  
 12 Community Advancement Program account that the Sec-  
 13 retary determines is appropriate to transfer.

14 RURAL ELECTRIFICATION AND TELECOMMUNICATIONS

15 LOANS PROGRAM ACCOUNT

16 (INCLUDING TRANSFER OF FUNDS)

17 The principal amount of direct and guaranteed loans  
 18 as authorized by section 305 of the Rural Electrification  
 19 Act of 1936 (7 U.S.C. 935) shall be made as follows: 5  
 20 percent rural electrification loans, \$99,300,000; loans  
 21 made pursuant to section 306 of that Act, rural electric,  
 22 \$6,500,000,000; guaranteed underwriting loans pursuant  
 23 to section 313A, \$500,000,000; 5 percent rural tele-  
 24 communications loans, \$143,985,000; cost of money rural  
 25 telecommunications loans, \$248,250,000; and for loans

1 made pursuant to section 306 of that Act, rural tele-  
 2 communications loans, \$292,935,000.

3 For the cost, as defined in section 502 of the Con-  
 4 gressional Budget Act of 1974, including the cost of modi-  
 5 fying loans, of direct and guaranteed loans authorized by  
 6 sections 305 and 306 of the Rural Electrification Act of  
 7 1936 (7 U.S.C. 935 and 936), as follows: cost of rural  
 8 telecommunications loans, \$521,000: *Provided*, That not-  
 9 withstanding section 305(d)(2) of the Rural Electrifica-  
 10 tion Act of 1936, borrower interest rates may exceed 7  
 11 percent per year.

12 In addition, for administrative expenses necessary to  
 13 carry out the direct and guaranteed loan programs,  
 14 \$38,353,000, to remain available until September 30,  
 15 2010, which shall be transferred to and merged with the  
 16 appropriation for “Rural Development, Salaries and Ex-  
 17 penses”.

18 DISTANCE LEARNING, TELEMEDICINE, AND BROADBAND  
 19 PROGRAM

20 For the principal amount of broadband telecommuni-  
 21 cation loans, \$297,900,000.

22 For grants for telemedicine and distance learning  
 23 services in rural areas, as authorized by 7 U.S.C. 950aaa  
 24 et seq., \$34,755,000, to remain available until expended:  
 25 *Provided*, That the Secretary may use funds under this  
 26 heading for grants authorized by 379(g) of the Consoli-

1   dated Farm and Rural Development Act: *Provided further*,  
2   That \$4,965,000 shall be made available to convert analog  
3   to digital operation those noncommercial educational tele-  
4   vision broadcast stations that serve rural areas and are  
5   qualified for Community Service Grants by the Corpora-  
6   tion for Public Broadcasting under section 396(k) of the  
7   Communications Act of 1934, including associated trans-  
8   lators and repeaters, regardless of the location of their  
9   main transmitter, studio-to-transmitter links, and equip-  
10  ment to allow local control over digital content and pro-  
11  gramming through the use of high-definition broadcast,  
12  multi-casting and datacasting technologies.

13       For the cost of broadband loans, as authorized by 7  
14  U.S.C. 901 et seq., \$11,618,000, to remain available until  
15  expended: *Provided*, That the cost of direct loans shall be  
16  as defined in section 502 of the Congressional Budget Act  
17  of 1974.

18       In addition, \$13,406,000, to remain available until  
19  expended, for a grant program to finance broadband  
20  transmission in rural areas eligible for Distance Learning  
21  and Telemedicine Program benefits authorized by 7  
22  U.S.C. 950aaa.

## 1 TITLE IV

## 2 DOMESTIC FOOD PROGRAMS

## 3 OFFICE OF THE UNDER SECRETARY FOR FOOD,

## 4 NUTRITION AND CONSUMER SERVICES

5 For necessary expenses of the Office of the Under  
6 Secretary for Food, Nutrition and Consumer Services to  
7 administer the laws enacted by the Congress for the Food  
8 and Nutrition Service, \$610,000.

## 9 FOOD AND NUTRITION SERVICE

## 10 CHILD NUTRITION PROGRAMS

## 11 (INCLUDING TRANSFERS OF FUNDS)

12 Notwithstanding section 14222(b)(1) of the Food,  
13 Conservation, and Energy Act of 2008, for necessary ex-  
14 penses to carry out the Richard B. Russell National  
15 School Lunch Act (42 U.S.C. 1751 et seq.), except section  
16 21, and the Child Nutrition Act of 1966 (42 U.S.C. 1771  
17 et seq.), except sections 17 and 21; \$14,455,683,000, to  
18 remain available through September 30, 2010, of which  
19 \$7,733,849,000 is hereby appropriated and  
20 \$6,721,834,000 shall be derived by transfer from funds  
21 available under section 32 of the Act of August 24, 1935  
22 (7 U.S.C. 612c).

