

107TH CONGRESS
1ST SESSION

H. R. 2330

IN THE SENATE OF THE UNITED STATES

JULY 12, 2001

Received; read twice and referred to the Committee on Appropriations

AN ACT

Making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2002, 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,*

1 That the following sums are appropriated, out of any
2 money in the Treasury not otherwise appropriated, for Ag-
3 riculture, Rural Development, Food and Drug Administra-
4 tion, and Related Agencies programs for the fiscal year
5 ending September 30, 2002, and for other purposes,
6 namely:

7 TITLE I

8 AGRICULTURAL PROGRAMS

9 PRODUCTION, PROCESSING, AND MARKETING

10 OFFICE OF THE SECRETARY

11 For necessary expenses of the Office of the Secretary
12 of Agriculture, and not to exceed \$75,000 for employment
13 under 5 U.S.C. 3109, \$3,015,000: *Provided*, That not to
14 exceed \$11,000 of this amount shall be available for offi-
15 cial reception and representation expenses, not otherwise
16 provided for, as determined by the Secretary: *Provided*
17 *further*, That none of the funds appropriated or otherwise
18 made available by this Act may be used to pay the salaries
19 and expenses of personnel of the Department of Agri-
20 culture to carry out section 793(c)(1)(C) of Public Law
21 104–127: *Provided further*, That none of the funds made
22 available by this Act may be used to enforce section 793(d)
23 of Public Law 104–127.

1 EXECUTIVE OPERATIONS

2 CHIEF ECONOMIST

3 For necessary expenses of the Chief Economist, in-
4 cluding economic analysis, risk assessment, cost-benefit
5 analysis, energy and new uses, and the functions of the
6 World Agricultural Outlook Board, as authorized by the
7 Agricultural Marketing Act of 1946 (7 U.S.C. 1622g), and
8 including employment pursuant to the second sentence of
9 section 706(a) of the Organic Act of 1944 (7 U.S.C.
10 2225), of which not to exceed \$5,000 is for employment
11 under 5 U.S.C. 3109, \$7,704,000.

12 NATIONAL APPEALS DIVISION

13 For necessary expenses of the National Appeals Divi-
14 sion, including employment pursuant to the second sen-
15 tence of section 706(a) of the Organic Act of 1944 (7
16 U.S.C. 2225), of which not to exceed \$25,000 is for em-
17 ployment under 5 U.S.C. 3109, \$12,869,000.

18 OFFICE OF BUDGET AND PROGRAM ANALYSIS

19 For necessary expenses of the Office of Budget and
20 Program Analysis, including employment pursuant to the
21 second sentence of section 706(a) of the Organic Act of
22 1944 (7 U.S.C. 2225), of which not to exceed \$5,000 is
23 for employment under 5 U.S.C. 3109, \$7,041,000.

24 OFFICE OF THE CHIEF INFORMATION OFFICER

25 For necessary expenses of the Office of the Chief In-
26 formation Officer, including employment pursuant to the

1 second sentence of section 706(a) of the Organic Act of
2 1944 (7 U.S.C. 2225), of which not to exceed \$10,000
3 is for employment under 5 U.S.C. 3109, \$10,325,000.

4 COMMON COMPUTING ENVIRONMENT

5 For necessary expenses to acquire a Common Com-
6 puting Environment for the Natural Resources Conserva-
7 tion Service, the Farm and Foreign Agricultural Service
8 and Rural Development mission areas for information
9 technology, systems, and services, \$59,369,000, to remain
10 available until expended, for the capital asset acquisition
11 of shared information technology systems, including serv-
12 ices as authorized by 7 U.S.C. 6915–16 and 40 U.S.C.
13 1421–28: *Provided*, That obligation of these funds shall
14 be consistent with the Department of Agriculture Service
15 Center Modernization Plan of the county-based agencies,
16 and shall be with the concurrence of the Department’s
17 Chief Information Officer.

18 OFFICE OF THE CHIEF FINANCIAL OFFICER

19 For necessary expenses of the Office of the Chief Fi-
20 nancial Officer, including employment pursuant to the sec-
21 ond sentence of section 706(a) of the Organic Act of 1944
22 (7 U.S.C. 2225), of which not to exceed \$10,000 is for
23 employment under 5 U.S.C. 3109, \$5,384,000: *Provided*,
24 That the Chief Financial Officer shall actively market and
25 expand cross-servicing activities of the National Finance
26 Center.

1 cy's appropriation to cover the costs of new or replacement
2 space for such agency, but such transfers shall not exceed
3 5 percent of the funds made available for space rental and
4 related costs to or from this account.

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., \$15,665,000, 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, \$37,398,000, to
21 provide for necessary expenses for management support
22 services to offices of the Department and for general ad-
23 ministration and disaster management of the Department,
24 repairs and alterations, and other miscellaneous supplies
25 and expenses not otherwise provided for and necessary for

1 the practical and efficient work of the Department, includ-
2 ing employment pursuant to the second sentence of section
3 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of
4 which not to exceed \$10,000 is for employment under 5
5 U.S.C. 3109: *Provided*, That this appropriation shall be
6 reimbursed from applicable appropriations in this Act for
7 travel expenses incident to the holding of hearings as re-
8 quired by 5 U.S.C. 551–558.

9 OUTREACH FOR SOCIALLY DISADVANTAGED FARMERS

10 For grants and contracts pursuant to section 2501
11 of the Food, Agriculture, Conservation, and Trade Act of
12 1990 (7 U.S.C. 2279), \$2,993,000, to remain available
13 until expended.

14 OFFICE OF THE ASSISTANT SECRETARY FOR

15 CONGRESSIONAL RELATIONS

16 (INCLUDING TRANSFERS OF FUNDS)

17 For necessary salaries and expenses of the Office of
18 the Assistant Secretary for Congressional Relations to
19 carry out the programs funded by this Act, including pro-
20 grams involving intergovernmental affairs and liaison
21 within the executive branch, \$3,718,000: *Provided*, That
22 these funds may be transferred to agencies of the Depart-
23 ment of Agriculture funded by this Act to maintain per-
24 sonnel at the agency level: *Provided further*, That no other
25 funds appropriated to the Department by this Act shall

1 be available to the Department for support of activities
2 of congressional relations.

3 OFFICE OF COMMUNICATIONS

4 For necessary expenses to carry out services relating
5 to the coordination of programs involving public affairs,
6 for the dissemination of agricultural information, and the
7 coordination of information, work, and programs author-
8 ized by Congress in the Department, \$8,975,000, includ-
9 ing employment pursuant to the second sentence of section
10 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of
11 which not to exceed \$10,000 shall be available for employ-
12 ment under 5 U.S.C. 3109, and not to exceed \$2,000,000
13 may be used for farmers' bulletins.

14 OFFICE OF THE INSPECTOR GENERAL

15 For necessary expenses of the Office of the Inspector
16 General, including employment pursuant to the second
17 sentence of section 706(a) of the Organic Act of 1944 (7
18 U.S.C. 2225), and the Inspector General Act of 1978,
19 \$71,429,000, including such sums as may be necessary for
20 contracting and other arrangements with public agencies
21 and private persons pursuant to section 6(a)(9) of the In-
22 spector General Act of 1978, including not to exceed
23 \$50,000 for employment under 5 U.S.C. 3109; and includ-
24 ing not to exceed \$125,000 for certain confidential oper-
25 ational expenses, including the payment of informants, to

1 be expended under the direction of the Inspector General
2 pursuant to Public Law 95–452 and section 1337 of Pub-
3 lic Law 97–98.

4 OFFICE OF THE GENERAL COUNSEL

5 For necessary expenses of the Office of the General
6 Counsel, \$32,937,000.

7 OFFICE OF THE UNDER SECRETARY FOR RESEARCH,
8 EDUCATION AND ECONOMICS

9 For necessary salaries and expenses of the Office of
10 the Under Secretary for Research, Education and Eco-
11 nomics to administer the laws enacted by the Congress
12 for the Economic Research Service, the National Agricul-
13 tural Statistics Service, the Agricultural Research Service,
14 and the Cooperative State Research, Education, and Ex-
15 tension Service, \$578,000.

16 ECONOMIC RESEARCH SERVICE

17 For necessary expenses of the Economic Research
18 Service in conducting economic research and analysis, as
19 authorized by the Agricultural Marketing Act of 1946 (7
20 U.S.C. 1621–1627) and other laws, \$67,620,000: *Pro-*
21 *vided*, That this appropriation shall be available for em-
22 ployment pursuant to the second sentence of section
23 706(a) of the Organic Act of 1944 (7 U.S.C. 2225).

1 NATIONAL AGRICULTURAL STATISTICS SERVICE

2 For necessary expenses of the National Agricultural
3 Statistics Service in conducting statistical reporting and
4 service work, including crop and livestock estimates, sta-
5 tistical coordination and improvements, marketing sur-
6 veys, and the Census of Agriculture, as authorized by 7
7 U.S.C. 1621–1627, Public Law 105–113, and other laws,
8 \$114,546,000, of which up to \$25,456,000 shall be avail-
9 able until expended for the Census of Agriculture: *Pro-*
10 *vided*, That this appropriation shall be available for em-
11 ployment pursuant to the second sentence of section
12 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and
13 not to exceed \$40,000 shall be available for employment
14 under 5 U.S.C. 3109.

15 AGRICULTURAL RESEARCH SERVICE

16 SALARIES AND EXPENSES

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

1 be of equal value or shall be equalized by a payment of
2 money to the grantor which shall not exceed 25 percent
3 of the total value of the land or interests transferred out
4 of Federal ownership, \$971,365,000: *Provided*, That ap-
5 propriations hereunder shall be available for temporary
6 employment pursuant to the second sentence of section
7 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and
8 not to exceed \$115,000 shall be available for employment
9 under 5 U.S.C. 3109: *Provided further*, That appropria-
10 tions hereunder shall be available for the operation and
11 maintenance of aircraft and the purchase of not to exceed
12 one for replacement only: *Provided further*, That appropria-
13 tions hereunder shall be available pursuant to 7
14 U.S.C. 2250 for the construction, alteration, and repair
15 of buildings and improvements, but unless otherwise pro-
16 vided, the cost of constructing any one building shall not
17 exceed \$375,000, except for headhouses or greenhouses
18 which shall each be limited to \$1,200,000, and except for
19 10 buildings to be constructed or improved at a cost not
20 to exceed \$750,000 each, and the cost of altering any one
21 building during the fiscal year shall not exceed 10 percent
22 of the current replacement value of the building or
23 \$375,000, whichever is greater: *Provided further*, That the
24 limitations on alterations contained in this Act shall not
25 apply to modernization or replacement of existing facilities

1 at Beltsville, Maryland: *Provided further*, That appropria-
2 tions hereunder shall be available for granting easements
3 at the Beltsville Agricultural Research Center, including
4 an easement to the University of Maryland to construct
5 the Transgenic Animal Facility which upon completion
6 shall be accepted by the Secretary as a gift: *Provided fur-*
7 *ther*, That the foregoing limitations shall not apply to re-
8 placement of buildings needed to carry out the Act of April
9 24, 1948 (21 U.S.C. 113a): *Provided further*, That funds
10 may be received from any State, other political subdivi-
11 sion, organization, or individual for the purpose of estab-
12 lishing or operating any research facility or research
13 project of the Agricultural Research Service, as authorized
14 by law.

