

In the Senate of the United States,

November 6, 2003.

Resolved, That the bill from the House of Representatives (H.R. 2673) entitled “An Act making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2004, and for other purposes.”, do pass with the following

AMENDMENT:

Strike out all after the enacting clause and insert:

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 end-*
5 *ing September 30, 2004, and for other purposes, namely:*

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

TITLE I

AGRICULTURAL PROGRAMS

PRODUCTION, PROCESSING, AND MARKETING

OFFICE OF THE SECRETARY

For necessary expenses of the Office of the Secretary of Agriculture, \$10,046,000: Provided, That not to exceed \$11,000 of this amount shall be available for official reception and representation expenses, not otherwise provided for, as determined by the Secretary.

EXECUTIVE OPERATIONS

CHIEF ECONOMIST

For necessary expenses of the Chief Economist, including economic analysis, risk assessment, cost-benefit analysis, energy and new uses, and the functions of the World Agricultural Outlook Board, as authorized by the Agricultural Marketing Act of 1946 (7 U.S.C. 1622g), \$8,707,000.

NATIONAL APPEALS DIVISION

For necessary expenses of the National Appeals Division, \$13,997,000.

OFFICE OF BUDGET AND PROGRAM ANALYSIS

For necessary expenses of the Office of Budget and Program Analysis, \$7,544,000.

HOMELAND SECURITY STAFF

For necessary expenses of the Homeland Security Staff, \$910,000.

1 *OFFICE OF THE CHIEF INFORMATION OFFICER*

2 *For necessary expenses of the Office of the Chief Infor-*
3 *mation Officer, \$15,710,000.*

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 tech-*
9 *nology, systems, and services, \$118,789,000, to remain*
10 *available until expended, for the capital asset acquisition*
11 *of shared information technology systems, including services*
12 *as authorized by 7 U.S.C. 6915–16 and 40 U.S.C. 1421–*
13 *28: Provided, That obligation of these funds shall be con-*
14 *sistent with the Department of Agriculture Service Center*
15 *Modernization Plan of the county-based agencies, and shall*
16 *be with the concurrence of the Department’s Chief Informa-*
17 *tion Officer.*

18 *OFFICE OF THE CHIEF FINANCIAL OFFICER*

19 *For necessary expenses of the Office of the Chief Finan-*
20 *cial Officer, \$5,496,000: Provided, That the Chief Financial*
21 *Officer shall actively market and expand cross-servicing ac-*
22 *tivities of the National Finance Center.*

23 *OFFICE OF THE ASSISTANT SECRETARY FOR CIVIL*

24 *RIGHTS*

25 *For necessary salaries and expenses of the Office of the*
26 *Assistant Secretary for Civil Rights, \$794,000.*

1 *OFFICE OF CIVIL RIGHTS*

2 *For necessary expenses of the Office of Civil Rights,*
3 *\$15,445,000.*

4 *OFFICE OF THE ASSISTANT SECRETARY FOR*
5 *ADMINISTRATION*

6 *For necessary salaries and expenses of the Office of the*
7 *Assistant Secretary for Administration, \$673,000.*

8 *AGRICULTURE BUILDINGS AND FACILITIES AND RENTAL*
9 *PAYMENTS*

10 *(INCLUDING TRANSFERS OF FUNDS)*

11 *For payment of space rental and related costs pursu-*
12 *ant to Public Law 92–313, including authorities pursuant*
13 *to the 1984 delegation of authority from the Administrator*
14 *of General Services to the Department of Agriculture under*
15 *40 U.S.C. 486, for programs and activities of the Depart-*
16 *ment which are included in this Act, and for alterations*
17 *and other actions needed for the Department and its agen-*
18 *cies to consolidate unneeded space into configurations suit-*
19 *able for release to the Administrator of General Services,*
20 *and for the operation, maintenance, improvement, and re-*
21 *pair of Agriculture buildings and facilities, and for related*
22 *costs, \$187,022,000, to remain available until expended:*
23 *Provided, That the Secretary of Agriculture may transfer*
24 *a share of that agency’s appropriation made available by*
25 *this Act to this appropriation, or may transfer a share of*

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

6 *HAZARDOUS MATERIALS MANAGEMENT*

7 *(INCLUDING TRANSFERS OF FUNDS)*

8 *For necessary expenses of the Department of Agri-*
9 *culture, to comply with the Comprehensive Environmental*
10 *Response, Compensation, and Liability Act (42 U.S.C.*
11 *9601 et seq.) and the Resource Conservation and Recovery*
12 *Act (42 U.S.C. 6901 et seq.), \$15,611,000, to remain avail-*
13 *able until expended: Provided, That appropriations and*
14 *funds available herein to the Department for Hazardous*
15 *Materials Management may be transferred to any agency*
16 *of the Department for its use in meeting all requirements*
17 *pursuant to the above Acts on Federal and non-Federal*
18 *lands.*

19 *DEPARTMENTAL ADMINISTRATION*

20 *(INCLUDING TRANSFERS OF FUNDS)*

21 *For Departmental Administration, \$23,031,000, to*
22 *provide for necessary expenses for management support*
23 *services to offices of the Department and for general admin-*
24 *istration security, repairs and alterations, and other mis-*
25 *cellaneous supplies and expenses not otherwise provided for*

1 *and necessary for the practical and efficient work of the*
2 *Department: Provided, That this appropriation shall be re-*
3 *imbursed from applicable appropriations in this Act for*
4 *travel expenses incident to the holding of hearings as re-*
5 *quired by 5 U.S.C. 551–558: Provided further, That of such*
6 *amount, sufficient funds shall be available for the Secretary*
7 *of Agriculture, not later than 60 days after the last day*
8 *of the fiscal year, to submit to Congress a report on the*
9 *amount of acquisitions made by the Department of Agri-*
10 *culture during such fiscal year of articles, materials, or sup-*
11 *plies that were manufactured outside the United States.*
12 *Such report shall separately indicate the dollar value of any*
13 *articles, materials, or supplies purchased by the Depart-*
14 *ment of Agriculture that were manufactured outside the*
15 *United States, an itemized list of all waivers under the Buy*
16 *American Act (41 U.S.C. 10a et seq.) that were granted*
17 *with respect to such articles, materials, or supplies, and a*
18 *summary of total procurement funds spent on goods manu-*
19 *factured in the United States versus funds spent on goods*
20 *manufactured outside of the United States. The Secretary*
21 *of Agriculture shall make the report publicly available by*
22 *posting the report on an Internet website.*

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

4 *For necessary salaries and expenses of the Office of the*
5 *Assistant Secretary for Congressional Relations to carry out*
6 *the programs funded by this Act, including programs in-*
7 *volving intergovernmental affairs and liaison within the ex-*
8 *ecutive branch, \$3,825,000: Provided, That these funds may*
9 *be transferred to agencies of the Department of Agriculture*
10 *funded by this Act to maintain personnel at the agency*
11 *level: Provided further, That no other funds appropriated*
12 *to the Department by this Act shall be available to the De-*
13 *partment for support of activities of congressional relations.*

14 *OFFICE OF COMMUNICATIONS*

15 *For necessary expenses to carry out services relating*
16 *to the coordination of programs involving public affairs,*
17 *for the dissemination of agricultural information, and the*
18 *coordination of information, work, and programs author-*
19 *ized by Congress in the Department, \$9,228,000: Provided,*
20 *That not to exceed \$2,000,000 may be used for farmers' bul-*
21 *letins.*

22 *OFFICE OF THE INSPECTOR GENERAL*

23 *For necessary expenses of the Office of the Inspector*
24 *General, including employment pursuant to the Inspector*
25 *General Act of 1978, \$75,781,000, including such sums as*

1 *may be necessary for contracting and other arrangements*
2 *with public agencies and private persons pursuant to sec-*
3 *tion 6(a)(9) of the Inspector General Act of 1978, and in-*
4 *cluding not to exceed \$125,000 for certain confidential oper-*
5 *ational expenses, including the payment of informants, to*
6 *be expended under the direction of the Inspector General*
7 *pursuant to Public Law 95-452 and section 1337 of Public*
8 *Law 97-98.*

9 *OFFICE OF THE GENERAL COUNSEL*

10 *For necessary expenses of the Office of the General*
11 *Counsel, \$35,343,000.*

12 *OFFICE OF THE UNDER SECRETARY FOR RESEARCH,*

13 *EDUCATION AND ECONOMICS*

14 *For necessary salaries and expenses of the Office of the*
15 *Under Secretary for Research, Education and Economics*
16 *to administer the laws enacted by the Congress for the Eco-*
17 *nomics Research Service, the National Agricultural Statis-*
18 *tics Service, the Agricultural Research Service, and the Co-*
19 *operative State Research, Education, and Extension Serv-*
20 *ice, \$596,000.*

21 *ECONOMIC RESEARCH SERVICE*

22 *For necessary expenses of the Economic Research Serv-*
23 *ice in conducting economic research and analysis, as au-*
24 *thorized by the Agricultural Marketing Act of 1946 (7*
25 *U.S.C. 1621-1627) and other laws, \$69,902,000.*

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, statis-*
5 *tical coordination and improvements, marketing surveys,*
6 *and the Census of Agriculture, as authorized by 7 U.S.C.*
7 *1621–1627 and 2204g, and other laws, \$128,922,000, of*
8 *which up to \$25,279,000 shall be available until expended*
9 *for the Census of Agriculture.*

10 *AGRICULTURAL RESEARCH SERVICE*11 *SALARIES AND EXPENSES*

12 *For necessary expenses to enable the Agricultural Re-*
13 *search Service to perform agricultural research and dem-*
14 *onstration relating to production, utilization, marketing,*
15 *and distribution (not otherwise provided for); home econom-*
16 *ics or nutrition and consumer use including the acquisition,*
17 *preservation, and dissemination of agricultural informa-*
18 *tion; and for acquisition of lands by donation, exchange,*
19 *or purchase at a nominal cost not to exceed \$100, and for*
20 *land exchanges where the lands exchanged shall be of equal*
21 *value or shall be equalized by a payment of money to the*
22 *grantor which shall not exceed 25 percent of the total value*
23 *of the land or interests transferred out of Federal ownership,*
24 *\$1,045,533,000: Provided, That appropriations hereunder*
25 *shall be available for the operation and maintenance of air-*

1 *craft and the purchase of not to exceed one for replacement*
2 *only: Provided further, That appropriations hereunder shall*
3 *be available pursuant to 7 U.S.C. 2250 for the construction,*
4 *alteration, and repair of buildings and improvements, but*
5 *unless otherwise provided, the cost of constructing any one*
6 *building shall not exceed \$375,000, except for headhouses*
7 *or greenhouses which shall each be limited to \$1,200,000,*
8 *and except for 10 buildings to be constructed or improved*
9 *at a cost not to exceed \$750,000 each, and the cost of alter-*
10 *ing any one building during the fiscal year shall not exceed*
11 *10 percent of the current replacement value of the building*
12 *or \$375,000, whichever is greater: Provided further, That*
13 *the limitations on alterations contained in this Act shall*
14 *not apply to modernization or replacement of existing fa-*
15 *cilities at Beltsville, Maryland: Provided further, That ap-*
16 *propriations hereunder shall be available for granting ease-*
17 *ments at the Beltsville Agricultural Research Center: Pro-*
18 *vided further, That the foregoing limitations shall not apply*
19 *to replacement of buildings needed to carry out the Act of*
20 *April 24, 1948 (21 U.S.C. 113a): Provided further, That*
21 *funds may be received from any State, other political sub-*
22 *division, organization, or individual for the purpose of es-*
23 *tablishing or operating any research facility or research*
24 *project of the Agricultural Research Service, as authorized*
25 *by law: Provided further, That all rights and title of the*

1 *United States in the 1.0664-acre parcel of land including*
2 *improvements, as recorded at Book 1320, Page 253, records*
3 *of Larimer County, State of Colorado, shall be conveyed to*
4 *the Board of Governors of the Colorado State University*
5 *for the benefit of Colorado State University.*

6 *None of the funds appropriated under this heading*
7 *shall be available to carry out research related to the pro-*
8 *duction, processing or marketing of tobacco or tobacco prod-*
9 *ucts.*

10 *BUILDINGS AND FACILITIES*

11 *For acquisition of land, construction, repair, improve-*
12 *ment, extension, alteration, and purchase of fixed equip-*
13 *ment or facilities as necessary to carry out the agricultural*
14 *research programs of the Department of Agriculture, where*
15 *not otherwise provided, \$46,000,000, to remain available*
16 *until expended.*

17 *COOPERATIVE STATE RESEARCH, EDUCATION, AND*
18 *EXTENSION SERVICE*

19 *RESEARCH AND EDUCATION ACTIVITIES*

20 *For payments to agricultural experiment stations, for*
21 *cooperative forestry and other research, for facilities, and*
22 *for other expenses, \$617,575,000, as follows: to carry out*
23 *the provisions of the Hatch Act of 1887 (7 U.S.C. 361a-*
24 *i), \$178,977,000; for grants for cooperative forestry research*
25 *(16 U.S.C. 582a through a-7), \$21,742,000; for payments*
26 *to the 1890 land-grant colleges, including Tuskegee Univer-*

1 *sity and West Virginia State College (7 U.S.C. 3222),*
2 *\$35,411,000, of which \$1,507,496 shall be made available*
3 *only for the purpose of ensuring that each institution shall*
4 *receive no less than \$1,000,000; for special grants for agri-*
5 *cultural research (7 U.S.C. 450i(c)), \$101,637,000; for spe-*
6 *cial grants for agricultural research on improved pest con-*
7 *trol (7 U.S.C. 450i(c)), \$14,976,000; for competitive re-*
8 *search grants (7 U.S.C. 450i(b)), \$180,000,000; for the sup-*
9 *port of animal health and disease programs (7 U.S.C.*
10 *3195), \$5,065,000; for supplemental and alternative crops*
11 *and products (7 U.S.C. 3319d), \$840,000; for grants for re-*
12 *search pursuant to the Critical Agricultural Materials Act*
13 *(7 U.S.C. 178 et seq.), \$1,242,000, to remain available until*
14 *expended; for research grants for 1994 institutions pursuant*
15 *to section 536 of Public Law 103–382 (7 U.S.C. 301 note),*
16 *\$1,093,000, to remain available until expended; for higher*
17 *education graduate fellowship grants (7 U.S.C. 3152(b)(6)),*
18 *\$3,222,000, to remain available until expended (7 U.S.C.*
19 *2209b); for higher education challenge grants (7 U.S.C.*
20 *3152(b)(1)), \$4,888,000; for a higher education multicul-*
21 *tural scholars program (7 U.S.C. 3152(b)(5)), \$992,000, to*
22 *remain available until expended (7 U.S.C. 2209b); for an*
23 *education grants program for Hispanic-serving Institutions*
24 *(7 U.S.C. 3241), \$4,073,000; for noncompetitive grants for*
25 *the purpose of carrying out all provisions of 7 U.S.C. 3242*

1 *(section 759 of Public Law 106–78) to individual eligible*
2 *institutions or consortia of eligible institutions in Alaska*
3 *and in Hawaii, with funds awarded equally to each of the*
4 *States of Alaska and Hawaii, \$3,500,000; for a secondary*
5 *agriculture education program and 2-year post-secondary*
6 *education (7 U.S.C. 3152(j)), \$994,000; for aquaculture*
7 *grants (7 U.S.C. 3322), \$4,471,000; for sustainable agri-*
8 *culture research and education (7 U.S.C. 5811),*
9 *\$13,661,000; for a program of capacity building grants (7*
10 *U.S.C. 3152(b)(4)) to colleges eligible to receive funds under*
11 *the Act of August 30, 1890 (7 U.S.C. 321–326 and 328),*
12 *including Tuskegee University and West Virginia State*
13 *College, \$11,404,000, to remain available until expended (7*
14 *U.S.C. 2209b); for payments to the 1994 Institutions pursu-*
15 *ant to section 534(a)(1) of Public Law 103–382,*
16 *\$1,689,000; and for necessary expenses of Research and*
17 *Education Activities, \$26,698,000.*

18 *None of the funds in the foregoing paragraph shall be*
19 *available to carry out research related to the production,*
20 *processing or marketing of tobacco or tobacco products: Pro-*
21 *vided, That this paragraph shall not apply to research on*
22 *the medical, biotechnological, food, and industrial uses of*
23 *tobacco.*

1 *NATIVE AMERICAN INSTITUTIONS ENDOWMENT FUND*

2 *For the Native American Institutions Endowment*
3 *Fund authorized by Public Law 103–382 (7 U.S.C. 301*
4 *note), \$9,000,000.*