## 23 SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR

## 24 WOMEN, INFANTS, AND CHILDREN (WIC)

25 For necessary expenses to carry out the special sup-  
26 plemental nutrition program as authorized by section 17

1 of the Child Nutrition Act of 1966 (42 U.S.C. 1786),  
2 \$6,750,000,000, to remain available through September  
3 30, 2010, of which such sums as are necessary to restore  
4 the contingency reserve to \$50,000,000 shall be placed in  
5 reserve, to remain available until expended, to be allocated  
6 as the Secretary deems necessary, notwithstanding section  
7 17(i) of such Act, to support participation should cost or  
8 participation exceed budget estimates: *Provided*, That of  
9 the total amount available, the Secretary shall obligate not  
10 less than \$14,850,000 for a breastfeeding support initia-  
11 tive in addition to the activities specified in section  
12 17(h)(3)(A): *Provided further*, That, notwithstanding sec-  
13 tion 17(h)(10)(A) of such Act, only the provisions of sec-  
14 tion 17(h)(10)(B)(i) shall be effective in 2009; including  
15 \$14,000,000 for the purposes specified in section  
16 17(h)(10)(B)(i): *Provided further*, That hereafter none of  
17 the funds in this Act shall be available to pay administra-  
18 tive expenses of WIC clinics except those that have an an-  
19 nounced policy of prohibiting smoking within the space  
20 used to carry out the program: *Provided further*, That  
21 none of the funds provided in this account shall be avail-  
22 able for the purchase of infant formula except in accord-  
23 ance with the cost containment and competitive bidding  
24 requirements specified in section 17 of such Act: *Provided*  
25 *further*, That none of the funds provided shall be available

1 for activities that are not fully reimbursed by other Fed-  
2 eral Government departments or agencies unless author-  
3 ized by section 17 of such Act.

4 SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM

5 For necessary expenses to carry out the Food and  
6 Nutrition Act of 2008 (7 U.S.C. 2011 et seq.),  
7 \$43,437,304,000, of which \$3,000,000,000, to remain  
8 available through September 30, 2010, shall be placed in  
9 reserve for use only in such amounts and at such times  
10 as may become necessary to carry out program operations:  
11 *Provided*, That funds provided herein shall be expended  
12 in accordance with section 16 of the Food and Nutrition  
13 Act of 2008 (7 U.S.C. 2011 et seq.): *Provided further*,  
14 That this appropriation shall be subject to any work reg-  
15 istration or workfare requirements as may be required by  
16 law: *Provided further*, That funds made available for Em-  
17 ployment and Training under this heading shall remain  
18 available until expended, as authorized by section 16(h)(1)  
19 of the Food and Nutrition Act of 2008 (7 U.S.C. 2011  
20 et seq.): *Provided further*, That funds made available  
21 under this heading may be used to enter into contracts  
22 and employ staff to conduct studies, evaluations, or to con-  
23 duct activities related to food stamp program integrity  
24 provided that such activities are authorized by the Food  
25 and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.).

## 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, \$225,370,000, to remain available through September 30, 2010: *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 2009 to support the Seniors Farmers’ Market Nutrition Program (SFMNP), as authorized by section 4406 of Public Law 110–246, such funds shall remain available through September 30, 2010: *Provided further*, That of the funds made available under section 27(a) of the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.), the Secretary may use up to 10 percent for costs associated with the distribution of commodities.



## 1 NUTRITION PROGRAMS ADMINISTRATION

2 For necessary administrative expenses of the Food  
3 and Nutrition Service for carrying out any domestic nutri-  
4 tion assistance program, \$142,595,000, to remain avail-  
5 able until September 30, 2010.

## 6 TITLE V

## 7 FOREIGN ASSISTANCE AND RELATED

## 8 PROGRAMS

## 9 FOREIGN AGRICULTURAL SERVICE

## 10 SALARIES AND EXPENSES

## 11 (INCLUDING TRANSFERS OF FUNDS)

12 For necessary expenses of the Foreign Agricultural  
13 Service, including carrying out title VI of the Agricultural  
14 Act of 1954 (7 U.S.C. 1761–1768), market development  
15 activities abroad, and for enabling the Secretary to coordi-  
16 nate and integrate activities of the Department in connec-  
17 tion with foreign agricultural work, including not to exceed  
18 \$158,000 for representation allowances and for expenses  
19 pursuant to section 8 of the Act approved August 3, 1956  
20 (7 U.S.C. 1766), \$169,042,000: *Provided*, That of this  
21 amount, \$1,000,000 is to carry out an international agri-  
22 cultural science and technology fellowship program au-  
23 thorized under section 7139 of Public Law 110–246: *Pro-*  
24 *vided further*, That the Service may utilize advances of  
25 funds, or reimburse this appropriation for expenditures  
26 made on behalf of Federal agencies, public and private or-

ganizations and institutions under agreements executed pursuant to the agricultural food production assistance programs (7 U.S.C. 1737) and the foreign assistance programs of the United States Agency for International Development: *Provided further*, That funds made available for the cost of agreements under title I of the Agricultural Trade Development and Assistance Act of 1954 and for title I ocean freight differential may be used interchangeably between the two accounts with prior notice to the Committees on Appropriations of both Houses of Congress.