15 None of the funds in the foregoing paragraph shall
16 be available to carry out research related to the produc-
17 tion, processing or marketing of tobacco or tobacco prod-
18 ucts.

19 In fiscal year 2002, the agency is authorized to
20 charge fees, commensurate with the fair market value, for
21 any permit, easement, lease, or other special use author-
22 ization for the occupancy or use of land and facilities (in-
23 cluding land and facilities at the Beltsville Agricultural
24 Research Center) issued by the agency, as authorized by
25 law, and such fees shall be credited to this account, and

1 shall remain available until expended for authorized pur-
2 poses.

3 BUILDINGS AND FACILITIES

4 For acquisition of land, construction, repair, improve-
5 ment, extension, alteration, and purchase of fixed equip-
6 ment or facilities as necessary to carry out the agricultural
7 research programs of the Department of Agriculture,
8 where not otherwise provided, \$78,862,000, to remain
9 available until expended (7 U.S.C. 2209b): *Provided*, That
10 funds may be received from any State, other political sub-
11 division, organization, or individual for the purpose of es-
12 tablishing any research facility of the Agricultural Re-
13 search Service, as authorized by law.

14 COOPERATIVE STATE RESEARCH, EDUCATION, AND
15 EXTENSION SERVICE

16 RESEARCH AND EDUCATION ACTIVITIES

17 For payments to agricultural experiment stations, for
18 cooperative forestry and other research, for facilities, and
19 for other expenses, \$507,452,000, as follows: to carry out
20 the provisions of the Hatch Act (7 U.S.C. 361a-i),
21 \$180,148,000; for grants for cooperative forestry research
22 (16 U.S.C. 582a-a7), \$21,884,000; for payments to the
23 1890 land-grant colleges, including Tuskegee University
24 (7 U.S.C. 3222), \$32,604,000, of which \$998,000 shall
25 be made available to West Virginia State College in Insti-
26 tute, West Virginia; for special grants for agricultural re-

1 search (7 U.S.C. 450i(c)), \$82,409,000; for special grants
2 for agricultural research on improved pest control (7
3 U.S.C. 450i(c)), \$15,721,000; for competitive research
4 grants (7 U.S.C. 450i(b)), \$105,767,000, including grants
5 for authorized competitive research programs regarding
6 enhancement of the nitrogen-fixing ability and efficiency
7 of plants; for the support of animal health and disease
8 programs (7 U.S.C. 3195), \$5,098,000; for supplemental
9 and alternative crops and products (7 U.S.C. 3319d),
10 \$950,000; for grants for research pursuant to the Critical
11 Agricultural Materials Act of 1984 (7 U.S.C. 178) and
12 section 1472 of the Food and Agriculture Act of 1977 (7
13 U.S.C. 3318), \$639,000, to remain available until ex-
14 pended; for the 1994 research program (7 U.S.C. 301
15 note), \$998,000, to remain available until expended; for
16 higher education graduate fellowship grants (7 U.S.C.
17 3152(b)(6)), \$2,993,000, to remain available until ex-
18 pended (7 U.S.C. 2209b); for higher education challenge
19 grants (7 U.S.C. 3152(b)(1)), \$4,340,000; for a higher
20 education multicultural scholars program (7 U.S.C.
21 3152(b)(5)), \$998,000, to remain available until expended
22 (7 U.S.C. 2209b); for an education grants program for
23 Hispanic-serving Institutions (7 U.S.C. 3241),
24 \$3,492,000; for a program of noncompetitive grants, to
25 be awarded on an equal basis, to Alaska Native-serving

1 and Native Hawaiian-serving Institutions to carry out
2 higher education programs (7 U.S.C. 3242), \$2,993,000;
3 for a secondary agriculture education program and 2-year
4 post-secondary education (7 U.S.C. 3152(h)), \$1,000,000;
5 for aquaculture grants (7 U.S.C. 3322), \$3,991,000; for
6 sustainable agriculture research and education (7 U.S.C.
7 5811), \$12,000,000; for a program of capacity building
8 grants (7 U.S.C. 3152(b)(4)) to colleges eligible to receive
9 funds under the Act of August 30, 1890 (7 U.S.C. 321–
10 326 and 328), including Tuskegee University, \$9,479,000,
11 to remain available until expended (7 U.S.C. 2209b); for
12 payments to the 1994 Institutions pursuant to section
13 534(a)(1) of Public Law 103–382, \$1,549,000; and for
14 necessary expenses of Research and Education Activities,
15 of which not to exceed \$100,000 shall be for employment
16 under 5 U.S.C. 3109, \$18,399,000.

17 None of the funds in the foregoing paragraph shall
18 be available to carry out research related to the produc-
19 tion, processing or marketing of tobacco or tobacco prod-
20 ucts: *Provided*, That this paragraph shall not apply to re-
21 search on the medical, biotechnological, food, and indus-
22 trial uses of tobacco.

23 NATIVE AMERICAN INSTITUTIONS ENDOWMENT FUND

24 For the Native American Institutions Endowment
25 Fund authorized by Public Law 103–382 (7 U.S.C. 301
26 note), \$7,100,000.

EXTENSION ACTIVITIES

1
2 For payments to States, the District of Columbia,
3 Puerto Rico, Guam, the Virgin Islands, Micronesia,
4 Northern Marianas, and American Samoa, \$436,029,000,
5 as follows: payments for cooperative extension work under
6 the Smith-Lever Act, to be distributed under sections 3(b)
7 and 3(c) of said Act, and under section 208(c) of Public
8 Law 93–471, for retirement and employees’ compensation
9 costs for extension agents and for costs of penalty mail
10 for cooperative extension agents and State extension direc-
11 tors, \$275,940,000; payments for extension work at the
12 1994 Institutions under the Smith-Lever Act (7 U.S.C.
13 343(b)(3)), \$3,273,000; payments for the nutrition and
14 family education program for low-income areas under sec-
15 tion 3(d) of the Act, \$58,566,000; payments for the pest
16 management program under section 3(d) of the Act,
17 \$10,759,000; payments for the farm safety program under
18 section 3(d) of the Act, \$5,800,000; payments to upgrade
19 research, extension, and teaching facilities at the 1890
20 land-grant colleges, including Tuskegee University, as au-
21 thorized by section 1447 of Public Law 95–113 (7 U.S.C.
22 3222b), \$12,173,000, to remain available until expended;
23 payments for the rural development centers under section
24 3(d) of the Act, \$906,000; payments for youth-at-risk pro-
25 grams under section 3(d) of the Act, \$8,481,000; for

1 youth farm safety education and certification extension
2 grants, to be awarded competitively under section 3(d) of
3 the Act, \$499,000; payments for carrying out the provi-
4 sions of the Renewable Resources Extension Act of 1978,
5 \$3,185,000; payments for Indian reservation agents under
6 section 3(d) of the Act, \$1,996,000; payments for sustain-
7 able agriculture programs under section 3(d) of the Act,
8 \$5,000,000; payments for rural health and safety edu-
9 cation as authorized by section 2390 of Public Law 101-
10 624 (7 U.S.C. 2661 note, 2662), \$2,622,000; payments
11 for cooperative extension work by the colleges receiving the
12 benefits of the second Morrill Act (7 U.S.C. 321-326 and
13 328) and Tuskegee University, \$28,181,000, of which
14 \$998,000 shall be made available to West Virginia State
15 College in Institute, West Virginia; and for Federal ad-
16 ministration and coordination including administration of
17 the Smith-Lever Act, and the Act of September 29, 1977
18 (7 U.S.C. 341-349), and section 1361(c) of the Act of
19 October 3, 1980 (7 U.S.C. 301 note), and to coordinate
20 and provide program leadership for the extension work of
21 the Department and the several States and insular posses-
22 sions, \$18,648,000: *Provided*, That funds hereby appro-
23 priated pursuant to section 3(c) of the Act of June 26,
24 1953, and section 506 of the Act of June 23, 1972, shall
25 not be paid to any State, the District of Columbia, Puerto

1 Service; the Agricultural Marketing Service; and the Grain
2 Inspection, Packers and Stockyards Administration;
3 \$660,000.

4 ANIMAL AND PLANT HEALTH INSPECTION SERVICE
5 SALARIES AND EXPENSES
6 (INCLUDING TRANSFERS OF FUNDS)

7 For expenses, not otherwise provided for, including
8 those pursuant to the Act of February 28, 1947 (21
9 U.S.C. 114b–c), necessary to prevent, control, and eradi-
10 cate pests and plant and animal diseases; to carry out in-
11 spection, quarantine, and regulatory activities; to dis-
12 charge the authorities of the Secretary of Agriculture
13 under the Acts of March 2, 1931 (46 Stat. 1468) and
14 December 22, 1987 (101 Stat. 1329–1331) (7 U.S.C.
15 426–426c); and to protect the environment, as authorized
16 by law, \$587,386,000, of which \$4,096,000 shall be avail-
17 able for the control of outbreaks of insects, plant diseases,
18 animal diseases and for control of pest animals and birds
19 to the extent necessary to meet emergency conditions: *Pro-*
20 *vided*, That no funds shall be used to formulate or admin-
21 ister a brucellosis eradication program for the current fis-
22 cal year that does not require minimum matching by the
23 States of at least 40 percent: *Provided further*, That this
24 appropriation shall be available for field employment pur-
25 suant to the second sentence of section 706(a) of the Or-
26 ganic Act of 1944 (7 U.S.C. 2225), and not to exceed

1 \$40,000 shall be available for employment under 5 U.S.C.
2 3109: *Provided further*, That this appropriation shall be
3 available for the operation and maintenance of aircraft
4 and the purchase of not to exceed four, of which two shall
5 be for replacement only: *Provided further*, That, in addi-
6 tion, in emergencies which threaten any segment of the
7 agricultural production industry of this country, the Sec-
8 retary may transfer from other appropriations or funds
9 available to the agencies or corporations of the Depart-
10 ment such sums as may be deemed necessary, to be avail-
11 able only in such emergencies for the arrest and eradi-
12 cation of contagious or infectious disease or pests of ani-
13 mals, poultry, or plants, and for expenses in accordance
14 with the Act of February 28, 1947, and section 102 of
15 the Act of September 21, 1944, and any unexpended bal-
16 ances of funds transferred for such emergency purposes
17 in the preceding fiscal year shall be merged with such
18 transferred amounts: *Provided further*, That appropria-
19 tions hereunder shall be available pursuant to law (7
20 U.S.C. 2250) for the repair and alteration of leased build-
21 ings and improvements, but unless otherwise provided the
22 cost of altering any one building during the fiscal year
23 shall not exceed 10 percent of the current replacement
24 value of the building.

1 tribution, transportation, and regulatory programs, as au-
2 thorized by law, and for administration and coordination
3 of payments to States, including field employment pursu-
4 ant to the second sentence of section 706(a) of the Or-
5 ganic Act of 1944 (7 U.S.C. 2225) and not to exceed
6 \$90,000 for employment under 5 U.S.C. 3109,
7 \$71,774,000, including funds for the wholesale market de-
8 velopment program for the design and development of
9 wholesale and farmer market facilities for the major met-
10 ropolitan areas of the country: *Provided*, That this appro-
11 priation shall be available pursuant to law (7 U.S.C. 2250)
12 for the alteration and repair of buildings and improve-
13 ments, but the cost of altering any one building during
14 the fiscal year shall not exceed 10 percent of the current
15 replacement value of the building.

