

Calendar No. 694

108TH CONGRESS
2D SESSION

S. 2803

[Report No. 108–340]

Making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2005, and for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 14, 2004

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

A BILL

Making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2005, and for other purposes.

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

1 ending September 30, 2005, and for other purposes,
2 namely:

3 TITLE I

4 AGRICULTURAL PROGRAMS

5 PRODUCTION, PROCESSING, AND MARKETING

6 OFFICE OF THE SECRETARY

7 For necessary expenses of the Office of the Secretary
8 of Agriculture, \$5,124,000: *Provided*, That not to exceed
9 \$11,000 of this amount shall be available for official recep-
10 tion and representation expenses, not otherwise provided
11 for, as determined by the Secretary.

12 EXECUTIVE OPERATIONS

13 CHIEF ECONOMIST

14 For necessary expenses of the Chief Economist, in-
15 cluding economic analysis, risk assessment, cost-benefit
16 analysis, energy and new uses, and the functions of the
17 World Agricultural Outlook Board, as authorized by the
18 Agricultural Marketing Act of 1946 (7 U.S.C. 1622g),
19 \$9,817,000.

20 NATIONAL APPEALS DIVISION

21 For necessary expenses of the National Appeals Divi-
22 sion, \$14,154,000.

23 OFFICE OF BUDGET AND PROGRAM ANALYSIS

24 For necessary expenses of the Office of Budget and
25 Program Analysis, \$8,128,000.

1 HOMELAND SECURITY STAFF

2 For necessary expenses of the Homeland Security
3 Staff, \$1,000,000.

4 OFFICE OF THE CHIEF INFORMATION OFFICER

5 For necessary expenses of the Office of the Chief In-
6 formation Officer, \$17,595,000.

7 COMMON COMPUTING ENVIRONMENT

8 For necessary expenses to acquire a Common Com-
9 puting Environment for the Natural Resources Conserva-
10 tion Service, the Farm and Foreign Agricultural Service
11 and Rural Development mission areas for information
12 technology, systems, and services, \$125,585,000, to re-
13 main available until expended, for the capital asset acqui-
14 sition of shared information technology systems, including
15 services as authorized by 7 U.S.C. 6915–16 and 40 U.S.C.
16 1421–28: *Provided*, That obligation of these funds shall
17 be consistent with the Department of Agriculture Service
18 Center Modernization Plan of the county-based agencies,
19 and shall be with the concurrence of the Department’s
20 Chief Information Officer.

21 OFFICE OF THE CHIEF FINANCIAL OFFICER

22 For necessary expenses of the Office of the Chief Fi-
23 nancial Officer, \$5,742,000: *Provided*, That the Chief Fi-
24 nancial Officer shall actively market and expand cross-
25 servicing activities of the National Finance Center: *Pro-*

1 *vided further*, That no funds made available by this appro-
 2 priation may be obligated for FAIR Act or Circular A-
 3 76 activities until the Secretary has submitted to the Com-
 4 mittees on Appropriations of both Houses of Congress a
 5 report on the Department's contracting out policies, in-
 6 cluding agency budgets for contracting out.

7 OFFICE OF THE ASSISTANT SECRETARY FOR CIVIL
 8 RIGHTS

9 For necessary salaries and expenses of the Office of
 10 the Assistant Secretary for Civil Rights, \$819,000.

11 OFFICE OF CIVIL RIGHTS

12 For necessary expenses of the Office of Civil Rights,
 13 \$20,347,000.

14 OFFICE OF THE ASSISTANT SECRETARY FOR
 15 ADMINISTRATION

16 For necessary salaries and expenses of the Office of
 17 the Assistant Secretary for Administration, \$682,000.

18 AGRICULTURE BUILDINGS AND FACILITIES AND RENTAL
 19 PAYMENTS

20 (INCLUDING TRANSFERS OF FUNDS)

21 For payment of space rental and related costs pursu-
 22 ant to Public Law 92-313, including authorities pursuant
 23 to the 1984 delegation of authority from the Adminis-
 24 trator of General Services to the Department of Agri-
 25 culture under 40 U.S.C. 486, for programs and activities

1 of the Department which are included in this Act, and for
2 alterations and other actions needed for the Department
3 and its agencies to consolidate unneeded space into con-
4 figurations suitable for release to the Administrator of
5 General Services, and for the operation, maintenance, im-
6 provement, and repair of Agriculture buildings and facili-
7 ties, and for related costs, \$170,870,000, to remain avail-
8 able until expended: *Provided*, That not to exceed 5 per-
9 cent of amounts which are made available for space rental
10 and related costs for the Department of Agriculture in this
11 Act may be transferred between such appropriations to
12 cover the costs of new or replacement space 15 days after
13 notice thereof is transmitted to the Appropriations Com-
14 mittees of both Houses of Congress.

15 HAZARDOUS MATERIALS MANAGEMENT

16 (INCLUDING TRANSFERS OF FUNDS)

17 For necessary expenses of the Department of Agri-
18 culture, to comply with the Comprehensive Environmental
19 Response, Compensation, and Liability Act (42 U.S.C.
20 9601 et seq.) and the Resource Conservation and Recovery
21 Act (42 U.S.C. 6901 et seq.), \$15,532,000, to remain
22 available until expended: *Provided*, That appropriations
23 and funds available herein to the Department for Haz-
24 ardous Materials Management may be transferred to any
25 agency of the Department for its use in meeting all re-

1 quirements pursuant to the above Acts on Federal and
2 non-Federal lands.

3 DEPARTMENTAL ADMINISTRATION

4 (INCLUDING TRANSFERS OF FUNDS)

5 For Departmental Administration, \$22,626,000, to
6 provide for necessary expenses for management support
7 services to offices of the Department and for general ad-
8 ministration, security, repairs and alterations, and other
9 miscellaneous supplies and expenses not otherwise pro-
10 vided for and necessary for the practical and efficient work
11 of the Department: *Provided*, That this appropriation shall
12 be reimbursed from applicable appropriations in this Act
13 for travel expenses incident to the holding of hearings as
14 required by 5 U.S.C. 551–558.

15 OFFICE OF THE ASSISTANT SECRETARY FOR

16 CONGRESSIONAL RELATIONS

17 (INCLUDING TRANSFERS OF FUNDS)

18 For necessary salaries and expenses of the Office of
19 the Assistant Secretary for Congressional Relations to
20 carry out the programs funded by this Act, including pro-
21 grams involving intergovernmental affairs and liaison
22 within the executive branch, \$3,852,000: *Provided*, That
23 these funds may be transferred to agencies of the Depart-
24 ment of Agriculture funded by this Act to maintain per-
25 sonnel at the agency level: *Provided further*, That no funds

1 made available by this appropriation may be obligated
2 after 30 days from the date of enactment of this Act, un-
3 less the Secretary has notified the Committees on Appro-
4 priations of both Houses of Congress on the allocation of
5 these funds by USDA agency: *Provided further*, That no
6 other funds appropriated to the Department by this Act
7 shall be available to the Department for support of activi-
8 ties of congressional relations.

9 OFFICE OF COMMUNICATIONS

10 For necessary expenses to carry out services relating
11 to the coordination of programs involving public affairs,
12 for the dissemination of agricultural information, and the
13 coordination of information, work, and programs author-
14 ized by Congress in the Department, \$9,365,000: *Pro-*
15 *vided*, That not to exceed \$2,000,000 may be used for
16 farmers' bulletins.

17 OFFICE OF THE INSPECTOR GENERAL

18 For necessary expenses of the Office of the Inspector
19 General, including employment pursuant to the Inspector
20 General Act of 1978, \$78,289,000, including such sums
21 as may be necessary for contracting and other arrange-
22 ments with public agencies and private persons pursuant
23 to section 6(a)(9) of the Inspector General Act of 1978,
24 and including not to exceed \$125,000 for certain confiden-
25 tial operational expenses, including the payment of inform-

ants, to be expended under the direction of the Inspector General pursuant to Public Law 95–452 and section 1337 of Public Law 97–98.

OFFICE OF THE GENERAL COUNSEL

For necessary expenses of the Office of the General Counsel, \$36,236,000.

OFFICE OF THE UNDER SECRETARY FOR RESEARCH, EDUCATION AND ECONOMICS

For necessary salaries and expenses of the Office of the Under Secretary for Research, Education and Economics to administer the laws enacted by the Congress for the Economic Research Service, the National Agricultural Statistics Service, the Agricultural Research Service, and the Cooperative State Research, Education, and Extension Service, \$605,000.

ECONOMIC RESEARCH SERVICE

For necessary expenses of the Economic Research Service in conducting economic research and analysis, as authorized by the Agricultural Marketing Act of 1946 (7 U.S.C. 1621–1627) and other laws, \$75,268,000.

NATIONAL AGRICULTURAL STATISTICS SERVICE

For necessary expenses of the National Agricultural Statistics Service in conducting statistical reporting and service work, including crop and livestock estimates, statistical coordination and improvements, marketing sur-

veys, and the Census of Agriculture, as authorized by 7
 U.S.C. 1621–1627 and 2204g, and other laws,
 \$130,299,000, of which up to \$22,405,000 shall be avail-
 able until expended for the Census of Agriculture.

AGRICULTURAL RESEARCH SERVICE

SALARIES AND EXPENSES

For necessary expenses to enable the Agricultural Re-
 search Service to perform agricultural research and dem-
 onstration relating to production, utilization, marketing,
 and distribution (not otherwise provided for); home eco-
 nomics or nutrition and consumer use including the acqui-
 sition, preservation, and dissemination of agricultural in-
 formation; and for acquisition of lands by donation, ex-
 change, or purchase at a nominal cost not to exceed \$100,
 and for land exchanges where the lands exchanged shall
 be of equal value or shall be equalized by a payment of
 money to the grantor which shall not exceed 25 percent
 of the total value of the land or interests transferred out
 of Federal ownership, \$1,090,261,000: *Provided*, That ap-
 propriations hereunder shall be available for the operation
 and maintenance of aircraft and the purchase of not to
 exceed one for replacement only: *Provided further*, That
 appropriations hereunder shall be available pursuant to 7
 U.S.C. 2250 for the construction, alteration, and repair
 of buildings and improvements, but unless otherwise pro-

1 vided, the cost of constructing any one building shall not
2 exceed \$375,000, except for headhouses or greenhouses
3 which shall each be limited to \$1,200,000, and except for
4 10 buildings to be constructed or improved at a cost not
5 to exceed \$750,000 each, and the cost of altering any one
6 building during the fiscal year shall not exceed 10 percent
7 of the current replacement value of the building or
8 \$375,000, whichever is greater: *Provided further*, That the
9 limitations on alterations contained in this Act shall not
10 apply to modernization or replacement of existing facilities
11 at Beltsville, Maryland: *Provided further*, That appropria-
12 tions hereunder shall be available for granting easements
13 at the Beltsville Agricultural Research Center: *Provided*
14 *further*, That the foregoing limitations shall not apply to
15 replacement of buildings needed to carry out the Act of
16 April 24, 1948 (21 U.S.C. 113a): *Provided further*, That
17 funds may be received from any State, other political sub-
18 division, organization, or individual for the purpose of es-
19 tablishing or operating any research facility or research
20 project of the Agricultural Research Service, as authorized
21 by law: *Provided further*, That all rights and title of the
22 United States in the 1.0664-acre parcel of land including
23 improvements, as recorded at Book 1320, Page 253,
24 records of Larimer County, State of Colorado, shall be

1 conveyed to the Board of Governors of the Colorado State
 2 University for the benefit of Colorado State University.

3 None of the funds appropriated under this heading
 4 shall be available to carry out research related to the pro-
 5 duction, processing or marketing of tobacco or tobacco
 6 products.

7 BUILDINGS AND FACILITIES

8 For acquisition of land, construction, repair, improve-
 9 ment, extension, alteration, and purchase of fixed equip-
 10 ment or facilities as necessary to carry out the agricultural
 11 research programs of the Department of Agriculture,
 12 where not otherwise provided, \$172,838,000, to remain
 13 available until expended.

14 COOPERATIVE STATE RESEARCH, EDUCATION, AND 15 EXTENSION SERVICE

16 RESEARCH AND EDUCATION ACTIVITIES

17 For payments to agricultural experiment stations, for
 18 cooperative forestry and other research, for facilities, and
 19 for other expenses, \$628,492,000, as follows: to carry out
 20 the provisions of the Hatch Act of 1887 (7 U.S.C. 361a–
 21 i), \$180,148,000; for grants for cooperative forestry re-
 22 search (16 U.S.C. 582a through a–7), \$23,000,000; for
 23 payments to the 1890 land-grant colleges, including
 24 Tuskegee University and West Virginia State University
 25 (7 U.S.C. 3222), \$36,000,000, of which \$1,507,496 shall
 26 be made available only for the purpose of ensuring that

1 each institution shall receive no less than \$1,000,000; for
 2 special grants for agricultural research (7 U.S.C. 450i(c)),
 3 \$108,731,000; for special grants for agricultural research
 4 on improved pest control (7 U.S.C. 450i(c)), \$14,595,000;
 5 for competitive research grants (7 U.S.C. 450i(b)),
 6 \$183,000,000; for the support of animal health and dis-
 7 ease programs (7 U.S.C. 3195), \$5,098,000; for supple-
 8 mental and alternative crops and products (7 U.S.C.
 9 3319d), \$840,000; for grants for research pursuant to the
 10 Critical Agricultural Materials Act (7 U.S.C. 178 et seq.),
 11 \$1,111,000, to remain available until expended; for the
 12 1994 research grants program for 1994 institutions pur-
 13 suant to section 536 of Public Law 103–382 (7 U.S.C.
 14 301 note), \$1,087,000, to remain available until expended;
 15 for rangeland research grants (7 U.S.C. 3333),
 16 \$1,000,000; for higher education graduate fellowship
 17 grants (7 U.S.C. 3152(b)(6)), \$2,883,000, to remain
 18 available until expended (7 U.S.C. 2209b); for higher edu-
 19 cation challenge grants (7 U.S.C. 3152(b)(1)),
 20 \$4,859,000; for a higher education multicultural scholars
 21 program (7 U.S.C. 3152(b)(5)), \$998,000, to remain
 22 available until expended (7 U.S.C. 2209b); for an edu-
 23 cation grants program for Hispanic-serving Institutions (7
 24 U.S.C. 3241), \$4,645,000; 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)), \$890,000; for aquaculture
 7 grants (7 U.S.C. 3322), \$4,000,000; for sustainable agri-
 8 culture research and education (7 U.S.C. 5811),
 9 \$12,222,000; for a program of capacity building grants
 10 (7 U.S.C. 3152(b)(4)) to colleges eligible to receive funds
 11 under the Act of August 30, 1890 (7 U.S.C. 321–326 and
 12 328), including Tuskegee University and West Virginia
 13 State University, \$11,411,000, to remain available until
 14 expended (7 U.S.C. 2209b); for payments to the 1994 In-
 15 stitutions pursuant to section 534(a)(1) of Public Law
 16 103–382, \$1,689,000; and for necessary expenses of Re-
 17 search and Education Activities, \$26,785,000.