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

For administrative expenses to carry out the credit program of title I, Public Law 83–480 and the Food for Progress Act of 1985, \$2,761,000, to be transferred to and merged with the appropriation for “Farm Service Agency, Salaries and Expenses”.

PUBLIC LAW 480 TITLE II GRANTS

For expenses during the current fiscal year, not otherwise recoverable, and unrecovered prior years’ costs, including interest thereon, under the Agricultural Trade Development and Assistance Act of 1954, for commodities supplied in connection with dispositions abroad under title

1 II of said Act, \$1,225,900,000, to remain available until  
2 expended.

3 COMMODITY CREDIT CORPORATION EXPORT LOANS

4 PROGRAM ACCOUNT

5 (INCLUDING TRANSFERS OF FUNDS)

6 For administrative expenses to carry out the Com-  
7 modity Credit Corporation's export guarantee program,  
8 GSM 102 and GSM 103, \$5,353,000; to cover common  
9 overhead expenses as permitted by section 11 of the Com-  
10 modity Credit Corporation Charter Act and in conformity  
11 with the Federal Credit Reform Act of 1990, of which  
12 \$4,985,000 may be transferred to and merged with the  
13 appropriation for "Foreign Agricultural Service, Salaries  
14 and Expenses", and of which \$368,000 may be trans-  
15 ferred to and merged with the appropriation for "Farm  
16 Service Agency, Salaries and Expenses".

17 MC GOVERN-DOLE INTERNATIONAL FOOD FOR EDUCATION

18 AND CHILD NUTRITION PROGRAM GRANTS

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

1 TITLE VI  
2 RELATED AGENCY 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; \$2,603,879,000: *Provided*, That of the amount  
20 provided under this heading, \$497,108,000 shall be de-  
21 rived from prescription drug user fees authorized by 21  
22 U.S.C. 379h shall be credited to this account and remain  
23 available until expended, and shall not include any fees  
24 pursuant to 21 U.S.C. 379h(a)(2) and (a)(3) assessed for  
25 fiscal year 2010 but collected in fiscal year 2009;

1 \$52,547,000 shall be derived from medical device user fees  
2 authorized by 21 U.S.C. 379j, and shall be credited to this  
3 account and remain available until expended; and  
4 \$15,260,000 shall be derived from animal drug user fees  
5 authorized by 21 U.S.C. 379j, and shall be credited to this  
6 account and remain available until expended: *Provided fur-*  
7 *ther*, That fees derived from prescription drug, medical de-  
8 vice, and animal drug assessments for fiscal year 2009 re-  
9 ceived during fiscal year 2009, including any such fees as-  
10 sessed prior to fiscal year 2009 but credited for fiscal year  
11 2009, shall be subject to the fiscal year 2009 limitations:  
12 *Provided further*, That none of these funds shall be used  
13 to develop, establish, or operate any program of user fees  
14 authorized by 31 U.S.C. 9701: *Provided further*, That of  
15 the total amount appropriated: (1) \$660,534,000 shall be  
16 for the Center for Food Safety and Applied Nutrition and  
17 related field activities in the Office of Regulatory Affairs;  
18 (2) \$763,309,000 shall be for the Center for Drug Evalua-  
19 tion and Research and related field activities in the Office  
20 of Regulatory Affairs, of which no less than \$41,358,000  
21 shall be available for the Office of Generic Drugs; (3)  
22 \$267,641,000 shall be for the Center for Biologics Evalua-  
23 tion and Research and for related field activities in the  
24 Office of Regulatory Affairs; (4) \$127,967,000 shall be  
25 for the Center for Veterinary Medicine and for related