5 *EXTENSION ACTIVITIES*

6 *For payments to States, the District of Columbia,*
7 *Puerto Rico, Guam, the Virgin Islands, Micronesia, North-*
8 *ern Marianas, and American Samoa, \$450,084,000, as fol-*
9 *lows: payments for cooperative extension work under the*
10 *Smith-Lever Act, to be distributed under sections 3(b) and*
11 *3(c) of said Act, and under section 208(c) of Public Law*
12 *93–471, for retirement and employees' compensation costs*
13 *for extension agents and for costs of penalty mail for cooper-*
14 *ative extension agents and State extension directors,*
15 *\$279,390,000; payments for extension work at the 1994 In-*
16 *stitutions under the Smith-Lever Act (7 U.S.C. 343(b)(3)),*
17 *\$3,273,000; payments for the nutrition and family edu-*
18 *cation program for low-income areas under section 3(d) of*
19 *the Act, \$58,185,000; payments for the pest management*
20 *program under section 3(d) of the Act, \$10,689,000; pay-*
21 *ments for the farm safety program under section 3(d) of*
22 *the Act, \$5,489,000; payments to upgrade research, exten-*
23 *sion, and teaching facilities at the 1890 land-grant colleges,*
24 *including Tuskegee University and West Virginia State*
25 *College, as authorized by section 1447 of Public Law 95–*
26 *113 (7 U.S.C. 3222b), \$14,903,000, to remain available*

1 *until expended; payments for youth-at-risk programs under*
2 *section 3(d) of the Smith-Lever Act, \$8,426,000; for youth*
3 *farm safety education and certification extension grants, to*
4 *be awarded competitively under section 3(d) of the Act,*
5 *\$496,000; payments for carrying out the provisions of the*
6 *Renewable Resources Extension Act of 1978 (16 U.S.C.*
7 *1671 et seq.), \$4,516,000; payments for Indian reservation*
8 *agents under section 3(d) of the Smith-Lever Act,*
9 *\$1,983,000; payments for sustainable agriculture programs*
10 *under section 3(d) of the Act, \$4,843,000; payments for*
11 *rural health and safety education as authorized by section*
12 *502(i) of Public Law 92-419 (7 U.S.C. 2662(i)),*
13 *\$2,605,000; payments for cooperative extension work by the*
14 *colleges receiving the benefits of the second Morrill Act (7*
15 *U.S.C. 321-326 and 328) and Tuskegee University and*
16 *West Virginia State College, \$31,908,000, of which*
17 *\$1,724,884 shall be made available only for the purpose of*
18 *ensuring that each institution shall receive no less than*
19 *\$1,000,000; for grants to youth organizations pursuant to*
20 *section 7630 of title 7, United States Code, \$2,981,000; and*
21 *for necessary expenses of extension activities, \$20,397,000.*

22 *INTEGRATED ACTIVITIES*

23 *For the integrated research, education, and extension*
24 *competitive grants programs, including necessary adminis-*
25 *trative expenses, as authorized under section 406 of the Ag-*
26 *ricultural Research, Extension, and Education Reform Act*

1 of 1998 (7 U.S.C. 7626), \$46,711,000, as follows: payments
2 for the water quality program, \$12,887,000; payments for
3 the food safety program, \$14,870,000; payments for the re-
4 gional pest management centers program, \$4,502,000; pay-
5 ments for the Food Quality Protection Act risk mitigation
6 program for major food crop systems, \$4,857,000; payments
7 for the crops affected by Food Quality Protection Act imple-
8 mentation, \$1,487,000; payments for the methyl bromide
9 transition program, \$3,500,000; payments for the organic
10 transition program, \$2,111,000; payments for the inter-
11 national science and education grants program under 7
12 U.S.C. 3291, to remain available until expended, \$497,000;
13 payments for the critical issues program under 7 U.S.C.
14 450i(c): Provided, That of the funds made available under
15 this heading, \$497,000 shall be for payments for the critical
16 issues program under 7 U.S.C. 450i(c) and \$1,503,000 shall
17 be for payments for the regional rural development centers
18 program under 7 U.S.C. 450i(c).

19 **OUTREACH FOR SOCIALLY DISADVANTAGED FARMERS**

20 For grants and contracts pursuant to section 2501 of
21 the Food, Agriculture, Conservation, and Trade Act of 1990
22 (7 U.S.C. 2279), \$3,470,000, to remain available until ex-
23 pended.

1 *OFFICE OF THE UNDER SECRETARY FOR MARKETING AND*
2 *REGULATORY PROGRAMS*

3 *For necessary salaries and expenses of the Office of the*
4 *Under Secretary for Marketing and Regulatory Programs*
5 *to administer programs under the laws enacted by the Con-*
6 *gress for the Animal and Plant Health Inspection Service;*
7 *the Agricultural Marketing Service; and the Grain Inspec-*
8 *tion, Packers and Stockyards Administration; \$736,000.*

9 *ANIMAL AND PLANT HEALTH INSPECTION SERVICE*

10 *SALARIES AND EXPENSES*

11 *(INCLUDING TRANSFERS OF FUNDS)*

12 *For expenses, not otherwise provided for, necessary to*
13 *prevent, control, and eradicate pests and plant and animal*
14 *diseases; to carry out inspection, quarantine, and regu-*
15 *latory activities; and to protect the environment, as author-*
16 *ized by law, \$705,552,000, of which \$4,112,000 shall be*
17 *available for the control of outbreaks of insects, plant dis-*
18 *eases, animal diseases and for control of pest animals and*
19 *birds to the extent necessary to meet emergency conditions;*
20 *of which \$51,720,000 shall be used for the boll weevil eradi-*
21 *cation program for cost share purposes or for debt retire-*
22 *ment for active eradication zones; and of which not less*
23 *than \$1,500,000 (in addition to any other funds made*
24 *available for eradication or containment) shall be used by*
25 *the Emerald Ash Borer Task Force for the removal of trees*
26 *that have been adversely affected by the emerald ash borer,*

1 *with a priority for the removal of trees on public property*
2 *or that threaten public safety; and of which up to \$275,000*
3 *may be used to control or alleviate the cormorant problem*
4 *in the State of Michigan: Provided, That no funds shall*
5 *be used to formulate or administer a brucellosis eradication*
6 *program for the current fiscal year that does not require*
7 *minimum matching by the States of at least 40 percent:*
8 *Provided further, That this appropriation shall be available*
9 *for the operation and maintenance of aircraft and the pur-*
10 *chase of not to exceed four, of which two shall be for replace-*
11 *ment only: Provided further, That, in addition, in emer-*
12 *gencies which threaten any segment of the agricultural pro-*
13 *duction industry of this country, the Secretary may trans-*
14 *fer from other appropriations or funds available to the*
15 *agencies or corporations of the Department such sums as*
16 *may be deemed necessary, to be available only in such emer-*
17 *gencies for the arrest and eradication of contagious or infec-*
18 *tious disease or pests of animals, poultry, or plants, and*
19 *for expenses in accordance with sections 10411 and 10417*
20 *of the Animal Health Protection Act (7 U.S.C. 8310 and*
21 *8316) and sections 431 and 442 of the Plant Protection Act*
22 *(7 U.S.C. 7751 and 7772), and any unexpended balances*
23 *of funds transferred for such emergency purposes in the pre-*
24 *ceding fiscal year shall be merged with such transferred*
25 *amounts: Provided further, That appropriations hereunder*

1 *shall be available pursuant to law (7 U.S.C. 2250) for the*
2 *repair and alteration of leased buildings and improve-*
3 *ments, but unless otherwise provided the cost of altering any*
4 *one building during the fiscal year shall not exceed 10 per-*
5 *cent of the current replacement value of the building.*

6 *In fiscal year 2004, the agency is authorized to collect*
7 *fees to cover the total costs of providing technical assistance,*
8 *goods, or services requested by States, other political sub-*
9 *divisions, domestic and international organizations, foreign*
10 *governments, or individuals, provided that such fees are*
11 *structured such that any entity's liability for such fees is*
12 *reasonably based on the technical assistance, goods, or serv-*
13 *ices provided to the entity by the agency, and such fees shall*
14 *be credited to this account, to remain available until ex-*
15 *pended, without further appropriation, for providing such*
16 *assistance, goods, or services.*

17 *BUILDINGS AND FACILITIES*

18 *For plans, construction, repair, preventive mainte-*
19 *nance, environmental support, improvement, extension, al-*
20 *teration, and purchase of fixed equipment or facilities, as*
21 *authorized by 7 U.S.C. 2250, and acquisition of land as*
22 *authorized by 7 U.S.C. 428a, \$4,996,000, to remain avail-*
23 *able until expended.*

1 *AGRICULTURAL MARKETING SERVICE*2 *MARKETING SERVICES*

3 *For necessary expenses to carry out services related to*
4 *consumer protection, agricultural marketing and distribu-*
5 *tion, transportation, and regulatory programs, as author-*
6 *ized by law, and for administration and coordination of*
7 *payments to States, \$75,263,000, including funds for the*
8 *wholesale market development program for the design and*
9 *development of wholesale and farmer market facilities for*
10 *the major metropolitan areas of the country: Provided, That*
11 *this appropriation shall be available pursuant to law (7*
12 *U.S.C. 2250) for the alteration and repair of buildings and*
13 *improvements, but the cost of altering any one building*
14 *during the fiscal year shall not exceed 10 percent of the cur-*
15 *rent replacement value of the building: Provided further,*
16 *That, in the case of the term of protection for the variety*
17 *for which certificate number 8200179 was issued, on the*
18 *date of enactment of this Act, the Secretary of Agriculture*
19 *shall issue a new certificate for a term of protection of 10*
20 *years for the variety, except that the Secretary may termi-*
21 *nate the certificate (at the end of any calendar year that*
22 *is more than 5 years after the date of issuance of the certifi-*
23 *cate) if the Secretary determines that a new variety of seed*
24 *(that is substantially based on the genetics of the variety*
25 *for which the certificate was issued) is commercially viable*

1 *and available in sufficient quantities to meet market de-*
2 *mands.*

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

6 *LIMITATION ON ADMINISTRATIVE EXPENSES*

7 *Not to exceed \$62,577,000 (from fees collected) shall be*
8 *obligated during the current fiscal year for administrative*
9 *expenses: Provided, That if crop size is understated and/*
10 *or other uncontrollable events occur, the agency may exceed*
11 *this limitation by up to 10 percent with notification to the*
12 *Committees on Appropriations of both Houses of Congress.*

13 *FUNDS FOR STRENGTHENING MARKETS, INCOME, AND*

14 *SUPPLY (SECTION 32)*

15 *(INCLUDING TRANSFERS OF FUNDS)*

16 *Funds available under section 32 of the Act of August*
17 *24, 1935 (7 U.S.C. 612c), shall be used only for commodity*
18 *program expenses as authorized therein, and other related*
19 *operating expenses, except for: (1) transfers to the Depart-*
20 *ment of Commerce as authorized by the Fish and Wildlife*
21 *Act of August 8, 1956; (2) transfers otherwise provided in*
22 *this Act; and (3) not more than \$15,392,000 for formulation*
23 *and administration of marketing agreements and orders*
24 *pursuant to the Agricultural Marketing Agreement Act of*
25 *1937 and the Agricultural Act of 1961.*

1 *PAYMENTS TO STATES AND POSSESSIONS*

2 *For payments to departments of agriculture, bureaus*
3 *and departments of markets, and similar agencies for mar-*
4 *keting activities under section 204(b) of the Agricultural*
5 *Marketing Act of 1946 (7 U.S.C. 1623(b)), \$3,338,000, of*
6 *which not less than \$2,000,000 shall be used to make non-*
7 *competitive grants under this heading.*

8 *GRAIN INSPECTION, PACKERS AND STOCKYARDS*9 *ADMINISTRATION*10 *SALARIES AND EXPENSES*

11 *For necessary expenses to carry out the provisions of*
12 *the United States Grain Standards Act, for the administra-*
13 *tion of the Packers and Stockyards Act, for certifying proce-*
14 *dures used to protect purchasers of farm products, and the*
15 *standardization activities related to grain under the Agri-*
16 *cultural Marketing Act of 1946, \$35,638,000: Provided,*
17 *That this appropriation shall be available pursuant to law*
18 *(7 U.S.C. 2250) for the alteration and repair of buildings*
19 *and improvements, but the cost of altering any one building*
20 *during the fiscal year shall not exceed 10 percent of the cur-*
21 *rent replacement value of the building.*

22 *LIMITATION ON INSPECTION AND WEIGHING SERVICES*23 *EXPENSES*

24 *Not to exceed \$42,463,000 (from fees collected) shall be*
25 *obligated during the current fiscal year for inspection and*
26 *weighing services: Provided, That if grain export activities*

1 *require additional supervision and oversight, or other un-*
2 *controllable factors occur, this limitation may be exceeded*
3 *by up to 10 percent with notification to the Committees*
4 *on Appropriations of both Houses of Congress.*

5 *OFFICE OF THE UNDER SECRETARY FOR FOOD SAFETY*

6 *For necessary salaries and expenses of the Office of the*
7 *Under Secretary for Food Safety to administer the laws en-*
8 *acted by the Congress for the Food Safety and Inspection*
9 *Service, \$611,000.*

10 *FOOD SAFETY AND INSPECTION SERVICE*

11 *For necessary expenses to carry out services authorized*
12 *by the Federal Meat Inspection Act, the Poultry Products*
13 *Inspection Act, and the Egg Products Inspection Act, in-*
14 *cluding not to exceed \$50,000 for representation allowances*
15 *and for expenses pursuant to section 8 of the Act approved*
16 *August 3, 1956 (7 U.S.C. 1766), \$783,761,000, of which no*
17 *less than \$701,103,000 shall be available for Federal food*
18 *safety inspection; and in addition, \$1,000,000 may be cred-*
19 *ited to this account from fees collected for the cost of labora-*
20 *tory accreditation as authorized by section 1327 of the*
21 *Food, Agriculture, Conservation and Trade Act of 1990 (7*
22 *U.S.C. 138f): Provided, That no fewer than 50 full time*
23 *equivalent positions above the fiscal year 2002 level shall*
24 *be employed during fiscal year 2004 for purposes dedicated*
25 *solely to inspections and enforcement related to the Humane*

1 *Methods of Slaughter Act: Provided further, That this ap-*
2 *propriation shall be available pursuant to law (7 U.S.C.*
3 *2250) for the alteration and repair of buildings and im-*
4 *provements, but the cost of altering any one building during*
5 *the fiscal year shall not exceed 10 percent of the current*
6 *replacement value of the building.*

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

9 *For necessary salaries and expenses of the Office of the*
10 *Under Secretary for Farm and Foreign Agricultural Serv-*
11 *ices to administer the laws enacted by Congress for the*
12 *Farm Service Agency, the Foreign Agricultural Service, the*
13 *Risk Management Agency, and the Commodity Credit Cor-*
14 *poration, \$635,000.*

15 *FARM SERVICE AGENCY*

16 *SALARIES AND EXPENSES*

17 *(INCLUDING TRANSFERS OF FUNDS)*

18 *For necessary expenses for carrying out the adminis-*
19 *tration and implementation of programs administered by*
20 *the Farm Service Agency, \$988,768,000: Provided, That the*
21 *Secretary is authorized to use the services, facilities, and*
22 *authorities (but not the funds) of the Commodity Credit*
23 *Corporation to make program payments for all programs*
24 *administered by the Agency: Provided further, That other*
25 *funds made available to the Agency for authorized activities*
26 *may be advanced to and merged with this account.*

1 STATE MEDIATION GRANTS

2 *For grants pursuant to section 502(b) of the Agricul-*
3 *tural Credit Act of 1987, as amended (7 U.S.C. 5101–5106),*
4 *\$3,974,000.*

5 DAIRY INDEMNITY PROGRAM

6 (INCLUDING TRANSFER OF FUNDS)

7 *For necessary expenses involved in making indemnity*
8 *payments to dairy farmers and manufacturers of dairy*
9 *products under a dairy indemnity program, \$100,000, to*
10 *remain available until expended: Provided, That such pro-*
11 *gram is carried out by the Secretary in the same manner*
12 *as the dairy indemnity program described in Public Law*
13 *106–387 (114 Stat. 1549A–12).*

14 AGRICULTURAL CREDIT INSURANCE FUND PROGRAM

15 ACCOUNT

16 (INCLUDING TRANSFERS OF FUNDS)

17 *For gross obligations for the principal amount of di-*
18 *rect and guaranteed farm ownership (7 U.S.C. 1922 et seq.)*
19 *and operating (7 U.S.C. 1941 et seq.) loans, Indian tribe*
20 *land acquisition loans (25 U.S.C. 488), and boll weevil*
21 *loans (7 U.S.C. 1989), to be available from funds in the*
22 *Agricultural Credit Insurance Fund, as follows: farm own-*
23 *ership loans, \$1,079,158,000, of which \$950,000,000 shall*
24 *be for guaranteed loans and \$129,158,000 shall be for direct*
25 *loans; operating loans, \$2,067,317,000, of which*
26 *\$1,200,000,000 shall be for unsubsidized guaranteed loans,*

1 \$266,249,000 shall be for subsidized guaranteed loans and
2 \$601,068,000 shall be for direct loans; Indian tribe land
3 acquisition loans, \$2,000,000; and for boll weevil eradi-
4 cation program loans, \$100,000,000: Provided, That the
5 Secretary shall deem the pink bollworm to be a boll weevil
6 for the purpose of boll weevil eradication program loans.