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

19 LIMITATION ON ADMINISTRATIVE EXPENSES

20 Not to exceed \$60,596,000 (from fees collected) shall
21 be obligated during the current fiscal year for administra-
22 tive expenses: *Provided*, That if crop size is understated
23 and/or other uncontrollable events occur, the agency may
24 exceed this limitation by up to 10 percent with notification
25 to the Committees on Appropriations of both Houses of
26 Congress.

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

4 Funds available under section 32 of the Act of Au-
5 gust 24, 1935 (7 U.S.C. 612c), shall be used only for com-
6 modity program expenses as authorized therein, and other
7 related operating expenses, except for: (1) transfers to the
8 Department of Commerce as authorized by the Fish and
9 Wildlife Act of August 8, 1956; (2) transfers otherwise
10 provided in this Act; and (3) not more than \$13,995,000
11 for formulation and administration of marketing agree-
12 ments and orders pursuant to the Agricultural Marketing
13 Agreement Act of 1937 and the Agricultural Act of 1961.

14 PAYMENTS TO STATES AND POSSESSIONS

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

20 GRAIN INSPECTION, PACKERS AND STOCKYARDS

21 ADMINISTRATION

22 SALARIES AND EXPENSES

23 For necessary expenses to carry out the provisions
24 of the United States Grain Standards Act, for the admin-
25 istration of the Packers and Stockyards Act, for certifying
26 procedures used to protect purchasers of farm products,

1 and the standardization activities related to grain under
2 the Agricultural Marketing Act of 1946, including field
3 employment pursuant to the second sentence of section
4 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and
5 not to exceed \$25,000 for employment under 5 U.S.C.
6 3109, \$33,117,000: *Provided*, That this appropriation
7 shall be available pursuant to law (7 U.S.C. 2250) for the
8 alteration and repair of buildings and improvements, but
9 the cost of altering any one building during the fiscal year
10 shall not exceed 10 percent of the current replacement
11 value of the building.

12 INSPECTION AND WEIGHING SERVICES

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

20 OFFICE OF THE UNDER SECRETARY FOR FOOD SAFETY

21 For necessary salaries and expenses of the Office of
22 the Under Secretary for Food Safety to administer the
23 laws enacted by the Congress for the Food Safety and In-
24 spection Service, \$481,000.

1 FOOD SAFETY AND INSPECTION SERVICE

2 For necessary expenses to carry out services author-
3 ized by the Federal Meat Inspection Act, the Poultry
4 Products Inspection Act, and the Egg Products Inspection
5 Act, including not to exceed \$50,000 for representation
6 allowances and for expenses pursuant to section 8 of the
7 Act approved August 3, 1956 (7 U.S.C. 1766),
8 \$720,652,000, and in addition, \$1,000,000 may be cred-
9 ited to this account from fees collected for the cost of lab-
10 oratory accreditation as authorized by section 1017 of
11 Public Law 102–237: *Provided*, That this appropriation
12 shall be available for field employment pursuant to the sec-
13 ond sentence of section 706(a) of the Organic Act of 1944
14 (7 U.S.C. 2225), and not to exceed \$75,000 shall be avail-
15 able for employment under 5 U.S.C. 3109: *Provided fur-*
16 *ther*, That this appropriation shall be available pursuant
17 to law (7 U.S.C. 2250) for the alteration and repair of
18 buildings and improvements, but the cost of altering any
19 one building during the fiscal year shall not exceed 10 per-
20 cent of the current replacement value of the building.

21 OFFICE OF THE UNDER SECRETARY FOR FARM AND

22 FOREIGN AGRICULTURAL SERVICES

23 For necessary salaries and expenses of the Office of
24 the Under Secretary for Farm and Foreign Agricultural
25 Services to administer the laws enacted by Congress for

1 the Farm Service Agency, the Foreign Agricultural Serv-
2 ice, the Risk Management Agency, and the Commodity
3 Credit Corporation, \$611,000.

4 FARM SERVICE AGENCY

5 SALARIES AND EXPENSES

6 (INCLUDING TRANSFERS OF FUNDS)

7 For necessary expenses for carrying out the adminis-
8 tration and implementation of programs administered by
9 the Farm Service Agency, \$945,993,000: *Provided*, That
10 the Secretary is authorized to use the services, facilities,
11 and authorities (but not the funds) of the Commodity
12 Credit Corporation to make program payments for all pro-
13 grams administered by the Agency: *Provided further*, That
14 other funds made available to the Agency for authorized
15 activities may be advanced to and merged with this ac-
16 count: *Provided further*, That these funds shall be avail-
17 able for employment pursuant to the second sentence of
18 section 706(a) of the Organic Act of 1944 (7 U.S.C.
19 2225), and not to exceed \$1,000,000 shall be available for
20 employment under 5 U.S.C. 3109.

21 STATE MEDIATION GRANTS

22 For grants pursuant to section 502(b) of the Agricul-
23 tural Credit Act of 1987, as amended (7 U.S.C. 5101–
24 5106), \$2,993,000.

1 DAIRY INDEMNITY PROGRAM
2 (INCLUDING TRANSFER OF FUNDS)

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

12 AGRICULTURAL CREDIT INSURANCE FUND PROGRAM
13 ACCOUNT
14 (INCLUDING TRANSFERS OF FUNDS)

15 For gross obligations for the principal amount of di-
16 rect and guaranteed loans as authorized by 7 U.S.C.
17 1928–1929, to be available from funds in the Agricultural
18 Credit Insurance Fund, as follows: farm ownership loans,
19 \$1,128,000,000, of which \$1,000,000,000 shall be for
20 guaranteed loans and \$128,000,000 shall be for direct
21 loans; operating loans, \$2,600,000,000, of which
22 \$1,500,000,000 shall be for unsubsidized guaranteed
23 loans, \$500,000,000 shall be for subsidized guaranteed
24 loans, and \$600,000,000 shall be for direct loans; Indian
25 tribe land acquisition loans as authorized by 25 U.S.C.
26 488, \$2,000,000; for emergency insured loans,

1 \$25,000,000 to meet the needs resulting from natural dis-
2 asters; and for boll weevil eradication program loans as
3 authorized by 7 U.S.C. 1989, \$100,000,000.

4 For the cost of direct and guaranteed loans, including
5 the cost of modifying loans as defined in section 502 of
6 the Congressional Budget Act of 1974, as follows: farm
7 ownership loans, \$7,866,000, of which \$4,500,000 shall
8 be for guaranteed loans and \$3,366,000 shall be for direct
9 loans; operating loans, \$174,030,000, of which
10 \$52,650,000 shall be for unsubsidized guaranteed loans,
11 \$67,800,000 shall be for subsidized guaranteed loans, and
12 \$53,580,000 shall be for direct loans; Indian tribe land
13 acquisition loans as authorized by 25 U.S.C. 488,
14 \$118,000; and for emergency insured loans, \$3,363,000
15 to meet the needs resulting from natural disasters.

16 In addition, for administrative expenses necessary to
17 carry out the direct and guaranteed loan programs,
18 \$282,769,000, of which \$274,769,000 shall be transferred
19 to and merged with the appropriation for “Farm Service
20 Agency, Salaries and Expenses”.

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

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

3 RISK MANAGEMENT AGENCY

4 For administrative and operating expenses, as au-
5 thorized by the Federal Agriculture Improvement and Re-
6 form Act of 1996 (7 U.S.C. 6933), \$75,142,000: *Provided*,
7 That not to exceed \$700 shall be available for official re-
8 ception and representation expenses, as authorized by 7
9 U.S.C. 1506(i).

10 CORPORATIONS

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

21 FEDERAL CROP INSURANCE CORPORATION FUND

22 For payments as authorized by section 516 of the
23 Federal Crop Insurance Act, such sums as may be nec-
24 essary, to remain available until expended (7 U.S.C.
25 2209b).

1 COMMODITY CREDIT CORPORATION FUND

2 REIMBURSEMENT FOR NET REALIZED LOSSES

3 For fiscal year 2002, such sums as may be necessary
4 to reimburse the Commodity Credit Corporation for net
5 realized losses sustained, but not previously reimbursed,
6 pursuant to section 2 of the Act of August 17, 1961 (15
7 U.S.C. 713a–11).

8 OPERATIONS AND MAINTENANCE FOR HAZARDOUS WASTE
9 MANAGEMENT

10 For fiscal year 2002, the Commodity Credit Corpora-
11 tion shall not expend more than \$5,000,000 for site inves-
12 tigation and cleanup expenses, and operations and mainte-
13 nance expenses to comply with the requirement of section
14 107(g) of the Comprehensive Environmental Response,
15 Compensation, and Liability Act, 42 U.S.C. 9607(g), and
16 section 6001 of the Resource Conservation and Recovery
17 Act, 42 U.S.C. 6961.

18 TITLE II

19 CONSERVATION PROGRAMS

20 OFFICE OF THE UNDER SECRETARY FOR NATURAL
21 RESOURCES AND ENVIRONMENT

22 For necessary salaries and expenses of the Office of
23 the Under Secretary for Natural Resources and Environ-
24 ment to administer the laws enacted by the Congress for
25 the Forest Service and the Natural Resources Conserva-
26 tion Service, \$736,000.

1 NATURAL RESOURCES CONSERVATION SERVICE
2 CONSERVATION OPERATIONS

3 For necessary expenses for carrying out the provi-
4 sions of the Act of April 27, 1935 (16 U.S.C. 590a–f),
5 including preparation of conservation plans and establish-
6 ment of measures to conserve soil and water (including
7 farm irrigation and land drainage and such special meas-
8 ures for soil and water management as may be necessary
9 to prevent floods and the siltation of reservoirs and to con-
10 trol agricultural related pollutants); operation of conserva-
11 tion plant materials centers; classification and mapping of
12 soil; dissemination of information; acquisition of lands,
13 water, and interests therein for use in the plant materials
14 program by donation, exchange, or purchase at a nominal
15 cost not to exceed \$100 pursuant to the Act of August
16 3, 1956 (7 U.S.C. 428a); purchase and erection or alter-
17 ation or improvement of permanent and temporary build-
18 ings; and operation and maintenance of aircraft,
19 \$782,762,000, to remain available until expended (7
20 U.S.C. 2209b), of which not less than \$7,137,000 is for
21 snow survey and water forecasting, and of which not to
22 exceed \$30,500,000 is for technical assistance activities in
23 conjunction with the Conservation Reserve Program au-
24 thorized by subchapter B, chapter 1, title XII of the Food
25 Security Act of 1985, and of which not less than

1 \$9,349,000 is for operation and establishment of the plant
2 materials centers, and of which not less than \$20,000,000
3 shall be for the grazing lands conservation initiative: *Pro-*
4 *vided*, That \$8,500,000 of the funds authorized for allot-
5 ments or transfers under 15 U.S.C. 714i shall be available
6 for Conservation Reserve Program technical assistance:
7 *Provided further*, That appropriations hereunder shall be
8 available pursuant to 7 U.S.C. 2250 for construction and
9 improvement of buildings and public improvements at
10 plant materials centers, except that the cost of alterations
11 and improvements to other buildings and other public im-
12 provements shall not exceed \$250,000: *Provided further*,
13 That when buildings or other structures are erected on
14 non-Federal land, that the right to use such land is ob-
15 tained as provided in 7 U.S.C. 2250a: *Provided further*,
16 That this appropriation shall be available for technical as-
17 sistance and related expenses to carry out programs au-
18 thorized by section 202(c) of title II of the Colorado River
19 Basin Salinity Control Act of 1974 (43 U.S.C. 1592(c)):
20 *Provided further*, That this appropriation shall be available
21 for employment pursuant to the second sentence of section
22 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and
23 not to exceed \$25,000 shall be available for employment
24 under 5 U.S.C. 3109: *Provided further*, That qualified
25 local engineers may be temporarily employed at per diem

1 rates to perform the technical planning work of the Service
2 (16 U.S.C. 590e-2).