1 field activities in the Office of Regulatory Affairs; (5)  
2 \$308,381,000 shall be for the Center for Devices and Ra-  
3 diological Health and for related field activities in the Of-  
4 fice of Regulatory Affairs; (6) \$52,127,000 shall be for  
5 the National Center for Toxicological Research; (7) not  
6 to exceed \$111,686,000 shall be for Rent and Related ac-  
7 tivities, of which \$41,281,000 is for White Oak Consolida-  
8 tion, other than the amounts paid to the General Services  
9 Administration for rent; (8) not to exceed \$151,381,000  
10 shall be for payments to the General Services Administra-  
11 tion for rent; and (9) \$160,853,000 shall be for other ac-  
12 tivities, including the Office of the Commissioner; the Of-  
13 fice of Scientific and Medical Programs; the Office of Pol-  
14 icy, Planning and Preparedness; the Office of Inter-  
15 national and Special Programs; the Office of Operations;  
16 and central services for these offices: *Provided further*,  
17 That funds may be transferred from one specified activity  
18 to another with the prior approval of the Committees on  
19 Appropriations of both Houses of Congress.

20 In addition, mammography user fees authorized by  
21 42 U.S.C. 263b may be credited to this account, to remain  
22 available until expended.

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

1 BUILDINGS AND FACILITIES

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

7 INDEPENDENT AGENCY

8 FARM CREDIT ADMINISTRATION

9 LIMITATION ON ADMINISTRATIVE EXPENSES

10 Not to exceed \$50,000,000 (from assessments col-  
11 lected from farm credit institutions, including the Federal  
12 Agricultural Mortgage Corporation) shall be obligated  
13 during the current fiscal year for administrative expenses  
14 as authorized under 12 U.S.C. 2249: *Provided*, That this  
15 limitation shall not apply to expenses associated with re-  
16 ceiverships.

17 TITLE VII

18 GENERAL PROVISIONS

19 (INCLUDING RESCISSIONS AND TRANSFERS OF FUNDS)

20 SEC. 701. Within the unit limit of cost fixed by law,  
21 appropriations and authorizations made for the Depart-  
22 ment of Agriculture for the current fiscal year under this  
23 Act shall be available for the purchase, in addition to those  
24 specifically provided for, of not to exceed 327 passenger

1 motor vehicles, of which 315 shall be for replacement only,  
2 and for the hire of such vehicles.

3 SEC. 702. New obligational authority provided for the  
4 following appropriation items in this Act shall remain  
5 available until expended: Animal and Plant Health Inspec-  
6 tion Service, the contingency fund to meet emergency con-  
7 ditions, information technology infrastructure, fruit fly  
8 program, emerging plant pests, cotton pests program,  
9 avian influenza programs, grasshopper, and mormon  
10 cricket program, up to \$9,787,000 in animal health moni-  
11 toring and surveillance for the animal identification sys-  
12 tem, up to \$1,500,000 in the scrapie program for indem-  
13 nities, up to \$3,739,000 for the National Veterinary  
14 Stockpile, up to \$1,000,000 for wildlife services methods  
15 development, up to \$1,000,000 of the wildlife services op-  
16 erations program for aviation safety, and up to 25 percent  
17 of the screwworm program; Food Safety and Inspection  
18 Service, Public Health Data Communication Infrastruc-  
19 ture System; Cooperative State Research, Education, and  
20 Extension Service, funds for competitive research grants  
21 (7 U.S.C. 450i(b)), and funds for the Native American  
22 Institutions Endowment Fund; Farm Service Agency, sal-  
23 aries and expenses funds made available to county com-  
24 mittees; Foreign Agricultural Service, middle-income  
25 country training program, and up to \$2,000,000 of the



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

5       SEC. 703. The Secretary of Agriculture may transfer  
6 unobligated balances of discretionary funds appropriated  
7 by this Act or other available unobligated discretionary  
8 balances of the Department of Agriculture to the Working  
9 Capital Fund for the acquisition of plant and capital  
10 equipment necessary for the financial management mod-  
11 ernization initiative and the delivery of financial, adminis-  
12 trative, and information technology services of primary  
13 benefit to the agencies of the Department of Agriculture:  
14 *Provided*, That none of the funds made available by this  
15 Act or any other Act shall be transferred to the Working  
16 Capital Fund without the prior approval of the agency ad-  
17 ministrator: *Provided further*, That none of the funds  
18 transferred to the Working Capital Fund pursuant to this  
19 section shall be available for obligation without the prior  
20 approval of the Committees on Appropriations of both  
21 Houses of Congress: *Provided further*, That none of the  
22 funds appropriated by this Act or made available to the  
23 Department's Working Capital Fund shall be available for  
24 obligation or expenditure to make any changes to the De-  
25 partment's National Finance Center without prior ap-

1 proval of the Committees on Appropriations of both  
2 Houses of Congress as required by section 712 of this Act.