7 For the cost of direct and guaranteed loans, including
8 the cost of modifying loans as defined in section 502 of the
9 Congressional Budget Act of 1974, as follows: farm owner-
10 ship loans, \$33,648,000, of which \$5,130,000 shall be for
11 guaranteed loans, and \$28,518,000 shall be for direct loans;
12 operating loans, \$160,634,000, of which \$39,960,000 shall
13 be for unsubsidized guaranteed loans, \$34,000,000 shall be
14 for subsidized guaranteed loans, and \$86,674,000 shall be
15 for direct loans.

16 In addition, for administrative expenses necessary to
17 carry out the direct and guaranteed loan programs,
18 \$290,968,000, of which \$283,020,000 shall be transferred to
19 and merged with the appropriation for “Farm Service
20 Agency, Salaries and Expenses”.

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

1 *tees on Appropriations of both Houses of Congress are noti-*
2 *fied at least 15 days in advance of any transfer.*

3 *RISK MANAGEMENT AGENCY*

4 *For administrative and operating expenses, as author-*
5 *ized by section 226A of the Department of Agriculture Reor-*
6 *ganization Act of 1994 (7 U.S.C. 6933), \$71,422,000: Pro-*
7 *vided, That not to exceed \$1,000 shall be available for offi-*
8 *cial reception and representation expenses, as authorized by*
9 *7 U.S.C. 1506(i).*

10 *CORPORATIONS*

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

20 *FEDERAL CROP INSURANCE CORPORATION FUND*

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

1 *COMMODITY CREDIT CORPORATION FUND*2 *REIMBURSEMENT FOR NET REALIZED LOSSES*

3 *For the current fiscal year, such sums as may be nec-*
4 *essary to reimburse the Commodity Credit Corporation for*
5 *net 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 *HAZARDOUS WASTE MANAGEMENT*9 *(LIMITATION ON EXPENSES)*

10 *For the current fiscal year, the Commodity Credit Cor-*
11 *poration shall not expend more than \$5,000,000 for site in-*
12 *vestigation and cleanup expenses, and operations and*
13 *maintenance expenses to comply with the requirement of*
14 *section 107(g) of the Comprehensive Environmental Re-*
15 *sponse, Compensation, and Liability Act (42 U.S.C.*
16 *9607(g)), and section 6001 of the Resource Conservation*
17 *and Recovery 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 the*
23 *Under Secretary for Natural Resources and Environment*
24 *to administer the laws enacted by the Congress for the For-*
25 *est Service and the Natural Resources Conservation Service,*
26 *\$761,000.*

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

3 *For necessary expenses for carrying out the provisions*
4 *of the Act of April 27, 1935 (16 U.S.C. 590a–f), including*
5 *preparation of conservation plans and establishment of*
6 *measures to conserve soil and water (including farm irriga-*
7 *tion and land drainage and such special measures for soil*
8 *and water management as may be necessary to prevent*
9 *floods and the siltation of reservoirs and to control agricul-*
10 *tural related pollutants); operation of conservation plant*
11 *materials centers; classification and mapping of soil; dis-*
12 *semination of information; acquisition of lands, water, and*
13 *interests therein for use in the plant materials program by*
14 *donation, exchange, or purchase at a nominal cost not to*
15 *exceed \$100 pursuant to the Act of August 3, 1956 (7 U.S.C.*
16 *428a); purchase and erection or alteration or improvement*
17 *of permanent and temporary buildings; and operation and*
18 *maintenance of aircraft, \$826,635,000, to remain available*
19 *until expended, of which not less than \$9,500,000 is for*
20 *snow survey and water forecasting, and not less than*
21 *\$11,269,000 is for operation and establishment of the plant*
22 *materials centers, and of which not less than \$23,500,000*
23 *shall be for the grazing lands conservation initiative: Pro-*
24 *vided, That appropriations hereunder shall be available*
25 *pursuant to 7 U.S.C. 2250 for construction and improve-*

1 *ment of buildings and public improvements at plant mate-*
2 *rials centers, except that the cost of alterations and im-*
3 *provements to other buildings and other public improve-*
4 *ments shall not exceed \$250,000: Provided further, That*
5 *when buildings or other structures are erected on non-Fed-*
6 *eral land, that the right to use such land is obtained as*
7 *provided in 7 U.S.C. 2250a: Provided further, That this*
8 *appropriation shall be available for technical assistance*
9 *and related expenses to carry out programs authorized by*
10 *section 202(c) of title II of the Colorado River Basin Salin-*
11 *ity Control Act of 1974 (43 U.S.C. 1592(c)): Provided fur-*
12 *ther, That qualified local engineers may be temporarily em-*
13 *ployed at per diem rates to perform the technical planning*
14 *work of the Service: Provided further, That none of the*
15 *funds made available under this paragraph by this or any*
16 *other appropriations Act may be used to provide technical*
17 *assistance with respect to programs listed in section*
18 *1241(a) of the Food Security Act of 1985 (16 U.S.C.*
19 *3841(a)).*

20 *WATERSHED SURVEYS AND PLANNING*

21 *For necessary expenses to conduct research, investiga-*
22 *tion, and surveys of watersheds of rivers and other water-*
23 *ways, and for small watershed investigations and planning,*
24 *in accordance with the Watershed Protection and Flood*
25 *Prevention Act (16 U.S.C. 1001–1009), \$10,000,000: Pro-*
26 *vided, That qualified local engineers may be temporarily*

1 *employed at per diem rates to perform the technical plan-*
2 *ning work of the Service: Provided further, That none of*
3 *the funds made available under this paragraph by this or*
4 *any other appropriations Act may be used to provide tech-*
5 *nical assistance with respect to programs listed in section*
6 *1241(a) of the Food Security Act of 1985 (16 U.S.C.*
7 *3841(a)).*

8 *WATERSHED AND FLOOD PREVENTION OPERATIONS*

9 *For necessary expenses to carry out preventive meas-*
10 *ures, including but not limited to research, engineering op-*
11 *erations, methods of cultivation, the growing of vegetation,*
12 *rehabilitation of existing works and changes in use of land,*
13 *in accordance with the Watershed Protection and Flood*
14 *Prevention Act (16 U.S.C. 1001–1005 and 1007–1009), the*
15 *provisions of the Act of April 27, 1935 (16 U.S.C. 590a–*
16 *f), and in accordance with the provisions of laws relating*
17 *to the activities of the Department, \$55,000,000, to remain*
18 *available until expended (of which up to \$5,000,000 may*
19 *be available for the watersheds authorized under the Flood*
20 *Control Act (33 U.S.C. 701 and 16 U.S.C. 1006a)): Pro-*
21 *vided, That not to exceed \$20,000,000 of this appropriation*
22 *shall be available for technical assistance: Provided further,*
23 *That not to exceed \$1,000,000 of this appropriation is*
24 *available to carry out the purposes of the Endangered Spe-*
25 *cies Act of 1973 (Public Law 93–205), including coopera-*
26 *tive efforts as contemplated by that Act to relocate endan-*

1 *gered or threatened species to other suitable habitats as may*
2 *be necessary to expedite project construction: Provided fur-*
3 *ther, That qualified local engineers may be temporarily em-*
4 *ployed at per diem rates to perform the technical planning*
5 *work of the Service: Provided further, That none of the*
6 *funds made available under this paragraph by this or any*
7 *other appropriations Act may be used to provide technical*
8 *assistance with respect to programs listed in section*
9 *1241(a) of the Food Security Act of 1985 (16 U.S.C.*
10 *3841(a)).*

11 *WATERSHED REHABILITATION PROGRAM*

12 *For necessary expenses to carry out rehabilitation of*
13 *structural measures, in accordance with section 14 of the*
14 *Watershed Protection and Flood Prevention Act (16 U.S.C.*
15 *1012), and in accordance with the provisions of laws relat-*
16 *ing to the activities of the Department, \$29,805,000, to re-*
17 *main available until expended: Provided, That qualified*
18 *local engineers may be temporarily employed at per diem*
19 *rates to perform the technical planning work of the Service:*
20 *Provided further, That none of the funds made available*
21 *under this paragraph by this or any other appropriations*
22 *Act may be used to provide technical assistance with respect*
23 *to programs listed in section 1241(a) of the Food Security*
24 *Act of 1985 (16 U.S.C. 3841(a)).*

1 \$79,838,000 shall be for rural community programs de-
2 scribed in section 381E(d)(1) of such Act; of which
3 \$610,641,000 shall be for the rural utilities programs de-
4 scribed in sections 381E(d)(2), 306C(a)(2), and 306D of
5 such Act; and of which \$79,000,000 shall be for the rural
6 business and cooperative development programs described
7 in sections 381E(d)(3) and 310B(f) of such Act: Provided,
8 That of the amount appropriated for rural business and
9 cooperative development programs, \$100,000 shall be for a
10 pilot program in the State of Alaska to assist communities
11 with community planning: Provided further, That of the
12 total amount appropriated in this account, \$24,000,000
13 shall be for loans and grants to benefit Federally Recognized
14 Native American Tribes, including grants for drinking
15 water and waste disposal systems pursuant to section 306C
16 of such Act, of which \$4,000,000 shall be available for com-
17 munity facilities grants to tribal colleges, as authorized by
18 section 306(a)(19) of the Consolidated Farm and Rural De-
19 velopment Act, and of which \$250,000 shall be available for
20 a grant to a qualified national organization to provide tech-
21 nical assistance for rural transportation in order to pro-
22 mote economic development: Provided further, That of the
23 amount appropriated for rural community programs,
24 \$6,000,000 shall be available for a Rural Community De-
25 velopment Initiative: Provided further, That such funds

1 *shall be used solely to develop the capacity and ability of*
2 *private, nonprofit community-based housing and commu-*
3 *nity development organizations, low-income rural commu-*
4 *nities, and Federally Recognized Native American Tribes*
5 *to undertake projects to improve housing, community facili-*
6 *ties, community and economic development projects in*
7 *rural areas: Provided further, That such funds shall be*
8 *made available to qualified private, nonprofit and public*
9 *intermediary organizations proposing to carry out a pro-*
10 *gram of financial and technical assistance: Provided fur-*
11 *ther, That such intermediary organizations shall provide*
12 *matching funds from other sources, including Federal funds*
13 *for related activities, in an amount not less than funds pro-*
14 *vided: Provided further, That of the amount appropriated*
15 *for the rural business and cooperative development pro-*
16 *grams, not to exceed \$500,000 shall be made available for*
17 *a grant to a qualified national organization to provide tech-*
18 *nical assistance for rural transportation in order to pro-*
19 *mote economic development; \$2,000,000 shall be for grants*
20 *to the Delta Regional Authority (7 U.S.C. 1921 et seq.);*
21 *and not less than \$5,000,000 shall be available for grants*
22 *in accordance with section 310B(f) of the Consolidated*
23 *Farm and Rural Development Act: Provided further, That*
24 *of the amount appropriated for rural utilities programs,*
25 *not to exceed \$25,000,000 shall be for water and waste dis-*

1 *posal systems to benefit the Colonias along the United*
2 *States/Mexico border, including grants pursuant to section*
3 *306C of such Act; not to exceed \$30,000,000 shall be for*
4 *water and waste disposal systems for rural and native vil-*
5 *lages in Alaska pursuant to section 306D of such Act, with*
6 *up to 1 percent available to administer the program and*
7 *up to 1 percent available to improve interagency coordina-*
8 *tion may be transferred to and merged with the appropria-*
9 *tion for “Rural Development, Salaries and Expenses”, of*
10 *which 25 percent shall be provided for water and sewer*
11 *projects in regional hubs and \$100,000 shall be provided*
12 *to develop a regional system for centralized billing, oper-*
13 *ation, and management of rural water and sewer utilities*
14 *through regional cooperatives, and the State of Alaska shall*
15 *provide a 25 percent cost share; not to exceed \$18,000,000*
16 *shall be for technical assistance grants for rural water and*
17 *waste systems pursuant to section 306(a)(14) of such Act,*
18 *of which \$5,513,000 shall be for Rural Community Assist-*
19 *ance Programs; and not to exceed \$13,000,000 shall be for*
20 *contracting with qualified national organizations for a cir-*
21 *cuit rider program to provide technical assistance for rural*
22 *water systems: Provided further, That of the amount appro-*
23 *priated for the circuit rider program, Alaska shall receive*
24 *no less than five percent and not less than \$750,000 shall*
25 *be for contracting with qualified national organizations to*

1 *establish a Native American circuit rider program to pro-*
2 *vide technical assistance for rural water systems: Provided*
3 *further, That not less than \$2,000,000 shall be available to*
4 *carry out Section 6012 of Public Law 107–171: Provided*
5 *further, That of the total amount appropriated, not to ex-*
6 *ceed \$22,132,000 shall be available through June 30, 2004,*
7 *for authorized empowerment zones and enterprise commu-*
8 *nities and communities designated by the Secretary of Agri-*
9 *culture as Rural Economic Area Partnership Zones; of*
10 *which \$1,000,000 shall be for the rural community pro-*
11 *grams described in section 381E(d)(1) of such Act, of which*
12 *\$12,582,000 shall be for the rural utilities programs de-*
13 *scribed in section 381E(d)(2) of such Act, and of which*
14 *\$8,550,000 shall be for the rural business and cooperative*
15 *development programs described in section 381E(d)(3) of*
16 *such Act: Provided further, That of the amount appro-*
17 *priated for rural community programs, not to exceed*
18 *\$23,000,000 shall be to provide grants for facilities in rural*
19 *communities with extreme unemployment and severe eco-*
20 *nomie depression (Public Law 106–387), with 5 percent for*
21 *administration and capacity building in the State rural*
22 *development offices: Provided further, That of the amount*
23 *appropriated, \$30,000,000 shall be transferred to and*
24 *merged with the “Rural Utilities Service, High Energy Cost*
25 *Grants Account” to provide grants authorized under section*

1 *19 of the Rural Electrification Act of 1936 (7 U.S.C. 918a):*
 2 *Provided further, That of the amount made available for*
 3 *high energy cost grants, up to \$3,000,000 shall be available*
 4 *to a not-for-profit consumer-owned cooperative utility pro-*
 5 *vider serving an island community in a non-contiguous*
 6 *State for the purpose of defraying transaction, transition,*
 7 *organizational, and other fair and reasonable costs, as de-*
 8 *termined by the Secretary, incurred during the period July*
 9 *1, 1999 through December 31, 2002, and directly related*
 10 *to the successful acquisition by such provider of the investor-*
 11 *owned electric utility facilities (including generation, trans-*
 12 *mission, distribution, and other related assets) formerly*
 13 *serving ratepayers on the island: Provided further, That*
 14 *any prior year balances for high cost energy grants author-*
 15 *ized by section 19 of the Rural Electrification Act of 1936*
 16 *(7 U.S.C. 901(19)) shall be transferred to and merged with*
 17 *the “Rural Utilities Service, High Energy Costs Grants”*
 18 *account.*

19 *RURAL DEVELOPMENT SALARIES AND EXPENSES*

20 *(INCLUDING TRANSFERS OF FUNDS)*

21 *For necessary expenses for carrying out the adminis-*
 22 *tration and implementation of programs in the Rural De-*
 23 *velopment mission area, including activities with institu-*
 24 *tions concerning the development and operation of agricul-*
 25 *tural cooperatives; and for cooperative agreements;*

1 \$140,922,000: *Provided, That notwithstanding any other*
 2 *provision of law, funds appropriated under this section*
 3 *may be used for advertising and promotional campaigns,*
 4 *including souvenirs, that support activities conducted by*
 5 *agencies of the Rural Development mission area: Provided*
 6 *further, That not more than \$10,000 may be expended to*
 7 *provide modest nonmonetary awards to non-USDA employ-*
 8 *ees: Provided further, That any balances available from*
 9 *prior years for the Rural Utilities Service, Rural Housing*
 10 *Service, and the Rural Business-Cooperative Service sala-*
 11 *ries and expenses accounts shall be transferred to and*
 12 *merged with this appropriation.*

13 *RURAL HOUSING SERVICE*

14 *RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT*

15 *(INCLUDING TRANSFERS OF FUNDS)*

16 *For gross obligations for the principal amount of di-*
 17 *rect and guaranteed loans as authorized by title V of the*
 18 *Housing Act of 1949, to be available from funds in the rural*
 19 *housing insurance fund, as follows: \$4,084,589,000 for loans*
 20 *to section 502 borrowers, as determined by the Secretary,*
 21 *of which \$1,359,417,000 shall be for direct loans, and of*
 22 *which \$2,725,172,000 shall be for unsubsidized guaranteed*
 23 *loans; \$35,004,000 for section 504 housing repair loans;*
 24 *\$115,052,000 for section 515 rental housing; \$100,000,000*
 25 *for section 538 guaranteed multi-family housing loans;*
 26 *\$5,045,000 for section 524 site loans; \$11,500,000 for credit*

1 sales of acquired property, of which up to \$1,500,000 may
2 be for multi-family credit sales; and \$1,623,000 for section
3 523 self-help housing land development loans.