3 WATERSHED SURVEYS AND PLANNING

4 For necessary expenses to conduct research, inves-
5 tigation, and surveys of watersheds of rivers and other wa-
6 terways, and for small watershed investigations and plan-
7 ning, in accordance with the Watershed Protection and
8 Flood Prevention Act approved August 4, 1954 (16 U.S.C.
9 1001-1009), \$11,030,000: *Provided*, That this appropria-
10 tion shall be available for employment pursuant to the sec-
11 ond sentence of section 706(a) of the Organic Act of 1944
12 (7 U.S.C. 2225), and not to exceed \$110,000 shall be
13 available for employment under 5 U.S.C. 3109.

14 WATERSHED AND FLOOD PREVENTION OPERATIONS

15 For necessary expenses to carry out preventive meas-
16 ures, including but not limited to research, engineering op-
17 erations, methods of cultivation, the growing of vegetation,
18 rehabilitation of existing works and changes in use of land,
19 in accordance with the Watershed Protection and Flood
20 Prevention Act approved August 4, 1954 (16 U.S.C.
21 1001-1005 and 1007-1009), the provisions of the Act of
22 April 27, 1935 (16 U.S.C. 590a-f), and in accordance
23 with the provisions of laws relating to the activities of the
24 Department, \$105,743,000, to remain available until ex-
25 pended (7 U.S.C. 2209b) (of which up to \$10,000,000
26 may be available for the watersheds authorized under the

1 Flood Control Act approved June 22, 1936 (33 U.S.C.
2 701 and 16 U.S.C. 1006a)): *Provided*, That not to exceed
3 \$45,514,000 of this appropriation shall be available for
4 technical assistance: *Provided further*, That this appro-
5 priation shall be available for employment pursuant to the
6 second sentence of section 706(a) of the Organic Act of
7 1944 (7 U.S.C. 2225), and not to exceed \$200,000 shall
8 be available for employment under 5 U.S.C. 3109: *Pro-*
9 *vided further*, That not to exceed \$1,000,000 of this appro-
10 priation is available to carry out the purposes of the En-
11 dangered Species Act of 1973 (Public Law 93–205), in-
12 cluding cooperative efforts as contemplated by that Act
13 to relocate endangered or threatened species to other suit-
14 able habitats as may be necessary to expedite project con-
15 struction.

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 section
20 32(e) of title III of the Bankhead-Jones Farm Tenant Act
21 (7 U.S.C. 1010–1011; 76 Stat. 607); the Act of April 27,
22 1935 (16 U.S.C. 590a–f); and the Agriculture and Food
23 Act of 1981 (16 U.S.C. 3451–3461), \$48,361,000, to re-
24 main available until expended (7 U.S.C. 2209b): *Provided*,
25 That this appropriation shall be available for employment
26 pursuant to the second sentence of section 706(a) of the

1 Organic Act of 1944 (7 U.S.C. 2225), and not to exceed
2 \$50,000 shall be available for employment under 5 U.S.C.
3 3109.

4 AGRICULTURAL CONSERVATION PROGRAM

5 (RESCISSION OF FUNDS)

6 Of the funds appropriated for “Agricultural Con-
7 servation Program” under Public Law 104–37,
8 \$45,000,000 is hereby rescinded.

9 TITLE III

10 RURAL DEVELOPMENT PROGRAMS

11 OFFICE OF THE UNDER SECRETARY FOR RURAL

12 DEVELOPMENT

13 For necessary salaries and expenses of the Office of
14 the Under Secretary for Rural Development to administer
15 programs under the laws enacted by the Congress for the
16 Rural Housing Service, the Rural Business-Cooperative
17 Service, and the Rural Utilities Service of the Department
18 of Agriculture, \$628,000.

19 RURAL COMMUNITY ADVANCEMENT PROGRAM

20 (INCLUDING TRANSFERS OF FUNDS)

21 For the cost of direct loans, loan guarantees, and
22 grants, as authorized by 7 U.S.C. 1926, 1926a, 1926c,
23 1926d, and 1932, except for sections 381E–H, 381N, and
24 381O of the Consolidated Farm and Rural Development
25 Act, \$767,465,000, to remain available until expended, of
26 which \$34,503,000 shall be for rural community programs

1 described in section 381E(d)(1) of such Act; of which
2 \$658,994,000 shall be for the rural utilities programs de-
3 scribed in sections 381E(d)(2), 306C(a)(2), and 306D of
4 such Act; and of which \$73,968,000 shall be for the rural
5 business and cooperative development programs described
6 in sections 381E(d)(3) and 310B(f) of such Act: *Provided*,
7 That of the total amount appropriated in this account,
8 \$24,000,000 shall be for loans and grants to benefit feder-
9 ally Recognized Native American Tribes, including grants
10 for drinking water and waste disposal systems pursuant
11 to section 306C of such Act, of which \$4,000,000 shall
12 be available for community facilities grants to tribal col-
13 leges, as authorized by section 306(a)(19) of the Consoli-
14 dated Farm and Rural Development Act, and of which
15 \$250,000 shall be available for a grant to a qualified na-
16 tional organization to provide technical assistance for
17 rural transportation in order to promote economic develop-
18 ment: *Provided further*, That of the amount appropriated
19 for rural community programs, \$6,000,000 shall be avail-
20 able for a Rural Community Development Initiative: *Pro-*
21 *vided further*, That such funds shall be used solely to de-
22 velop the capacity and ability of private, nonprofit commu-
23 nity-based housing and community development organiza-
24 tions, low-income rural communities, and federally Recog-
25 nized Native American tribes to undertake projects to im-

1 prove housing, community facilities, community and eco-
2 nomic development projects in rural areas: *Provided fur-*
3 *ther*, That such funds shall be made available to qualified
4 private and public intermediary organizations proposing to
5 carry out a program of financial and technical assistance:
6 *Provided further*, That such intermediary organizations
7 shall provide matching funds from other sources, including
8 Federal funds for related activities, in an amount not less
9 than funds provided: *Provided further*, That of the amount
10 appropriated for the rural business and cooperative devel-
11 opment programs, not to exceed \$500,000 shall be made
12 available for a grant to a qualified national organization
13 to provide technical assistance for rural transportation in
14 order to promote economic development; and \$2,000,000
15 shall be for grants to Mississippi Delta Region counties:
16 *Provided further*, That of the amount appropriated for
17 rural utilities programs, not to exceed \$20,000,000 shall
18 be for water and waste disposal systems to benefit the
19 Colonias along the United States/Mexico borders, includ-
20 ing grants pursuant to section 306C of such Act; not to
21 exceed \$20,000,000 shall be for water and waste disposal
22 systems for rural and native villages in Alaska pursuant
23 to section 306D of such Act, of which 1 percent to admin-
24 ister the program and to improve interagency coordination
25 may be transferred to and merged with the appropriation

1 for “Rural Development, Salaries and Expenses”; not to
2 exceed \$16,215,000 shall be for technical assistance
3 grants for rural water and waste systems pursuant to sec-
4 tion 306(a)(14) of such Act; and not to exceed
5 \$11,000,000 shall be for contracting with qualified na-
6 tional organizations for a circuit rider program to provide
7 technical assistance for rural water systems: *Provided fur-*
8 *ther*, That of the total amount appropriated, not to exceed
9 \$37,624,000 shall be available through June 30, 2002, 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; of
13 which \$1,163,000 shall be for the rural community pro-
14 grams described in section 381E(d)(1) of such Act, of
15 which \$27,431,000 shall be for the rural utilities programs
16 described in section 381E(d)(2) of such Act, and of which
17 \$9,030,000 shall be for the rural business and cooperative
18 development programs described in section 381E(d)(3) of
19 such Act: *Provided further*, That any prior year balances
20 for high cost energy grants authorized by section 19 of
21 the Rural Electrification Act of 1936 (7 U.S.C. 901(19))
22 shall be transferred to and merged with the “Rural Utili-
23 ties Service, High Energy Costs Grants” account.

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

3 For necessary expenses for carrying out the adminis-
4 tration and implementation of programs in the Rural De-
5 velopment mission area, including activities with institu-
6 tions concerning the development and operation of agricul-
7 tural cooperatives; and for cooperative agreements;
8 \$134,733,000: *Provided*, That this appropriation shall be
9 available for employment pursuant to the second sentence
10 of section 706(a) of the Organic Act of 1944 (7 U.S.C.
11 2225), and not to exceed \$1,000,000 may be used for em-
12 ployment under 5 U.S.C. 3109: *Provided further*, That not
13 more than \$10,000 may be expended to provide modest
14 nonmonetary awards to non-USDA employees: *Provided*
15 *further*, That any balances available from prior years for
16 the Rural Utilities Service, Rural Housing Service, and
17 the Rural Business-Cooperative Service salaries and ex-
18 penses accounts shall be transferred to and merged with
19 this account.

20 RURAL HOUSING SERVICE

21 RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT
22 (INCLUDING TRANSFER OF FUNDS)

23 For gross obligations for the principal amount of di-
24 rect and guaranteed loans as authorized by title V of the
25 Housing Act of 1949, to be available from funds in the
26 rural housing insurance fund, as follows: \$4,202,618,000

1 for loans to section 502 borrowers, as determined by the
2 Secretary, of which \$1,064,650,000 shall be for direct
3 loans, and of which \$3,137,968,000 shall be for unsub-
4 sidized guaranteed loans; \$32,324,000 for section 504
5 housing repair loans; \$114,068,000 for section 515 rental
6 housing; \$99,770,000 for section 538 guaranteed multi-
7 family housing loans; \$5,090,000 for section 524 site
8 loans; \$11,778,000 for credit sales of acquired property,
9 of which up to \$1,778,000 may be for multi-family credit
10 sales; and \$5,000,000 for section 523 self-help housing
11 land development loans.

12 For the cost of direct and guaranteed loans, including
13 the cost of modifying loans, as defined in section 502 of
14 the Congressional Budget Act of 1974, as follows: section
15 502 loans, \$180,274,000 of which \$140,108,000 shall be
16 for direct loans, and of which \$40,166,000 shall be for
17 unsubsidized guaranteed loans; section 504 housing repair
18 loans, \$10,386,000; section 515 rental housing,
19 \$48,274,000; section 538 multi-family housing guaranteed
20 loans, \$3,921,000; section 524 site loans, \$28,000; multi-
21 family credit sales of acquired property, \$750,000; and
22 section 523 self-help housing land development loans,
23 \$254,000: *Provided*, That of the total amount appro-
24 priated in this paragraph, \$11,656,000 shall be available
25 through June 30, 2002, for authorized empowerment

1 zones and enterprise communities and communities des-
2 ignated by the Secretary of Agriculture as Rural Economic
3 Area Partnership Zones.

4 In addition, for administrative expenses necessary to
5 carry out the direct and guaranteed loan programs,
6 \$422,910,000, which shall be transferred to and merged
7 with the appropriation for “Rural Development, Salaries
8 and Expenses”.