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

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

18 SEC. 706. Appropriations to the Department of Agri-  
19 culture for the cost of direct and guaranteed loans made  
20 available in the current fiscal year shall remain available  
21 until expended to disburse obligations made in the current  
22 fiscal year for the following accounts: the Rural Develop-  
23 ment Loan Fund program account, the Rural Electrifica-  
24 tion and Telecommunication Loans program account, and  
25 the Rural Housing Insurance Fund program account.

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

8        SEC. 708. Hereafter, none of the funds appropriated  
9 by this Act may be used to carry out section 410 of the  
10 Federal Meat Inspection Act (21 U.S.C. 679a) or section  
11 30 of the Poultry Products Inspection Act (21 U.S.C.  
12 471).

13       SEC. 709. No employee of the Department of Agri-  
14 culture may be detailed or assigned from an agency or  
15 office funded by this Act to any other agency or office  
16 of the Department for more than 30 days unless the indi-  
17 vidual's employing agency or office is fully reimbursed by  
18 the receiving agency or office for the salary and expenses  
19 of the employee for the period of assignment.

20       SEC. 710. None of the funds appropriated or other-  
21 wise made available to the Department of Agriculture or  
22 the Food and Drug Administration shall be used to trans-  
23 mit or otherwise make available to any non-Department  
24 of Agriculture or non-Department of Health and Human  
25 Services employee questions or responses to questions that

1 are a result of information requested for the appropria-  
2 tions hearing process.

3 SEC. 711. None of the funds made available to the  
4 Department of Agriculture by this Act may be used to ac-  
5 quire new information technology systems or significant  
6 upgrades, as determined by the Office of the Chief Infor-  
7 mation Officer, without the approval of the Chief Informa-  
8 tion Officer and the concurrence of the Executive Informa-  
9 tion Technology Investment Review Board: *Provided*, That  
10 notwithstanding any other provision of law, none of the  
11 funds appropriated or otherwise made available by this  
12 Act may be transferred to the Office of the Chief Informa-  
13 tion Officer without the prior approval of the Committees  
14 on Appropriations of both Houses of Congress: *Provided*  
15 *further*, That none of the funds available to the Depart-  
16 ment of Agriculture for information technology shall be  
17 obligated for projects over \$25,000 prior to receipt of writ-  
18 ten approval by the Chief Information Officer.

19 SEC. 712. (a) None of the funds provided by this Act,  
20 or provided by previous Appropriations Acts to the agen-  
21 cies funded by this Act that remain available for obligation  
22 or 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

1 by this Act, shall be available for obligation or expenditure  
2 through a reprogramming of funds which—

3 (1) creates new programs;

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

5 (3) increases funds or personnel by any means  
6 for any project or activity for which funds have been  
7 denied or restricted;

8 (4) relocates an office or employees;

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

10 or

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

16 (b) None of the funds provided by this Act, or pro-  
17 vided by previous Appropriations Acts to the agencies  
18 funded by this Act that remain available for obligation or  
19 expenditure in the current fiscal year, or provided from  
20 any accounts in the Treasury of the United States derived  
21 by the collection of fees available to the agencies funded  
22 by this Act, shall be available for obligation or expenditure  
23 for activities, programs, or projects through a reprogram-  
24 ming of funds in excess of \$500,000 or 10 percent, which-  
25 ever is less, that: (1) augments existing programs,

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

10 (c) The Secretary of Agriculture or the Secretary of  
11 Health and Human Services shall notify the Committees  
12 on Appropriations of both Houses of Congress before im-  
13 plementing a program or activity not carried out during  
14 the previous fiscal year unless the program or activity is  
15 funded by this Act or specifically funded by any other Act.

16 SEC. 713. None of the funds appropriated by this or  
17 any other Act shall be used to pay the salaries and ex-  
18 penses of personnel who prepare or submit appropriations  
19 language as part of the President's Budget submission to  
20 the Congress of the United States for programs under the  
21 jurisdiction of the Appropriations Subcommittees on Agri-  
22 culture, Rural Development, Food and Drug Administra-  
23 tion, and Related Agencies that assumes revenues or re-  
24 flects a reduction from the previous year due to user fees  
25 proposals that have not been enacted into law prior to the

1 submission of the Budget unless such Budget submission  
2 identifies which additional spending reductions should  
3 occur in the event the user fees proposals are not enacted  
4 prior to the date of the convening of a committee of con-  
5 ference for the fiscal year 2010 appropriations Act.

6 SEC. 714. None of the funds made available to the  
7 Food and Drug Administration by this Act shall be used  
8 to close or relocate, or to plan to close or relocate, the  
9 Food and Drug Administration Division of Pharma-  
10 ceutical Analysis in St. Louis, Missouri, outside the city  
11 or county limits of St. Louis, Missouri.