18 None of the funds appropriated under this heading
 19 shall be available to carry out research related to the pro-
 20 duction, processing or marketing of tobacco or tobacco
 21 products: *Provided*, That this paragraph shall not apply
 22 to research on the medical, biotechnological, food, and in-
 23 dustrial uses of 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), \$12,000,000.

5 EXTENSION ACTIVITIES

6 For payments to States, the District of Columbia,
7 Puerto Rico, Guam, the Virgin Islands, Micronesia,
8 Northern Marianas, and American Samoa, \$443,061,000,
9 as follows: payments for cooperative extension work under
10 the Smith-Lever Act, to be distributed under sections 3(b)
11 and 3(c) of said Act, and under section 208(c) of Public
12 Law 93–471, for retirement and employees’ compensation
13 costs for extension agents, \$277,742,000; payments for
14 extension work at the 1994 Institutions under the Smith-
15 Lever Act (7 U.S.C. 343(b)(3)), \$2,929,000; payments for
16 the nutrition and family education program for low-income
17 areas under section 3(d) of the Act, \$58,000,000; pay-
18 ments for the pest management program under section
19 3(d) of the Act, \$9,563,000; payments for the farm safety
20 program under section 3(d) of the Act, \$4,174,000; pay-
21 ments to upgrade research, extension, and teaching facili-
22 ties at the 1890 land-grant colleges, including Tuskegee
23 University and West Virginia State University, as author-
24 ized by section 1447 of Public Law 95–113 (7 U.S.C.
25 3222b), \$14,912,000, to remain available until expended;
26 payments for youth-at-risk programs under section 3(d)

1 of the Smith-Lever Act, \$7,538,000; for youth farm safety
 2 education and certification extension grants, to be award-
 3 ed competitively under section 3(d) of the Act, \$444,000;
 4 payments for carrying out the provisions of the Renewable
 5 Resources Extension Act of 1978 (16 U.S.C. 1671 et
 6 seq.), \$4,093,000; payments for Indian reservation agents
 7 under section 3(d) of the Smith-Lever Act, \$1,774,000;
 8 payments for sustainable agriculture programs under sec-
 9 tion 3(d) of the Act, \$4,333,000; payments for rural
 10 health and safety education as authorized by section
 11 502(i) of Public Law 92-419 (7 U.S.C. 2662(i)),
 12 \$1,981,000; payments for cooperative extension work by
 13 the colleges receiving the benefits of the second Morrill
 14 Act (7 U.S.C. 321-326 and 328) and Tuskegee University
 15 and West Virginia State University, \$32,117,000, of
 16 which \$1,724,884 shall be made available only for the pur-
 17 pose of ensuring that each institution shall receive no less
 18 than \$1,000,000; for grants to youth organizations pursu-
 19 ant to section 7630 of title 7, United States Code,
 20 \$2,667,000; and for necessary expenses of Extension Ac-
 21 tivities, \$20,794,000.

22 INTEGRATED ACTIVITIES

23 For the integrated research, education, and extension
 24 grants programs, including necessary administrative ex-
 25 penses, \$57,242,000, as follows: for competitive grants
 26 programs authorized under section 406 of the Agricultural

1 Research, Extension, and Education Reform Act of 1998
 2 (7 U.S.C. 7626), \$39,558,000, including \$11,530,000 for
 3 the water quality program, \$13,305,000 for the food safe-
 4 ty program, \$4,028,000 for the regional pest management
 5 centers program, \$4,345,000 for the Food Quality Protec-
 6 tion Act risk mitigation program for major food crop sys-
 7 tems, \$1,330,000 for the crops affected by Food Quality
 8 Protection Act implementation, \$3,131,000 for the methyl
 9 bromide transition program, and \$1,889,000 for the or-
 10 ganic transition program; for a competitive international
 11 science and education grants program authorized under
 12 section 1459A of the National Agricultural Research, Ex-
 13 tension, and Teaching Policy Act of 1977 (7 U.S.C.
 14 3292b), to remain available until expended, \$895,000; for
 15 grants programs authorized under section 2(c)(1)(B) of
 16 Public Law 89–106, as amended, \$1,789,000, including
 17 \$444,000, to remain available until September 30, 2006
 18 for the critical issues program, and \$1,345,000 for the re-
 19 gional rural development centers program; and
 20 \$15,000,000 for the homeland security program author-
 21 ized under section 1484 of the National Agricultural Re-
 22 search, Extension, and Teaching Act of 1977, to remain
 23 available until September 30, 2006.

24 OUTREACH FOR SOCIALLY DISADVANTAGED FARMERS

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

1 1990 (7 U.S.C. 2279), \$5,935,000, to remain available
2 until expended.

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

5 For necessary salaries and expenses of the Office of
6 the Under Secretary for Marketing and Regulatory Pro-
7 grams to administer programs under the laws enacted by
8 the Congress for the Animal and Plant Health Inspection
9 Service; the Agricultural Marketing Service; and the Grain
10 Inspection, Packers and Stockyards Administration;
11 \$733,000.

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

15 For expenses, not otherwise provided for, necessary
16 to prevent, control, and eradicate pests and plant and ani-
17 mal diseases; to carry out inspection, quarantine, and reg-
18 ulatory activities; and to protect the environment, as au-
19 thorized by law, \$786,866,000, of which \$4,119,000 shall
20 be available for the control of outbreaks of insects, plant
21 diseases, animal diseases and for control of pest animals
22 and birds to the extent necessary to meet emergency con-
23 ditions; of which \$47,500,000 shall be used for the boll
24 weevil eradication program for cost share purposes or for
25 debt retirement for active eradication zones; of which
26 \$33,197,000 shall be available for a National Animal

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

1 provided the cost of altering any one building during the
2 fiscal year shall not exceed 10 percent of the current re-
3 placement value of the building: *Provided further*, That no
4 funds shall be used to implement a national animal identi-
5 fication system prior to notification to the Committees on
6 Appropriations and the Committee on Agriculture, Nutri-
7 tion, and Forestry in the Senate and the Committee on
8 Agriculture in the House of Representatives which shall
9 include a detailed explanation of the components of such
10 system.

11 In fiscal year 2005, the agency is authorized to collect
12 fees to cover the total costs of providing technical assist-
13 ance, goods, or services requested by States, other political
14 subdivisions, domestic and international organizations,
15 foreign governments, or individuals, provided that such
16 fees are structured such that any entity's liability for such
17 fees is reasonably based on the technical assistance, goods,
18 or services provided to the entity by the agency, and such
19 fees shall be credited to this account, to remain available
20 until expended, without further appropriation, for pro-
21 viding such assistance, goods, or services.

22 BUILDINGS AND FACILITIES

23 For plans, construction, repair, preventive mainte-
24 nance, environmental support, improvement, extension, al-
25 teration, and purchase of fixed equipment or facilities, as
26 authorized by 7 U.S.C. 2250, and acquisition of land as

1 authorized by 7 U.S.C. 428a, \$4,967,000, to remain avail-
 2 able until expended.

3 AGRICULTURAL MARKETING SERVICE

4 MARKETING SERVICES

5 For necessary expenses to carry out services related
 6 to consumer protection, agricultural marketing and dis-
 7 tribution, transportation, and regulatory programs, as au-
 8 thorized by law, and for administration and coordination
 9 of payments to States, \$78,198,000, including funds for
 10 the wholesale market development program for the design
 11 and development of wholesale and farmer market facilities
 12 for the major metropolitan areas of the country, of which
 13 not less than \$2,500,000 shall be for the development of
 14 a web-based supply chain management system: *Provided*,
 15 That this appropriation shall be available pursuant to law
 16 (7 U.S.C. 2250) for the alteration and repair of buildings
 17 and improvements, but the cost of altering any one build-
 18 ing during the fiscal year shall not exceed 10 percent of
 19 the current replacement value of the building.

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

23 LIMITATION ON ADMINISTRATIVE EXPENSES

24 Not to exceed \$64,459,000 (from fees collected) shall
 25 be obligated during the current fiscal year for administra-
 26 tive expenses: *Provided*, That if crop size is understated

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

5 FUNDS FOR STRENGTHENING MARKETS, INCOME, AND

6 SUPPLY (SECTION 32)

7 (INCLUDING TRANSFERS OF FUNDS)

8 Funds available under section 32 of the Act of Au-
 9 gust 24, 1935 (7 U.S.C. 612c), shall be used only for com-
 10 modity program expenses as authorized therein, and other
 11 related operating expenses, except for: (1) transfers to the
 12 Department of Commerce as authorized by the Fish and
 13 Wildlife Act of August 8, 1956; (2) transfers otherwise
 14 provided in this Act; and (3) not more than \$15,800,000
 15 for formulation and administration of marketing agree-
 16 ments and orders pursuant to the Agricultural Marketing
 17 Agreement Act of 1937 and the Agricultural Act of 1961.

18 PAYMENTS TO STATES AND POSSESSIONS

19 For payments to departments of agriculture, bureaus
 20 and departments of markets, and similar agencies for
 21 marketing activities under section 204(b) of the Agricul-
 22 tural Marketing Act of 1946 (7 U.S.C. 1623(b)),
 23 \$3,847,000, of which not less than \$2,500,000 shall be
 24 used to make a grant under this heading.

1 GRAIN INSPECTION, PACKERS AND STOCKYARDS

2 ADMINISTRATION

3 SALARIES AND EXPENSES

4 For necessary expenses to carry out the provisions
5 of the United States Grain Standards Act, for the admin-
6 istration of the Packers and Stockyards Act, for certifying
7 procedures used to protect purchasers of farm products,
8 and the standardization activities related to grain under
9 the Agricultural Marketing Act of 1946, \$37,299,000:
10 *Provided*, That this appropriation shall be available pursu-
11 ant to law (7 U.S.C. 2250) for the alteration and repair
12 of buildings and improvements, but the cost of altering
13 any one building during the fiscal year shall not exceed
14 10 percent of the current replacement value of the build-
15 ing.

16 LIMITATION ON INSPECTION AND WEIGHING SERVICES

17 EXPENSES

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

1 OFFICE OF THE UNDER SECRETARY FOR FOOD SAFETY

2 For necessary salaries and expenses of the Office of
3 the Under Secretary for Food Safety to administer the
4 laws enacted by the Congress for the Food Safety and In-
5 spection Service, \$608,000.

6 FOOD SAFETY AND INSPECTION SERVICE

7 For necessary expenses to carry out services author-
8 ized by the Federal Meat Inspection Act, the Poultry
9 Products Inspection Act, and the Egg Products Inspection
10 Act, including not to exceed \$50,000 for representation
11 allowances and for expenses pursuant to section 8 of the
12 Act approved August 3, 1956 (7 U.S.C. 1766),
13 \$823,757,000, of which no less than \$740,835,000 shall
14 be available for Federal food safety inspection; and in ad-
15 dition, \$1,000,000 may be credited to this account from
16 fees collected for the cost of laboratory accreditation as
17 authorized by section 1327 of the Food, Agriculture, Con-
18 servation and Trade Act of 1990 (7 U.S.C. 138f): *Pro-*
19 *vided*, That no fewer than 63 full time equivalent positions
20 above the fiscal year 2002 level shall be employed during
21 fiscal year 2005 for purposes dedicated solely to inspec-
22 tions and enforcement related to the Humane Methods of
23 Slaughter Act: *Provided further*, That of the amount avail-
24 able under this heading, \$4,000,000 shall be obligated to
25 include the Humane Animal Tracking System as part of

1 the Field Automation and Information Management Sys-
 2 tem following notification to the Committees on Appro-
 3 priations, which shall include a detailed explanation of the
 4 components of such system: *Provided further*, That this
 5 appropriation shall be available pursuant to law (7 U.S.C.
 6 2250) for the alteration and repair of buildings and im-
 7 provements, but the cost of altering any one building dur-
 8 ing the fiscal year shall not exceed 10 percent of the cur-
 9 rent replacement value of the building.

10 OFFICE OF THE UNDER SECRETARY FOR FARM AND
 11 FOREIGN AGRICULTURAL SERVICES

12 For necessary salaries and expenses of the Office of
 13 the Under Secretary for Farm and Foreign Agricultural
 14 Services to administer the laws enacted by Congress for
 15 the Farm Service Agency, the Foreign Agricultural Serv-
 16 ice, the Risk Management Agency, and the Commodity
 17 Credit Corporation, \$648,000.

18 FARM SERVICE AGENCY

19 SALARIES AND EXPENSES

20 (INCLUDING TRANSFERS OF FUNDS)

21 For necessary expenses for carrying out the adminis-
 22 tration and implementation of programs administered by
 23 the Farm Service Agency, \$1,004,032,000: *Provided*, That
 24 the Secretary is authorized to use the services, facilities,
 25 and authorities (but not the funds) of the Commodity
 26 Credit Corporation to make program payments for all pro-

1 grams administered by the Agency: *Provided further*, That
 2 other funds made available to the Agency for authorized
 3 activities may be advanced to and merged with this ac-
 4 count.

5 STATE MEDIATION GRANTS

6 For grants pursuant to section 502(b) of the Agricul-
 7 tural Credit Act of 1987, as amended (7 U.S.C. 5101–
 8 5106), \$4,000,000.