9 Of the amounts made available under this heading
10 in chapter 1 of title II of Public Law 106–246 (114 Stat.
11 540) for gross obligations for principal amount of direct
12 loans authorized by title V of the Housing Act of 1949
13 for section 515 rental housing, the Secretary of Agri-
14 culture may use up to \$5,986,197 for rental assistance
15 agreements described in the item relating to “Rental As-
16 sistance Program” in such chapter: *Provided*, That such
17 amount is designated by the Congress as an emergency
18 requirement pursuant to section 251(b)(2)(A) of the Bal-
19 anced Budget and Emergency Control Act of 1985, as
20 amended.

21 In making available for occupancy dwelling units in
22 housing that is provided with funds made available under
23 the heading referred to in the preceding paragraph, the
24 Secretary of Agriculture may give preference to prospec-
25 tive tenants who are residing in temporary housing pro-

1 vided by the Federal Emergency Management Agency as
2 a result of an emergency.

3 RENTAL ASSISTANCE PROGRAM

4 For rental assistance agreements entered into or re-
5 newed pursuant to the authority under section 521(a)(2)
6 or agreements entered into in lieu of debt forgiveness or
7 payments for eligible households as authorized by section
8 502(c)(5)(D) of the Housing Act of 1949, \$693,504,000;
9 and, in addition, such sums as may be necessary, as au-
10 thorized by section 521(c) of the Act, to liquidate debt
11 incurred prior to fiscal year 1992 to carry out the rental
12 assistance program under section 521(a)(2) of the Act:
13 *Provided*, That of this amount, not more than \$5,900,000
14 shall be available for debt forgiveness or payments for eli-
15 gible households as authorized by section 502(c)(5)(D) of
16 the Act, and not to exceed \$10,000 per project for ad-
17 vances to nonprofit organizations or public agencies to
18 cover direct costs (other than purchase price) incurred in
19 purchasing projects pursuant to section 502(c)(5)(C) of
20 the Act: *Provided further*, That agreements entered into
21 or renewed during fiscal year 2002 shall be funded for
22 a 5-year period, although the life of any such agreement
23 may be extended to fully utilize amounts obligated.

24 MUTUAL AND SELF-HELP HOUSING GRANTS

25 For grants and contracts pursuant to section
26 523(b)(1)(A) of the Housing Act of 1949 (42 U.S.C.

1 1490c), \$33,925,000, to remain available until expended
2 (7 U.S.C. 2209b): *Provided*, That of the total amount ap-
3 propriated, \$1,000,000 shall be available through June
4 30, 2002, for authorized empowerment zones and enter-
5 prise communities and communities designated by the Sec-
6 retary of Agriculture as Rural Economic Area Partnership
7 Zones.

8 RURAL HOUSING ASSISTANCE GRANTS

9 For grants and contracts for very low-income housing
10 repair, supervisory and technical assistance, compensation
11 for construction defects, and rural housing preservation
12 made by the Rural Housing Service, as authorized by 42
13 U.S.C. 1474, 1479(e), 1490e, and 1490m, \$38,914,000,
14 to remain available until expended: *Provided*, That of the
15 total amount appropriated, \$1,200,000 shall be available
16 through June 30, 2002, for authorized empowerment
17 zones and enterprise communities and communities des-
18 ignated by the Secretary of Agriculture as Rural Economic
19 Area Partnership Zones.

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, \$31,431,000,
23 to remain available until expended, for direct farm labor
24 housing loans and domestic farm labor housing grants and
25 contracts.

1 RURAL BUSINESS—COOPERATIVE SERVICE
2 RURAL DEVELOPMENT LOAN FUND PROGRAM ACCOUNT
3 (INCLUDING TRANSFER OF FUNDS)

4 For the principal amount of direct loans, as author-
5 ized by the Rural Development Loan Fund (42 U.S.C.
6 9812(a)), \$38,171,000.

7 For the cost of direct loans, \$16,494,000, as author-
8 ized by the Rural Development Loan Fund (42 U.S.C.
9 9812(a)), of which \$1,724,000 shall be for federally Rec-
10 ognized Native American Tribes and of which \$3,449,000
11 shall be for Mississippi Delta Region counties (as defined
12 by Public Law 100–460): *Provided*, That such costs, in-
13 cluding the cost of modifying such loans, shall be as de-
14 fined in section 502 of the Congressional Budget Act of
15 1974: *Provided further*, That these funds are available to
16 subsidize gross obligations for the principal amount of di-
17 rect loans of \$38,171,000: *Provided further*, That of the
18 total amount appropriated, \$2,730,000 shall be available
19 through June 30, 2002, for the cost of direct loans for
20 authorized empowerment zones and enterprise commu-
21 nities and communities designated by the Secretary of Ag-
22 riculture as Rural Economic Area Partnership Zones.

23 In addition, for administrative expenses to carry out
24 the direct loan programs, \$3,761,000 shall be transferred
25 to and merged with the appropriation for “Rural Develop-
26 ment, Salaries and Expenses”.

1 RURAL ECONOMIC DEVELOPMENT LOANS PROGRAM
2 ACCOUNT
3 (INCLUDING RESCISSION OF FUNDS)

4 For the principal amount of direct loans, as author-
5 ized under section 313 of the Rural Electrification Act,
6 for the purpose of promoting rural economic development
7 and job creation projects, \$14,966,000.

8 For the cost of direct loans, including the cost of
9 modifying loans as defined in section 502 of the Congres-
10 sional Budget Act of 1974, \$3,616,000.

11 Of the funds derived from interest on the cushion of
12 credit payments in fiscal year 2002, as authorized by sec-
13 tion 313 of the Rural Electrification Act of 1936,
14 \$3,616,000 shall not be obligated and \$3,616,000 are re-
15 scinded.

16 RURAL COOPERATIVE DEVELOPMENT GRANTS

17 For rural cooperative development grants authorized
18 under section 310B(e) of the Consolidated Farm and
19 Rural Development Act (7 U.S.C. 1932), \$7,500,000, of
20 which \$2,500,000 shall be available for cooperative agree-
21 ments for the appropriate technology transfer for rural
22 areas program: *Provided*, That not to exceed \$1,497,000
23 of the total amount appropriated shall be made available
24 to cooperatives or associations of cooperatives whose pri-
25 mary focus is to provide assistance to small, minority pro-
26 ducers.

1 RURAL EMPOWERMENT ZONES AND ENTERPRISE
2 COMMUNITY GRANTS

3 For grants in connection with a second round of em-
4 powerment zones and enterprise communities
5 \$14,967,000, to remain available until expended, for des-
6 ignated rural empowerment zones and rural enterprise
7 communities as authorized in the Taxpayer Relief Act of
8 1997.

9 RURAL UTILITIES SERVICE
10 RURAL ELECTRIFICATION AND TELECOMMUNICATIONS
11 LOANS PROGRAM ACCOUNT
12 (INCLUDING TRANSFER OF FUNDS)

13 Insured loans pursuant to the authority of section
14 305 of the Rural Electrification Act of 1936 (7 U.S.C.
15 935) shall be made as follows: 5 percent rural electrifica-
16 tion loans \$121,107,000; municipal rate rural electric
17 loans, \$794,358,000; loans made pursuant to section 306
18 of that Act, rural electric, \$2,600,000,000; Treasury rate
19 direct electric loans, \$500,000,000; and guaranteed elec-
20 tric loans, \$100,000,000; 5 percent rural telecommuni-
21 cations loans, \$74,827,000; cost of money rural tele-
22 communications loans, \$300,000,000; and rural tele-
23 communications loans, \$120,000,000.

24 For the cost, as defined in section 502 of the Con-
25 gressional Budget Act of 1974, including the cost of modi-
26 fying loans, of direct and guaranteed loans authorized by

1 the Rural Electrification Act of 1936 (7 U.S.C. 935 and
2 936), as follows: cost of rural electric loans, \$3,689,000,
3 and the cost of telecommunication loans, \$2,036,000: *Pro-*
4 *vided*, That notwithstanding section 305(d)(2) of the
5 Rural Electrification Act of 1936, borrower interest rates
6 may exceed 7 percent per year.

7 In addition, for administrative expenses necessary to
8 carry out the direct and guaranteed loan programs,
9 \$36,322,000, which shall be transferred to and merged
10 with the appropriation for “Rural Development, Salaries
11 and Expenses”.

12 RURAL TELEPHONE BANK PROGRAM ACCOUNT
13 (INCLUDING TRANSFER OF FUNDS)

14 The Rural Telephone Bank is hereby authorized to
15 make such expenditures, within the limits of funds avail-
16 able to such corporation in accord with law, and to make
17 such contracts and commitments without regard to fiscal
18 year limitations as provided by section 104 of the Govern-
19 ment Corporation Control Act, as may be necessary in car-
20 rying out its authorized programs. During fiscal year 2002
21 and within the resources and authority available, gross ob-
22 ligations for the principal amount of direct loans shall be
23 \$174,615,000.

24 For the cost, as defined in section 502 of the Con-
25 gressional Budget Act of 1974, including the cost of modi-

1 fying loans, of direct loans authorized by the Rural Elec-
2 trification Act of 1936 (7 U.S.C. 935), \$2,584,000.

3 In addition, for administrative expenses, including
4 audits, necessary to carry out the loan programs,
5 \$3,107,000 which shall be transferred to and merged with
6 the appropriation for “Rural Development, Salaries and
7 Expenses”.

8 DISTANCE LEARNING AND TELEMEDICINE PROGRAM

9 For the principle amount of direct distance learning
10 and telemedicine loans, \$300,000,000; and for the prin-
11 ciple amount of broadband telecommunication loans, con-
12 tingent upon the enactment of authorizing legislation,
13 \$100,000,000.

14 For the cost of direct loans and grants, as authorized
15 by 7 U.S.C. 950aaa et seq., \$26,941,000, to remain avail-
16 able until expended, to be available for loans and grants
17 for telemedicine and distance learning services in rural
18 areas: *Provided*, That, contingent upon the enactment of
19 authorizing legislation, \$1,996,000 may be available for
20 a loan and grant program to finance broadband trans-
21 mission and local dial-up Internet service in areas that
22 meet the definition of “rural area” used for the Distance
23 Learning and Telemedicine Program authorized by 7
24 U.S.C. 950aaa: *Provided further*, That the cost of direct
25 loans shall be as defined in section 502 of the Congres-
26 sional Budget Act of 1974.

1 TITLE IV
2 DOMESTIC FOOD PROGRAMS
3 OFFICE OF THE UNDER SECRETARY FOR FOOD,
4 NUTRITION AND CONSUMER SERVICES

5 For necessary salaries and expenses of the Office of
6 the Under Secretary for Food, Nutrition and Consumer
7 Services to administer the laws enacted by the Congress
8 for the Food and Nutrition Service, \$592,000.

9 FOOD AND NUTRITION SERVICE
10 CHILD NUTRITION PROGRAMS
11 (INCLUDING TRANSFER OF FUNDS)

12 For necessary expenses to carry out the National
13 School Lunch Act (42 U.S.C. 1751 et seq.), except section
14 21, and the Child Nutrition Act of 1966 (42 U.S.C. 1771
15 et seq.), except sections 17 and 21; \$10,088,746,000, to
16 remain available through September 30, 2003, of which
17 \$4,748,038,000 is hereby appropriated and
18 \$5,340,708,000 shall be derived by transfer from funds
19 available under section 32 of the Act of August 24, 1935
20 (7 U.S.C. 612c): *Provided*, That except as specifically pro-
21 vided under this heading, none of the funds made available
22 under this heading shall be used for studies and evalua-
23 tions: *Provided further*, That up to \$4,507,000 shall be
24 available for independent verification of school food service
25 claims: *Provided further*, That of the funds provided under

1 this heading, \$2,000,000 shall be available for new activi-
2 ties to enhance integrity in the National School Lunch
3 Program.