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: section
7 502 loans, \$165,921,000, of which \$126,018,000 shall be for
8 direct loans, and of which \$39,903,000, to remain available
9 until expended, shall be for unsubsidized guaranteed loans;
10 section 504 housing repair loans, \$9,612,000; section 515
11 rental housing, \$49,484,000; section 538 multi-family hous-
12 ing guaranteed loans, \$5,950,000; multi-family credit sales
13 of acquired property, \$663,000; and section 523 self-help
14 housing land development loans, \$50,000: *Provided, That*
15 *of the total amount appropriated in this paragraph,*
16 *\$7,100,000 shall be available through June 30, 2004, for*
17 *authorized empowerment zones and enterprise communities*
18 *and communities designated by the Secretary of Agriculture*
19 *as Rural Economic Area Partnership Zones.*

20 In addition, for administrative expenses necessary to
21 carry out the direct and guaranteed loan programs,
22 \$439,453,000, which shall be transferred to and merged
23 with the appropriation for “Rural Development, Salaries
24 and Expenses”.

RENTAL ASSISTANCE PROGRAM

1
2 *For rental assistance agreements entered into or re-*
3 *newed pursuant to the authority under section 521(a)(2)*
4 *or agreements entered into in lieu of debt forgiveness or*
5 *payments for eligible households as authorized by section*
6 *502(c)(5)(D) of the Housing Act of 1949, \$721,281,000;*
7 *and, in addition, such sums as may be necessary, as author-*
8 *ized by section 521(c) of the Act, to liquidate debt incurred*
9 *prior to fiscal year 1992 to carry out the rental assistance*
10 *program under section 521(a)(2) of the Act: Provided, That*
11 *of this amount, not more than \$5,900,000 shall be available*
12 *for debt forgiveness or payments for eligible households as*
13 *authorized by section 502(c)(5)(D) of the Act, and not to*
14 *exceed \$20,000 per project for advances to nonprofit organi-*
15 *zations or public agencies to cover direct costs (other than*
16 *purchase price) incurred in purchasing projects pursuant*
17 *to section 502(c)(5)(C) of the Act: Provided further, That*
18 *agreements entered into or renewed during the current fiscal*
19 *year shall be funded for a 5-year period, although the life*
20 *of any such agreement may be extended to fully utilize*
21 *amounts obligated.*

MUTUAL AND SELF-HELP HOUSING GRANTS

22
23 *For grants and contracts pursuant to section*
24 *523(b)(1)(A) of the Housing Act of 1949 (42 U.S.C. 1490c),*
25 *\$34,000,000, to remain available until expended: Provided,*
26 *That of the total amount appropriated, \$1,000,000 shall be*

1 *available through June 30, 2004, for authorized empower-*
2 *ment zones and enterprise communities and communities*
3 *designated by the Secretary of Agriculture as Rural Eco-*
4 *nomic Area Partnership Zones.*

5 *RURAL HOUSING ASSISTANCE GRANTS*

6 *For grants and contracts for very low-income housing*
7 *repair, supervisory and technical assistance, compensation*
8 *for construction defects, and rural housing preservation*
9 *made by the Rural Housing Service, as authorized by 42*
10 *U.S.C. 1474, 1479(c), 1490e, and 1490m, \$46,222,000, to*
11 *remain available until expended, of which \$5,000,000 shall*
12 *be available for a processing and/or fishery workers housing*
13 *demonstration project in Alaska, Mississippi, Utah, and*
14 *Wisconsin: Provided, That of the total amount appro-*
15 *priated, \$1,800,000 shall be available through June 30,*
16 *2004, for authorized empowerment zones and enterprise*
17 *communities and communities designated by the Secretary*
18 *of Agriculture as Rural Economic Area Partnership Zones.*

19 *FARM LABOR PROGRAM ACCOUNT*

20 *For the cost of direct loans, grants, and contracts, as*
21 *authorized by 42 U.S.C. 1484 and 1486, \$33,015,000, to*
22 *remain available until expended, for direct farm labor hous-*
23 *ing loans and domestic farm labor housing grants and con-*
24 *tracts.*

1 *HISTORIC BARN PRESERVATION PROGRAM*

2 *For the historic barn preservation program established*
3 *under section 379A of the Consolidated Farm and Rural*
4 *Development Act (7 U.S.C. 2008o), \$2,000,000.*

5 *RURAL BUSINESS—COOPERATIVE SERVICE*

6 *RURAL DEVELOPMENT LOAN FUND PROGRAM ACCOUNT*

7 *(INCLUDING TRANSFER OF FUNDS)*

8 *For the principal amount of direct loans, as authorized*
9 *by the Rural Development Loan Fund (42 U.S.C. 9812(a)),*
10 *\$40,000,000.*

11 *For the cost of direct loans, \$17,308,000, as authorized*
12 *by the Rural Development Loan Fund (42 U.S.C. 9812(a)),*
13 *of which \$1,724,000 shall be available through June 30,*
14 *2004, for Federally Recognized Native American Tribes and*
15 *of which \$3,449,000 shall be available through June 30,*
16 *2004, for Delta Regional Authority (7 U.S.C. 1921 et seq.):*
17 *Provided, That such costs, including the cost of modifying*
18 *such loans, shall be as defined in section 502 of the Congres-*
19 *sional Budget Act of 1974: Provided further, That of the*
20 *total amount appropriated, \$2,447,000 shall be available*
21 *through June 30, 2004, for the cost of direct loans for au-*
22 *thorized empowerment zones and enterprise communities*
23 *and communities designated by the Secretary of Agriculture*
24 *as Rural Economic Area Partnership Zones.*

25 *In addition, for administrative expenses to carry out*
26 *the direct loan programs, \$4,283,000 shall be transferred*

1 *to and merged with the appropriation for “Rural Develop-*
2 *ment, Salaries and Expenses”.*

3 *RURAL ECONOMIC DEVELOPMENT LOANS PROGRAM*

4 *ACCOUNT*

5 *(INCLUDING RESCISSION OF FUNDS)*

6 *For the principal amount of direct loans, as authorized*
7 *under section 313 of the Rural Electrification Act, for the*
8 *purpose of promoting rural economic development and job*
9 *creation projects, \$15,002,000.*

10 *For the cost of direct loans, including the cost of modi-*
11 *fying loans as defined in section 502 of the Congressional*
12 *Budget Act of 1974, \$2,792,000.*

13 *Of the funds derived from interest on the cushion of*
14 *credit payments in the current fiscal year, as authorized*
15 *by section 313 of the Rural Electrification Act of 1936,*
16 *\$3,000,000 shall not be obligated and \$3,000,000 are re-*
17 *scinded.*

18 *RURAL COOPERATIVE DEVELOPMENT GRANTS*

19 *For rural cooperative development grants authorized*
20 *under section 310B(e) of the Consolidated Farm and Rural*
21 *Development Act (7 U.S.C. 1932), \$8,967,000, of which*
22 *\$2,500,000 shall be for cooperative agreements for the ap-*
23 *propriate technology transfer for rural areas program: Pro-*
24 *vided, That not to exceed \$1,500,000 of the total amount*
25 *appropriated shall be made available to cooperatives or as-*
26 *sociations of cooperatives whose primary focus is to provide*

1 *assistance to small, minority producers and whose gov-*
2 *erning board and/or membership is comprised of at least*
3 *75 percent minority.*

4 *RURAL EMPOWERMENT ZONES AND ENTERPRISE*

5 *COMMUNITIES GRANTS*

6 *For grants in connection with second and third rounds*
7 *of empowerment zones and enterprise communities,*
8 *\$14,370,000, to remain available until expended, for des-*
9 *ignated rural empowerment zones and rural enterprise com-*
10 *munities, as authorized by the Taxpayer Relief Act of 1997*
11 *and the Omnibus Consolidated and Emergency Supple-*
12 *mental Appropriations Act, 1999 (Public Law 105–277):*
13 *Provided, That of the funds appropriated, \$1,000,000 shall*
14 *be made available to third round empowerment zones, as*
15 *authorized by the Community Renewal Tax Relief Act*
16 *(Public Law 106–554).*

17 *RENEWABLE ENERGY PROGRAM*

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

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

5 *Insured loans pursuant to the authority of section 305*
6 *of the Rural Electrification Act of 1936 (7 U.S.C. 935) shall*
7 *be made as follows: 5 percent rural electrification loans,*
8 *\$240,000,000; municipal rate rural electric loans,*
9 *\$1,000,000,000; loans made pursuant to section 306 of that*
10 *Act, rural electric, \$2,000,000,000; Treasury rate direct*
11 *electric loans, \$750,000,000; 5 percent rural telecommuni-*
12 *cations loans, \$145,000,000; cost of money rural tele-*
13 *communications loans, \$250,000,000; loans made pursuant*
14 *to section 306 of that Act, rural telecommunications loans,*
15 *\$120,000,000; and for guaranteed underwriting loans pur-*
16 *suant to section 313A, \$1,000,000,000.*

17 *For the cost, as defined in section 502 of the Congres-*
18 *sional Budget Act of 1974, including the cost of modifying*
19 *loans, of direct and guaranteed loans authorized by sections*
20 *305 and 306 of the Rural Electrification Act of 1936 (7*
21 *U.S.C. 935 and 936), as follows: cost of rural electric loans,*
22 *\$60,000, and the cost of telecommunication loans, \$125,000:*
23 *Provided, That notwithstanding section 305(d)(2) of the*
24 *Rural Electrification Act of 1936, borrower interest rates*
25 *may exceed 7 percent per year.*

1 *In addition, for administrative expenses necessary to*
2 *carry out the direct and guaranteed loan programs,*
3 *\$37,920,000 which shall be transferred to and merged with*
4 *the appropriation for “Rural Development, Salaries and*
5 *Expenses”.*

6 *RURAL TELEPHONE BANK PROGRAM ACCOUNT*
7 *(INCLUDING TRANSFER OF FUNDS)*

8 *The Rural Telephone Bank is hereby authorized to*
9 *make such expenditures, within the limits of funds available*
10 *to such corporation in accord with law, and to make such*
11 *contracts and commitments without regard to fiscal year*
12 *limitations as provided by section 104 of the Government*
13 *Corporation Control Act, as may be necessary in carrying*
14 *out its authorized programs. During fiscal year 2004 and*
15 *within the resources and authority available, gross obliga-*
16 *tions for the principal amount of direct loans shall be*
17 *\$173,503,000.*

18 *In addition, for administrative expenses, including*
19 *audits, necessary to carry out the loan programs,*
20 *\$3,182,000, which shall be transferred to and merged with*
21 *the appropriation for “Rural Development, Salaries and*
22 *Expenses”.*

23 *DISTANCE LEARNING, TELEMEDICINE, AND BROADBAND*
24 *PROGRAM*

25 *For the principal amount of direct distance learning*
26 *and telemedicine loans, \$300,000,000; and for the principal*

1 *amount of broadband telecommunications loans,*
2 *\$647,000,000.*

3 *For grants for telemedicine and distance learning serv-*
4 *ices in rural areas, as authorized by 7 U.S.C. 950aaa et*
5 *seq., \$40,000,000, to remain available until expended: Pro-*
6 *vided, That \$15,000,000 shall be made available to convert*
7 *analog to digital operation those noncommercial edu-*
8 *cational television broadcast stations that serve rural areas*
9 *and are qualified for Community Service Grants by the*
10 *Corporation for Public Broadcasting under section 396(k)*
11 *of the Communications Act of 1934, including associated*
12 *translators, repeaters, and studio-to-transmitter links.*

13 *For the cost of direct and guaranteed broadband loans,*
14 *as authorized by 7 U.S.C. 901, et seq., \$15,116,000: Pro-*
15 *vided, That the cost of direct loans shall be as defined in*
16 *section 502 of the Congressional Budget Act of 1974.*

17 *In addition, \$10,000,000, to remain available until ex-*
18 *pended, for a grant program to finance broadband trans-*
19 *mission in rural areas eligible for Distance Learning and*
20 *Telemedicine Program benefits authorized by 7 U.S.C.*
21 *950aaa.*

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23

TITLE IV

DOMESTIC FOOD PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR FOOD,

NUTRITION AND CONSUMER SERVICES

For necessary salaries and expenses of the Office of the Under Secretary for Food, Nutrition and Consumer Services to administer the laws enacted by the Congress for the Food and Nutrition Service, \$611,000.

FOOD AND NUTRITION SERVICE

CHILD NUTRITION PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out the National School Lunch Act (42 U.S.C. 1751 et seq.), except section 21, and the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.), except sections 17 and 21; \$11,418,441,000, to remain available through September 30, 2005, of which \$6,718,780,000 is hereby appropriated and \$4,699,661,000 shall be derived by transfer from funds available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c): Provided, That none of the funds made available under this heading shall be used for studies and evaluations: Provided further, That up to \$5,235,000 shall be available for independent verification of school food service claims.

1 *SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR*
2 *WOMEN, INFANTS, AND CHILDREN (WIC)*

3 *For necessary expenses to carry out the special supple-*
4 *mental nutrition program as authorized by section 17 of*
5 *the Child Nutrition Act of 1966 (42 U.S.C. 1786),*
6 *\$4,639,232,000, to remain available through September 30,*
7 *2005, of which \$10,000,000 shall be for a breastfeeding sup-*
8 *port initiative in addition to the activities specified in sec-*
9 *tion 17(h)(3)(A) and \$30,000,000 shall be for a manage-*
10 *ment information system initiative: Provided, That of the*
11 *total amount available, the Secretary shall obligate*
12 *\$25,000,000 for the farmers' market nutrition program:*
13 *Provided further, That notwithstanding section*
14 *17(h)(10)(A) of such Act, \$14,000,000 shall be available for*
15 *the purposes specified in section 17(h)(10)(B): Provided fur-*
16 *ther, That notwithstanding section 17(g)(5) of such Act,*
17 *\$5,000,000 shall be available for pilot projects to prevent*
18 *childhood obesity: Provided further, That none of the funds*
19 *in this Act shall be available to pay administrative expenses*
20 *of WIC clinics except those that have an announced policy*
21 *of prohibiting smoking within the space used to carry out*
22 *the program: Provided further, That none of the funds pro-*
23 *vided in this account shall be available for the purchase*
24 *of infant formula except in accordance with the cost con-*
25 *tainment and competitive bidding requirements specified in*

1 *section 17 of such Act: Provided further, That none of the*
2 *funds provided shall be available for activities that are not*
3 *fully reimbursed by other Federal Government departments*
4 *or agencies unless authorized by section 17 of such Act.*

5 *FOOD STAMP PROGRAM*

6 *For necessary expenses to carry out the Food Stamp*
7 *Act (7 U.S.C. 2011 et seq.), \$29,945,981,000, of which*
8 *\$2,000,000,000 shall be placed in reserve for use only in*
9 *such amounts and at such times as may become necessary*
10 *to carry out program operations: Provided, That none of*
11 *the funds made available under this heading shall be used*
12 *for studies and evaluations: Provided further, That of the*
13 *funds made available under this heading and not already*
14 *appropriated to the Food Distribution Program on Indian*
15 *Reservations (FDPIR) established under section 4(b) of the*
16 *Food Stamp Act of 1977 (7 U.S.C. 2013(b)), not to exceed*
17 *\$4,000,000 shall be used to purchase bison meat for the*
18 *FDPIR from Native American bison producers as well as*
19 *from producer-owned cooperatives of bison ranchers: Pro-*
20 *vided further, That funds provided herein shall be expended*
21 *in accordance with section 16 of the Food Stamp Act: Pro-*
22 *vided further, That this appropriation shall be subject to*
23 *any work registration or workfare requirements as may be*
24 *required by law: Provided further, That funds made avail-*
25 *able for Employment and Training under this heading*

1 *shall remain available until expended, as authorized by sec-*
2 *tion 16(h)(1) of the Food Stamp Act.*

3 **COMMODITY ASSISTANCE PROGRAM**

4 *For necessary expenses to carry out disaster assistance*
5 *and the commodity supplemental food program as author-*
6 *ized by section 4(a) of the Agriculture and Consumer Pro-*
7 *tection Act of 1973 (7 U.S.C. 612c note); the Emergency*
8 *Food Assistance Act of 1983; and special assistance (in a*
9 *form determined by the Secretary of Agriculture) for the*
10 *nuclear affected islands, as authorized by section 103(h)(2)*
11 *of the Compact of Free Association Act of 1985 (48 U.S.C.*
12 *1903(h)(2)) (or a successor law), \$145,740,000, to remain*
13 *available through September 30, 2005: Provided, That none*
14 *of these funds shall be available to reimburse the Commodity*
15 *Credit Corporation for commodities donated to the pro-*
16 *gram.*