9 DAIRY INDEMNITY PROGRAM

10 (INCLUDING TRANSFER OF FUNDS)

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

20 AGRICULTURAL CREDIT INSURANCE FUND PROGRAM

21 ACCOUNT

22 (INCLUDING TRANSFERS OF FUNDS)

23 For gross obligations for the principal amount of di-
 24 rect and guaranteed farm ownership (7 U.S.C. 1922 et
 25 seq.) and operating (7 U.S.C. 1941 et seq.) loans, Indian
 26 tribe land acquisition loans (25 U.S.C. 488), and boll wee-

1 vil loans (7 U.S.C. 1989), to be available from funds in
 2 the Agricultural Credit Insurance Fund, as follows: farm
 3 ownership loans, \$1,310,000,000, of which
 4 \$1,100,000,000 shall be for guaranteed loans and
 5 \$210,000,000 shall be for direct loans; operating loans,
 6 \$1,950,000,000, of which \$1,000,000,000 shall be for un-
 7 subsidized guaranteed loans, \$300,000,000 shall be for
 8 subsidized guaranteed loans and \$650,000,000 shall be for
 9 direct loans; Indian tribe land acquisition loans,
 10 \$2,000,000; and for boll weevil eradication program loans,
 11 \$100,000,000: *Provided*, That the Secretary shall deem
 12 the pink bollworm to be a boll weevil for the purpose of
 13 boll weevil eradication program loans.

14 For the cost of direct and guaranteed loans, including
 15 the cost of modifying loans as defined in section 502 of
 16 the Congressional Budget Act of 1974, as follows: farm
 17 ownership loans, \$17,065,000, of which \$5,830,000 shall
 18 be for guaranteed loans, and \$11,235,000 shall be for di-
 19 rect loans; operating loans, \$137,815,000, of which
 20 \$32,300,000 shall be for unsubsidized guaranteed loans,
 21 \$39,930,000 shall be for subsidized guaranteed loans, and
 22 \$65,585,000 shall be for direct loans; and Indian tribe
 23 land acquisition loans, \$105,000.

24 In addition, for administrative expenses necessary to
 25 carry out the direct and guaranteed loan programs,

1 \$301,764,000, of which \$293,764,000 shall be transferred
 2 to and merged with the appropriation for “Farm Service
 3 Agency, Salaries and Expenses”.

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

10 RISK MANAGEMENT AGENCY

11 For administrative and operating expenses, as au-
 12 thorized by section 226A of the Department of Agriculture
 13 Reorganization Act of 1994 (7 U.S.C. 6933),
 14 \$72,044,000: *Provided*, That not to exceed \$1,000 shall
 15 be available for official reception and representation ex-
 16 penses, as authorized by 7 U.S.C. 1506(i).

17 CORPORATIONS

18 The following corporations and agencies are hereby
 19 authorized to make expenditures, within the limits of
 20 funds and borrowing authority available to each such cor-
 21 poration or agency and in accord with law, and to make
 22 contracts and commitments without regard to fiscal year
 23 limitations as provided by section 104 of the Government
 24 Corporation Control Act as may be necessary in carrying
 25 out the programs set forth in the budget for the current

1 fiscal year for such corporation or agency, except as here-
2 inafter provided.

3 FEDERAL CROP INSURANCE CORPORATION FUND

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

7 COMMODITY CREDIT CORPORATION FUND

8 REIMBURSEMENT FOR NET REALIZED LOSSES

9 For the current fiscal year, such sums as may be nec-
10 essary to reimburse the Commodity Credit Corporation for
11 net realized losses sustained, but not previously reim-
12 bursed, pursuant to section 2 of the Act of August 17,
13 1961 (15 U.S.C. 713a–11).

14 HAZARDOUS WASTE MANAGEMENT

15 (LIMITATION ON EXPENSES)

16 For the current fiscal year, the Commodity Credit
17 Corporation shall not expend more than \$5,000,000 for
18 site investigation and cleanup expenses, and operations
19 and maintenance expenses to comply with the requirement
20 of section 107(g) of the Comprehensive Environmental
21 Response, Compensation, and Liability Act (42 U.S.C.
22 9607(g)), and section 6001 of the Resource Conservation
23 and Recovery Act (42 U.S.C. 6961).

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

5 For necessary salaries and expenses of the Office of
6 the Under Secretary for Natural Resources and Environ-
7 ment to administer the laws enacted by the Congress for
8 the Forest Service and the Natural Resources Conserva-
9 tion Service, \$758,000.

10 NATURAL RESOURCES CONSERVATION SERVICE
11 CONSERVATION OPERATIONS

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

1 ation or improvement of permanent and temporary build-
2 ings; and operation and maintenance of aircraft,
3 \$845,863,000, to remain available until expended (7
4 U.S.C. 2209b), of which not less than \$12,000,000 is for
5 snow survey and water forecasting, and not less than
6 \$16,000,000 is for operation and establishment of the
7 plant materials centers, and of which not less than
8 \$23,500,000 shall be for the grazing lands conservation
9 initiative: *Provided*, That appropriations hereunder shall
10 be available pursuant to 7 U.S.C. 2250 for construction
11 and improvement of buildings and public improvements at
12 plant materials centers, except that the cost of alterations
13 and improvements to other buildings and other public im-
14 provements shall not exceed \$250,000: *Provided further*,
15 That when buildings or other structures are erected on
16 non-Federal land, that the right to use such land is ob-
17 tained as provided in 7 U.S.C. 2250a: *Provided further*,
18 That this appropriation shall be available for technical as-
19 sistance and related expenses to carry out programs au-
20 thorized by section 202(c) of title II of the Colorado River
21 Basin Salinity Control Act of 1974 (43 U.S.C. 1592(c)):
22 *Provided further*, That qualified local engineers may be
23 temporarily employed at per diem rates to perform the
24 technical planning work of the Service: *Provided further*,
25 That none of the funds made available under this para-

1 graph by this or any other appropriations Act may be used
 2 to provide technical assistance with respect to programs
 3 listed in section 1241(a) of the Food Security Act of 1985
 4 (16 U.S.C. 3841(a)).

5 WATERSHED SURVEYS AND PLANNING

6 For necessary expenses to conduct research, inves-
 7 tigation, and surveys of watersheds of rivers and other wa-
 8 terways, and for small watershed investigations and plan-
 9 ning, in accordance with the Watershed Protection and
 10 Flood Prevention Act (16 U.S.C. 1001–1009),
 11 \$7,500,000: *Provided*, That none of the funds made avail-
 12 able under this paragraph by this or any other appropria-
 13 tions Act may be used to provide technical assistance with
 14 respect to programs listed in section 1241(a) of the Food
 15 Security Act of 1985 (16 U.S.C. 3841(a)).

16 WATERSHED AND FLOOD PREVENTION OPERATIONS

17 For necessary expenses to carry out preventive meas-
 18 ures, including but not limited to research, engineering op-
 19 erations, methods of cultivation, the growing of vegetation,
 20 rehabilitation of existing works and changes in use of land,
 21 in accordance with the Watershed Protection and Flood
 22 Prevention Act (16 U.S.C. 1001–1005 and 1007–1009),
 23 the provisions of the Act of April 27, 1935 (16 U.S.C.
 24 590a–f), and in accordance with the provisions of laws re-
 25 lating to the activities of the Department, \$64,000,000,
 26 to remain available until expended; of which up to

1 \$10,000,000 may be available for the watersheds author-
 2 ized under the Flood Control Act (33 U.S.C. 701 and 16
 3 U.S.C. 1006a): *Provided*, That not to exceed \$24,000,000
 4 of this appropriation shall be available for technical assist-
 5 ance: *Provided further*, That not to exceed \$1,000,000 of
 6 this appropriation is available to carry out the purposes
 7 of the Endangered Species Act of 1973 (Public Law 93–
 8 205), including cooperative efforts as contemplated by
 9 that Act to relocate endangered or threatened species to
 10 other suitable habitats as may be necessary to expedite
 11 project construction: *Provided further*, That none of the
 12 funds made available under this paragraph by this or any
 13 other appropriations Act may be used to provide technical
 14 assistance with respect to programs listed in section
 15 1241(a) of the Food Security Act of 1985 (16 U.S.C.
 16 3841(a)).

17 WATERSHED REHABILITATION PROGRAM

18 For necessary expenses to carry out rehabilitation of
 19 structural measures, in accordance with section 14 of the
 20 Watershed Protection and Flood Prevention Act (16
 21 U.S.C. 1012), and in accordance with the provisions of
 22 laws relating to the activities of the Department,
 23 \$25,000,000, to remain available until expended: *Pro-*
 24 *vided*, That none of the funds made available under this
 25 paragraph by this or any other appropriations Act may
 26 be used to provide technical assistance with respect to pro-

1 grams listed in section 1241(a) of the Food Security Act
 2 of 1985 (16 U.S.C. 3841(a)).

3 RESOURCE CONSERVATION AND DEVELOPMENT

4 For necessary expenses in planning and carrying out
 5 projects for resource conservation and development and
 6 for sound land use pursuant to the provisions of sections
 7 31 and 32 of the Bankhead-Jones Farm Tenant Act (7
 8 U.S.C. 1010–1011; 76 Stat. 607); the Act of April 27,
 9 1935 (16 U.S.C. 590a–f); and subtitle H of title XV of
 10 the Agriculture and Food Act of 1981 (16 U.S.C. 3451–
 11 3461), \$50,760,000, to remain available until expended:
 12 *Provided*, That none of the funds made available under
 13 this paragraph by this or any other appropriations Act
 14 may be used to provide technical assistance with respect
 15 to programs listed in section 1241(a) of the Food Security
 16 Act of 1985 (16 U.S.C. 3841(a)).

17 TITLE III

18 RURAL DEVELOPMENT PROGRAMS

19 OFFICE OF THE UNDER SECRETARY FOR RURAL

20 DEVELOPMENT

21 For necessary salaries and expenses of the Office of
 22 the Under Secretary for Rural Development to administer
 23 programs under the laws enacted by the Congress for the
 24 Rural Housing Service, the Rural Business-Cooperative
 25 Service, and the Rural Utilities Service of the Department
 26 of Agriculture, \$645,000.

1 RURAL COMMUNITY ADVANCEMENT PROGRAM
2 (INCLUDING TRANSFERS OF FUNDS)

3 For the cost of direct loans, loan guarantees, and
4 grants, as authorized by 7 U.S.C. 1926, 1926a, 1926c,
5 1926d, and 1932, except for sections 381E–H and 381N
6 of the Consolidated Farm and Rural Development Act,
7 \$733,360,000, to remain available until expended, of
8 which \$85,680,000 shall be for rural community programs
9 described in section 381E(d)(1) of such Act; of which
10 \$573,500,000 shall be for the rural utilities programs de-
11 scribed in sections 381E(d)(2), 306C(a)(2), and 306D of
12 such Act, of which not to exceed \$500,000 shall be avail-
13 able for the rural utilities program described in section
14 306(a)(2)(B) of such Act, and of which not to exceed
15 \$2,000,000 shall be available for the rural utilities pro-
16 gram described in section 306E of such Act; and of which
17 \$74,180,000 shall be for the rural business and coopera-
18 tive development programs described in sections
19 381E(d)(3) and 310B(f) of such Act: *Provided*, That of
20 the total amount appropriated in this account,
21 \$26,000,000 shall be for loans and grants to benefit Fed-
22 erally Recognized Native American Tribes, including
23 grants for drinking water and waste disposal systems pur-
24 suant to section 306C of such Act, of which \$5,000,000
25 shall be available for community facilities grants to tribal
26 colleges, as authorized by section 306(a)(19) of the Con-

1 solidated Farm and Rural Development Act, and of which
2 \$250,000 shall be available for a grant to a qualified na-
3 tional organization to provide technical assistance for
4 rural transportation in order to promote economic develop-
5 ment: *Provided further*, That of the amount appropriated
6 for rural community programs, \$6,500,000 shall be avail-
7 able for a Rural Community Development Initiative: *Pro-*
8 *vided further*, That such funds shall be used solely to de-
9 velop the capacity and ability of private, nonprofit commu-
10 nity-based housing and community development organiza-
11 tions, low-income rural communities, and Federally Recog-
12 nized Native American Tribes to undertake projects to im-
13 prove housing, community facilities, community and eco-
14 nomic development projects in rural areas: *Provided fur-*
15 *ther*, That such funds shall be made available to qualified
16 private, nonprofit and public intermediary organizations
17 proposing to carry out a program of financial and tech-
18 nical assistance: *Provided further*, That such intermediary
19 organizations shall provide matching funds from other
20 sources, including Federal funds for related activities, in
21 an amount not less than funds provided: *Provided further*,
22 That of the amount appropriated for the rural business
23 and cooperative development programs, not to exceed
24 \$500,000 shall be made available for a grant to a qualified
25 national organization to provide technical assistance for

1 rural transportation in order to promote economic develop-
2 ment; \$1,000,000 shall be for grants to the Delta Regional
3 Authority (7 U.S.C. 1921 et seq.) for any purpose under
4 this heading: *Provided further*, That of the amount appro-
5 priated for rural utilities programs, not to exceed
6 \$25,000,000 shall be for water and waste disposal systems
7 to benefit the Colonias along the United States/Mexico
8 border, including grants pursuant to section 306C of such
9 Act; not to exceed \$28,000,000 shall be for water and
10 waste disposal systems for rural and native villages in
11 Alaska pursuant to section 306D of such Act, with up to
12 2 percent available to administer the program and/or im-
13 prove interagency coordination may be transferred to and
14 merged with the appropriation for “Rural Development,
15 Salaries and Expenses”, of which \$100,000 shall be pro-
16 vided to develop a regional system for centralized billing,
17 operation, and management of rural water and sewer utili-
18 ties through regional cooperatives, of which 25 percent
19 shall be provided for water and sewer projects in regional
20 hubs, and the State of Alaska shall provide a 25 percent
21 cost share, and grantees may use up to 5 percent of grant
22 funds, not to exceed \$35,000 per community, for the com-
23 pletion of comprehensive community safe water plans; not
24 to exceed \$19,000,000 shall be for technical assistance
25 grants for rural water and waste systems pursuant to sec-

1 tion 306(a)(14) of such Act, of which \$5,750,000 shall
 2 be for Rural Community Assistance Programs and not less
 3 than \$800,000 shall be for a qualified national Native
 4 American organization to provide technical assistance for
 5 rural water systems for tribal communities; and not to ex-
 6 ceed \$13,500,000 shall be for contracting with qualified
 7 national organizations for a circuit rider program to pro-
 8 vide technical assistance for rural water systems: *Provided*
 9 *further*, That of the total amount appropriated, not to ex-
 10 ceed \$22,166,000 shall be available through June 30,
 11 2005, for authorized empowerment zones and enterprise
 12 communities and communities designated by the Secretary
 13 of Agriculture as Rural Economic Area Partnership
 14 Zones; of which \$1,081,000 shall be for the rural commu-
 15 nity programs described in section 381E(d)(1) of such
 16 Act, of which \$12,582,000 shall be for the rural utilities
 17 programs described in section 381E(d)(2) of such Act,
 18 and of which \$8,503,000 shall be for the rural business
 19 and cooperative development programs described in sec-
 20 tion 381E(d)(3) of such Act: *Provided further*, That of the
 21 amount appropriated for rural community programs, not
 22 to exceed \$21,000,000 shall be to provide grants for facili-
 23 ties in rural communities with extreme unemployment and
 24 severe economic depression (Public Law 106–387), with
 25 5 percent for administration and capacity building in the

1 State rural development offices: *Provided further*, That of
2 the amount appropriated, \$28,000,000 shall be trans-
3 ferred to and merged with the “Rural Utilities Service,
4 High Energy Cost Grants Account” to provide grants au-
5 thorized under section 19 of the Rural Electrification Act
6 of 1936 (7 U.S.C. 918a): *Provided further*, That of the
7 amount made available for high energy cost grants, up to
8 \$3,000,000 shall be available to a not-for-profit consumer-
9 owned cooperative utility provider serving an island com-
10 munity in a non-contiguous State for the purpose of de-
11 fraying transaction, transition, organizational, and other
12 fair and reasonable costs, as determined by the Secretary,
13 incurred during the period July 1, 1999 through Decem-
14 ber 31, 2002, and directly related to the successful acqui-
15 sition by such provider of the investor-owned electric util-
16 ity facilities (including generation, transmission, distribu-
17 tion, and other related assets) formerly serving ratepayers
18 on the island: *Provided further*, That any prior year bal-
19 ances for high cost energy grants authorized by section
20 19 of the Rural Electrification Act of 1936 (7 U.S.C.
21 901(19)) shall be transferred to and merged with the
22 “Rural Utilities Service, High Energy Costs Grants Ac-
23 count”.