12 SEC. 715. None of the funds made available in fiscal  
13 year 2009 or preceding fiscal years for programs author-  
14 ized under the Agricultural Trade Development and As-  
15 sistance Act of 1954 (7 U.S.C. 1691 et seq.) in excess  
16 of \$20,000,000 shall be used to reimburse the Commodity  
17 Credit Corporation for the release of eligible commodities  
18 under section 302(f)(2)(A) of the Bill Emerson Humani-  
19 tarian Trust Act (7 U.S.C. 1736f-1): *Provided*, That any  
20 such funds made available to reimburse the Commodity  
21 Credit Corporation shall only be used pursuant to section  
22 302(b)(2)(B)(i) of the Bill Emerson Humanitarian Trust  
23 Act.

24 SEC. 716. None of the funds made available by this  
25 Act may be used to issue a final rule in furtherance of,

1 or otherwise implement, the proposed rule on cost-sharing  
2 for animal and plant health emergency programs of the  
3 Animal and Plant Health Inspection Service published on  
4 July 8, 2003 (Docket No. 02–062–1; 68 Fed. Reg.  
5 40541).

6 SEC. 717. There is hereby appropriated \$434,000, to  
7 remain available until expended, for the Denali Commis-  
8 sion to address deficiencies in solid waste disposal sites  
9 which threaten to contaminate rural drinking water sup-  
10 plies.

11 SEC. 718. Funds made available under section 1240I  
12 and section 1241(a) of the Food Security Act of 1985 and  
13 section 524(b) of the Federal Crop Insurance Act (7  
14 U.S.C. 1524(b)) in the current fiscal year shall remain  
15 available until expended to disburse obligations made in  
16 the current fiscal year.

17 SEC. 719. Notwithstanding any other provision of  
18 law, any former RUS borrower that has repaid or prepaid  
19 an insured, direct or guaranteed loan under the Rural  
20 Electrification Act, or any not-for-profit utility that is eli-  
21 gible to receive an insured or direct loan under such Act,  
22 shall be eligible for assistance under section 313(b)(2)(B)  
23 of such Act in the same manner as a borrower under such  
24 Act.



1        SEC. 720. Notwithstanding any other provision of  
2 law, the Secretary of Agriculture is authorized to make  
3 funding and other assistance available through the emer-  
4 gency watershed protection program under section 403 of  
5 the Agricultural Credit Act of 1978 (16 U.S.C. 2203) to  
6 repair and prevent damage to non-Federal land in water-  
7 sheds that have been impaired by fires initiated by the  
8 Federal Government and shall waive cost sharing require-  
9 ments for the funding and assistance.

10       SEC. 721. None of the funds appropriated or other-  
11 wise made available by this or any other Act shall be used  
12 to pay the salaries and expenses of personnel to carry out:

13       (a) a farmland protection program as authorized by  
14 section 2401 of Public Law 110–246 in excess of  
15 \$106,000,000;

16       (b) a grassland reserve program as authorized by sec-  
17 tion 2403 of Public Law 110–246 in excess of  
18 \$48,000,000;

19       (c) an environmental quality incentives program as  
20 authorized by section 2501 of Public Law 110–246 in ex-  
21 cess of \$1,052,000,000;

22       (d) a wildlife habitat incentive program as authorized  
23 by section 2602 of Public Law 110–246 in excess of  
24 \$74,000,000;

1 (e) a voluntary public access program as authorized  
2 by section 2606 of Public Law 110–246 in excess of  
3 \$45,000,000;

4 (f) an agricultural management assistance program  
5 as authorized by section 2801 of Public Law 110–246 in  
6 excess of \$10,000,000;

7 (g) none of the unobligated balances in excess of  
8 \$30,000,000 may be used to carry out a dam rehabilita-  
9 tion program as authorized by section 14(h)(1)(E) of the  
10 Watershed Protection and Flood Preservation Act (16  
11 U.S.C. 1012(h)(1)(E)). In addition, no funds shall be used  
12 to carry out a dam rehabilitation program as authorized  
13 by section 14(h)(1)(G) of the Watershed Protection and  
14 Flood Preservation Act (16 U.S.C. 1012(h)(1)(G));

15 (h) a value-added products grant program as author-  
16 ized by section 6202 of Public Law 110–246;

17 (i) an organics research program as authorized by  
18 section 7206 of Public Law 110–246 in excess of  
19 \$16,000,000;

20 (j) a specialty crop research program as authorized  
21 by section 7311 of Public Law 110–246 in excess of  
22 \$36,000,000;

23 (k) a beginning farmers and ranchers research pro-  
24 gram as authorized by section 7410 of Public Law 110–  
25 246 in excess of \$16,000,000;

1 (l) a healthy forest reserve programs as authorized  
2 by section 8205 of Public Law 110–246 in excess of  
3 \$8,000,000;