4 SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR
5 WOMEN, INFANTS, AND CHILDREN (WIC)
6 (INCLUDING TRANSFERS OF FUNDS)

7 For necessary expenses to carry out the special sup-
8 plemental nutrition program as authorized by section 17
9 of the Child Nutrition Act of 1966 (42 U.S.C. 1786),
10 \$4,137,086,000, to remain available through September
11 30, 2003: *Provided*, That none of the funds made available
12 under this heading shall be used for studies and evalua-
13 tions: *Provided further*, That of the total amount available,
14 the Secretary may obligate up to \$25,000,000 for the
15 farmers' market nutrition program and up to \$15,000,000
16 for senior farmers' market activities from any funds not
17 needed to maintain current caseload levels: *Provided fur-*
18 *ther*, That notwithstanding section 17(h)(10)(A) of such
19 Act, up to \$10,000,000 shall be available for the purposes
20 specified in section 17(h)(10)(B), no less than \$6,000,000
21 of which shall be used for the development of electronic
22 benefit transfer systems: *Provided further*, That none of
23 the funds in this Act shall be available to pay administra-
24 tive expenses of WIC clinics except those that have an an-
25 nounced policy of prohibiting smoking within the space
26 used to carry out the program: *Provided further*, That

1 none of the funds provided in this account shall be avail-
2 able for the purchase of infant formula except in accord-
3 ance with the cost containment and competitive bidding
4 requirements specified in section 17 of such Act: *Provided*
5 *further*, That none of the funds provided shall be available
6 for activities that are not fully reimbursed by other Fed-
7 eral Government departments or agencies unless author-
8 ized by section 17 of such Act.

9 FOOD STAMP PROGRAM

10 For necessary expenses to carry out the Food Stamp
11 Act (7 U.S.C. 2011 et seq.), \$21,991,986,000, of which
12 \$1,000,000,000 shall be placed in reserve for use only in
13 such amounts and at such times as may become necessary
14 to carry out program operations: *Provided*, That none of
15 the funds made available under this heading shall be used
16 for studies and evaluations: *Provided further*, That funds
17 provided herein shall be expended in accordance with sec-
18 tion 16 of the Food Stamp Act: *Provided further*, That
19 this appropriation shall be subject to any work registration
20 or workfare requirements as may be required by law: *Pro-*
21 *vided further*, That funds made available for Employment
22 and Training under this heading shall remain available
23 until expended, as authorized by section 16(h)(1) of the
24 Food Stamp Act: *Provided further*, That funds provided
25 under this heading may be used to procure food coupons
26 necessary for program operations in this or subsequent fis-

1 cal years until electronic benefit transfer implementation
2 is complete.

3 COMMODITY ASSISTANCE PROGRAM

4 (INCLUDING TRANSFER OF FUNDS)

5 For necessary expenses to carry out the commodity
6 supplemental food program as authorized by section 4(a)
7 of the Agriculture and Consumer Protection Act of 1973
8 (7 U.S.C. 612c note) and the Emergency Food Assistance
9 Act of 1983, \$152,813,000, to remain available through
10 September 30, 2003: *Provided*, That none of these funds
11 shall be available to reimburse the Commodity Credit Cor-
12 poration for commodities donated to the program: *Pro-*
13 *vided further*, That of the total amount available, the Sec-
14 retary may obligate up to \$15,000,000 for senior farmers'
15 market activities from any funds not needed to maintain
16 current caseload levels: *Provided further*, That notwith-
17 standing section 5(a)(2) of the Agriculture and Consumer
18 Protection Act of 1973 (Public Law 93-86; 7 U.S.C. 612c
19 note), \$21,820,000 of this amount shall be available for
20 administrative expenses of the commodity supplemental
21 food program.

22 FOOD DONATIONS PROGRAMS

23 For necessary expenses to carry out section 4(a) of
24 the Agriculture and Consumer Protection Act of 1973;
25 special assistance for the nuclear affected islands as au-
26 thorized by section 103(h)(2) of the Compacts of Free As-

1 sociation Act of 1985, as amended; and section 311 of the
2 Older Americans Act of 1965, \$150,749,000, to remain
3 available through September 30, 2003.

4 FOOD PROGRAM ADMINISTRATION

5 For necessary administrative expenses of the domes-
6 tic food programs funded under this Act, \$126,656,000,
7 of which \$5,000,000 shall be available only for simplifying
8 procedures, reducing overhead costs, tightening regula-
9 tions, improving food stamp benefit delivery, and assisting
10 in the prevention, identification, and prosecution of fraud
11 and other violations of law and of which not less than
12 \$4,500,000 shall be available to improve integrity in the
13 Food Stamp and Child Nutrition programs: *Provided,*
14 That this appropriation shall be available for employment
15 pursuant to the second sentence of section 706(a) of the
16 Organic Act of 1944 (7 U.S.C. 2225), and not to exceed
17 \$150,000 shall be available for employment under 5
18 U.S.C. 3109.

19 TITLE V
20 FOREIGN ASSISTANCE AND RELATED
21 PROGRAMS

22 FOREIGN AGRICULTURAL SERVICE
23 SALARIES AND EXPENSES
24 (INCLUDING TRANSFERS OF FUNDS)

25 For necessary expenses of the Foreign Agricultural
26 Service, including carrying out title VI of the Agricultural

1 Act of 1954 (7 U.S.C. 1761–1768), market development
2 activities abroad, and for enabling the Secretary to coordi-
3 nate and integrate activities of the Department in connec-
4 tion with foreign agricultural work, including not to exceed
5 \$158,000 for representation allowances and for expenses
6 pursuant to section 8 of the Act approved August 3, 1956
7 (7 U.S.C. 1766), \$122,631,000: *Provided*, That the Serv-
8 ice may utilize advances of funds, or reimburse this appro-
9 priation for expenditures made on behalf of Federal agen-
10 cies, public and private organizations and institutions
11 under agreements executed pursuant to the agricultural
12 food production assistance programs (7 U.S.C. 1737) and
13 the foreign assistance programs of the United States
14 Agency for International Development: *Provided further*,
15 That none of the funds appropriated in this account may
16 be used to pay the salaries and expenses of personnel to
17 disburse funds to any rice trade association under the
18 market access program or the foreign market development
19 program at any time when the applicable international ac-
20 tivity agreement for such program is not in effect.

21 None of the funds in the foregoing paragraph shall
22 be available to promote the sale or export of tobacco or
23 tobacco products.

1 PUBLIC LAW 480 PROGRAM ACCOUNT
2 (INCLUDING TRANSFERS OF FUNDS)

3 For the cost, as defined in section 502 of the Con-
4 gressional Budget Act of 1974, of agreements under the
5 Agricultural Trade Development and Assistance Act of
6 1954, and the Food for Progress Act of 1985, including
7 the cost of modifying credit arrangements under said Acts,
8 \$122,600,000, to remain available until expended.

9 In addition, for administrative expenses to carry out
10 the credit program of title I, Public Law 83-480, and the
11 Food for Progress Act of 1985, to the extent funds appro-
12 priated for Public Law 83-480 are utilized, \$2,013,000,
13 of which \$1,033,000 may be transferred to and merged
14 with the appropriation for “Foreign Agricultural Service,
15 Salaries and Expenses”, and of which \$980,000 may be
16 transferred to and merged with the appropriation for
17 “Farm Service Agency, Salaries and Expenses”.

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

21 For expenses during the current fiscal year, not oth-
22 erwise recoverable, and unrecovered prior years’ costs, in-
23 cluding interest thereon, under the Agricultural Trade De-
24 velopment and Assistance Act of 1954, \$20,277,000, to
25 remain available until expended, for ocean freight differen-
26 tial costs for the shipment of agricultural commodities

1 under title I of said Act: *Provided*, That funds made avail-
2 able for the cost of title I agreements and for title I ocean
3 freight differential may be used interchangeably between
4 the two accounts with prior notice to the Committees on
5 Appropriations of both Houses of Congress.

6 PUBLIC LAW 480 GRANTS—TITLES II AND III

7 For expenses during the current fiscal year, not oth-
8 erwise recoverable, and unrecovered prior years' costs, in-
9 cluding interest thereon, under the Agricultural Trade De-
10 velopment and Assistance Act of 1954, \$835,159,000, to
11 remain available until expended, for commodities supplied
12 in connection with dispositions abroad under title II of
13 said Act.

14 COMMODITY CREDIT CORPORATION EXPORT LOANS

15 PROGRAM ACCOUNT

16 (INCLUDING TRANSFERS OF FUNDS)

17 For administrative expenses to carry out the Com-
18 modity Credit Corporation's export guarantee program,
19 GSM 102 and GSM 103, \$4,021,000, to cover common
20 overhead expenses as permitted by section 11 of the Com-
21 modity Credit Corporation Charter Act and in conformity
22 with the Federal Credit Reform Act of 1990, of which
23 \$3,224,000 may be transferred to and merged with the
24 appropriation for "Foreign Agricultural Service, Salaries
25 and Expenses", and of which \$797,000 may be trans-

1 ferred to and merged with the appropriation for “Farm
2 Service Agency, Salaries and Expenses”.

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

10 For necessary expenses of the Food and Drug Ad-
11 ministration, including hire and purchase of passenger
12 motor vehicles; for payment of space rental and related
13 costs pursuant to Public Law 92–313 for programs and
14 activities of the Food and Drug Administration which are
15 included in this Act; for rental of special purpose space
16 in the District of Columbia or elsewhere; and for miscella-
17 neous and emergency expenses of enforcement activities,
18 authorized and approved by the Secretary and to be ac-
19 counted for solely on the Secretary’s certificate, not to ex-
20 ceed \$25,000; \$1,342,339,000, of which not to exceed
21 \$161,716,000 to be derived from prescription drug user
22 fees authorized by 21 U.S.C. 379(h), including any such
23 fees assessed prior to the current fiscal year but credited
24 during the current year, in accordance with 21 U.S.C.
25 379h(g)(4), and shall be credited to this appropriation and

1 remain available until expended: *Provided*, That of the
2 total amount appropriated \$6,000,000 for costs related to
3 occupancy of new facilities at White Oak, Maryland, shall
4 remain available until September 30, 2003: *Provided fur-*
5 *ther*, That of the total amount appropriated, \$2,500,000
6 is available for the purpose of carrying out the responsibil-
7 ities of the Food and Drug Administration with respect
8 to abbreviated applications for the approval of new drugs
9 under section 505(j) of the Federal Food, Drug, and Cos-
10 metic Act, and \$250,000 is available under section
11 903(d)(2)(D) of such Act for the purpose of carrying out
12 public information programs regarding drugs with ap-
13 proved such applications, in addition to other allocations
14 for such purposes made from such total amount: *Provided*
15 *further*, That of the total amount appropriated,
16 \$5,000,000 is available for the purpose of carrying out the
17 responsibilities of the Food and Drug Administration with
18 respect to antibiotic drugs, in addition to other allocations
19 for such purpose made from such total amount: *Provided*
20 *further*, That of the total amount appropriated, \$250,000
21 is available for the purpose of carrying out the responsibil-
22 ities of the Food and Drug Administration with respect
23 to food labeling within the meaning of section 403 of the
24 Federal Food, Drug, and Cosmetic Act, in addition to

1 other allocations for such purpose made from such total
2 amount.