1 RURAL DEVELOPMENT SALARIES AND EXPENSES

2 (INCLUDING TRANSFERS OF FUNDS)

3 For necessary expenses for carrying out the adminis-
 4 tration and implementation of programs in the Rural De-
 5 velopment mission area, including activities with institu-
 6 tions concerning the development and operation of agricul-
 7 tural cooperatives; and for cooperative agreements;
 8 \$143,452,000: *Provided*, That notwithstanding any other
 9 provision of law, funds appropriated under this section
 10 may be used for advertising and promotional activities
 11 that support the Rural Development mission area: *Pro-*
 12 *vided further*, That not more than \$10,000 may be ex-
 13 pended to provide modest nonmonetary awards to non-
 14 USDA employees: *Provided further*, That any balances
 15 available from prior years for the Rural Utilities Service,
 16 Rural Housing Service, and the Rural Business-Coopera-
 17 tive Service salaries and expenses accounts shall be trans-
 18 ferred to and merged with this appropriation.

19 RURAL HOUSING SERVICE

20 RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT

21 (INCLUDING TRANSFERS OF FUNDS)

22 For gross obligations for the principal amount of di-
 23 rect and guaranteed loans as authorized by title V of the
 24 Housing Act of 1949, to be available from funds in the
 25 rural housing insurance fund, as follows: \$3,925,185,000
 26 for loans to section 502 borrowers, as determined by the

1 Secretary, of which \$1,200,000,000 shall be for direct
 2 loans, and of which \$2,725,185,000 shall be for unsub-
 3 sidized guaranteed loans; \$35,000,000 for section 504
 4 housing repair loans; \$90,000,000 for section 515 rental
 5 housing; \$85,960,000 for section 538 guaranteed multi-
 6 family housing loans; \$5,045,000 for section 524 site
 7 loans; \$11,501,000 for credit sales of acquired property,
 8 of which up to \$1,501,000 may be for multi-family credit
 9 sales; and \$5,000,000 for section 523 self-help housing
 10 land development loans.

11 For the cost of direct and guaranteed loans, including
 12 the cost of modifying loans, as defined in section 502 of
 13 the Congressional Budget Act of 1974, as follows: section
 14 502 loans, \$171,960,000, of which \$138,960,000 shall be
 15 for direct loans, and of which \$33,608,000, to remain
 16 available until expended, shall be for unsubsidized guaran-
 17 teed loans; section 504 housing repair loans, \$10,171,000;
 18 section 515 rental housing, \$42,381,000; section 538
 19 multi-family housing guaranteed loans, \$3,000,000, to re-
 20 main available until expended; multi-family credit sales of
 21 acquired property, \$727,000: *Provided*, That of the total
 22 amount appropriated in this paragraph, \$7,100,000 shall
 23 be available through June 30, 2005, for authorized em-
 24 powerment zones and enterprise communities and commu-
 25 nities designated by the Secretary of Agriculture as Rural

1 Economic Area Partnership Zones: *Provided further*, That
 2 any funds under this paragraph allocated by the Secretary
 3 for housing projects in the State of Alaska that are not
 4 obligated by the end of this fiscal year shall be carried
 5 over to the next fiscal year and made available for such
 6 housing projects only in the State of Alaska.

7 In addition, for administrative expenses necessary to
 8 carry out the direct and guaranteed loan programs,
 9 \$448,342,000, which shall be transferred to and merged
 10 with the appropriation for “Rural Development, Salaries
 11 and Expenses”.

12 RENTAL ASSISTANCE PROGRAM

13 For rental assistance agreements entered into or re-
 14 newed pursuant to the authority under section 521(a)(2)
 15 or agreements entered into in lieu of debt forgiveness or
 16 payments for eligible households as authorized by section
 17 502(c)(5)(D) of the Housing Act of 1949, \$585,900,000;
 18 and, in addition, such sums as may be necessary, as au-
 19 thorized by section 521(c) of the Act, to liquidate debt
 20 incurred prior to fiscal year 1992 to carry out the rental
 21 assistance program under section 521(a)(2) of the Act:
 22 *Provided*, That of this amount, \$5,900,000 shall be avail-
 23 able for debt forgiveness or payments for eligible house-
 24 holds as authorized by section 502(c)(5)(D) of the Act,
 25 and not to exceed \$20,000 per project for advances to non-
 26 profit organizations or public agencies to cover direct costs

1 (other than purchase price) incurred in purchasing
 2 projects pursuant to section 502(c)(5)(C) of the Act: *Pro-*
 3 *vided further*, That agreements entered into or renewed
 4 during the current fiscal year shall be funded for a four-
 5 year period: *Provided further*, That any unexpended bal-
 6 ances remaining at the end of such four-year agreements
 7 may be transferred and used for the purposes of any debt
 8 reduction; maintenance, repair, or rehabilitation of any ex-
 9 isting projects; preservation; and rental assistance activi-
 10 ties authorized under title V of the Act.

11 MUTUAL AND SELF-HELP HOUSING GRANTS

12 For grants and contracts pursuant to section
 13 523(b)(1)(A) of the Housing Act of 1949 (42 U.S.C.
 14 1490c), \$34,000,000, to remain available until expended:
 15 *Provided*, That of the total amount appropriated,
 16 \$1,000,000 shall be available through June 30, 2005, for
 17 authorized empowerment zones and enterprise commu-
 18 nities and communities designated by the Secretary of Ag-
 19 riculture as Rural Economic Area Partnership Zones.

20 RURAL HOUSING ASSISTANCE GRANTS

21 For grants and contracts for very low-income housing
 22 repair, supervisory and technical assistance, compensation
 23 for construction defects, and rural housing preservation
 24 made by the Rural Housing Service, as authorized by 42
 25 U.S.C. 1474, 1479(c), 1490e, and 1490m, \$46,992,000,
 26 to remain available until expended: *Provided*, That not less

1 than \$6,000,000 shall be made available for loans to pri-
 2 vate non-profit organizations, or such non-profit organiza-
 3 tions' affiliate loan funds and State housing finance agen-
 4 cies, to carry out a housing demonstration program to pro-
 5 vide revolving loans for the preservation of low-income
 6 multi-family housing projects: *Provided further*, That loans
 7 under such demonstration program shall have an interest
 8 rate of not more than one percent direct loan to the recipi-
 9 ent: *Provided further*, That the Secretary may defer the
 10 interest and principal payment to the Rural Housing Serv-
 11 ice for up to three years and the term of such loans shall
 12 not exceed 30 years: *Provided further*, That of the total
 13 amount appropriated, \$1,200,000 shall be available
 14 through June 30, 2005, for authorized empowerment
 15 zones and enterprise communities and communities des-
 16 ignated by the Secretary of Agriculture as Rural Economic
 17 Area Partnership Zones.

18 FARM LABOR PROGRAM ACCOUNT

19 For the cost of direct loans, grants, and contracts,
 20 as authorized by 42 U.S.C. 1484 and 1486, \$31,471,000,
 21 to remain available until expended, for direct farm labor
 22 housing loans and domestic farm labor housing grants and
 23 contracts.

1 RURAL BUSINESS—COOPERATIVE SERVICE

2 RURAL DEVELOPMENT LOAN FUND PROGRAM ACCOUNT

3 (INCLUDING TRANSFER OF FUNDS)

4 For the principal amount of direct loans, as author-
5 ized by the Rural Development Loan Fund (42 U.S.C.
6 9812(a)), \$34,213,000.

7 For the cost of direct loans, \$15,868,000, as author-
8 ized by the Rural Development Loan Fund (42 U.S.C.
9 9812(a)), of which \$1,724,000 shall be available through
10 June 30, 2005, for Federally Recognized Native American
11 Tribes and of which \$3,449,000 shall be available through
12 June 30, 2005, for Mississippi Delta Region counties (as
13 determined in accordance with Public Law 100–460): *Pro-*
14 *vided*, That of such amount made available, the Secretary
15 may provide up to \$1,500,000 for the Delta Regional Au-
16 thority (7 U.S.C. 1921 et seq.): *Provided further*, That
17 such costs, including the cost of modifying such loans,
18 shall be as defined in section 502 of the Congressional
19 Budget Act of 1974: *Provided further*, That of the total
20 amount appropriated, \$2,447,000 shall be available
21 through June 30, 2005, for the cost of direct loans for
22 authorized empowerment zones and enterprise commu-
23 nities and communities designated by the Secretary of Ag-
24 riculture as Rural Economic Area Partnership Zones.

25 In addition, for administrative expenses to carry out
26 the direct loan programs, \$4,316,000 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 author-
 7 ized under section 313 of the Rural Electrification Act,
 8 for the purpose of promoting rural economic development
 9 and job creation projects, \$25,003,000.

10 For the cost of direct loans, including the cost of
 11 modifying loans as defined in section 502 of the Congres-
 12 sional Budget Act of 1974, \$4,698,000.

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 \$4,698,000 shall not be obligated and \$4,698,000 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
 21 Rural Development Act (7 U.S.C. 1932), \$24,000,000, of
 22 which \$2,500,000 shall be for cooperative agreements for
 23 the appropriate technology transfer for rural areas pro-
 24 gram: *Provided*, That not to exceed \$1,500,000 shall be
 25 for cooperatives or associations of cooperatives whose pri-
 26 mary focus is to provide assistance to small, minority pro-

1 ducers and whose governing board and/or membership is
 2 comprised of at least 75 percent minority; and of which
 3 not to exceed \$15,000,000, to remain available until ex-
 4 pended, shall be for value-added agricultural product mar-
 5 ket development grants, as authorized by section 6401 of
 6 the Farm Security and Rural Investment Act of 2002 (7
 7 U.S.C. 1621 note).

8 RURAL EMPOWERMENT ZONES AND ENTERPRISE
 9 COMMUNITIES GRANTS

10 For grants in connection with second and third
 11 rounds of empowerment zones and enterprise commu-
 12 nities, \$12,500,000, to remain available until expended,
 13 for designated rural empowerment zones and rural enter-
 14 prise communities, as authorized by the Taxpayer Relief
 15 Act of 1997 and the Omnibus Consolidated and Emer-
 16 gency Supplemental Appropriations Act, 1999 (Public
 17 Law 105–277).

18 RENEWABLE ENERGY PROGRAM

19 For the cost of a program of direct loans, loan guar-
 20 antees, and grants, under the same terms and conditions
 21 as authorized by section 9006 of the Farm Security and
 22 Rural Investment Act of 2002 (7 U.S.C. 8106),
 23 \$20,000,000 for direct and guaranteed renewable energy
 24 loans and grants: *Provided*, That the cost of direct loans
 25 and loan guarantees, including the cost of modifying such

1 loans, shall be as defined in section 502 of the Congres-
 2 sional Budget Act of 1974.

3 RURAL UTILITIES SERVICE

4 RURAL ELECTRIFICATION AND TELECOMMUNICATIONS

5 LOANS PROGRAM ACCOUNT

6 (INCLUDING TRANSFER OF FUNDS)

7 Insured loans pursuant to the authority of section
 8 305 of the Rural Electrification Act of 1936 (7 U.S.C.
 9 935) shall be made as follows: 5 percent rural electrifica-
 10 tion loans, \$120,000,000; municipal rate rural electric
 11 loans, \$100,000,000; loans made pursuant to section 306
 12 of that Act, rural electric, \$2,100,000,000; Treasury rate
 13 direct electric loans, \$1,000,000,000; 5 percent rural tele-
 14 communications loans, \$145,000,000; cost of money rural
 15 telecommunications loans, \$250,000,000; loans made pur-
 16 suant to section 306 of that Act, rural telecommunications
 17 loans, \$125,000,000; and for guaranteed underwriting
 18 loans pursuant to section 313A, \$1,000,000,000.

19 For the cost, as defined in section 502 of the Con-
 20 gressional Budget Act of 1974, including the cost of modi-
 21 fying loans, of direct and guaranteed loans authorized by
 22 sections 305 and 306 of the Rural Electrification Act of
 23 1936 (7 U.S.C. 935 and 936), as follows: cost of rural
 24 electric loans, \$5,058,000, and the cost of telecommuni-
 25 cation loans, \$100,000: *Provided*, That notwithstanding

1 section 305(d)(2) of the Rural Electrification Act of 1936,
2 borrower interest rates may exceed 7 percent per year.

3 In addition, for administrative expenses necessary to
4 carry out the direct and guaranteed loan programs,
5 \$38,277,000 which shall be transferred to and merged
6 with the appropriation for “Rural Development, Salaries
7 and Expenses”.