17 **NUTRITION PROGRAMS ADMINISTRATION**

18 *For necessary administrative expenses of the domestic*
19 *nutrition assistance programs funded under this Act,*
20 *\$138,304,000, of which \$5,000,000 shall be available only*
21 *for simplifying procedures, reducing overhead costs, tight-*
22 *ening regulations, improving food stamp benefit delivery,*
23 *and assisting in the prevention, identification, and prosecu-*
24 *tion of fraud and other violations of law; and of which not*
25 *less than \$4,000,000 shall be available to improve integrity*
26 *in the Food Stamp and Child Nutrition programs.*

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

6 *For necessary expenses of the Foreign Agricultural*
7 *Service, including carrying out title VI of the Agricultural*
8 *Act of 1954 (7 U.S.C. 1761–1769), market development ac-*
9 *tivities abroad, and for enabling the Secretary to coordinate*
10 *and integrate activities of the Department in connection*
11 *with foreign agricultural work, including not to exceed*
12 *\$158,000 for representation allowances and for expenses*
13 *pursuant to section 8 of the Act approved August 3, 1956*
14 *(7 U.S.C. 1766), \$131,648,000: Provided, That the Service*
15 *may utilize advances of funds, or reimburse this appropria-*
16 *tion for expenditures made on behalf of Federal agencies,*
17 *public and private organizations and institutions under*
18 *agreements executed pursuant to the agricultural food pro-*
19 *duction assistance programs (7 U.S.C. 1737) and the for-*
20 *foreign assistance programs of the United States Agency for*
21 *International Development.*

22 *PUBLIC LAW 480 TITLE I PROGRAM ACCOUNT*
23 *(INCLUDING TRANSFERS OF FUNDS)*

24 *For the cost, as defined in section 502 of the Congres-*
25 *sional Budget Act of 1974, of agreements under the Agricul-*
26 *tural Trade Development and Assistance Act of 1954, and*

1 *the Food for Progress Act of 1985, including the cost of*
 2 *modifying credit arrangements under said Acts,*
 3 *\$103,887,000, to remain available until expended.*

4 *In addition, for administrative expenses to carry out*
 5 *the credit program of title I, Public Law 83-480, and the*
 6 *Food for Progress Act of 1985, to the extent funds appro-*
 7 *riated for Public Law 83-480 are utilized, \$2,134,000, of*
 8 *which \$1,075,000 may be transferred to and merged with*
 9 *the appropriation for “Foreign Agricultural Service, Sala-*
 10 *ries and Expenses”, and of which \$1,059,000 may be trans-*
 11 *ferred to and merged with the appropriation for “Farm*
 12 *Service Agency, Salaries and Expenses”.*

13 *PUBLIC LAW 480 TITLE I OCEAN FREIGHT DIFFERENTIAL*

14 *GRANTS*

15 *(INCLUDING TRANSFER OF FUNDS)*

16 *For ocean freight differential costs for the shipment of*
 17 *agricultural commodities under title I of the Agricultural*
 18 *Trade Development and Assistance Act of 1954 and under*
 19 *the Food for Progress Act of 1985, \$28,000,000, to remain*
 20 *available until expended: Provided, That funds made avail-*
 21 *able for the cost of agreements under title I of the Agricul-*
 22 *tural Trade Development and Assistance Act of 1954 and*
 23 *for title I ocean freight differential may be used inter-*
 24 *changeably between the two accounts with prior notice to*
 25 *the Committees on Appropriations of both Houses of Con-*
 26 *gress.*

1 *PUBLIC LAW 480 TITLE II GRANTS*

2 *For expenses during the current fiscal year, not other-*
3 *wise recoverable, and unrecovered prior years' costs, includ-*
4 *ing interest thereon, under the Agricultural Trade Develop-*
5 *ment and Assistance Act of 1954, for commodities supplied*
6 *in connection with dispositions abroad under title II of said*
7 *Act, \$1,192,000,000, to remain available until expended.*

8 *MC GOVERN-DOLE INTERNATIONAL FOOD FOR EDUCATION*9 *AND CHILD NUTRITION PROGRAM GRANTS*

10 *For necessary expenses to carry out the provisions of*
11 *section 3107 of the Farm Security and Rural Investment*
12 *Act of 2002 (7 U.S.C. 1736o-1), \$25,000,000, to remain*
13 *available until expended: Provided, That the Commodity*
14 *Credit Corporation is authorized to provide the services, fa-*
15 *cilities, and authorities for the purpose of implementing*
16 *such section, subject to reimbursement from amounts pro-*
17 *vided herein.*

18 *COMMODITY CREDIT CORPORATION EXPORT LOANS*19 *PROGRAM ACCOUNT*20 *(INCLUDING TRANSFERS OF FUNDS)*

21 *For administrative expenses to carry out the Com-*
22 *modity Credit Corporation's export guarantee program,*
23 *GSM 102 and GSM 103, \$4,152,000; to cover common over-*
24 *head expenses as permitted by section 11 of the Commodity*
25 *Credit Corporation Charter Act and in conformity with the*
26 *Federal Credit Reform Act of 1990, of which \$3,306,000*

1 *may be transferred to and merged with the appropriation*
2 *for “Foreign Agricultural Service, Salaries and Expenses”,*
3 *and of which \$846,000 may be transferred to and merged*
4 *with the appropriation for “Farm Service Agency, Salaries*
5 *and Expenses”.*

6 *TITLE VI*
7 *RELATED AGENCIES AND FOOD AND DRUG*
8 *ADMINISTRATION*
9 *DEPARTMENT OF HEALTH AND HUMAN*
10 *SERVICES*

11 *FOOD AND DRUG ADMINISTRATION*
12 *SALARIES AND EXPENSES*

13 *For necessary expenses of the Food and Drug Adminis-*
14 *tration, including hire and purchase of passenger motor ve-*
15 *hicles; for payment of space rental and related costs pursu-*
16 *ant to Public Law 92–313 for programs and activities of*
17 *the Food and Drug Administration which are included in*
18 *this Act; for rental of special purpose space in the District*
19 *of Columbia or elsewhere; and for miscellaneous and emer-*
20 *gency expenses of enforcement activities, authorized and ap-*
21 *proved by the Secretary and to be accounted for solely on*
22 *the Secretary’s certificate, not to exceed \$25,000;*
23 *\$1,663,228,000, of which not to exceed \$249,825,000 to be*
24 *derived from prescription drug user fees authorized by 21*
25 *U.S.C. 379h, including any such fees assessed prior to the*

1 *current fiscal year but credited during the current year, in*
2 *accordance with section 736(g)(4), shall be credited to this*
3 *appropriation and remain available until expended; and*
4 *of which not to exceed \$29,190,000 to be derived from med-*
5 *ical device user fees authorized by 21 U.S.C. 379j shall be*
6 *credited to this appropriation, to remain available until ex-*
7 *pended: Provided, That fees derived from applications re-*
8 *ceived during fiscal year 2004 shall be subject to the fiscal*
9 *year 2004 limitation: Provided further, That none of these*
10 *funds shall be used to develop, establish, or operate any pro-*
11 *gram of user fees authorized by 31 U.S.C. 9701: Provided*
12 *further, That of the total amount appropriated: (1)*
13 *\$412,020,000 shall be for the Center for Food Safety and*
14 *Applied Nutrition and related field activities in the Office*
15 *of Regulatory Affairs; (2) \$475,655,000 shall be for the Cen-*
16 *ter for Drug Evaluation and Research and related field ac-*
17 *tivities in the Office of Regulatory Affairs, of which no less*
18 *than \$13,270,000 shall be available for grants and contracts*
19 *awarded under section 5 of the Orphan Drug Act (21 U.S.C.*
20 *360ee) and of which no less than \$52,845,000 shall be avail-*
21 *able for the generic drugs program; (3) \$168,836,000 shall*
22 *be for the Center for Biologics Evaluation and Research and*
23 *for related field activities in the Office of Regulatory Af-*
24 *airs; (4) \$84,646,000 shall be for the Center for Veterinary*
25 *Medicine and for related field activities in the Office of Reg-*

1 *ulatory Affairs; (5) \$207,686,000 shall be for the Center for*
2 *Devices and Radiological Health and for related field ac-*
3 *tivities in the Office of Regulatory Affairs; (6) \$39,887,000*
4 *shall be for the National Center for Toxicological Research;*
5 *(7) \$40,851,000 shall be for Rent and Related activities,*
6 *other than the amounts paid to the General Services Ad-*
7 *ministration for rent; (8) \$119,152,000 shall be for pay-*
8 *ments to the General Services Administration for rent; and*
9 *(9) \$114,495,000 shall be for other activities, including the*
10 *Office of the Commissioner; the Office of Management and*
11 *Systems; the Office of External Relations; the Office of Pol-*
12 *icy, Legislation, and Planning; and central services for*
13 *these offices: Provided further, That funds may be trans-*
14 *ferred from one specified activity to another with the prior*
15 *approval of the Committees on Appropriations of both*
16 *Houses of Congress.*

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

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

23 *BUILDINGS AND FACILITIES*

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

1 *not otherwise provided, \$7,948,000, to remain available*
 2 *until expended.*

3 *INDEPENDENT AGENCIES*

4 *COMMODITY FUTURES TRADING COMMISSION*

5 *For necessary expenses to carry out the provisions of*
 6 *the Commodity Exchange Act (7 U.S.C. 1 et seq.), including*
 7 *the purchase and hire of passenger motor vehicles, and the*
 8 *rental of space (to include multiple year leases) in the Dis-*
 9 *trict of Columbia and elsewhere, \$88,435,000, including not*
 10 *to exceed \$3,000 for official reception and representation*
 11 *expenses.*

12 *FARM CREDIT ADMINISTRATION*

13 *LIMITATION ON ADMINISTRATIVE EXPENSES*

14 *Not to exceed \$40,900,000 (from assessments collected*
 15 *from farm credit institutions and from the Federal Agricul-*
 16 *tural Mortgage Corporation) shall be obligated during the*
 17 *current fiscal year for administrative expenses as author-*
 18 *ized under 12 U.S.C. 2249: Provided, That this limitation*
 19 *shall not apply to expenses associated with receiverships.*

20 *TITLE VII—GENERAL PROVISIONS*

21 *SEC. 701. Within the unit limit of cost fixed by law,*
 22 *appropriations and authorizations made for the Depart-*
 23 *ment of Agriculture for the current fiscal year under this*
 24 *Act shall be available for the purchase, in addition to those*
 25 *specifically provided for, of not to exceed 398 passenger*

1 *motor vehicles, of which 396 shall be for replacement only,*
2 *and for the hire of such vehicles.*

3 *SEC. 702. Funds in this Act available to the Depart-*
4 *ment of Agriculture shall be available for uniforms or allow-*
5 *ances therefor as authorized by law (5 U.S.C. 5901–5902).*

6 *SEC. 703. Funds appropriated by this Act shall be*
7 *available for employment pursuant to the second sentence*
8 *of section 706(a) of the Department of Agriculture Organic*
9 *Act of 1944 (7 U.S.C. 2225) and 5 U.S.C. 3109.*

10 *SEC. 704. The Secretary of Agriculture may transfer*
11 *unobligated balances of discretionary funds appropriated*
12 *by this Act or other available unobligated discretionary bal-*
13 *ances of the Department of Agriculture to the Working Cap-*
14 *ital Fund for the acquisition of plant and capital equip-*
15 *ment necessary for the delivery of financial, administrative,*
16 *and information technology services of primary benefit to*
17 *the agencies of the Department of Agriculture: Provided,*
18 *That none of the funds made available by this Act or any*
19 *other Act shall be transferred to the Working Capital Fund*
20 *without the prior approval of the agency administrator:*
21 *Provided further, That none of the funds transferred to the*
22 *Working Capital Fund pursuant to this section shall be*
23 *available for obligation without the prior approval of the*
24 *Committees on Appropriations of both Houses of Congress.*

1 *SEC. 705. New obligational authority provided for the*
2 *following appropriation items in this Act shall remain*
3 *available until expended: Animal and Plant Health Inspec-*
4 *tion Service, the contingency fund to meet emergency condi-*
5 *tions, information technology infrastructure, fruit fly pro-*
6 *gram, emerging plant pests, boll weevil program, and up*
7 *to 25 percent of the screwworm program; Food Safety and*
8 *Inspection Service, field automation and information man-*
9 *agement project; Cooperative State Research, Education,*
10 *and Extension Service, funds for competitive research*
11 *grants (7 U.S.C. 450i(b)), funds for the Research, Edu-*
12 *cation and Economics Information System (REEIS), and*
13 *funds for the Native American Institutions Endowment*
14 *Fund; Farm Service Agency, salaries and expenses funds*
15 *made available to county committees; Foreign Agricultural*
16 *Service, middle-income country training program and up*
17 *to \$2,000,000 of the Foreign Agricultural Service appro-*
18 *priation solely for the purpose of offsetting fluctuations in*
19 *international currency exchange rates, subject to docu-*
20 *mentation by the Foreign Agricultural Service.*

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

24 *SEC. 707. Not to exceed \$50,000 of the appropriations*
25 *available to the Department of Agriculture in this Act shall*

1 *be available to provide appropriate orientation and lan-*
2 *guage training pursuant to section 606C of the Act of Au-*
3 *gust 28, 1954 (7 U.S.C. 1766b).*

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

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

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

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

9 *SEC. 711. Notwithstanding any other provision of this*
10 *Act, all loan levels provided in this Act shall be considered*
11 *estimates, not limitations.*

12 *SEC. 712. Appropriations to the Department of Agri-*
13 *culture for the cost of direct and guaranteed loans made*
14 *available in the current fiscal year shall remain available*
15 *until expended to cover obligations made in the current fis-*
16 *cal year for the following accounts: the Rural Development*
17 *Loan Fund program account, the Rural Telephone Bank*
18 *program account, the Rural Electrification and Tele-*
19 *communications Loans program account, the Rural Hous-*
20 *ing Insurance Fund program account, and the Rural Eco-*
21 *nomie Development Loans program account.*

22 *SEC. 713. None of the funds in this Act may be used*
23 *to retire more than 5 percent of the Class A stock of the*
24 *Rural Telephone Bank or to maintain any account or sub-*
25 *account within the accounting records of the Rural Tele-*

1 *phone Bank the creation of which has not specifically been*
2 *authorized by statute: Provided, That notwithstanding any*
3 *other provision of law, none of the funds appropriated or*
4 *otherwise made available in this Act may be used to trans-*
5 *fer to the Treasury or to the Federal Financing Bank any*
6 *unobligated balance of the Rural Telephone Bank telephone*
7 *liquidating account which is in excess of current require-*
8 *ments and such balance shall receive interest as set forth*
9 *for financial accounts in section 505(c) of the Federal Cred-*
10 *it Reform Act of 1990.*

11 *SEC. 714. Of the funds made available by this Act, not*
12 *more than \$1,800,000 shall be used to cover necessary ex-*
13 *penses of activities related to all advisory committees, pan-*
14 *els, commissions, and task forces of the Department of Agri-*
15 *culture, except for panels used to comply with negotiated*
16 *rule makings and panels used to evaluate competitively*
17 *awarded grants.*

18 *SEC. 715. None of the funds appropriated by this Act*
19 *may be used to carry out section 410 of the Federal Meat*
20 *Inspection Act (21 U.S.C. 679a) or section 30 of the Poultry*
21 *Products Inspection Act (21 U.S.C. 471).*

22 *SEC. 716. No employee of the Department of Agri-*
23 *culture may be detailed or assigned from an agency or office*
24 *funded by this Act to any other agency or office of the De-*
25 *partment for more than 30 days unless the individual's em-*

1 *ploying agency or office is fully reimbursed by the receiving*
2 *agency or office for the salary and expenses of the employee*
3 *for the period of assignment.*

4 *SEC. 717. None of the funds appropriated or otherwise*
5 *made available to the Department of Agriculture shall be*
6 *used to transmit or otherwise make available to any non-*
7 *Department of Agriculture employee questions or responses*
8 *to questions that are a result of information requested for*
9 *the appropriations hearing process.*

10 *SEC. 718. None of the funds made available to the De-*
11 *partment of Agriculture by this Act may be used to acquire*
12 *new information technology systems or significant up-*
13 *grades, as determined by the Office of the Chief Information*
14 *Officer, without the approval of the Chief Information Offi-*
15 *cer and the concurrence of the Executive Information Tech-*
16 *nology Investment Review Board: Provided, That notwith-*
17 *standing any other provision of law, none of the funds ap-*
18 *propriated or otherwise made available by this Act may be*
19 *transferred to the Office of the Chief Information Officer*
20 *without the prior approval of the Committees on Appro-*
21 *priations of both Houses of Congress.*

22 *SEC. 719. (a) None of the funds provided by this Act,*
23 *or provided by previous Appropriations Acts to the agencies*
24 *funded by this Act that remain available for obligation or*
25 *expenditure in the current fiscal year, or provided from any*