4 (m) a biorefinery assistance program as authorized  
5 by section 9003 of the Farm Security and Rural Invest-  
6 ment Act of 2002 (7 U.S.C. 8101 et seq.) in excess of  
7 \$72,000,000;

8 (n) a repowering assistance program as authorized by  
9 section 9004 of the Farm Security and Rural Investment  
10 Act of 2002 (7 U.S.C. 8101 et seq.) in excess of  
11 \$8,000,000;

12 (o) a rural energy for America program as authorized  
13 by section 9007 of the Farm Security and Rural Invest-  
14 ment Act of 2002 (7 U.S.C. 8101 et seq.);

15 (p) a specialty crops block grant program as author-  
16 ized by section 10109 of Public Law 110–246 in excess  
17 of \$44,000,000; and

18 (q) a program under subsection (b)(2)(A)(i) of sec-  
19 tion 14222 of Public Law 110–246 in excess of  
20 \$1,014,000,000: *Provided*, That none of the funds made  
21 available in this Act or any other Act shall be used for  
22 salaries and expenses to carry out section 19(i)(1)(B) of  
23 the Richard B. Russell National School Lunch Act as  
24 amended by section 4304 of Public Law 110–246 in excess  
25 of \$16,000,000 until October 1, 2009.

1        SEC. 722. There is hereby appropriated \$3,724,000,  
2 to remain available until expended, for a grant to the Na-  
3 tional Center for Natural Products Research for construc-  
4 tion or renovation to carry out the research objectives of  
5 the natural products research grant issued by the Food  
6 and Drug Administration.

7        SEC. 723. There is hereby appropriated \$500,000, to  
8 remain available until expended, for the planning and de-  
9 sign of construction of an agriculture pest facility in the  
10 State of Hawaii.

11       SEC. 724. There is hereby appropriated \$794,000 to  
12 the Farm Service Agency to carry out a pilot program to  
13 demonstrate the use of new technologies that increase the  
14 rate of growth of re-forested hardwood trees on private  
15 non-industrial forests lands, enrolling lands on the coast  
16 of the Gulf of Mexico that were damaged by Hurricane  
17 Katrina in 2005.

18       SEC. 725. Notwithstanding any other provision of  
19 law, and until receipt of the decennial Census for the year  
20 2010, the Secretary of Agriculture shall consider: the City  
21 of Healdsburg, California; the City of Havelock, North  
22 Carolina; and the City of Newton, North Carolina, to be  
23 rural areas for the purposes of eligibility for loans and  
24 grants funded through the Rural Water and Waste Dis-  
25 posal account; and the County of Nueces, Texas, shall be

1 considered a rural area for the purposes of financing a  
2 beef processing facility under the Business and Industry  
3 Loan Guarantee Program, in a local area that has rural  
4 characteristics as determined by the Secretary.

5 SEC. 726. There is hereby appropriated \$2,500,000  
6 for section 4401 of Public Law 110–246.

7 SEC. 727. Notwithstanding any other provision of  
8 law, there is hereby appropriated \$2,000,000, of which  
9 \$1,500,000 shall be for a grant to the Wisconsin Depart-  
10 ment of Agriculture, Trade, and Consumer Protection  
11 (DATCP), and \$500,000 shall be for a grant to the  
12 Vermont Agency of Agriculture, Foods, and Markets, as  
13 authorized by section 6402 of the Farm Security and  
14 Rural Investment Act of 2002 (7 U.S.C. 1621 note).

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

18 (1) through the Watershed and Flood Preven-  
19 tion Operations program for the Pocasset River  
20 Floodplain Management Project in the State of  
21 Rhode Island;

22 (2) through the Watershed and Flood Preven-  
23 tion Operations program to carry out the East Lo-  
24 cust Creek Watershed Plan Revision in Missouri, in-  
25 cluding up to 100 percent of the engineering assist-

1       ance and 75 percent cost share for construction cost  
2       of site RW1;

3           (3) through the Watershed and Flood Preven-  
4       tion Operations program to carry out the Little  
5       Otter Creek Watershed project in Missouri. The  
6       sponsoring local organization may obtain land rights  
7       by perpetual easements;

8           (4) through the Watershed and Flood Preven-  
9       tion Operations program to carry out the Churchill  
10      Woods Dam Removal project in DuPage County, Il-  
11      linois; and

12          (5) through the Watershed and Flood Preven-  
13      tion Operations program to carry out the Dunloup  
14      Creek Watershed Project in Fayette and Raleigh  
15      Counties, West Virginia.

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

19          (1) by striking “eight” and inserting “nine”;

20          (2) by striking “six” and inserting “seven”; and

21          (3) by inserting “Vermont,” after the first in-  
22      stance of “States shall be”.