8 RURAL TELEPHONE BANK PROGRAM ACCOUNT
9 (INCLUDING TRANSFER OF FUNDS)

10 The Rural Telephone Bank is hereby authorized to
11 make such expenditures, within the limits of funds avail-
12 able to such corporation in accord with law, and to make
13 such contracts and commitments without regard to fiscal
14 year limitations as provided by section 104 of the Govern-
15 ment Corporation Control Act, as may be necessary in car-
16 rying out its authorized programs. During fiscal year 2005
17 and within the resources and authority available, gross ob-
18 ligations for the principal amount of direct loans shall be
19 \$175,000,000.

20 In addition, for administrative expenses, including
21 audits, necessary to carry out the loan programs,
22 \$3,152,000, which shall be transferred to and merged with
23 the appropriation for “Rural Development, Salaries and
24 Expenses”.

1 DISTANCE LEARNING, TELEMEDICINE, AND BROADBAND
2 PROGRAM

3 For the principal amount of direct distance learning
4 and telemedicine loans, \$20,000,000; and for the principal
5 amount of direct broadband telecommunication loans,
6 \$600,000,000.

7 For grants for telemedicine and distance learning
8 services in rural areas, as authorized by 7 U.S.C. 950aaa
9 et seq., \$38,000,000, to remain available until expended:
10 *Provided*, That \$13,000,000 shall be made available to
11 convert analog to digital operation those noncommercial
12 educational television broadcast stations that serve rural
13 areas and are qualified for Community Service Grants by
14 the Corporation for Public Broadcasting under section
15 396(k) of the Communications Act of 1934, including as-
16 sociated translators and repeaters, regardless of the loca-
17 tion of their main transmitter, studio-to-transmitter links,
18 and equipment to allow local control over digital content
19 and programming through the use of high-definition
20 broadcast, multi-casting and datacasting technologies.

21 For the cost of broadband loans, as authorized by 7
22 U.S.C. 901 et seq., \$12,780,000, to remain available until
23 September 30, 2006: *Provided*, That the interest rate for
24 such loans shall be the cost of borrowing to the Depart-
25 ment of the Treasury for obligations of comparable matu-

1 rity: *Provided further*, That for the cost of loans to carry
 2 out the Distance Learning and Telemedicine program as
 3 authorized by 7 U.S.C. 950aaa et seq., \$284,000: *Pro-*
 4 *vided further*, That the cost of direct loans shall be as de-
 5 fined in section 502 of the Congressional Budget Act of
 6 1974.

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

12 TITLE IV

13 DOMESTIC FOOD PROGRAMS

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

16 For necessary salaries and expenses of the Office of
 17 the Under Secretary for Food, Nutrition and Consumer
 18 Services to administer the laws enacted by the Congress
 19 for the Food and Nutrition Service, \$608,000.

20 FOOD AND NUTRITION SERVICE

21 CHILD NUTRITION PROGRAMS

22 (INCLUDING TRANSFER OF FUNDS)

23 For necessary expenses to carry out the National
 24 School Lunch Act (42 U.S.C. 1751 et seq.), except section
 25 21, and the Child Nutrition Act of 1966 (42 U.S.C. 1771
 26 et seq.), except sections 17 and 21; \$11,380,557,000, to

1 remain available through September 30, 2006, of which
2 \$6,060,860,000 is hereby appropriated and
3 \$5,319,697,000 shall be derived by transfer from funds
4 available under section 32 of the Act of August 24, 1935
5 (7 U.S.C. 612c): *Provided*, That \$4,000,000 shall be avail-
6 able for Child Nutrition Program assessment activities:
7 *Provided further*, That except as specifically provided
8 under this heading, none of the funds shall be used for
9 studies and evaluations: *Provided further*, That up to
10 \$5,235,000 shall be available for independent verification
11 of school food service claims.

12 SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR
13 WOMEN, INFANTS, AND CHILDREN (WIC)

14 For necessary expenses to carry out the special sup-
15 plemental nutrition program as authorized by section 17
16 of the Child Nutrition Act of 1966 (42 U.S.C. 1786),
17 \$5,175,250,000, to remain available through September
18 30, 2006, of which \$263,000,000 shall be allocated as the
19 Secretary deems necessary, notwithstanding section 17(i)
20 of such Act, to support participation, and of which
21 \$125,000,000 shall be placed in reserve, to remain avail-
22 able until expended, to be allocated as the Secretary deems
23 necessary, notwithstanding section 17(i) of such Act, to
24 support participation should cost or participation exceed
25 budget estimates: *Provided*, That \$125,000,000 of this
26 amount is designated by the Congress as an emergency

1 requirement pursuant to section 402 of S. Con. Res. 95
2 (108th Congress), the concurrent resolution on the budget
3 for fiscal year 2005: *Provided further*, That this
4 \$125,000,000 shall be available only to the extent that an
5 official budget request for a specific dollar amount, that
6 includes designation of the entire amount of the request
7 as an emergency requirement as defined in S. Con. Res.
8 95 (108th Congress), the concurrent resolution on the
9 budget for fiscal year 2005, is transmitted by the Presi-
10 dent to the Congress: *Provided further*, That of the total
11 amount available, the Secretary shall obligate not less
12 than \$15,000,000 for a breastfeeding support initiative in
13 addition to the activities specified in section 17(h)(3)(A):
14 *Provided further*, That up to \$20,000,000 shall be avail-
15 able for a management information system initiative and
16 up to \$5,000,000 shall be available for pilot projects to
17 prevent childhood obesity upon a determination by the
18 Secretary that funds are available to meet caseload re-
19 quirements: *Provided further*, That notwithstanding sec-
20 tion 17(h)(10)(A) of such Act, \$14,000,000 shall be avail-
21 able for the purposes specified in section 17(h)(10)(B):
22 *Provided further*, That none of the funds made available
23 under this heading shall be used for studies and evalua-
24 tions: *Provided further*, That none of the funds in this Act
25 shall be available to pay administrative expenses of WIC

1 clinics except those that have an announced policy of pro-
 2 hibiting smoking within the space used to carry out the
 3 program: *Provided further*, That none of the funds pro-
 4 vided in this account shall be available for the purchase
 5 of infant formula except in accordance with the cost con-
 6 tainment and competitive bidding requirements specified
 7 in section 17 of such Act: *Provided further*, That none of
 8 the funds provided shall be available for activities that are
 9 not fully reimbursed by other Federal Government depart-
 10 ments or agencies unless authorized by section 17 of such
 11 Act.

12 FOOD STAMP PROGRAM

13 For necessary expenses to carry out the Food Stamp
 14 Act (7 U.S.C. 2011 et seq.), \$33,641,798,000, of which
 15 \$3,000,000,000 shall be placed in reserve for use only in
 16 such amounts and at such times as may become necessary
 17 to carry out program operations: *Provided*, That none of
 18 the funds made available under this heading shall be used
 19 for studies and evaluations: *Provided further*, That of the
 20 funds made available under this heading and not already
 21 appropriated to the Food Distribution Program on Indian
 22 Reservations (FDPIR) established under section 4(b) of
 23 the Food Stamp Act of 1977 (7 U.S.C. 2013(b)), not to
 24 exceed \$4,000,000 shall be used to purchase bison meat
 25 for the FDPIR from Native American bison producers as
 26 well as from producer-owned cooperatives of bison ranch-

1 ers: *Provided further*, That funds provided herein shall be
 2 expended in accordance with section 16 of the Food Stamp
 3 Act: *Provided further*, That this appropriation shall be
 4 subject to any work registration or workfare requirements
 5 as may be required by law: *Provided further*, That funds
 6 made available for Employment and Training under this
 7 heading shall remain available until expended, as author-
 8 ized by section 16(h)(1) of the Food Stamp Act: *Provided*
 9 *further*, That notwithstanding section 5(d) of the Food
 10 Stamp Act of 1977, any additional payment received
 11 under chapter 5 of title 37, United States Code, by a
 12 member of the United States Armed Forces deployed to
 13 a designated combat zone shall be excluded from house-
 14 hold income for the duration of the member's deployment
 15 if the additional pay is the result of deployment to or while
 16 serving in a combat zone, and it was not received imme-
 17 diately prior to serving in the combat zone.

18 COMMODITY ASSISTANCE PROGRAM

19 For necessary expenses to carry out disaster assist-
 20 ance and the commodity supplemental food program as
 21 authorized by section 4(a) of the Agriculture and Con-
 22 sumer Protection Act of 1973 (7 U.S.C. 612c note); the
 23 Emergency Food Assistance Act of 1983; and special as-
 24 sistance (in a form determined by the Secretary of Agri-
 25 culture) for the nuclear affected islands, as authorized by
 26 section 103(f)(2) of the Compact of Free Association

1 Amendments Act of 2003 (Public Law 108–188); and the
 2 Farmers’ Market Nutrition Program, as authorized by
 3 section 17(m) of the Child Nutrition Act of 1966,
 4 \$172,081,000, to remain available through September 30,
 5 2006: *Provided*, That none of these funds shall be avail-
 6 able to reimburse the Commodity Credit Corporation for
 7 commodities donated to the program.

8 NUTRITION PROGRAMS ADMINISTRATION

9 For necessary administrative expenses of the domes-
 10 tic nutrition assistance programs funded under this Act,
 11 \$142,592,000, of which \$5,000,000 shall be available only
 12 for simplifying procedures, reducing overhead costs, tight-
 13 ening regulations, improving food stamp benefit delivery,
 14 and assisting in the prevention, identification, and pros-
 15 ecution of fraud and other violations of law; and of which
 16 not less than \$4,000,000 shall be available to improve in-
 17 tegrity in the Food Stamp and Child Nutrition programs.

18 TITLE V

19 FOREIGN ASSISTANCE AND RELATED 20 PROGRAMS

21 FOREIGN AGRICULTURAL SERVICE

22 SALARIES AND EXPENSES

23 (INCLUDING TRANSFERS OF FUNDS)

24 For necessary expenses of the Foreign Agricultural
 25 Service, including carrying out title VI of the Agricultural
 26 Act of 1954 (7 U.S.C. 1761–1768), market development

1 activities abroad, and for enabling the Secretary to coordi-
 2 nate and integrate activities of the Department in connec-
 3 tion with foreign agricultural work, including not to exceed
 4 \$158,000 for representation allowances and for expenses
 5 pursuant to section 8 of the Act approved August 3, 1956
 6 (7 U.S.C. 1766), \$139,162,000: *Provided*, That the Serv-
 7 ice may utilize advances of funds, or reimburse this appro-
 8 priation for expenditures made on behalf of Federal agen-
 9 cies, public and private organizations and institutions
 10 under agreements executed pursuant to the agricultural
 11 food production assistance programs (7 U.S.C. 1737) and
 12 the foreign assistance programs of the United States
 13 Agency for International Development.

14 PUBLIC LAW 480 TITLE I PROGRAM ACCOUNT
 15 (INCLUDING TRANSFERS OF FUNDS)

16 For the cost, as defined in section 502 of the Con-
 17 gressional Budget Act of 1974, of agreements under the
 18 Agricultural Trade Development and Assistance Act of
 19 1954, and the Food for Progress Act of 1985, including
 20 the cost of modifying credit arrangements under said Acts,
 21 \$94,198,000, to remain available until expended.

22 In addition, for administrative expenses to carry out
 23 the credit program of title I, Public Law 83–480, and the
 24 Food for Progress Act of 1985, to the extent funds appro-
 25 priated for Public Law 83–480 are utilized, \$4,034,000,
 26 of which \$1,097,000 may be transferred to and merged

1 with the appropriation for “Foreign Agricultural Service,
 2 Salaries and Expenses”, and of which \$2,937,000 may be
 3 transferred to and merged with the appropriation for
 4 “Farm Service Agency, Salaries and Expenses”.

5 PUBLIC LAW 480 TITLE I OCEAN FREIGHT DIFFERENTIAL
 6 GRANTS

7 (INCLUDING TRANSFER OF FUNDS)

8 For ocean freight differential costs for the shipment
 9 of agricultural commodities under title I of the Agricul-
 10 tural Trade Development and Assistance Act of 1954 and
 11 under the Food for Progress Act of 1985, \$22,723,000,
 12 to remain available until expended: *Provided*, That funds
 13 made available for the cost of agreements under title I
 14 of the Agricultural Trade Development and Assistance Act
 15 of 1954 and for title I ocean freight differential may be
 16 used interchangeably between the two accounts with prior
 17 notice to the Committees on Appropriations of both
 18 Houses of Congress.

19 PUBLIC LAW 480 TITLE II GRANTS

20 For expenses during the current fiscal year, not oth-
 21 erwise recoverable, and unrecovered prior years’ costs, in-
 22 cluding interest thereon, under the Agricultural Trade De-
 23 velopment and Assistance Act of 1954, for commodities
 24 supplied in connection with dispositions abroad under title
 25 II of said Act, \$1,185,000,000, to remain available until
 26 expended.

1 MC GOVERN-DOLE INTERNATIONAL FOOD FOR EDUCATION
 2 AND CHILD NUTRITION PROGRAM GRANTS

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

11 COMMODITY CREDIT CORPORATION EXPORT LOANS

12 PROGRAM ACCOUNT

13 (INCLUDING TRANSFERS OF FUNDS)

14 For administrative expenses to carry out the Com-
 15 modity Credit Corporation’s export guarantee program,
 16 GSM 102 and GSM 103, \$4,423,000; to cover common
 17 overhead expenses as permitted by section 11 of the Com-
 18 modity Credit Corporation Charter Act and in conformity
 19 with the Federal Credit Reform Act of 1990, of which
 20 \$3,421,000 may be transferred to and merged with the
 21 appropriation for “Foreign Agricultural Service, Salaries
 22 and Expenses”, and of which \$1,002,000 may be trans-
 23 ferred to and merged with the appropriation for “Farm
 24 Service Agency, Salaries and Expenses”.