1 *accounts in the Treasury of the United States derived by*
2 *the collection of fees available to the agencies funded by this*
3 *Act, shall be available for obligation or expenditure through*
4 *a reprogramming of funds which: (1) creates new programs;*
5 *(2) eliminates a program, project, or activity; (3) increases*
6 *funds or personnel by any means for any project or activity*
7 *for which funds have been denied or restricted; (4) relocates*
8 *an office or employees; (5) reorganizes offices, programs, or*
9 *activities; or (6) contracts out or privatizes any functions*
10 *or activities presently performed by Federal employees; 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 *(b) None of the funds provided by this Act, or provided*
15 *by previous Appropriations Acts to the agencies funded by*
16 *this Act that remain available for obligation or expenditure*
17 *in the current fiscal year, or provided from any accounts*
18 *in the Treasury of the United States derived by the collec-*
19 *tion of fees available to the agencies funded by this Act,*
20 *shall be available for obligation or expenditure for activi-*
21 *ties, programs, or projects through a reprogramming of*
22 *funds in excess of \$500,000 or 10 percent, whichever is less,*
23 *that: (1) augments existing programs, projects, or activities;*
24 *(2) reduces by 10 percent funding for any existing program,*
25 *project, or activity, or numbers of personnel by 10 percent*

1 *as approved by Congress; or (3) results from any general*
2 *savings from a reduction in personnel which would result*
3 *in a change in existing programs, activities, or projects as*
4 *approved by Congress; unless the Committees on Appropria-*
5 *tions of both Houses of Congress are notified 15 days in*
6 *advance of such reprogramming of funds.*

7 (c) *The Secretary of Agriculture, the Secretary of*
8 *Health and Human Services, or the Chairman of the Com-*
9 *modity Futures Trading Commission shall notify the Com-*
10 *mittees on Appropriations of both Houses of Congress before*
11 *implementing a program or activity not carried out during*
12 *the previous fiscal year unless the program or activity is*
13 *funded by this Act or specifically funded by any other Act.*

14 SEC. 720. *With the exception of funds needed to ad-*
15 *minister and conduct oversight of grants awarded and obli-*
16 *gations incurred in prior fiscal years, none of the funds*
17 *appropriated or otherwise made available by this or any*
18 *other Act may be used to pay the salaries and expenses of*
19 *personnel to carry out the provisions of section 401 of Pub-*
20 *lic Law 105–185, the Initiative for Future Agriculture and*
21 *Food Systems (7 U.S.C. 7621).*

22 SEC. 721. *None of the funds made available to the Food*
23 *and Drug Administration by this Act shall be used to re-*
24 *duce the Detroit, Michigan, Food and Drug Administration*
25 *District Office below the operating and full-time equivalent*

1 *staffing level of July 31, 1999; or to change the Detroit Dis-*
2 *trict Office to a station, residence post or similarly modified*
3 *office; or to reassign residence posts assigned to the Detroit*
4 *District Office: Provided, That this section shall not apply*
5 *to Food and Drug Administration field laboratory facilities*
6 *or operations currently located in Detroit, Michigan, except*
7 *that field laboratory personnel shall be assigned to locations*
8 *in the general vicinity of Detroit, Michigan, pursuant to*
9 *cooperative agreements between the Food and Drug Admin-*
10 *istration and other laboratory facilities associated with the*
11 *State of Michigan.*

12 *SEC. 722. None of the funds appropriated by this Act*
13 *or any other Act shall be used to pay the salaries and ex-*
14 *penses of personnel who prepare or submit appropriations*
15 *language as part of the President's Budget submission to*
16 *the Congress of the United States for programs under the*
17 *jurisdiction of the Appropriations Subcommittees on Agri-*
18 *culture, Rural Development, Food and Drug Administra-*
19 *tion, and Related Agencies that assumes revenues or reflects*
20 *a reduction from the previous year due to user fees pro-*
21 *posals that have not been enacted into law prior to the sub-*
22 *mission of the Budget unless such Budget submission identi-*
23 *fies which additional spending reductions should occur in*
24 *the event the user fees proposals are not enacted prior to*

1 *the date of the convening of a committee of conference for*
2 *the fiscal year 2005 appropriations Act.*

3 *SEC. 723. None of the funds made available by this*
4 *Act or any other Act may be used to close or relocate a*
5 *State Rural Development office unless or until cost effective-*
6 *ness and enhancement of program delivery have been deter-*
7 *mined.*

8 *SEC. 724. Of any shipments of commodities made pur-*
9 *suant to section 416(b) of the Agricultural Act of 1949 (7*
10 *U.S.C. 1431(b)), the Secretary of Agriculture shall, to the*
11 *extent practicable, direct that tonnage equal in value to not*
12 *more than \$25,000,000 shall be made available to foreign*
13 *countries to assist in mitigating the effects of the Human*
14 *Immunodeficiency Virus and Acquired Immune Deficiency*
15 *Syndrome on communities, including the provision of—*

16 *(1) agricultural commodities to—*

17 *(A) individuals with Human Immuno-*
18 *deficiency Virus or Acquired Immune Deficiency*
19 *Syndrome in the communities; and*

20 *(B) households in the communities, particu-*
21 *larly individuals caring for orphaned children;*
22 *and*

23 *(2) agricultural commodities monetized to pro-*
24 *vide other assistance (including assistance under*
25 *microcredit and microenterprise programs) to create*

1 *or restore sustainable livelihoods among individuals*
2 *in the communities, particularly individuals caring*
3 *for orphaned children.*

4 *SEC. 725. In addition to amounts otherwise appro-*
5 *riated or made available by this Act, \$2,981,000 is appro-*
6 *riated for the purpose of providing Bill Emerson and*
7 *Mickey Leland Hunger Fellowships through the Congres-*
8 *sional Hunger Center.*

9 *SEC. 726. Notwithstanding section 412 of the Agricul-*
10 *tural Trade Development and Assistance Act of 1954 (7*
11 *U.S.C. 1736f), any balances available to carry out title III*
12 *of such Act as of the date of enactment of this Act, and*
13 *any recoveries and reimbursements that become available*
14 *to carry out title III of such Act, may be used to carry*
15 *out title II of such Act.*

16 *SEC. 727. Section 375(e)(6)(B) of the Consolidated*
17 *Farm and Rural Development Act (7 U.S.C.*
18 *2008j(e)(6)(B)) is amended by striking “\$26,499,000” and*
19 *inserting “\$26,998,000”.*

20 *SEC. 728. None of the funds made available in this*
21 *Act may be transferred to any department, agency, or in-*
22 *strumentality of the United States Government, except pur-*
23 *suant to a transfer made by, or transfer authority provided*
24 *in, this Act or any other appropriation Act.*

1 *SEC. 729. None of the funds made available to the Food*
2 *and Drug Administration by this Act shall be used to close*
3 *or relocate, or to plan to close or relocate, the Food and*
4 *Drug Administration Division of Pharmaceutical Analysis*
5 *in St. Louis, Missouri, outside the city or county limits*
6 *of St. Louis, Missouri.*

7 *SEC. 730. Notwithstanding any other provision of law,*
8 *of the funds made available in this Act for competitive re-*
9 *search grants (7 U.S.C. 450i(b)), the Secretary may use up*
10 *to 20 percent of the amount provided to carry out a com-*
11 *petitive grants program under the same terms and condi-*
12 *tions as those provided in section 401 of the Agricultural*
13 *Research, Extension, and Education Reform Act of 1998*
14 *(7 U.S.C. 7621), including requests for proposals for grants*
15 *for critical emerging issues described in section 401(c)(1)*
16 *of that Act for which the Secretary has not issued requests*
17 *for proposals for grants in fiscal year 2002 or 2003.*

18 *SEC. 731. Notwithstanding any other provision of law,*
19 *the Natural Resources Conservation Service shall provide*
20 *financial and technical assistance through the Watershed*
21 *and Flood Prevention Operations program to carry out the*
22 *Upper Tygart Valley Watershed project, West Virginia:*
23 *Provided, That the Natural Resources Conservation Service*
24 *is authorized to provide 100 percent of the engineering as-*

1 *sistance and 75 percent cost share for installation of the*
2 *water supply component of this project.*

3 *SEC. 732. Agencies and offices of the Department of*
4 *Agriculture may utilize any unobligated salaries and ex-*
5 *penses funds to reimburse the Office of the General Counsel*
6 *for salaries and expenses of personnel, and for other related*
7 *expenses, incurred in representing such agencies and offices*
8 *in the resolution of complaints by employees or applicants*
9 *for employment, and in cases and other matters pending*
10 *before the Equal Employment Opportunity Commission,*
11 *the Federal Labor Relations Authority, or the Merit Sys-*
12 *tems Protection Board with the prior approval of the Com-*
13 *mittees on Appropriations of both Houses of Congress.*

14 *SEC. 733. None of the funds appropriated or made*
15 *available by this Act or any other Act may be used to pay*
16 *the salaries and expenses of personnel to carry out section*
17 *14(h)(1) of the Watershed Protection and Flood Prevention*
18 *Act (16 U.S.C. 1012(h)(1)).*

19 *SEC. 734. None of the funds appropriated or made*
20 *available by this Act, or any other Act, may be used to pay*
21 *the salaries and expenses of personnel to carry out subtitle*
22 *I of the Consolidated Farm and Rural Development Act (7*
23 *U.S.C. 2009dd through dd-7).*

24 *SEC. 735. None of the funds appropriated or made*
25 *available by this Act or any other Act may be used to pay*

1 *the salaries and expenses of personnel to carry out section*
2 *6405 of Public Law 107–171 (7 U.S.C. 2655).*

3 *SEC. 736. Notwithstanding any other provision of law,*
4 *the Natural Resources Conservation Service may provide fi-*
5 *nancial and technical assistance through the Watershed and*
6 *Flood Prevention Operations program for the Kuhn Bayou*
7 *and Ditch 26 Improvement projects in Arkansas, the*
8 *Matanuska River erosion control project in Alaska, the*
9 *DuPage County Sawmill Creek Watershed project in Illi-*
10 *nois, and the Coal Creek project in Utah, and four flood*
11 *control structures in Marmaton, Kansas.*

12 *SEC. 737. None of the funds made available in fiscal*
13 *year 2004 or preceding fiscal years for programs authorized*
14 *under the Agricultural Trade Development and Assistance*
15 *Act of 1954 (7 U.S.C. 1691 et seq.) in excess of \$20,000,000*
16 *shall be used to reimburse the Commodity Credit Corpora-*
17 *tion for the release of eligible commodities under section*
18 *302(f)(2)(A) of the Bill Emerson Humanitarian Trust Act*
19 *(7 U.S.C. 1736f–1): Provided, That any such funds made*
20 *available to reimburse the Commodity Credit Corporation*
21 *shall only be used pursuant to section 302(b)(2)(B)(i) of*
22 *the Bill Emerson Humanitarian Trust Act.*

23 *SEC. 738. Notwithstanding any other provision of law,*
24 *the Natural Resources Conservation Service may provide*

1 *from appropriated funds financial and technical assistance*
2 *to the Dry Creek project, Utah.*

3 *SEC. 739. The Secretary of Agriculture is authorized*
4 *to permit employees of the United States Department of Ag-*
5 *riculture to carry and use firearms for personal protection*
6 *while conducting field work in remote locations in the per-*
7 *formance of their official duties.*

8 *SEC. 740. None of the funds appropriated or otherwise*
9 *made available by this Act shall be used to pay the salaries*
10 *and expenses of personnel to carry out the provisions of sec-*
11 *tions 7404(a)(1) and 7404(c)(1) of Public Law 107–171.*

12 *SEC. 741. Of the funds made available under section*
13 *27(a) of the Food Stamp Act of 1977 (7 U.S.C. 2011 et*
14 *seq.), the Secretary may use up to \$10,000,000 for costs as-*
15 *sociated with the distribution of commodities.*

16 *SEC. 742. None of the funds appropriated or otherwise*
17 *made available by this Act or any other Act shall be used*
18 *to pay the salaries and expenses of personnel to enroll in*
19 *excess of 189,144 acres in the calendar year 2004 wetlands*
20 *reserve program as authorized by 16 U.S.C. 3837.*

21 *SEC. 743. (a) Notwithstanding subsections (c) and*
22 *(e)(2) of section 313A of the Rural Electrification Act (7*
23 *U.S.C. 940c(c) and (e)(2)) in implementing section 313A*
24 *of that Act, the Secretary shall, with the consent of the lend-*
25 *er, structure the schedule for payment of the annual fee,*

1 *not to exceed an average of 30 basis points per year for*
2 *the term of the loan, to ensure that sufficient funds are*
3 *available to pay the subsidy costs for note guarantees under*
4 *that section; and*

5 *(b) The Secretary shall publish a proposed rule to*
6 *carry out section 313A of the Rural Electrification Act of*
7 *1936 within 60 days of enactment of this Act.*

8 *SEC. 744. None of the funds appropriated or otherwise*
9 *made available by this Act or any other Act shall be used*
10 *to pay the salaries and expenses of personnel to carry out*
11 *a ground and surface water conservation program author-*
12 *ized by section 2301 of Public Law 107–171, the Farm Se-*
13 *curity and Rural Investment Act of 2002, in excess of*
14 *\$51,000,000.*

15 *SEC. 745. None of the funds appropriated or otherwise*
16 *made available by this Act or any other Act shall be used*
17 *to pay the salaries and expenses of personnel to carry out*
18 *section 2502 of Public Law 107–171, the Farm Security*
19 *and Rural Investment Act of 2002, in excess of \$42,000,000.*

20 *SEC. 746. None of the funds appropriated or otherwise*
21 *made available by this Act or any other Act shall be used*
22 *to pay the salaries and expenses of personnel to carry out*
23 *section 2503 of Public Law 107–171, the Farm Security*
24 *and Rural Investment Act of 2002, in excess of*
25 *\$112,044,000.*

1 *SEC. 747. There is hereby appropriated \$3,000,000 to*
2 *carry out section 6028 of Public Law 107–171, the Farm*
3 *Security and Rural Investment Act of 2002: Provided, That*
4 *notwithstanding section 383B(g)(1) of the Consolidated*
5 *Farm and Rural Development Act (7 U.S.C. 2009bb–*
6 *1(g)(1)), the Federal share of the administrative expenses*
7 *of the Northern Great Plains Regional Authority for fiscal*
8 *year 2004 shall be 100 percent.*

9 *SEC. 748. None of the funds appropriated or made*
10 *available by this Act or any other Act may be used to pay*
11 *the salaries and expenses of personnel to carry out section*
12 *6029 of Public Law 107–171, the Farm Security and Rural*
13 *Investment Act of 2002: Provided, That this section shall*
14 *not apply to activities related to the promulgation of regu-*
15 *lations or the receipt and review of applications for the*
16 *Rural Business Investment Program.*

17 *SEC. 749. ACCESS TO BROADBAND TELECOMMUNI-*
18 *CATIONS SERVICES IN RURAL AREAS. None of the funds ap-*
19 *propriated or otherwise made available by this or any other*
20 *Act shall be used to pay the salaries and expenses of per-*
21 *sonnel to expend the \$20,000,000 made available by section*
22 *601(j)(1)(A) of the Rural Electrification Act of 1936 (7*
23 *U.S.C. 950bb(j)(1)(A)) for fiscal year 2004.*

24 *SEC. 750. None of the funds appropriated or otherwise*
25 *made available by this Act or any other Act shall be used*

1 *to pay the salaries and expenses of personnel to carry out*
2 *section 9006 of Public Law 107–171, the Farm Security*
3 *and Rural Investment Act of 2002.*

4 *SEC. 751. Agencies and offices of the Department of*
5 *Agriculture may utilize any available discretionary funds*
6 *to cover the costs of preparing, or contracting for the prepa-*
7 *ration of, final agency decisions regarding complaints of*
8 *discrimination in employment or program activities aris-*
9 *ing within such agencies and offices.*

10 *SEC. 752. Notwithstanding any other provision of law,*
11 *for any fiscal year, in the case of a high cost isolated rural*
12 *area that is not connected to a road system in Alaska, the*
13 *maximum level for the single family housing assistance*
14 *shall be 150 percent of the average income level in the met-*
15 *ropolitan areas of the State and 115 percent of all other*
16 *eligible areas of the State.*

17 *SEC. 753. Any unobligated balances in the Alternative*
18 *Agricultural Research and Commercialization Revolving*
19 *Fund are hereby rescinded.*

20 *SEC. 754. There is hereby appropriated \$2,000,000, to*
21 *remain available until expended, for the Denali Commis-*
22 *sion to address deficiencies in solid waste disposal sites*
23 *which threaten to contaminate rural drinking water sup-*
24 *plies.*

1 *SEC. 755. Notwithstanding any other provision of law,*
2 *the Secretary shall consider the City of Vicksburg, Mis-*
3 *issippi; the City of Aberdeen, South Dakota; and the City*
4 *of Starkville, Mississippi as meeting the requirements of a*
5 *rural area contained in section 520 of the Housing Act of*
6 *1949 (42 U.S.C. 1490) until receipt of the decennial Census*
7 *for the year 2010.*