23      SEC. 730. Subsection 382K(c) of the Delta Regional  
24      Authority Act of 2000 (7 U.S.C. 2009aa–10(c)) is re-  
25      pealed.

1        SEC. 731. Notwithstanding any other provision of  
2 law, the Chief of the Natural Resources Conservation  
3 Service shall provide funds, from within prior year discre-  
4 tionary balances that are available for obligation, for the  
5 settlement of claims associated with the Houlka Water-  
6 shed Project to close out this project.

7        SEC. 732. Notwithstanding any other provision of  
8 law, for the purposes of a grant under section 412 of the  
9 Agricultural Research, Extension, and Education Reform  
10 Act of 1998, none of the funds in this or any other Act  
11 may be used to prohibit the provision of in-kind support  
12 from non-Federal sources under section 412(e)(3) in the  
13 form of unrecovered indirect costs not otherwise charged  
14 against the grant, consistent with the indirect rate of cost  
15 approved for a recipient.

16        SEC. 733. Amounts made available by this Act shall  
17 be provided in accordance with the terms and conditions  
18 as specified in the report accompanying this Act.

19        SEC. 734. Section 343 of the Consolidated Farm and  
20 Rural Development Act (7 U.S.C. 1991) is amended—

21                (1) in subsection (a), by inserting “and, in the  
22                case of subtitle B, commercial fishing” before the  
23                period at the end of each of paragraphs (1) and (2);  
24                and

25                (2) by adding at the end the following:

1       “(c) DEFINITION OF FARM.—In subtitle B, the term  
 2 ‘farm’ includes a commercial fishing enterprise owned or  
 3 operated by a geographically disadvantaged farmer or  
 4 rancher (as defined in section 10906(a) of the Farm Secu-  
 5 rity and Rural Investment Act of 2002 (7 U.S.C. 2204  
 6 note; Public Law 107–171), except that for purposes of  
 7 this subsection the term ‘farmer or rancher’ as used in  
 8 that section shall include a commercial fisherman).”.

9       SEC. 735. EXEMPTION FROM AQI USER FEES. (a)  
 10 IN GENERAL.—Notwithstanding any other provision of  
 11 law (including regulations), the owner or operator of any  
 12 commercial truck described in subsection (b) shall be ex-  
 13 empt from the payment of any agricultural quarantine and  
 14 inspection user fee.

15       (b) COMMERCIAL TRUCKS.—A commercial truck re-  
 16 ferred to in subsection (a) is a commercial truck that—

17               (1) originates in the State of Alaska and reen-  
 18 ters the customs territory of the United States di-  
 19 rectly from Canada; or

20               (2) originates in the customs territory of the  
 21 United States (other than the State of Alaska) and  
 22 transits through the customs territory of Canada di-  
 23 rectly before entering the State of Alaska.



1       (c) SEALED CARGO AREAS.—A cargo area of any  
2 commercial truck carrying an agricultural product shall  
3 remain sealed during transit through Canada.

4       SEC. 736. None of the funds made available by this  
5 Act may be used to pay the salaries and expenses of any  
6 individual to conduct any activities that would allow the  
7 importation into the United States of any ruminant or  
8 swine, or any fresh (including chilled or frozen) meat or  
9 product of any ruminant or swine, that is born, raised,  
10 or slaughtered in Argentina until the Secretary of Agri-  
11 culture certifies to Congress that every region of Argen-  
12 tina is free of foot and mouth disease without vaccination.

13       SEC. 737. Section 910(a) of the Trade Sanctions Re-  
14 form and Export Enhancement Act of 2000 (22 U.S.C.  
15 7209(a)) is amended to read as follows:

16       “(a) AUTHORIZATION OF TRAVEL RELATING TO  
17 COMMERCIAL SALES OF AGRICULTURAL AND MEDICAL  
18 GOODS.—The Secretary of the Treasury shall promulgate  
19 regulations under which the travel-related transactions  
20 listed in paragraph (c) of section 515.560 of title 31, Code  
21 of Federal Regulations, are authorized by general license  
22 for travel to, from, or within Cuba for the marketing and  
23 sale of agricultural and medical goods pursuant to the pro-  
24 visions of this title.”.

1        This Act may be cited as the “Agriculture, Rural De-  
2   velopment, Food and Drug Administration, and Related  
3   Agencies Appropriations Act, 2009”.



Calendar No. 890

110<sup>TH</sup> CONGRESS  
2<sup>D</sup> Session

**S. 3289**

[Report No. 110-426]

**A BILL**

Making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2009, and for other purposes.

JULY 21 (legislative day, JULY 17), 2008

Read twice and placed on the calendar