1 TITLE VI
2 RELATED AGENCIES AND FOOD AND DRUG
3 ADMINISTRATION
4 DEPARTMENT OF HEALTH AND HUMAN
5 SERVICES
6 FOOD AND DRUG ADMINISTRATION
7 SALARIES AND EXPENSES
8 For necessary expenses of the Food and Drug Ad-
9 ministration, including hire and purchase of passenger
10 motor vehicles; for payment of space rental and related
11 costs pursuant to Public Law 92–313 for programs and
12 activities of the Food and Drug Administration which are
13 included in this Act; for rental of special purpose space
14 in the District of Columbia or elsewhere; for miscellaneous
15 and emergency expenses of enforcement activities, author-
16 ized and approved by the Secretary and to be accounted
17 for solely on the Secretary’s certificate, not to exceed
18 \$25,000; and notwithstanding section 521 of Public Law
19 107–188; \$1,791,599,000: *Provided*, That of the amount
20 provided under this heading, \$284,394,000 shall be de-
21 rived from prescription drug user fees authorized by 21
22 U.S.C. 379h, and shall be credited to this account and
23 remain available until expended; \$33,938,000 shall be de-
24 rived from medical device user fees authorized by 21
25 U.S.C. 379j, and shall be credited to this account and re-

1 main available until expended; and \$8,000,000 shall be de-
2 rived from animal drug user fees authorized by 21 U.S.C.
3 379j, and shall be credited to this account and remain
4 available until expended: *Provided further*, That fees de-
5 rived from prescription drug, medical device, and animal
6 drug assessments received during fiscal year 2005, includ-
7 ing any such fees assessed prior to the current fiscal year
8 but credited during the current year, shall be subject to
9 the fiscal year 2005 limitation: *Provided further*, That
10 none of these funds shall be used to develop, establish,
11 or operate any program of user fees authorized by 31
12 U.S.C. 9701: *Provided further*, That of the total amount
13 appropriated: (1) \$439,038,000 shall be for the Center for
14 Food Safety and Applied Nutrition and related field activi-
15 ties in the Office of Regulatory Affairs; (2) \$497,447,000
16 shall be for the Center for Drug Evaluation and Research
17 and related field activities in the Office of Regulatory Af-
18 fairs; (3) \$172,414,000 shall be for the Center for Bio-
19 logics Evaluation and Research and for related field activi-
20 ties in the Office of Regulatory Affairs; (4) \$98,610,000
21 shall be for the Center for Veterinary Medicine and for
22 related field activities in the Office of Regulatory Affairs;
23 (5) \$235,078,000 shall be for the Center for Devices and
24 Radiological Health and for related field activities in the
25 Office of Regulatory Affairs; (6) \$40,530,000 shall be for

1 the National Center for Toxicological Research; (7)
 2 \$62,722,000 shall be for Rent and Related activities, other
 3 than the amounts paid to the General Services Adminis-
 4 tration for rent; (8) \$129,815,000 shall be for payments
 5 to the General Services Administration for rent; and (9)
 6 \$115,945,000 shall be for other activities, including the
 7 Office of the Commissioner; the Office of Management;
 8 the Office of External Relations; the Office of Policy and
 9 Planning; and central services for these offices: *Provided*
 10 *further*, That funds may be transferred from one specified
 11 activity to another with the prior approval of the Commit-
 12 tees on Appropriations of both Houses of Congress.

13 In addition, mammography user fees authorized by
 14 42 U.S.C. 263b may be credited to this account, to remain
 15 available until expended.

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

19 INDEPENDENT AGENCIES

20 COMMODITY FUTURES TRADING COMMISSION

21 For necessary expenses to carry out the provisions
 22 of the Commodity Exchange Act (7 U.S.C. 1 et seq.), in-
 23 cluding the purchase and hire of passenger motor vehicles,
 24 and the rental of space (to include multiple year leases)
 25 in the District of Columbia and elsewhere, \$95,327,000,

1 including not to exceed \$3,000 for official reception and
2 representation expenses.

3 FARM CREDIT ADMINISTRATION

4 LIMITATION ON ADMINISTRATIVE EXPENSES

5 Not to exceed \$41,800,000 (from assessments col-
6 lected from farm credit institutions and from the Federal
7 Agricultural Mortgage Corporation) shall be obligated
8 during the current fiscal year for administrative expenses
9 as authorized under 12 U.S.C. 2249: *Provided*, That this
10 limitation shall not apply to expenses associated with re-
11 ceiverships.

12 TITLE VII—GENERAL PROVISIONS

13 SEC. 701. Within the unit limit of cost fixed by law,
14 appropriations and authorizations made for the Depart-
15 ment of Agriculture for the current fiscal year under this
16 Act shall be available for the purchase, in addition to those
17 specifically provided for, of not to exceed 388 passenger
18 motor vehicles, of which 388 shall be for replacement only,
19 and for the hire of such vehicles.

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

24 SEC. 703. Funds appropriated by this Act shall be
25 available for employment pursuant to the second sentence

1 of section 706(a) of the Department of Agriculture Or-
2 ganic Act of 1944 (7 U.S.C. 2225) and 5 U.S.C. 3109.

3 SEC. 704. The Secretary of Agriculture may transfer
4 unobligated balances of discretionary funds appropriated
5 by this Act or other available unobligated discretionary
6 balances of the Department of Agriculture to the Working
7 Capital Fund for the acquisition of plant and capital
8 equipment necessary for the delivery of financial, adminis-
9 trative, and information technology services of primary
10 benefit to the agencies of the Department of Agriculture:
11 *Provided*, That none of the funds made available by this
12 Act or any other Act shall be transferred to the Working
13 Capital Fund without the prior approval of the agency ad-
14 ministrator: *Provided further*, That none of the funds
15 transferred to the Working Capital Fund pursuant to this
16 section shall be available for obligation without the prior
17 approval of the Committees on Appropriations of both
18 Houses of Congress.

19 SEC. 705. New obligational authority provided for the
20 following appropriation items in this Act shall remain
21 available until expended: Animal and Plant Health Inspec-
22 tion Service, the contingency fund to meet emergency con-
23 ditions, information technology infrastructure, fruit fly
24 program, emerging plant pests, boll weevil program, wild-
25 life services methods development, up to \$1,000,000 of the

1 Wildlife Services operation program for aviation safety,
2 and up to 25 percent of the screwworm program; Food
3 Safety and Inspection Service, field automation and infor-
4 mation management project; Cooperative State Research,
5 Education, and Extension Service, funds for competitive
6 research grants (7 U.S.C. 450i(b)), funds for the Re-
7 search, Education, and Economics Information System
8 (REEIS), and funds for the Native American Institutions
9 Endowment Fund; Farm Service Agency, salaries and ex-
10 penses funds made available to county committees; For-
11 eign Agricultural Service, middle-income country training
12 program and up to \$2,000,000 of the Foreign Agricultural
13 Service appropriation solely for the purpose of offsetting
14 fluctuations in international currency exchange rates, sub-
15 ject to documentation by the Foreign Agricultural Service.

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

19 SEC. 707. Not to exceed \$50,000 of the appropria-
20 tions available to the Department of Agriculture in this
21 Act shall be available to provide appropriate orientation
22 and language training pursuant to section 606C of the Act
23 of August 28, 1954 (7 U.S.C. 1766b).

24 SEC. 708. No funds appropriated by this Act may be
25 used to pay negotiated indirect cost rates on cooperative

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

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

16 SEC. 710. None of the funds in this Act shall be avail-
17 able to pay indirect costs charged against competitive agri-
18 cultural research, education, or extension grant awards
19 issued by the Cooperative State Research, Education, and
20 Extension Service that exceed 20 percent of total Federal
21 funds provided under each award: *Provided*, That notwith-
22 standing section 1462 of the National Agricultural Re-
23 search, Extension, and Teaching Policy Act of 1977 (7
24 U.S.C. 3310), funds provided by this Act for grants
25 awarded competitively by the Cooperative State Research,

1 Education, and Extension Service shall be available to pay
2 full allowable indirect costs for each grant awarded under
3 section 9 of the Small Business Act (15 U.S.C. 638).

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

7 SEC. 712. Appropriations to the Department of Agri-
8 culture for the cost of direct and guaranteed loans made
9 available in the current fiscal year shall remain available
10 until expended to cover obligations made in the current
11 fiscal year for the following accounts: the Rural Develop-
12 ment Loan Fund program account, the Rural Telephone
13 Bank program account, the Rural Electrification and
14 Telecommunication Loans program account, the Rural
15 Housing Insurance Fund program account, and the Rural
16 Economic Development Loans program account.

17 SEC. 713. None of the funds in this Act may be used
18 to retire more than 5 percent of the Class A stock of the
19 Rural Telephone Bank or to maintain any account or sub-
20 account within the accounting records of the Rural Tele-
21 phone Bank the creation of which has not specifically been
22 authorized by statute: *Provided*, That notwithstanding any
23 other provision of law, none of the funds appropriated or
24 otherwise made available in this Act may be used to trans-
25 fer to the Treasury or to the Federal Financing Bank any

1 unobligated balance of the Rural Telephone Bank tele-
2 phone liquidating account which is in excess of current
3 requirements and such balance shall receive interest as set
4 forth for financial accounts in section 505(c) of the Fed-
5 eral Credit Reform Act of 1990.

6 SEC. 714. Of the funds made available by this Act,
7 not more than \$2,000,000 shall be used to cover necessary
8 expenses of activities related to all advisory committees,
9 panels, commissions, and task forces of the Department
10 of Agriculture, except for panels used to comply with nego-
11 tiated rule makings and panels used to evaluate competi-
12 tively awarded grants.

13 SEC. 715. None of the funds appropriated by this Act
14 may be used to carry out section 410 of the Federal Meat
15 Inspection Act (21 U.S.C. 679a) or section 30 of the Poul-
16 try Products Inspection Act (21 U.S.C. 471).

17 SEC. 716. No employee of the Department of Agri-
18 culture may be detailed or assigned from an agency or
19 office funded by this Act to any other agency or office
20 of the Department for more than 30 days unless the indi-
21 vidual's employing agency or office is fully reimbursed by
22 the receiving agency or office for the salary and expenses
23 of the employee for the period of assignment.

24 SEC. 717. None of the funds appropriated or other-
25 wise made available to the Department of Agriculture

1 shall be used to transmit or otherwise make available to
2 any non-Department of Agriculture employee questions or
3 responses to questions that are a result of information re-
4 quested for the appropriations hearing process.

5 SEC. 718. None of the funds made available to the
6 Department of Agriculture by this Act may be used to ac-
7 quire new information technology systems or significant
8 upgrades, as determined by the Office of the Chief Infor-
9 mation Officer, without the approval of the Chief Informa-
10 tion Officer and the concurrence of the Executive Informa-
11 tion Technology Investment Review Board: *Provided*, That
12 notwithstanding any other provision of law, none of the
13 funds appropriated or otherwise made available by this
14 Act may be transferred to the Office of the Chief Informa-
15 tion Officer without the prior approval of the Committees
16 on Appropriations of both Houses of Congress.

17 SEC. 719. (a) None of the funds provided by this Act,
18 or provided by previous Appropriations Acts to the agen-
19 cies funded by this Act that remain available for obligation
20 or expenditure in the current fiscal year, or provided from
21 any accounts in the Treasury of the United States derived
22 by the collection of fees available to the agencies funded
23 by this Act, shall be available for obligation or expenditure
24 through a reprogramming of funds which: (1) creates new
25 programs; (2) eliminates a program, project, or activity;

1 (3) increases funds or personnel by any means for any
2 project or activity for which funds have been denied or
3 restricted; (4) relocates an office or employees; (5) reorga-
4 nizes offices, programs, or activities; or (6) contracts out
5 or privatizes any functions or activities presently per-
6 formed by Federal employees; unless the Committees on
7 Appropriations of both Houses of Congress are notified
8 15 days in advance of such reprogramming of funds.

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

1 Congress are notified 15 days in advance of such re-
2 programming of funds.

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

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

19 SEC. 721. None of the funds appropriated by this or
20 any other Act shall be used to pay the salaries and ex-
21 penses of personnel who prepare or submit appropriations
22 language as part of the President’s Budget submission to
23 the Congress of the United States for programs under the
24 jurisdiction of the Appropriations Subcommittees on Agri-
25 culture, Rural Development, Food and Drug Administra-

1 tion, and Related Agencies that assumes revenues or re-
2 flects a reduction from the previous year due to user fees
3 proposals that have not been enacted into law prior to the
4 submission of the Budget unless such Budget submission
5 identifies which additional spending reductions should
6 occur in the event the user fees proposals are not enacted
7 prior to the date of the convening of a committee of con-
8 ference for the fiscal year 2006 appropriations Act.

9 SEC. 722. None of the funds made available by this
10 or any other Act may be used to close or relocate a state
11 Rural Development office unless or until cost effectiveness
12 and enhancement of program delivery have been deter-
13 mined.

14 SEC. 723. In addition to amounts otherwise appro-
15 priated or made available by this Act, \$2,500,000 is ap-
16 propriated for the purpose of providing Bill Emerson and
17 Mickey Leland Hunger Fellowships, through the Congres-
18 sional Hunger Center.

19 SEC. 724. Notwithstanding section 412 of the Agri-
20 cultural Trade Development and Assistance Act of 1954
21 (7 U.S.C. 1736f), any balances available to carry out title
22 III of such Act as of the date of enactment of this Act,
23 and any recoveries and reimbursements that become avail-
24 able to carry out title III of such Act, may be used to
25 carry out title II of such Act.

1 SEC. 725. Of any shipments of commodities made
2 pursuant to section 416(b) of the Agricultural Act of 1949
3 (7 U.S.C. 1431(b)), the Secretary of Agriculture shall, to
4 the extent practicable, direct that tonnage equal in value
5 to not more than \$25,000,000 shall be made available to
6 foreign countries to assist in mitigating the effects of the
7 Human Immunodeficiency Virus and Acquired Immune
8 Deficiency Syndrome on communities, including the provi-
9 sion of—

10 (1) agricultural commodities to—

11 (A) individuals with Human Immuno-
12 deficiency Virus or Acquired Immune Defi-
13 ciency Syndrome in the communities; and

14 (B) households in the communities, par-
15 ticularly individuals caring for orphaned chil-
16 dren; and

17 (2) agricultural commodities monetized to pro-
18 vide other assistance (including assistance under
19 microcredit and microenterprise programs) to create
20 or restore sustainable livelihoods among individuals
21 in the communities, particularly individuals caring
22 for orphaned children.

23 SEC. 726. Section 375(e)(6)(B) of the Consolidated
24 Farm and Rural Development Act (7 U.S.C.

1 2008j(e)(6)(B)) is amended by striking “\$26,998,000”
2 and inserting “\$28,998,000”.

3 SEC. 727. Notwithstanding any other provision of
4 law, the Natural Resources Conservation Service may pro-
5 vide financial and technical assistance through the Water-
6 shed and Flood Prevention Operations program for the
7 Kuhn Bayou project in Arkansas, the Matanuska River
8 erosion control project in Alaska, the DuPage County wa-
9 tershed project in Illinois, and the Coal Creek project in
10 Utah.