8 *SEC. 756. Notwithstanding any other provision of law,*
9 *the Secretary shall consider the City of Berlin, New Hamp-*
10 *shire; the City of Guymon, Oklahoma; the City of Shawnee,*
11 *Oklahoma; and the City of Altus, Oklahoma, to be eligible*
12 *for loans and grants provided through the Rural Commu-*
13 *nity Advancement Program until receipt of the decennial*
14 *Census in the year 2010.*

15 *SEC. 757. None of the funds made available in this*
16 *Act or any other Act may be used to study or enter into*
17 *a contract with a private party to carry out, without spe-*
18 *cific authorization in a subsequent Act of Congress, a com-*
19 *petitive sourcing activity of the Secretary of Agriculture,*
20 *including support personnel of the Department of Agri-*
21 *culture, relating to rural development or farm loan pro-*
22 *grams, animal disease research, or grant review or manage-*
23 *ment activities.*

1 *SEC. 758. Section 501(b)(5)(B) of the Housing Act of*
2 *1949 (42 U.S.C. 1471(b)(5)(B) is amended by striking “for*
3 *fiscal years 2002 and 2003.”.*

4 *SEC. 759. AGRICULTURAL MANAGEMENT ASSISTANCE.*
5 *Section 524(b)(4)(B) of the Federal Crop Insurance Act (7*
6 *U.S.C. 1542(b)(4)(B)) is amended—*

7 *(1) in clause (i), by striking “clause (ii)” and*
8 *inserting “clauses (ii) and (iii)”;* and

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

10 *“(iii) CERTAIN USES.—Of the amounts*
11 *made available to carry out this subsection*
12 *for each fiscal year, the Commodity Credit*
13 *Corporation shall use not less than—*

14 *“(I) \$15,000,000 to carry out sub-*
15 *paragraphs (A), (B), and (C) of para-*
16 *graph (2) through the Natural Re-*
17 *sources Conservation Service; and*

18 *“(II) \$2,000,000 to provide or-*
19 *ganic certification cost share assistance*
20 *through the Agricultural Marketing*
21 *Service.”.*

22 *SEC. 760. TRAVEL RELATING TO COMMERCIAL SALES*
23 *OF AGRICULTURAL AND MEDICAL GOODS. Section 910(a)*
24 *of the Trade Sanctions Reform And Export Enhancement*

1 *Act of 2000 (22 U.S.C. 7209(a)) is amended to read as fol-*
2 *lows:*

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

14 *SEC. 761. PROTECTION OF DOWNED ANIMALS.* *None*
15 *of the funds appropriated or otherwise made available by*
16 *this Act to pay the salaries or expenses of employees or*
17 *agents of the Department of Agriculture may be used to ap-*
18 *prove for human consumption under the Federal Meat In-*
19 *spection Act (21 U.S.C. 601 et seq.) any cattle, sheep, swine,*
20 *goats, horses, mules, or other equines that are unable to*
21 *stand or walk unassisted at an establishment subject to in-*
22 *spection at the point of examination and inspection, as re-*
23 *quired by section 3(a) of that Act (21 U.S.C. 603(a)).*

24 *SEC. 762. PROHIBITION OF ENERGY MARKET MANIPU-*
25 *LATION. (a) PROHIBITION.*—*Part II of the Federal Power*

1 *Act (16 U.S.C. 824 et seq.) is amended by adding at the*
2 *end the following:*

3 **“SEC. 215. PROHIBITION OF MARKET MANIPULATION.**

4 *“It shall be unlawful for any person, directly or indi-*
5 *rectly, to use or employ, in connection with the purchase*
6 *or sale of electric energy or the purchase or sale of trans-*
7 *mission services subject to the jurisdiction of the Commis-*
8 *sion, any manipulative or deceptive device or contrivance*
9 *in contravention of such regulations as the Commission*
10 *may promulgate as appropriate in the public interest or*
11 *for the protection of electric ratepayers.”.*

12 *(b) RATES RESULTING FROM MARKET MANIPULA-*
13 *TION.—Section 205(a) of the Federal Power Act (16 U.S.C.*
14 *824d(a)) is amended by inserting after “not just and rea-*
15 *sonable” the following: “or that result from a manipulative*
16 *or deceptive device or contrivance”.*

17 *SEC. 763. Hereafter, no funds provided in this or any*
18 *other Act shall be available to the Secretary of Agriculture*
19 *acting through the Foreign Agricultural Service to promote*
20 *the sale or export of tobacco or tobacco products.*

21 *SEC. 764. IN GENERAL.—Section 3(o)(4) of the Food*
22 *Stamp Act of 1977, as amended (7 U.S.C. 2012(o)(4), is*
23 *amended by inserting before the period at the end the fol-*
24 *lowing: “, and except that on October 1, 2003, in the case*
25 *of households residing in Alaska and Hawaii the Secretary*

1 *may not reduce the cost of such diet in effect on September*
 2 *30, 2002”.*

3 **(b) EFFECTIVE DATE.**—*The amendment made by sub-*
 4 *section (a) shall be effective beginning on September 30,*
 5 *2003.*

6 **SEC. 765. MODIFICATION OF BOUNDARIES OF AROOS-**
 7 **TOOK COUNTY AND GRIGGS-STEELE EMPOWERMENT**
 8 **ZONES. (a) AROOSTOOK COUNTY EMPOWERMENT ZONE.**—
 9 *Notwithstanding any other provision of law, the Aroostook*
 10 *County empowerment zone shall include for the period such*
 11 *empowerment zone remains designated, in addition to the*
 12 *area designated as of the date of the enactment of this Act,*
 13 *the remaining area of the county not included in such des-*
 14 *ignation.*

15 **(b) GRIGGS-STEELE EMPOWERMENT ZONE.**—*Notwith-*
 16 *standing any other provision of law, the Griggs-Steele em-*
 17 *powerment zone shall include for the period such empower-*
 18 *ment zone remains designated, in addition to the area des-*
 19 *ignated as of the date of the enactment of this Act, the re-*
 20 *maining area of Griggs County not included in such des-*
 21 *ignation.*

22 **SEC. 766. COST-SHARING FOR ANIMAL AND PLANT**
 23 **HEALTH EMERGENCY PROGRAMS.** *None of the funds made*
 24 *available by this Act may be used to issue a final rule in*
 25 *furtherance of, or otherwise implement, the proposed rule*

1 *on cost-sharing for animal and plant health emergency pro-*
2 *grams of the Animal and Plant Health Inspection Service*
3 *published on July 8, 2003 (Docket No. 02–062–1; 68 Fed.*
4 *Reg. 40541).*

5 *SEC. 767. Section 601(b)(2) of the Rural Electrifica-*
6 *tion Act of 1936 (7 U.S.C. 950bb(b)(2)) is amended to read*
7 *as follows:*

8 *“(2) ELIGIBLE RURAL COMMUNITY.—The term*
9 *‘eligible rural community’ means any area of the*
10 *United States that is not contained in an incor-*
11 *porated city or town with a population in excess of*
12 *20,000 inhabitants.”.*

13 *SEC. 768. Notwithstanding any other provision of law,*
14 *for all activities under programs of the Rural Development*
15 *Mission Area within the County of Honolulu, Hawaii, the*
16 *Secretary may designate any portion of the county as a*
17 *rural area or eligible rural community that the Secretary*
18 *determines is not urban in character.*

19 *SEC. 769. The first sentence of section 306(g)(1) of the*
20 *National Housing Act (12 U.S.C. 1721(g)(1)) is amended—*

21 *(1) by striking “or title V of the Housing Act of*
22 *1949”; and*

23 *(2) by inserting after “1944” the following: “,*
24 *title V of the Housing Act of 1949,”.*

1 *SEC. 770. Notwithstanding the provisions of the Con-*
2 *solidated Farm and Rural Development Act (including the*
3 *associated regulations) governing the Community Facilities*
4 *Program, the Secretary shall allow all Community Facility*
5 *Program facility borrowers and grantees to enter into con-*
6 *tracts with not-for-profit third parties for services con-*
7 *sistent with the requirements of the Program, grant, and/*
8 *or loan: Provided, That the contracts protect the interests*
9 *of the Government regarding cost, liability, maintenance,*
10 *and administrative fees.*

11 *SEC. 771. EQIP PAYMENT LIMIT. None of the funds*
12 *made available under this Act or any other Act shall be*
13 *used to pay the salaries and expenses of personnel to carry*
14 *out chapter 4 of subtitle D of the Food Security Act of 1985*
15 *(16 U.S.C. 3839aa et seq.) to make payments to an indi-*
16 *vidual, entity, or agricultural operation, directly or indi-*
17 *rectly, in excess of an aggregate of \$300,000 for all contracts*
18 *entered into by the individual, entity, or agricultural oper-*
19 *ation during the period of fiscal years 2002 through 2007.*

20 *SEC. 772. Notwithstanding any other provision of law,*
21 *the Secretary of Agriculture may use appropriations avail-*
22 *able to the Secretary for activities authorized under sections*
23 *426–426c of title 7, United States Code, under this or any*
24 *other Act, to enter into cooperative agreements, with a*
25 *State, political subdivision, or agency thereof, a public or*

1 private agency, organization, or any other person, to lease
2 aircraft if the Secretary determines that the objectives of
3 the agreement will: (1) serve a mutual interest of the parties
4 to the agreement in carrying out the programs administered
5 by the Animal Plant Health Inspection Service, Wildlife
6 Service; and (2) all parties will contribute resources to the
7 accomplishment of these objectives; award of a cooperative
8 agreement authorized by the Secretary may be made for an
9 initial term not to exceed 5 years.

10 *SEC. 773. CITRUS CANCKER ASSISTANCE. Section 211*
11 *of the Agricultural Assistance Act of 2003 (117 Stat. 545)*
12 *is amended—*

13 (1) *in the section heading, by inserting “**TREE***
14 ***REPLACEMENT AND**” after “**FOR**”; and*

15 (2) *in subsection (a), by inserting “tree replace-*
16 *ment and” after “Florida for”.*

17 *SEC. 774. RURAL ELECTRIFICATION. For fiscal year*
18 *2004, the Secretary of Agriculture may use any unobligated*
19 *carryover funds made available for any program adminis-*
20 *tered by the Rural Utilities Service (not including funds*
21 *made available under the heading “RURAL COMMUNITY AD-*
22 *VANCEMENT PROGRAM” in any Act of appropriation) to*
23 *carry out section 315 of the Rural Electrification Act of*
24 *1936 (7 U.S.C. 940e).*

1 *SEC. 775. The Commissioner of the Food and Drug*
2 *Administration shall provide no less than \$250,000, from*
3 *within funds appropriated or otherwise made available in*
4 *this Act for the Food and Drug Administration, to process*
5 *comments submitted in response to Docket No. 95N-0304*
6 *published in the Federal Register on March 5, 2003 (68FR*
7 *10417): Provided further, That the Commissioner should ex-*
8 *pedite and complete review of available scientific evidence*
9 *of ephedra's pharmacology and mechanism of action.*

10 *SEC. 776. WORKLOAD ANALYSIS OF FARM SERVICE*
11 *AGENCY. None of the funds made available by this Act may*
12 *be used to pay more than 1/2 of the salary of the Under*
13 *Secretary for Farm and Foreign Agricultural Services after*
14 *January 31, 2004, unless and until the Secretary of Agri-*
15 *culture provides to the Committee on Agriculture of House*
16 *of Representatives and the Committee on Agriculture, Nu-*
17 *trition, and Forestry of the Senate a workload analysis of*
18 *employees of the Farm Service Agency for each of fiscal*
19 *years 2001, 2002, and 2003 (including an analysis of the*
20 *number of workload items and required man-years, by*
21 *State).*

22 *SEC. 777. SUN GRANT RESEARCH INITIATIVE. (a)*
23 *SHORT TITLE.—This section may be cited as the “Sun*
24 *Grant Research Initiative Act of 2003”.*

1 **(b) RESEARCH, EXTENSION, AND EDUCATIONAL PRO-**
2 **GRAMS ON BIOBASED ENERGY TECHNOLOGIES AND PROD-**
3 **UCTS.**—*Title IX of the Farm Security and Rural Invest-*
4 *ment Act of 2002 (7 U.S.C. 8101 et seq.) is amended by*
5 *adding at the end the following:*

6 **“SEC. 9011. RESEARCH, EXTENSION, AND EDUCATIONAL**
7 **PROGRAMS ON BIOBASED ENERGY TECH-**
8 **NOLOGIES AND PRODUCTS.**

9 “(a) **PURPOSES.**—*The purposes of the programs estab-*
10 *lished under this section are—*

11 “(1) *to enhance national energy security through*
12 *the development, distribution, and implementation of*
13 *biobased energy technologies;*

14 “(2) *to promote diversification in, and the envi-*
15 *ronmental sustainability of, agricultural production*
16 *in the United States through biobased energy and*
17 *product technologies;*

18 “(3) *to promote economic diversification in rural*
19 *areas of the United States through biobased energy*
20 *and product technologies; and*

21 “(4) *to enhance the efficiency of bioenergy and*
22 *biomass research and development programs through*
23 *improved coordination and collaboration between the*
24 *Department of Agriculture, the Department of En-*
25 *ergy, and the land-grant colleges and universities.*

1 “(b) *DEFINITIONS.*—*In this section:*

2 “(1) *LAND-GRANT COLLEGES AND UNIVER-*
3 *SITIES.*—*The term ‘land-grant colleges and univer-*
4 *sities’ means—*

5 “(A) *1862 Institutions (as defined in sec-*
6 *tion 2 of the Agricultural Research, Extension,*
7 *and Education Reform Act of 1998 (7 U.S.C.*
8 *7601));*

9 “(B) *1890 Institutions (as defined in sec-*
10 *tion 2 of that Act) and West Virginia State Col-*
11 *lege; and*

12 “(C) *1994 Institutions (as defined in sec-*
13 *tion 2 of that Act).*

14 “(2) *SECRETARY.*—*The term ‘Secretary’ means*
15 *the Secretary of Agriculture.*

16 “(c) *ESTABLISHMENT.*—*To carry out the purposes de-*
17 *scribed in subsection (a), the Secretary shall establish pro-*
18 *grams under which—*

19 “(1) *the Secretary shall provide grants to sun*
20 *grant centers specified in subsection (d); and*

21 “(2) *the sun grant centers shall use the grants in*
22 *accordance with this section.*

23 “(d) *GRANTS TO CENTERS.*—*The Secretary shall use*
24 *amounts made available for a fiscal year under subsection*

1 *(j) to provide a grants in equal amounts to each of the fol-*
2 *lowing sun grant centers:*

3 “(1) *NORTH-CENTRAL CENTER.*—*A north-central*
4 *sun grant center at South Dakota State University*
5 *for the region composed of the States of Illinois, Indi-*
6 *ana, Iowa, Minnesota, Montana, Nebraska, North Da-*
7 *kota, South Dakota, Wisconsin, and Wyoming.*

8 “(2) *SOUTHEASTERN CENTER.*—*A southeastern*
9 *sun grant center at the University of Tennessee at*
10 *Knoxville for the region composed of—*

11 “(A) *the States of Alabama, Florida, Geor-*
12 *gia, Kentucky, Mississippi, North Carolina,*
13 *South Carolina, Tennessee, and Virginia;*

14 “(B) *the Commonwealth of Puerto Rico;*
15 *and*

16 “(C) *the United States Virgin Islands.*

17 “(3) *SOUTH-CENTRAL CENTER.*—*A south-central*
18 *sun grant center at Oklahoma State University for*
19 *the region composed of the States of Arkansas, Colo-*
20 *rado, Kansas, Louisiana, Missouri, New Mexico,*
21 *Oklahoma, and Texas.*

22 “(4) *WESTERN CENTER.*—*A western sun grant*
23 *center at Oregon State University for the region com-*
24 *posed of—*

1 “(A) *the States of Alaska, Arizona, Cali-*
2 *ifornia, Hawaii, Idaho, Nevada, Oregon, Utah,*
3 *and Washington; and*

4 “(B) *territories and possessions of the*
5 *United States (other than the territories referred*
6 *to in subparagraphs (B) and (C) of paragraph*
7 *(2)).*

8 “(5) *NORTHEASTERN CENTER.—A northeastern*
9 *sun grant center at Cornell University for the region*
10 *composed of the States of Connecticut, Delaware, Mas-*
11 *sachusetts, Maryland, Maine, Michigan, New Hamp-*
12 *shire, New Jersey, New York, Ohio, Pennsylvania,*
13 *Rhode Island, Vermont, and West Virginia.*

14 “(e) *USE OF FUNDS.—*

15 “(1) *CENTERS OF EXCELLENCE.—Of the amount*
16 *of funds that are made available for a fiscal year to*
17 *a sun grant center under subsection (d), the center*
18 *shall use not more than 25 percent of the amount for*
19 *administration to support excellence in science, engi-*
20 *neering, and economics at the center to promote the*
21 *purposes described in subsection (a) through the State*
22 *agricultural experiment station, cooperative extension*
23 *services, and relevant educational programs of the*
24 *university.*

1 “(2) *GRANTS TO LAND-GRANT COLLEGES AND*
2 *UNIVERSITIES.*—

3 “(A) *IN GENERAL.*—*The sun grant center*
4 *established for a region shall use the funds that*
5 *remain available for a fiscal year after expendi-*
6 *tures made under paragraph (1) to provide com-*
7 *petitive grants to land-grant colleges and univer-*
8 *sities in the region of the sun grant center to*
9 *conduct, consistent with the purposes described*
10 *in subsection (a), multiinstitutional and*
11 *multistate—*

12 “(i) *research, extension, and edu-*
13 *cational programs on technology develop-*
14 *ment; and*

15 “(ii) *integrated research, extension,*
16 *and educational programs on technology*
17 *implementation.*

18 “(B) *PROGRAMS.*—*Of the amount of funds*
19 *that are used to provide grants for a fiscal year*
20 *under subparagraph (A), the center shall use—*

21 “(i) *not less than 30 percent of the*
22 *funds to carry out programs described in*
23 *subparagraph (A)(i); and*

1 “(ii) not less than 30 percent of the
2 funds to carry out programs described in
3 subparagraph (A)(ii).