3 In addition, \$2,950,000, solely for carrying out sec-
4 tion 804 of the Federal Food, Drug, and Cosmetic Act,
5 to be available only after the requirements of section
6 804(l) have been satisfied.

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

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

13 BUILDINGS AND FACILITIES

14 For plans, construction, repair, improvement, exten-
15 sion, alteration, and purchase of fixed equipment or facili-
16 ties of or used by the Food and Drug Administration,
17 where not otherwise provided, \$34,281,000, to remain
18 available until expended (7 U.S.C. 2209b).

19 INDEPENDENT AGENCIES

20 COMMODITY FUTURES TRADING COMMISSION

21 For necessary expenses to carry out the provisions
22 of the Commodity Exchange Act (7 U.S.C. 1 et seq.), in-
23 cluding the purchase and hire of passenger motor vehicles;
24 the rental of space (to include multiple year leases) in the
25 District of Columbia and elsewhere; and not to exceed
26 \$25,000 for employment under 5 U.S.C. 3109,

1 \$70,700,000, including not to exceed \$2,000 for official
2 reception and representation expenses.

3 FARM CREDIT ADMINISTRATION

4 LIMITATION OF ADMINISTRATIVE EXPENSES

5 Not to exceed \$36,700,000 (from assessments col-
6 lected from farm credit institutions and from the Federal
7 Agricultural Mortgage Corporation) shall be obligated
8 during the current fiscal year for administrative expenses
9 as authorized under 12 U.S.C. 2249: *Provided*, That this
10 limitation shall not apply to expenses associated with re-
11 ceiverships.

12 TITLE VII—GENERAL PROVISIONS

13 SEC. 701. Within the unit limit of cost fixed by law,
14 appropriations and authorizations made for the Depart-
15 ment of Agriculture for fiscal year 2002 under this Act
16 shall be available for the purchase, in addition to those
17 specifically provided for, of not to exceed 379 passenger
18 motor vehicles, of which 378 shall be for replacement only,
19 and for the hire of such vehicles.

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

24 SEC. 703. Not less than \$1,500,000 of the appropria-
25 tions of the Department of Agriculture in this Act for re-

1 search and service work authorized by sections 1 and 10
2 of the Act of June 29, 1935 (7 U.S.C. 427, 427i; com-
3 monly known as the Bankhead-Jones Act), subtitle A of
4 title II and section 302 of the Act of August 14, 1946
5 (7 U.S.C. 1621 et seq.), and chapter 63 of title 31, United
6 States Code, shall be available for contracting in accord-
7 ance with such Acts and chapter.

8 SEC. 704. The Secretary of Agriculture may transfer
9 unobligated balances of funds appropriated by this Act or
10 other available unobligated balances of the Department of
11 Agriculture to the Working Capital Fund for the acquisi-
12 tion of plant and capital equipment necessary for the deliv-
13 ery of financial, administrative, and information tech-
14 nology services of primary benefit to the agencies of the
15 Department of Agriculture: *Provided*, That none of the
16 funds made available by this Act or any other Act shall
17 be transferred to the Working Capital Fund without the
18 prior approval of the agency administrator: *Provided fur-*
19 *ther*, That none of the funds transferred to the Working
20 Capital Fund pursuant to this section shall be available
21 for obligation without the prior approval of the Commit-
22 tees on Appropriations of both Houses of Congress.

23 SEC. 705. New obligational authority provided for the
24 following appropriation items in this Act shall remain
25 available until expended: Animal and Plant Health Inspec-

1 tion Service, the contingency fund to meet emergency con-
2 ditions, fruit fly program, integrated systems acquisition
3 project, boll weevil program, up to 25 percent of the
4 screwworm program, and up to \$2,000,000 for costs asso-
5 ciated with colocating regional offices; Food Safety and
6 Inspection Service, field automation and information man-
7 agement project; Cooperative State Research, Education,
8 and Extension Service, funds for competitive research
9 grants (7 U.S.C. 450i(b)), funds for the Research, Edu-
10 cation and Economics Information System (REEIS), and
11 funds for the Native American Institutions Endowment
12 Fund; Farm Service Agency, salaries and expenses funds
13 made available to county committees; Foreign Agricultural
14 Service, middle-income country training program and up
15 to \$2,000,000 of the Foreign Agricultural Service appro-
16 priation solely for the purpose of offsetting fluctuations
17 in international currency exchange rates, subject to docu-
18 mentation by the Foreign Agricultural Service.

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

22 SEC. 707. Not to exceed \$50,000 of the appropria-
23 tions available to the Department of Agriculture in this
24 Act shall be available to provide appropriate orientation

1 and language training pursuant to section 606C of the Act
2 of August 28, 1954 (7 U.S.C. 1766b).

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

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

20 SEC. 710. None of the funds in this Act shall be avail-
21 able to pay indirect costs charged against competitive agri-
22 cultural research, education, or extension grant awards
23 issued by the Cooperative State Research, Education, and
24 Extension Service that exceed 19 percent of total Federal
25 funds provided under each award: *Provided*, That notwith-

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

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

11 SEC. 712. Appropriations to the Department of Agri-
12 culture for the cost of direct and guaranteed loans made
13 available in fiscal year 2002 shall remain available until
14 expended to cover obligations made in fiscal year 2002 for
15 the following accounts: the Rural Development Loan Fund
16 program account; the Rural Telephone Bank program ac-
17 count; the Rural Electrification and Telecommunications
18 Loans program account; the Rural Housing Insurance
19 Fund program account; and the Rural Economic Develop-
20 ment Loans program account.

21 SEC. 713. Notwithstanding chapter 63 of title 31,
22 United States Code, marketing services of the Agricultural
23 Marketing Service; the Grain Inspection, Packers and
24 Stockyards Administration; the Animal and Plant Health
25 Inspection Service; and the food safety activities of the

1 Food Safety and Inspection Service may use cooperative
2 agreements to reflect a relationship between the Agricul-
3 tural Marketing Service; the Grain Inspection, Packers
4 and Stockyards Administration; the Animal and Plant
5 Health Inspection Service; or the Food Safety and Inspec-
6 tion Service and a state or cooperator to carry out agricul-
7 tural marketing programs, to carry out programs to pro-
8 tect the nation's animal and plant resources, or to carry
9 out educational programs or special studies to improve the
10 safety of the nation's food supply.

11 SEC. 714. Notwithstanding any other provision of law
12 (including provisions of law requiring competition), the
13 Secretary of Agriculture may hereafter enter into coopera-
14 tive agreements (which may provide for the acquisition of
15 goods or services, including personal services) with a
16 State, political subdivision, or agency thereof, a public or
17 private agency, organization, or any other person, if the
18 Secretary determines that the objectives of the agreement
19 will: (1) serve a mutual interest of the parties to the agree-
20 ment in carrying out the programs administered by the
21 Natural Resources Conservation Service; and (2) all par-
22 ties will contribute resources to the accomplishment of
23 these objectives: *Provided*, That Commodity Credit Cor-
24 poration funds obligated for such purposes shall not ex-

1 ceed the level obligated by the Commodity Credit Corpora-
2 tion for such purposes in fiscal year 1998.

3 SEC. 715. None of the funds in this Act may be used
4 to retire more than 5 percent of the Class A stock of the
5 Rural Telephone Bank or to maintain any account or sub-
6 account within the accounting records of the Rural Tele-
7 phone Bank the creation of which has not specifically been
8 authorized by statute: *Provided*, That notwithstanding any
9 other provision of law, none of the funds appropriated or
10 otherwise made available in this Act may be used to trans-
11 fer to the Treasury or to the Federal Financing Bank any
12 unobligated balance of the Rural Telephone Bank tele-
13 phone liquidating account which is in excess of current
14 requirements and such balance shall receive interest as set
15 forth for financial accounts in section 505(c) of the Fed-
16 eral Credit Reform Act of 1990.

17 SEC. 716. Of the funds made available by this Act,
18 not more than \$1,800,000 shall be used to cover necessary
19 expenses of activities related to all advisory committees,
20 panels, commissions, and task forces of the Department
21 of Agriculture, except for panels used to comply with nego-
22 tiated rule makings and panels used to evaluate competi-
23 tively awarded grants.

24 SEC. 717. None of the funds appropriated by this Act
25 may be used to carry out section 410 of the Federal Meat

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

3 SEC. 718. No employee of the Department of Agri-
4 culture may be detailed or assigned from an agency or
5 office funded by this Act to any other agency or office
6 of the Department for more than 30 days unless the indi-
7 vidual's employing agency or office is fully reimbursed by
8 the receiving agency or office for the salary and expenses
9 of the employee for the period of assignment.

10 SEC. 719. None of the funds appropriated or other-
11 wise made available to the Department of Agriculture
12 shall be used to transmit or otherwise make available to
13 any non-Department of Agriculture employee questions or
14 responses to questions that are a result of information re-
15 quested for the appropriations hearing process.

16 SEC. 720. None of the funds made available to the
17 Department of Agriculture by this Act may be used to ac-
18 quire new information technology systems or significant
19 upgrades, as determined by the Office of the Chief Infor-
20 mation Officer, without the approval of the Chief Informa-
21 tion Officer and the concurrence of the Executive Informa-
22 tion Technology Investment Review Board: *Provided*, That
23 notwithstanding any other provision of law, none of the
24 funds appropriated or otherwise made available by this
25 Act may be transferred to the Office of the Chief Informa-

1 tion Officer without the prior approval of the Committees
2 on Appropriations of both Houses of Congress.

3 SEC. 721. (a) None of the funds provided by this Act,
4 or provided by previous Appropriations Acts to the agen-
5 cies funded by this Act that remain available for obligation
6 or expenditure in fiscal year 2002, or provided from any
7 accounts in the Treasury of the United States derived by
8 the collection of fees available to the agencies funded by
9 this Act, shall be available for obligation or expenditure
10 through a reprogramming of funds which: (1) creates new
11 programs; (2) eliminates a program, project, or activity;
12 (3) increases funds or personnel by any means for any
13 project or activity for which funds have been denied or
14 restricted; (4) relocates an office or employees; (5) reorga-
15 nizes offices, programs, or activities; or (6) contracts out
16 or privatizes any functions or activities presently per-
17 formed by Federal employees; unless the Committees on
18 Appropriations of both Houses of Congress are notified
19 15 days in advance of such reprogramming of funds.

20 (b) None of the funds provided by this Act, or pro-
21 vided by previous Appropriations Acts to the agencies
22 funded by this Act that remain available for obligation or
23 expenditure in fiscal year 2002, or provided from any ac-
24 counts in the Treasury of the United States derived by
25 the collection of fees available to the agencies funded by

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

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

20 SEC. 722. With the exception of funds needed to ad-
21 minister and conduct oversight of grants awarded and ob-
22 ligations incurred prior to enactment of this Act, none of
23 the funds appropriated or otherwise made available by this
24 or any other Act may be used to pay the salaries and ex-

1 penses of personnel to carry out section 793 of Public Law
2 104–127, the Fund for Rural America (7 U.S.C. 2204f).

3 SEC. 723. With the exception of funds needed to ad-
4 minister and conduct oversight of grants awarded and ob-
5 ligations incurred prior to enactment of this Act, none of
6 the funds appropriated or otherwise made available by this
7 or any other Act may be used to pay the salaries and ex-
8 penses of personnel to carry out the provisions of section
9 401 of Public Law 105–185, the Initiative for Future Ag-
10 riculture and Food Systems (7 U.S.C. 7621).