11 SEC. 728. None of the funds made available in this
12 Act may be transferred to any department, agency, or in-
13 strumentality of the United States Government, except
14 pursuant to a transfer made by, or transfer authority pro-
15 vided in, this or any other appropriation Act.

16 SEC. 729. None of the funds made available to the
17 Food and Drug Administration by this Act shall be used
18 to close or relocate, or to plan to close or relocate, the
19 Food and Drug Administration Division of Pharma-
20 ceutical Analysis in St. Louis, Missouri, outside the city
21 or county limits of St. Louis, Missouri.

22 SEC. 730. Agencies and offices of the Department of
23 Agriculture may utilize any unobligated salaries and ex-
24 penses funds to reimburse the Office of the General Coun-
25 sel for salaries and expenses of personnel, and for other

1 related expenses, incurred in representing such agencies
2 and offices in the resolution of complaints by employees
3 or applicants for employment, and in cases and other mat-
4 ters pending before the Equal Employment Opportunity
5 Commission, the Federal Labor Relations Authority, or
6 the Merit Systems Protection Board with the prior ap-
7 proval of the Committees on Appropriations of both
8 Houses of Congress.

9 SEC. 731. Notwithstanding any other provision of
10 law, of the funds made available in this Act for competitive
11 research grants (7 U.S.C. 450i(b)), the Secretary may use
12 up to 20 percent of the amount provided to carry out a
13 competitive grants program under the same terms and
14 conditions as those provided in section 401 of the Agricul-
15 tural Research, Extension, and Education Reform Act of
16 1998 (7 U.S.C. 7621).

17 SEC. 732. None of the funds appropriated or made
18 available by this or any other Act may be used to pay
19 the salaries and expenses of personnel to carry out section
20 14(h)(1) of the Watershed Protection and Flood Preven-
21 tion Act (16 U.S.C. 1012(h)(1)).

22 SEC. 733. None of the funds appropriated or made
23 available by this or any other Act may be used to pay
24 the salaries and expenses of personnel to carry out subtitle

1 I of the Consolidated Farm and Rural Development Act
2 (7 U.S.C. 2009dd through dd-7).

3 SEC. 734. None of the funds appropriated or made
4 available by this or any other Act may be used to pay
5 the salaries and expenses of personnel to carry out section
6 6405 of Public Law 107-171 (7 U.S.C. 2655).

7 SEC. 735. The Agricultural Marketing Service and
8 the Grain Inspection, Packers and Stockyards Administra-
9 tion, that have statutory authority to purchase interest
10 bearing investments outside of the Treasury, are not re-
11 quired to establish obligations and outlays for those invest-
12 ments, provided those investments are insured by the Fed-
13 eral Deposit Insurance Corporation or are collateralized
14 at the Federal Reserve with securities approved by the
15 Federal Reserve, operating under the guidelines of the
16 United States Department of the Treasury.

17 SEC. 736. Of the funds made available under section
18 27(a) of the Food Stamp Act of 1977 (7 U.S.C. 2011 et
19 seq.), the Secretary may use up to \$10,000,000 for costs
20 associated with the distribution of commodities.

21 SEC. 737. None of the funds appropriated or other-
22 wise made available by this or any other Act shall be used
23 to pay the salaries and expenses of personnel to enroll in
24 excess of 154,500 acres in the calendar year 2005 wet-
25 lands reserve program as authorized by 16 U.S.C. 3837.

1 SEC. 738. None of the funds made available in fiscal
2 year 2005 or preceding fiscal years for programs author-
3 ized under the Agricultural Trade Development and As-
4 sistance Act of 1954 (7 U.S.C. 1691 et seq.) in excess
5 of \$20,000,000 shall be used to reimburse the Commodity
6 Credit Corporation for the release of eligible commodities
7 under section 302(f)(2)(A) of the Bill Emerson Humani-
8 tarian Trust Act (7 U.S.C. 1736f-1): *Provided*, That any
9 such funds made available to reimburse the Commodity
10 Credit Corporation shall only be used pursuant to section
11 302(b)(2)(B)(i) of the Bill Emerson Humanitarian Trust
12 Act.

13 SEC. 739. None of the funds appropriated or other-
14 wise made available by this or any other Act shall be used
15 to pay the salaries and expenses of personnel who carry
16 out an environmental quality incentives program author-
17 ized by chapter 4 of subtitle D of title XII of the Food
18 Security Act of 1985 (16 U.S.C. 3839aa et seq.) in excess
19 of \$1,025,000,000.

20 SEC. 740. Notwithstanding any other provision of
21 law, the Natural Resources Conservation Service may pro-
22 vide from appropriated funds financial and technical as-
23 sistance to the Dry Creek project, Utah.

24 SEC. 741. Hereafter, the Secretary of Agriculture is
25 authorized to permit employees of the United States De-

1 partment of Agriculture to carry and use firearms for per-
2 sonal protection while conducting field work in remote lo-
3 cations in the performance of their official duties.

4 SEC. 742. None of the funds appropriated or other-
5 wise made available by this or any other Act shall be used
6 to pay the salaries and expenses of personnel to carry out
7 section 9006(f) of the Farm Security and Rural Invest-
8 ment Act of 2002 (7 U.S.C. 8106(f)).

9 SEC. 743. With the exception of funds provided in
10 fiscal year 2003, none of the funds appropriated or other-
11 wise made available by this or any other Act shall be used
12 to pay the salaries and expenses of personnel to carry out
13 section 601(j)(1)(A) of the Rural Electrification Act of
14 1936 (7 U.S.C. 950bb(j)(1)(A)).

15 SEC. 744. None of the funds appropriated or other-
16 wise made available by this or any other Act shall be used
17 to pay the salaries and expenses of personnel to carry out
18 section 231(b)(4) of the Agricultural Risk Protection Act
19 of 2000 (7 U.S.C. 1621 note).

20 SEC. 745. Notwithstanding subsections (c) and (e)(2)
21 of section 313A of the Rural Electrification Act (7 U.S.C.
22 940c(c) and (e)(2)) in implementing section 313A of that
23 Act, the Secretary shall, with the consent of the lender,
24 structure the schedule for payment of the annual fee, not
25 to exceed an average of 30 basis points per year for the

1 term of the loan, to ensure that sufficient funds are avail-
2 able to pay the subsidy costs for note guarantees under
3 that section.

4 SEC. 746. None of the funds appropriated or other-
5 wise made available by this or any other Act shall be used
6 to pay the salaries and expenses of personnel to carry out
7 a ground and surface water conservation program author-
8 ized by section 2301 of Public Law 107–171, the Farm
9 Security and Rural Investment Act of 2002, in excess of
10 \$51,000,000.

11 SEC. 747. None of the funds appropriated or other-
12 wise made available by this or any other Act shall be used
13 to pay the salaries and expenses of personnel to carry out
14 section 2502 of Public Law 107–171, the Farm Security
15 and Rural Investment Act of 2002, in excess of
16 \$47,000,000.

17 SEC. 748. None of the funds appropriated or other-
18 wise made available by this or any other Act shall be used
19 to pay the salaries and expenses of personnel to carry out
20 section 2503 of Public Law 107–171, the Farm Security
21 and Rural Investment Act of 2002, in excess of
22 \$112,000,000.

23 SEC. 749. There is hereby appropriated \$2,400,000,
24 to remain available until September 30, 2006, to carry out
25 section 6028 of Public Law 107–171, the Farm Security

1 and Rural Investment Act of 2002: *Provided*, That not-
2 withstanding section 383B(g)(1) of the Consolidated
3 Farm and Rural Development Act (7 U.S.C. 2009bb-
4 1(g)(1)), the Federal share of the administrative expenses
5 of the Northern Great Plains Regional Authority for fiscal
6 year 2005 shall be 100 percent.

7 SEC. 750. Not more than \$34,000,000 for fiscal year
8 2005 of the funds appropriated or otherwise made avail-
9 able by this or any other Act shall be used to carry out
10 Section 6029 of Public Law 107-171, of the Farm Secu-
11 rity and Rural Investment Act of 2002.

12 SEC. 751. None of the funds made available by this
13 Act may be used to issue a final rule in furtherance of,
14 or otherwise implement, the proposed rule on cost-sharing
15 for animal and plant health emergency programs of the
16 Animal and Plant Health Inspection Service published on
17 July 8, 2003 (Docket No. 02-062-1; 68 Fed. Reg.
18 40541).

19 SEC. 752. Agencies and offices of the Department of
20 Agriculture may utilize any available discretionary funds
21 to cover the costs of preparing, or contracting for the
22 preparation of, final agency decisions regarding com-
23 plaints of discrimination in employment or program activi-
24 ties arising within such agencies and offices.

1 SEC. 753. Notwithstanding any other provision of
2 law, for any fiscal year and hereafter, in the case of a
3 high cost isolated rural area in Alaska that is not con-
4 nected to a road system, the maximum level for the single
5 family housing assistance shall be 150 percent of the aver-
6 age income level in the metropolitan areas of the State
7 and 115 percent of all other eligible areas of the State.

8 SEC. 754. There is hereby appropriated \$500,000, to
9 remain available until expended, for the Denali Commis-
10 sion to address deficiencies in solid waste disposal sites
11 which threaten to contaminate rural drinking water sup-
12 plies.

13 SEC. 755. None of the funds made available in this
14 Act may be used to study, complete a study of, or enter
15 into a contract with a private party to carry out, without
16 specific authorization in a subsequent Act of Congress, a
17 competitive sourcing activity of the Secretary of Agri-
18 culture, including support personnel of the Department of
19 Agriculture, relating to rural development or farm loan
20 programs.

21 SEC. 756. Notwithstanding any other provision of
22 law, and until receipt of the decennial Census for the year
23 2010, for all activities under programs of the Rural Devel-
24 opment Mission Area within the County of Honolulu, Ha-
25 waii, the Secretary may designate any portion of the coun-

1 ty as a rural area or eligible rural community that the
 2 Secretary determines is not urban in character: *Provided*,
 3 That the Secretary shall not include in any such rural area
 4 or eligible rural community any area included in the Hono-
 5 lulu Census Designated Place as determined by the Sec-
 6 retary of Commerce.

7 SEC. 757. Notwithstanding the provisions of the Con-
 8 solidated Farm and Rural Development Act (including the
 9 associated regulations) governing the Community Facili-
 10 ties Program, the Secretary may allow all Community Fa-
 11 cility Program facility borrowers and grantees to enter
 12 into contracts with not-for-profit third parties for services
 13 consistent with the requirements of the Program, grant,
 14 and/or loan: *Provided*, That the contracts protect the in-
 15 terests of the Government regarding cost, liability, mainte-
 16 nance, and administrative fees.

17 SEC. 758. Notwithstanding any other provision of
 18 law, the Secretary of Agriculture may use appropriations
 19 available to the Secretary for activities authorized under
 20 sections 426–426c of title 7, United States Code, under
 21 this or any other Act, to enter into cooperative agree-
 22 ments, with a State, political subdivision, or agency there-
 23 of, a public or private agency, organization, or any other
 24 person, to lease aircraft if the Secretary determines that
 25 the objectives of the agreement will: (1) serve a mutual

1 interest of the parties to the agreement in carrying out
2 the programs administered by the Animal and Plant
3 Health Inspection Service, Wildlife Service; and (2) all
4 parties will contribute resources to the accomplishment of
5 these objectives; award of a cooperative agreement author-
6 ized by the Secretary may be made for an initial term not
7 to exceed 5 years.

8 SEC. 759. Notwithstanding any other provision of
9 law, the Secretary of Agriculture is authorized to make
10 funding and other assistance available through the emer-
11 gency watershed protection program under section 403 of
12 the Agricultural Credit Act of 1978 (16 U.S.C. 2203) to
13 repair and prevent damage to non-Federal land in water-
14 sheds that have been impaired by fires initiated by the
15 Federal Government and shall waive cost sharing require-
16 ments for the funding and assistance.

17 SEC. 760. Notwithstanding any other provision of
18 law—

19 (1) the Alaska Department of Community and
20 Economic Development shall be eligible to receive a
21 water and waste disposal grant under section 306(a)
22 of the Consolidated Farm and Rural Development
23 Act (7 U.S.C. 1926(a)) in an amount that is equal
24 to not more than 75 percent of the total cost of pro-
25 viding water and sewer service to the proposed hos-

1 pital in the Matanuska-Susitna Borough, Alaska;
2 and

3 (2) the Alaska Department of Community and
4 Economic Development shall be allowed to pass the
5 grant funds through to the local government entity
6 that will provide water and sewer service to the hos-
7 pital.

8 SEC. 761. None of the funds provided in this Act may
9 be used for salaries and expenses to carry out any regula-
10 tion or rule insofar as it would make ineligible for enroll-
11 ment in the conservation reserve program established
12 under subchapter B of chapter 1 of subtitle D of title XII
13 of the Food Security Act of 1985 (16 U.S.C. 3831 et seq.)
14 land that is planted to hardwood trees as of the date of
15 enactment of this Act and was enrolled in the conservation
16 reserve program under a contract that expired prior to cal-
17 endar year 2002.

18 SEC. 762. Of the unobligated balances in the Local
19 Television Loan Guarantee Program account,
20 \$88,000,000 are hereby rescinded.

21 SEC. 763. None of the funds provided to the U.S.
22 Department of Agriculture in any fiscal year for informa-
23 tion technology shall be obligated for projects over
24 \$25,000 prior to receipt of written approval by the Chief
25 Information Officer.

1 SEC. 764. None of the funds appropriated or other-
 2 wise made available by this or any other Act shall be used
 3 to pay the salaries and expenses of personnel to carry out
 4 section 9010 of Public Law 107–171, the Farm Security
 5 and Rural Investment Act of 2002, in excess of
 6 \$100,000,000.

7 SEC. 765. PRIVACY PROTECTION OF CERTAIN SELL-
 8 ERS OF FARM PRODUCTS. Section 1324(c) of the Food
 9 Security Act of 1985 (7 U.S.C. 1631(c)) is amended—

10 (1) in subsection (c)—

11 (A) in paragraph (2)(C)(ii)(II), by insert-
 12 ing “, or other approved unique identifier,”
 13 after both “social security number” and “iden-
 14 tification number”;

15 (B) in paragraph (4)(C)(iii), by inserting
 16 “, or other approved unique identifier,” after
 17 both “social security number” and “identifica-
 18 tion number”; and

19 (C) by adding the following at the end:

20 “(5) The term ‘approved unique identifier’
 21 means a number, combination of numbers and let-
 22 ters, or other identifier selected by the Secretary of
 23 State using a selection system or method approved
 24 by the Secretary of Agriculture.”