4 “(3) *INDIRECT COSTS.*—A sun grant center may
5 not recover the indirect costs of making grants under
6 paragraph (2) to other land-grant colleges and uni-
7 versities.

8 “(f) *PLAN.*—

9 “(1) *IN GENERAL.*—Subject to the availability of
10 funds under subsection (j), in cooperation with other
11 land-grant colleges and universities and private in-
12 dustry in accordance with paragraph (2), the sun
13 grant centers shall jointly develop and submit to the
14 Secretary, for approval, a plan for addressing at the
15 State and regional levels the bioenergy, biomass, and
16 gasification research priorities of the Department of
17 Agriculture and the Department of Energy for the
18 making of grants under paragraphs (1) and (2) of
19 subsection (e).

20 “(2) *GASIFICATION COORDINATION.*—

21 “(A) *IN GENERAL.*—In developing the plan
22 under paragraph (1) with respect to gasification
23 research, the sun grant centers identified in
24 paragraphs (1) and (2) of subsection (d) shall
25 coordinate with land grant colleges and univer-

1 *sities in their respective regions that have ongoing*
2 *research activities with respect to the re-*
3 *search.*

4 “(B) *FUNDING.—Funds made available*
5 *under subsection (d) to the sun grant center*
6 *identified in subsection (e)(2) shall be available*
7 *to carry out planning coordination under para-*
8 *graph (1) of this subsection.*

9 “(g) *GRANTS TO OTHER LAND-GRANT COLLEGES AND*
10 *UNIVERSITIES.—*

11 “(1) *PRIORITY FOR GRANTS.—In making grants*
12 *under subsection (e)(2), a sun grant center shall give*
13 *a higher priority to programs that are consistent with*
14 *the plan approved by the Secretary under subsection*
15 *(f).*

16 “(2) *TERM OF GRANTS.—The term of a grant*
17 *provided by a sun grant center under subsection*
18 *(e)(2) shall not exceed 5 years.*

19 “(h) *GRANT INFORMATION ANALYSIS CENTER.—The*
20 *sun grant centers shall maintain a Sun Grant Information*
21 *Analysis Center at the sun grant center specified in sub-*
22 *section (d)(1) to provide sun grant centers analysis and*
23 *data management support.*

24 “(i) *ANNUAL REPORTS.—Not later than 90 days after*
25 *the end of a year for which a sun grant center receives a*

1 *grant under subsection (d), the sun grant center shall sub-*
 2 *mit to the Secretary a report that describes the policies, pri-*
 3 *orities, and operations of the program carried out by the*
 4 *center during the year, including a description of progress*
 5 *made in facilitating the priorities described in subsection*
 6 *(f).*

7 “(j) *AUTHORIZATION OF APPROPRIATIONS.—*

8 “(1) *IN GENERAL.—There are authorized to be*
 9 *appropriated to carry out this section—*

10 “(A) *\$25,000,000 for fiscal year 2005;*

11 “(B) *\$50,000,000 for fiscal year 2006; and*

12 “(C) *\$75,000,000 for each of fiscal years*
 13 *2007 through 2010.*

14 “(2) *GRANT INFORMATION ANALYSIS CENTER.—*

15 *Of amounts made available under paragraph (1), not*
 16 *more than \$4,000,000 for each fiscal year shall be*
 17 *made available to carry out subsection (h).”.*

18 *SEC. 778. DIETARY SUPPLEMENTS. The Commissioner*
 19 *of Food and Drugs shall provide not less than \$11,400,000*
 20 *from within funds appropriated or otherwise made avail-*
 21 *able by this Act for regulation by the Food and Drug Ad-*
 22 *ministration of dietary supplements.*

23 *SEC. 779. SENSE OF SENATE ON IMPORTATION OF*
 24 *CATTLE WITH BOVINE SPONGIFORM ENCEPHALOPATHY.*

25 *(a) FINDINGS.—The Senate finds that—*

1 (1) *the United States beef industry is the single*
2 *largest segment of United States agriculture;*

3 (2) *the United States has never allowed the im-*
4 *portation of live cattle from a country that has been*
5 *found to have bovine spongiform encephalopathy (re-*
6 *ferred to in this section as “BSE”);*

7 (3) *the importation of live cattle known to have*
8 *BSE could put the entire United States cattle indus-*
9 *try at unnecessary risk;*

10 (4) *food safety is a top priority for the people of*
11 *the United States; and*

12 (5) *the importation of beef and beef products*
13 *from a country known to have BSE could undermine*
14 *consumer confidence in the integrity of the food sup-*
15 *ply and present a possible danger to human health.*

16 (b) *SENSE OF SENATE.—It is the sense of the Senate*
17 *that the Secretary of Agriculture—*

18 (1) *should not allow the importation of live cat-*
19 *tle from any country known to have BSE unless the*
20 *country complies with the animal health guidelines*
21 *established by the World Organization for Animal*
22 *Health; and*

23 (2) *should abide by international standards for*
24 *the continued health and safety of the United States*
25 *livestock industry.*

1 *SEC. 780. REDUCTION IN TRAVEL AMOUNTS. (a) IN*
2 *GENERAL.—Notwithstanding any other provision of this*
3 *Act, each amount provided by this Act for travel expenses*
4 *is reduced by the pro rata percentage required to reduce*
5 *the total amount provided by this Act for such expenses by*
6 *\$6,000,000.*

7 *(b) REPORT.—Not later than 30 days after the date*
8 *of enactment of this Act, the Director of the Office of Man-*
9 *agement and Budget shall submit to the Committees on Ap-*
10 *propriations of the House of Representatives and the Senate*
11 *a listing of the amounts by account of the reductions made*
12 *pursuant to subsection (a).*

13 *SEC. 781. LIMITATION ON ALLOCATION OF PURCHASE*
14 *PRICES FOR BUTTER AND NONFAT DRY MILK. None of the*
15 *funds made available by this Act may be used to pay the*
16 *salaries or expenses of employees of the Department of Agri-*
17 *culture to allocate the rate of price support between the pur-*
18 *chase prices for nonfat dry milk and butter in a manner*
19 *does not support the price of milk in accordance with sec-*
20 *tion 1501(b) of the Farm Security and Rural Investment*
21 *Act of 2002 (7 U.S.C. 7981(b)).*

22 *SEC. 782. SENSE OF SENATE REGARDING COUNTRY OF*
23 *ORIGIN LABELING REQUIREMENTS. It is the sense of the*
24 *Senate that the conferees on the part of the Senate on this*
25 *bill shall insist that no limits on the use of funds to enforce*

1 *country of origin labeling requirements for meat or meat*
2 *products be included in the conference report accompanying*
3 *the bill.*

4 *SEC. 783. EMERGENCY WATERSHED PROTECTION*
5 *PROGRAM. Notwithstanding any other provision of law, the*
6 *Secretary of Agriculture is authorized hereafter to make*
7 *funding and other assistance available through the emer-*
8 *gency watershed protection program under section 403 of*
9 *the Agricultural Credit Act of 1978 (16 U.S.C. 2203) to*
10 *repair and prevent damage to non-Federal land in water-*
11 *sheds that have been impaired by fires initiated by the Fed-*
12 *eral Government and to waive cost sharing requirements*
13 *for the funding and assistance.*

14 *SEC. 784. The Secretary may waive the requirements*
15 *regarding small and emerging rural business as authorized*
16 *under the Rural Business Enterprise Grant program for*
17 *the purpose of a lease for the Oakridge Oregon Industrial*
18 *Park.*

19 *SEC. 785. WATER AND WASTE DISPOSAL GRANT TO*
20 *THE ALASKA DEPARTMENT OF COMMUNITY AND ECONOMIC*
21 *DEVELOPMENT. Notwithstanding any other provision of*
22 *law—*

23 *(1) the Alaska Department of Community and*
24 *Economic Development may be eligible to receive a*
25 *water and waste disposal grant under section 306(a)*

1 *of the Consolidated Farm and Rural Development Act*
2 *(7 U.S.C. 1926(a)) in an amount that is up to 75*
3 *percent of the total cost of providing water and sewer*
4 *service to the proposed hospital in the Matanuska-*
5 *Susitna Borough, Alaska; and*

6 *(2) the Alaska Department of Community and*
7 *Economic Development may be allowed to pass the*
8 *grant funds through to the local government entity*
9 *that will provide water and sewer service to the hos-*
10 *pital.*

11 *SEC. 786. CONSERVATION RESERVE PROGRAM. Land*
12 *shall be considered eligible land under section 1231(b) of*
13 *the Food Security Act of 1985 (16 U.S.C. 3831(b)) for pur-*
14 *poses of enrollment into the conservation reserve program*
15 *established under subchapter B of chapter 1 of subtitle D*
16 *of title XII of the Food Security Act of 1985 (16 U.S.C.*
17 *3831 et seq.) if the land—*

18 *(1) is planted to hardwood trees as of the date*
19 *of enactment of this Act; and*

20 *(2) was enrolled in the conservation reserve pro-*
21 *gram under a contract that expired before the date of*
22 *enactment of this Act.*

23 *SEC. 787. PROHIBITION OF USE OF FUNDS TO PUR-*
24 *CHASE CHICKEN TREATED WITH FLUOROQUINOLONE. After*
25 *December 31, 2003, none of the funds made available by*

1 *this Act may be used to purchase chickens or the products*
 2 *of chickens for use in any program under the Child Nutri-*
 3 *tion Act of 1966 (42 U.S.C. 1771 et seq.) or the Richard*
 4 *B. Russell National School Lunch Act (42 U.S.C. 1751 et*
 5 *seq.), unless the supplier provides certification that the sup-*
 6 *plier does not feed or administer fluoroquinolone to chickens*
 7 *produced by the supplier.*

8 *SEC. 788. RENEWABLE ENERGY SYSTEM LOAN GUAR-*
 9 *ANTEES. Title IX of the Farm Security and Rural Invest-*
 10 *ment Act of 2002 (7 U.S.C. 8101 et seq.) is amended by*
 11 *adding the following new section:*

12 **“SEC. 9011. RENEWABLE ENERGY SYSTEM LOAN GUARAN-**
 13 **TEES.**

14 “(a) *DEFINITION OF SUBSIDY COSTS.—In this section,*
 15 *the term ‘subsidy costs’ has the meaning given the term*
 16 *‘cost’ in section 502 of the Federal Credit Reform Act of*
 17 *1990 (2 U.S.C. 661a).*

18 “(b) *PROJECTS.—Section 9006(c)(1) shall not apply*
 19 *to a loan guarantee made under this subsection to carry*
 20 *out a project if—*

21 “(1) *the loan will be used—*

22 “(A) *to purchase a renewable energy system*
 23 *that has, as one of its principal purposes, the*
 24 *commercial production of an agricultural com-*
 25 *modity; and*

1 “(B) to promote a solution to an environ-
2 mental problem in a rural area of the State in
3 which the project will be carried out;

4 “(2) the lender of the loan exercises due diligence
5 with respect to the borrower of the loan;

6 “(3) the borrower of the loan pays in full, before
7 the guarantee is issued, a guarantee fee in the amount
8 of the estimated subsidy cost of the guarantee, as de-
9 termined by the Director of the Office of Management
10 and Budget;

11 “(4) except as provided in paragraph (5), the
12 principal amount of the loan is not more than
13 \$25,000,000;

14 “(5) the principal amount of the loan is more
15 than \$25,000,000, but is not more than \$75,000,000,
16 if the Secretary—

17 “(A) approves the loan application; and

18 “(B) does not delegate the authority de-
19 scribed in subparagraph (A);

20 “(6) the project requires no Federal or State fi-
21 nancial assistance, other than the loan guarantee pro-
22 vided under this subsection; and

23 “(7) the project complies with all necessary per-
24 mits, licenses, and approvals required under the laws
25 of the State.

1 “(c) *COST SHARING.*—

2 “(1) *IN GENERAL.*—*The amount of a loan guar-*
3 *antee under this section for a project described in sub-*
4 *section (b) shall not exceed 80 percent of the total*
5 *project cost.*

6 “(2) *SUBORDINATION.*—*Any financing for the*
7 *non-Federal share of the total project cost shall be*
8 *subordinated to the federally guaranteed portion of*
9 *the total project cost.*

10 “(d) *LOAN GUARANTEE LIMITS.*—*The loan guarantee*
11 *limitations applicable to the business and industry guar-*
12 *antee loan program authorized under section 310B of the*
13 *Consolidated Farm and Rural Development Act (7 U.S.C.*
14 *1932) shall apply to loan guarantees made under this sec-*
15 *tion.*

16 “(e) *MAXIMUM AMOUNT.*—

17 “(1) *INDIVIDUAL LOANS.*—*The amount of prin-*
18 *cipal for a loan under this section for a project de-*
19 *scribed in subsection (b) shall not exceed \$75,000,000.*

20 “(2) *ALL LOANS.*—*The total outstanding amount*
21 *of principal for loans under this section for all*
22 *projects described in subsection (b) shall not exceed*
23 *\$500,000,000.*

1 “(f) *PROPOSED RULE.*—*The Secretary shall publish a*
2 *proposed rule to carry out this section within 120 days of*
3 *enactment of this Act.*”.

4 *SEC. 789. WATER AND WASTE DISPOSAL GRANT TO*
5 *THE CITY OF POSTVILLE, IOWA.* *Notwithstanding any other*
6 *provision of law, the city of Postville, Iowa, shall be eligible*
7 *to receive a water and waste disposal grant under section*
8 *306(a) of the Consolidated Farm and Rural Development*
9 *Act (7 U.S.C. 1926(a)) in an amount that is equal to not*
10 *more than 75 percent of the total cost of providing water*
11 *and sewer service in the city.*

12 *SEC. 790. TEXAS RICE SAFEGUARD INITIATIVE. (a) IN*
13 *GENERAL.*—*In order to provide a safeguard against the fur-*
14 *ther decline of the rice industry and wildlife habitat in*
15 *Texas, and to provide information to the Congress in an-*
16 *ticipation of and preparation for the 2007 farm bill, the*
17 *Secretary of Agriculture shall conduct the initiative re-*
18 *quired under this section.*

19 *(b) ADMINISTRATIVE IMPROVEMENTS.*—*As an integral*
20 *part of the safeguard initiative the Secretary of Agriculture*
21 *shall review the administration and enhance the enforce-*
22 *ment of section 1105(a)(1)(E) of Public Law 107–171 as*
23 *it relates to and is applied to the control of noxious weeds*
24 *and the proper application and implementation of the con-*
25 *serving use requirements on rice base acreage in Texas.*

1 (c) *REPORTS TO CONGRESS.*—*The Secretary shall re-*
2 *view and evaluate the costs, benefits and effects of the safe-*
3 *guard initiative on rice producers, including tenant rice*
4 *producers, the rice milling and processing industry, wildlife*
5 *habitat, and the economies of rice farming areas in Texas,*
6 *detailed by each of these affected interests and by the pro-*
7 *gram variables involved in the safeguard initiative under*
8 *subsection (b), including whether or not producers on a*
9 *farm have qualified plantings. The Secretary shall provide*
10 *to the Committee on Agriculture, Nutrition, and Forestry*
11 *of the Senate and the Committee on Agriculture of the*
12 *House of Representatives an annual report detailing the*
13 *progress and findings of the initiative not later than Feb-*
14 *ruary 1 of each of the years 2005 through 2007.*

15 *This Act may be cited as the “Agriculture, Rural De-*
16 *velopment, Food and Drug Administration, and Related*
17 *Agencies Appropriations Act, 2004”.*

Attest:

Secretary.

108TH CONGRESS
1ST SESSION

H. R. 2673

AMENDMENT