11 SEC. 724. None of the funds appropriated or other-
12 wise made available by this Act shall be used to pay the
13 salaries and expenses of personnel to carry out a conserva-
14 tion farm option program, as authorized by section 1240M
15 of the Food Security Act of 1985 (16 U.S.C. 3839bb).

16 SEC. 725. None of the funds appropriated by this Act
17 or any other Act shall be used to pay the salaries and
18 expenses of personnel who prepare or submit appropria-
19 tions language as part of the President’s Budget submis-
20 sion to the Congress of the United States for programs
21 under the jurisdiction of the Appropriations Subcommit-
22 tees on Agriculture, Rural Development, Food and Drug
23 Administration, and Related Agencies that assumes reve-
24 nues or reflects a reduction from the previous year due
25 to user fees proposals that have not been enacted into law

1 prior to the submission of the Budget unless such Budget
2 submission identifies which additional spending reductions
3 should occur in the event the user fees proposals are not
4 enacted prior to the date of the convening of a committee
5 of conference for the fiscal year 2003 appropriations Act.

6 SEC. 726. None of the funds made available by this
7 Act or any other Act may be used to close or relocate a
8 state Rural Development office unless or until cost effec-
9 tiveness and enhancement of program delivery have been
10 determined.

11 SEC. 727. In addition to amounts otherwise appro-
12 priated or made available by this Act, \$4,000,000 is ap-
13 propriated for the purpose of providing Bill Emerson and
14 Mickey Leland Hunger Fellowships through the Congres-
15 sional Hunger Center.

16 SEC. 728. Hereafter, refunds or rebates received on
17 an on-going basis from a credit card services provider
18 under the Department of Agriculture's charge card pro-
19 grams may be deposited to and retained without fiscal
20 year limitation in the Departmental Working Capital
21 Fund established under 7 U.S.C. 2235 and used to fund
22 management initiatives of general benefit to the Depart-
23 ment of Agriculture bureaus and offices as determined by
24 the Secretary of Agriculture or the Secretary's designee.

1 SEC. 729. Notwithstanding section 412 of the Agri-
2 cultural Trade Development and Assistance Act of 1954
3 (7 U.S.C. 1736f) any balances available to carry out title
4 III of such Act as of the date of enactment of this Act,
5 and any recoveries and reimbursements that become avail-
6 able to carry out title III of such Act, may be used to
7 carry out title II of such Act.

8 SEC. 730. Section 375(e)(6)(B) of the Consolidated
9 Farm and Rural Development Act (7 U.S.C.
10 2008j(e)(6)(B)) is amended by striking “\$25,000,000”
11 and inserting “\$26,000,000”.

12 SEC. 731. None of the funds appropriated or other-
13 wise made available by this Act shall be used to issue a
14 notice of proposed rulemaking, to promulgate a proposed
15 rule, or to otherwise change or modify the definition of
16 “animal” in existing regulations pursuant to the Animal
17 Welfare Act.

18 SEC. 732. Notwithstanding any other provision of
19 law, the City of Cabot, Arkansas, and the City of
20 Coachella, California, shall be eligible for loans and grants
21 provided through the Rural Community Advancement
22 Program.

23 SEC. 733. Notwithstanding any other provision of
24 law, the Secretary shall consider the City of Casa Grande,

1 Arizona, as meeting the requirements of a rural area in
2 section 520 of the Housing Act of 1949 (42 U.S.C. 1490).

3 SEC. 734. Notwithstanding any other provision of
4 law, the City of Saint Joseph, Missouri, shall be eligible
5 for grants and loans administered by the rural develop-
6 ment mission areas of the Department of Agriculture.

7 SEC. 735. Notwithstanding any other provision of
8 law, the Secretary of Agriculture shall consider the City
9 of Hollister, California, as meeting the requirements of a
10 rural area for the purposes of housing programs in the
11 rural development mission areas of the Department of Ag-
12 riculture.

13 SEC. 736. None of the funds appropriated or other-
14 wise made available by this Act may be used to maintain,
15 modify, or implement any assessment against agricultural
16 producers as part of a commodity promotion, research,
17 and consumer information order, known as a check-off
18 program, that has not been approved by the affected pro-
19 ducers in accordance with the statutory requirements ap-
20 plicable to the order.

21 SEC. 737. None of the funds made available to the
22 Food and Drug Administration by this Act shall be used
23 to close or relocate, or to plan to close or relocate, the
24 Food and Drug Administration Division of Drug Analysis
25 (recently renamed the Division of Pharmaceutical Anal-

1 ysis) in St. Louis, Missouri, except that funds could be
2 used to plan a possible relocation of this Division within
3 the city limits of St. Louis, Missouri.

4 SEC. 738. None of the funds made available to the
5 Food and Drug Administration by this Act shall be used
6 to reduce the Detroit, Michigan, Food and Drug Adminis-
7 tration District Office below the operating and full-time
8 equivalent staffing level of July 31, 2000; or to change
9 the Detroit District Office to a station, residence post or
10 similarly modified office; or to reassign residence posts as-
11 signed to the Detroit Office: *Provided*, That this section
12 shall not apply to Food and Drug Administration field lab-
13 oratory facilities or operations currently located in Detroit,
14 Michigan, except that field laboratory personnel shall be
15 assigned to locations in the general vicinity of Detroit,
16 Michigan, pursuant to cooperative agreements between the
17 Food and Drug Administration and other laboratory facili-
18 ties associated with the State of Michigan.

19 MARKET LOSS ASSISTANCE FOR APPLE PRODUCERS

20 SEC. 739. (a) ASSISTANCE AVAILABLE.—The Sec-
21 retary of Agriculture shall use \$150,000,000 of funds of
22 the Commodity Credit Corporation to make payments as
23 soon as possible after the date of the enactment of this
24 Act to apple producers to provide relief for the loss of mar-
25 kets for their 2000 crop.

1 (b) PAYMENT BASIS.—The amount of the payment
2 to a producer under subsection (a) shall be made on a
3 per pound basis equal to each qualifying producer’s 2000
4 production of apples, except that the Secretary shall not
5 make payments for that amount of a particular farm’s
6 apple production that is in excess of 20,000,000 pounds.

7 (c) DUPLICATIVE PAYMENTS.—A producer shall be
8 ineligible for payments under this section with respect to
9 a market loss for apples to the extent of that amount that
10 the producer received as compensation or assistance for
11 the same loss under any other Federal program, other
12 than under the Federal Crop Insurance Act (7 U.S.C.
13 1501 et seq.).

14 (d) OTHER TERMS AND CONDITIONS.—The Sec-
15 retary shall not establish any terms or conditions for pro-
16 ducer eligibility, such as limits based upon gross income,
17 other than those specified in this section.

18 (e) APPLICABILITY.—This section applies only with
19 respect to the 2000 crop of apples and producers of that
20 crop.

21 SEC. 740. Of any shipments of commodities made
22 pursuant to section 416(b) of the Agricultural Act of 1949
23 (7 U.S.C. 1431(b)), the Secretary of Agriculture shall, to
24 the extent practicable, direct that tonnage equal in value
25 to not more than \$25,000,000 shall be made available to

1 foreign countries to assist in mitigating the effects of the
2 Human Immunodeficiency Virus and Acquired Immune
3 Deficiency Syndrome on communities, including the provi-
4 sion of—

5 (1) agricultural commodities to—

6 (A) individuals with Human Immuno-
7 deficiency Virus or Acquired Immune Defi-
8 ciency Syndrome in the communities; and

9 (B) households in the communities, par-
10 ticularly individuals caring for orphaned chil-
11 dren; and

12 (2) agricultural commodities monetized to pro-
13 vide other assistance (including assistance under
14 microcredit and microenterprise programs) to create
15 or restore sustainable livelihoods among individuals
16 in the communities, particularly individuals caring
17 for orphaned children.

18 SEC. 741. None of the funds appropriated or other-
19 wise made available by this Act shall be used to eliminate
20 the two river navigator positions, including the contract
21 position, for the Hudson River and Upper Susquehanna/
22 Lackawanna Rivers or to alter the tasks assigned to the
23 persons filling such positions.

24 SEC. 742. The amounts otherwise provided by this
25 Act are revised by increasing the total amount provided

1 in title II under the heading “WATERSHED AND FLOOD
2 PREVENTION OPERATIONS” (to be used to carry out sec-
3 tion 14 of the Watershed Protection and Flood Prevention
4 Act (16 U.S.C. 1012), as added by section 313 of Public
5 Law 106–472 (114 Stat. 2077)), and none of the funds
6 made available in this Act may be used to pay the salaries
7 of personnel of the Department of Agriculture who carry
8 out the programs authorized by section 524(a) of the Fed-
9 eral Crop Insurance Act (7 U.S.C. 1524) in excess of a
10 total of \$3,600,000 for all such programs for fiscal year
11 2002, by \$5,400,000.

12 SEC. 743. None of the amounts made available in this
13 Act for the Food and Drug Administration may be used
14 under section 801 of the Federal Food, Drug, and Cos-
15 metic Act to prevent an individual who is not in the busi-
16 ness of importing prescription drugs within the meaning
17 of section 801(g) of such Act from importing a prescrip-
18 tion drug that: (1) appears to be FDA-approved; (2) does
19 not appear to be a narcotic drug; and (3) appears to be
20 manufactured, prepared, propagated, compounded, or
21 processed in an establishment registered pursuant to sec-
22 tion 510 of such Act.

23 SEC. 744. No funds appropriated or otherwise made
24 available under this Act shall be made available to any
25 person or entity that has been convicted of violating the

1 Act of March 3, 1933 (41 U.S.C. 10a–10c; popularly know
2 as the “Buy American Act”).

3 SEC. 745. For an additional amount for the Secretary
4 of Agriculture to carry out section 311 of the Older Ameri-
5 cans Act of 1965, and the amount otherwise provided by
6 this Act for “Agriculture Buildings and Facilities and
7 Rental Payments” is hereby reduced by, \$10,000,000.

8 SEC. 746. Of the amounts appropriated in this Act
9 in the item relating to “DEPARTMENT OF HEALTH
10 AND HUMAN SERVICES—FOOD AND DRUG ADMINIS-
11 TRATION—SALARIES AND EXPENSES”, the amount appro-
12 priated in the second undesignated paragraph of such item
13 (relating to section 804 of the Federal Food, Drug, and
14 Cosmetic Act) is transferred and made available as an ad-
15 ditional appropriation under the first undesignated para-
16 graph of such item.

17 SEC. 747. Of the amounts appropriated in this Act
18 for carrying out the responsibilities of the Food and Drug
19 Administration with respect to abbreviated applications
20 for the approval of new drugs under section 505(j) of the
21 Federal Food, Drug, and Cosmetic Act, \$1,000,000 is
22 available for the purpose of carrying out section 314.53(b)
23 of title 21, Code of Federal Regulations, in addition to
24 any other allocation for carrying out such section

1 314.53(b) made from amounts appropriated in this Act
2 for the Food and Drug Administration.

3 This Act may be cited as the “Agriculture, Rural De-
4 velopment, Food and Drug Administration, and Related
5 Agencies Appropriations Act, 2002”.

Passed the House of Representatives July 11, 2001.

Attest: JEFF TRANDAHL,
Clerk.