1 (2) in subsection (e)(1)(A)(ii)(III), by inserting
 2 “, or other approved unique identifier,” after both
 3 “social security number” and “identification num-
 4 ber”; and

5 (3) in subsection (g)(2)(A)(ii)(III), by inserting
 6 “, or other approved unique identifier,” after both
 7 “social security number” and “identification num-
 8 ber”.

9 SEC. 766. Notwithstanding any other provision of
 10 law, or any percentage of cost limitation in current law
 11 or regulations, the construction projects known as the Tri-
 12 Valley Community Center addition in Healy, Alaska; the
 13 Cold Climate Housing Research Center in Fairbanks,
 14 Alaska; and the University of Alaska-Fairbanks Allied
 15 Health Learning Center skill labs/classrooms shall be eligi-
 16 ble to receive Community Facilities grants in amounts
 17 that are equal to not more than 75 percent of the total
 18 facility costs: *Provided*, That for the purposes of this sec-
 19 tion, the Cold Climate Housing Research Center is des-
 20 ignated an “essential community facility” for rural Alas-
 21 ka.

22 SEC. 767. Section 532 of the Equity in Educational
 23 Land Grant Status Act of 1994 (7 U.S.C. 301 note; Pub-
 24 lic Law 193–382) is amended—

1 (1) by redesignating paragraphs (23) through
2 (32) as paragraphs (24) through (33), respectively;
3 and

4 (2) by inserting after paragraph (22) the fol-
5 lowing: “(23) Tohono O’odham Community Col-
6 lege.”.

7 SEC. 768. Of the unobligated balances of funds in
8 the Agricultural Conservation Program account,
9 \$2,000,000 are hereby rescinded.

10 SEC. 769. Notwithstanding any other provision of
11 law, the amounts made available to the Dakota Value Cap-
12 ture Cooperative under section 747 of the Agriculture,
13 Rural Development, Food and Drug Administration, and
14 Related Agencies Appropriations Act, 2002 (Public Law
15 107–76; 115 Stat. 738) shall remain available until ex-
16 pended for a project conducted by the Dakota Value Cap-
17 ture Cooperative at South Dakota State University.

18 SEC. 770. None of the funds made available under
19 this Act shall be available to pay the administrative ex-
20 penses of a State agency that, after the date of enactment
21 of this Act, authorizes any new for-profit vendor(s) to
22 transact food instruments under the Special Supplemental
23 Nutrition Program for Women, Infants, and Children if
24 it is expected that more than 50 percent of the annual
25 revenue of the vendor from the sale of food items will be

1 derived from the sale of supplemental foods that are ob-
2 tained with WIC food instruments, except that the Sec-
3 retary may approve the authorization of such a vendor if
4 the approval is necessary to assure participant access to
5 program benefits.

6 SEC. 771. Of the unobligated balances under section
7 32 of the Act of August 24, 1935, \$163,000,000 are here-
8 by rescinded.

9 SEC. 772. Of the unobligated balances available to
10 the Foreign Agricultural Service for the Public Law 480
11 Title I Program at the beginning of fiscal year 2005,
12 \$174,000,000 are hereby rescinded: *Provided*, That for
13 purposes of determining the amount of funds available for
14 transfer under section 412(b) of Public Law 83–480, as
15 amended, the maximum amount of funds available for
16 transfer shall be calculated based upon the total funds
17 available prior to this rescission.

18 SEC. 773. The Secretary of Agriculture may use any
19 unobligated carryover funds made available for any pro-
20 gram administered by the Rural Utilities Service (not in-
21 cluding funds made available under the heading “Rural
22 Community Advancement Program” in any Act of appro-
23 priation) to carry out section 315 of the Rural Electrifica-
24 tion Act of 1936 (7 U.S.C. 940e).

1 SEC. 774. None of the funds made available by this
 2 or any other Act may be used to reduce the mission, re-
 3 sources, staffing, facilities, or capabilities of the Wildlife
 4 Habitat Management Institute in Mississippi as in exist-
 5 ence on December 17, 2003.

6 SEC. 775. RENEWABLE ENERGY SYSTEM LOAN
 7 GUARANTEES. (a) IN GENERAL.—Title IX of the Farm
 8 Security and Rural Investment Act of 2002 (7 U.S.C.
 9 8101 et seq.) is amended by adding the following:
 10 **“SEC. 9012. RENEWABLE ENERGY SYSTEM LOAN GUARAN-**
 11 **TEES.**

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

16 “(b) PROJECTS.—Subsection (c)(1) shall not apply to
 17 a loan guarantee made under this section to carry out a
 18 project if—

19 “(1) the loan will be used—

20 “(A) to purchase a renewable energy sys-
 21 tem that has, as one of its principal purposes,
 22 the commercial production of an agricultural
 23 commodity; 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 dili-
5 gence with respect to the borrower of the loan;

6 “(3) the borrower of the loan pays in full, be-
7 fore the guarantee is issued, a guarantee fee in the
8 amount of the estimated subsidy cost of the guar-
9 antee, as determined by the Director of the Office of
10 Management 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
16 \$75,000,000, 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
22 provided under this section; 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
3 guarantee under this section for a project described
4 in subsection (b) shall not exceed 80 percent of the
5 total 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 “(3) LOAN GUARANTEE LIMITS.—The loan
11 guarantee limitations applicable to the business and
12 industry guarantee loan program authorized under
13 section 310B of the Consolidated Farm and Rural
14 Development Act (7 U.S.C. 1932) shall apply to
15 loan guarantees made under this section.

16 “(4) MAXIMUM AMOUNT.—

17 “(A) INDIVIDUAL LOANS.—The amount of
18 principal for a loan under this section for a
19 project described in subsection (b) shall not ex-
20 ceed \$75,000,000.

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

1 (b) PROPOSED RULE.—Not later than 120 days after
2 the date of enactment of this Act, the Secretary of Agri-
3 culture shall promulgate a proposed rule to carry out the
4 amendment made by subsection (a).

5 SEC. 776. TRAVEL RELATING TO COMMERCIAL
6 SALES OF AGRICULTURAL AND MEDICAL GOODS. Section
7 910(a) of the Trade Sanctions Reform and Export En-
8 hancement Act of 2000 (22 U.S.C. 7209(a)) is amended
9 to read as follows:

10 “(a) AUTHORIZATION OF TRAVEL RELATING TO
11 COMMERCIAL SALES OF AGRICULTURAL AND MEDICAL
12 GOODS.—The Secretary of the Treasury shall promulgate
13 regulations under which the travel-related transactions
14 listed in paragraph (c) of section 515.560 of title 31, Code
15 of Federal Regulations, are authorized by general license
16 for travel to, from, or within Cuba for the purpose of con-
17 ferring, exhibiting, marketing, planning, sales negotiation,
18 delivery, expediting, facilitating, or servicing commercial
19 export sale of agricultural and medical goods pursuant to
20 the provisions of this title.”.

21 SEC. 777. LIVESTOCK ASSISTANCE. (a) IN GEN-
22 ERAL.—In carrying out a livestock assistance, compensa-
23 tion, or feed program, the Secretary of Agriculture shall
24 include elk, reindeer, and bison within the definition of
25 “livestock” covered by the program.

1 (b) CONFORMING AMENDMENTS.—

2 (1) Section 602(2) of the Agricultural Act of
3 1949 (7 U.S.C. 1471(2)) is amended by inserting
4 “elk, reindeer, bison,” after “cattle,”.

5 (2) Section 10104 of the Farm Security and
6 Rural Investment Act of 2002 (7 U.S.C. 1472) is
7 amended—

8 (A) by redesignating subsections (a)
9 through (d) as subsections (b) through (e), re-
10 spectively; and

11 (B) by inserting before subsection (b) (as
12 so redesignated) the following:

13 “(a) DEFINITION OF LIVESTOCK.—In this section,
14 the term ‘livestock’ includes elk, reindeer, and bison.”.

15 (3) Section 203(d) of the Agricultural Assist-
16 ance Act of 2003 (Public Law 108–7; 117 Stat.
17 541) is amended—

18 (A) by redesignating paragraph (2) as
19 paragraph (3); and

20 (B) by inserting after paragraph (1) the
21 following:

22 “(2) LIVESTOCK.—The term ‘livestock’ includes
23 elk, reindeer, and bison.”.

24 SEC. 778. Notwithstanding any other provision of
25 law, the Secretary shall consider the City of Guymon,

1 Oklahoma; the City of Shawnee, Oklahoma; and the City
2 of Altus, Oklahoma, to be eligible for loans and grants
3 provided through the Rural Housing Insurance Fund until
4 receipt of the decennial Census in the year 2010.

5 SEC. 779. Notwithstanding any other provision of
6 law, the City of Great Falls, Montana, shall be considered
7 a rural area for purposes of eligibility for business and
8 industry guaranteed loans under section 310B(a)(1) of the
9 Consolidated Farm and Rural Development Act (7 U.S.C.
10 1932(a)(1)) until receipt of the decennial Census in the
11 year 2010.

12 SEC. 780. Notwithstanding any other provision of
13 law, the Secretary may consider the Piedmont Municipal
14 Power Agency of South Carolina eligible to participate in
15 programs administered by the Rural Utilities Service until
16 receipt of the decennial Census in the year 2010.

17 SEC. 781. There is hereby appropriated \$1,000,000,
18 to remain available until expended, to carry out provisions
19 of Section 751 of Division A of Public Law 108–7.

20 SEC. 782. (a) Section 1240B of the Food Security
21 Act of 1985, 16 U.S.C. 3839 aa–2, is amended at the end
22 by adding the following:

23 “(h) FUNDING FOR FEDERALLY RECOGNIZED NA-
24 TIVE AMERICAN INDIAN TRIBES AND ALASKA NATIVE
25 CORPORATIONS.—The Secretary may enter into alter-

1 native funding arrangements with federally recognized
2 Native American Indian Tribes and Alaska Native Cor-
3 porations (including their affiliated membership organiza-
4 tions) if the Secretary determines that the goals and objec-
5 tives of the program will be met by such arrangements,
6 and that statutory limitations regarding contracts with in-
7 dividual producers as defined under this Subtitle will not
8 be exceeded by any Tribal or Native Corporation mem-
9 ber.”.

10 (b) Section 1240G of the Food Security Act of 1985,
11 16 U.S.C. 3839aa–7, is amended by inserting after 2007,
12 “(excluding funding arrangements with federally recog-
13 nized Native American Indian Tribes or Alaska Native
14 Corporations under section 1240B(h))”.

15 SEC. 783. There is hereby appropriated \$500,000 for
16 a grant to Alaska Village Initiatives for the purpose of
17 administering a private lands wildlife management pro-
18 gram in Alaska.

19 SEC. 784. TECHNICAL CORRECTIONS. (a) Section
20 104(b)(1) of the Child Nutrition and WIC Reauthoriza-
21 tion Act of 2004 (Public Law 108–265) is amended by
22 striking the closing quotation marks and the following pe-
23 riod at the end of section 9(b)(5)(A)(iv) of the Richard
24 B. Russell National School Lunch Act (as added by that
25 section 104(b)(1) of Public Law 108–265).

1 (b) Section 13(a)(10) of the Richard B. Russell Na-
 2 tional School Lunch Act (42 U.S.C. 1761(a)(10)) (as
 3 added by section 116(d) of Public Law 108–265) is
 4 amended—

5 (1) in subparagraph (C), by striking “2005”
 6 and inserting “2006”; and

7 (2) in subparagraph (D)—

8 (A) in clause (i), by striking “2007” and
 9 inserting “2008”; and

10 (B) in clause (ii), by striking “2008” and
 11 inserting “2009”.

12 (c) Effective October 1, 2004, section 17(i)(2) of the
 13 Richard B. Russell National School Lunch Act (42 U.S.C.
 14 1766(i)(2)) is amended—

15 (1) by striking “The Secretary” and inserting
 16 the following:

17 “(A) IN GENERAL.—The Secretary”; and

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

19 “(B) REALLOCATION.—The Secretary may
 20 reallocate audit funds to States administering
 21 the child and adult food care program for the
 22 purpose of conducting audits of participating
 23 institutions.”.

24 (d) Section 21(e)(2)(A) of the Richard B. Russell Na-
 25 tional School Lunch Act (42 U.S.C. 1769b-1(e)(2)(A)) (as

1 amended by section 125(c)(2)(B) of Public Law 108–265)
 2 is amended by inserting “and” after “2005”.

3 (e) Section 17(f)(1)(C)(i) of the Child Nutrition Act
 4 of 1966 (42 U.S.C. 1786(f)(1)(C)(i) (as amended by sec-
 5 tion 203(e)(10)(B) of Public Law 108–265) is amended
 6 by striking the period after “subsection (h)(11)”.

7 (f) Section 17(h)(8)(A)(vi) of the Child Nutrition Act
 8 of 1966 (42 U.S.C. 1786(h)(8)(A)(vi) (as added by section
 9 203(e)(5) of Public Law 108–265) is amended by striking
 10 “Each State” and inserting “Effective beginning October
 11 1, 2004, each State”.

12 (g) Section 502(b) of the Child Nutrition and WIC
 13 Reauthorization Act of 2004 (P.L. 108–265) is amend-
 14 ed—

15 (1) in paragraph (2), by striking “203(e)(5),”;
 16 and

17 (2) in paragraph (4), by striking “104” and in-
 18 serting “104 (other than section 104(a)(1))”.

19 SEC. 785. CONSERVATION RESERVE ENHANCEMENT
 20 PROGRAM. Effective beginning October 1, 2005, the Sec-
 21 retary of Agriculture may waive section 1001D of the
 22 Food Security Act of 1985 (7 U.S.C. 1308–3a) for any
 23 landowner participating in a conservation reserve enhance-
 24 ment program entered into with the State of Hawaii for
 25 provision payments to landowners in that program.

1 This Act may be cited as the “Agriculture, Rural De-
2 velopment, Food and Drug Administration, and Related
3 Agencies Appropriations Act, 2005”.

Calendar No. 694

108TH CONGRESS
2D Session

S. 2803

[Report No. 108-340]

A BILL

Making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2005, and for other purposes.

SEPTEMBER 14, 2004

Read twice and placed on the calendar