

Calendar No. 282

110TH CONGRESS
1ST SESSION**S. 1859****[Report No. 110–134]**

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

IN THE SENATE OF THE UNITED STATES

JULY 24, 2007

Mr. KOHL, 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, 2008, and for other purposes.

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

1 ending September 30, 2008, 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, \$5,309,000: *Provided*, That not to exceed
9 \$11,000 of this amount shall be available for official recep-
10 tion and representation expenses, not otherwise provided
11 for, as determined by the Secretary.

12 EXECUTIVE OPERATIONS

13 OFFICE OF THE CHIEF ECONOMIST

14 For necessary expenses of the Office of the Chief
15 Economist, \$10,847,000.

16 NATIONAL APPEALS DIVISION

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

19 OFFICE OF BUDGET AND PROGRAM ANALYSIS

20 For necessary expenses of the Office of Budget and
21 Program Analysis, \$9,035,000.

22 HOMELAND SECURITY STAFF

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

1 OFFICE OF THE CHIEF INFORMATION OFFICER

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

4 OFFICE OF THE CHIEF FINANCIAL OFFICER

5 For necessary expenses of the Office of the Chief Fi-
6 nancial Officer, \$6,076,000: *Provided*, That no funds
7 made available by this appropriation may be obligated for
8 FAIR Act or Circular A-76 activities until the Secretary
9 has submitted to the Committees on Appropriations of
10 both Houses of Congress a report on the Department's
11 contracting out policies, including agency budgets for con-
12 tracting out.

13 OFFICE OF THE ASSISTANT SECRETARY FOR CIVIL
14 RIGHTS

15 For necessary expenses of the Office of the Assistant
16 Secretary for Civil Rights, \$861,000.

17 OFFICE OF CIVIL RIGHTS

18 (INCLUDING TRANSFERS OF FUNDS)

19 For necessary expenses of the Office of Civil Rights,
20 \$20,706,000.

21 OFFICE OF THE ASSISTANT SECRETARY FOR
22 ADMINISTRATION

23 For necessary expenses of the Office of the Assistant
24 Secretary for Administration, \$709,000.

1 AGRICULTURE BUILDINGS AND FACILITIES AND RENTAL
2 PAYMENTS
3 (INCLUDING TRANSFERS OF FUNDS)

4 For payment of space rental and related costs pursu-
5 ant to Public Law 92–313, including authorities pursuant
6 to the 1984 delegation of authority from the Adminis-
7 trator of General Services to the Department of Agri-
8 culture under 40 U.S.C. 486, for programs and activities
9 of the Department which are included in this Act, and for
10 alterations and other actions needed for the Department
11 and its agencies to consolidate unneeded space into con-
12 figurations suitable for release to the Administrator of
13 General Services, and for the operation, maintenance, im-
14 provement, and repair of Agriculture buildings and facili-
15 ties, and for related costs, \$199,016,000, to remain avail-
16 able until expended, of which \$156,590,000 shall be avail-
17 able for payments to the General Services Administration
18 for rent and the Department of Homeland Security for
19 building security: *Provided*, That amounts which are made
20 available for space rental and related costs for the Depart-
21 ment of Agriculture in this Act may be transferred be-
22 tween such appropriations to cover the costs of additional,
23 new, or replacement space 15 days after notice thereof is
24 transmitted to the Appropriations Committees of both
25 Houses of Congress.

HAZARDOUS MATERIALS MANAGEMENT

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Department of Agriculture, to comply with the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9601 et seq.) and the Resource Conservation and Recovery Act (42 U.S.C. 6901 et seq.), \$5,200,000, to remain available until expended: *Provided*, That appropriations and funds available herein to the Department for Hazardous Materials Management may be transferred to any agency of the Department for its use in meeting all requirements pursuant to the above Acts on Federal and non-Federal lands.

DEPARTMENTAL ADMINISTRATION

(INCLUDING TRANSFERS OF FUNDS)

For Departmental Administration, \$23,913,000, to provide for necessary expenses for management support services to offices of the Department and for general administration, security, repairs and alterations, and other miscellaneous supplies and expenses not otherwise provided for and necessary for the practical and efficient work of the Department: *Provided*, That this appropriation shall be reimbursed from applicable appropriations in this Act for travel expenses incident to the holding of hearings as required by 5 U.S.C. 551–558.

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

4 For necessary expenses of the Office of the Assistant
5 Secretary for Congressional Relations, \$3,936,000: *Pro-*
6 *vided*, That these funds may be transferred to agencies
7 of the Department of Agriculture funded by this Act to
8 maintain personnel at the agency level: *Provided further*,
9 That no funds made available by this appropriation may
10 be obligated after 30 days from the date of enactment of
11 this Act, unless the Secretary has notified the Committees
12 on Appropriations of both Houses of Congress on the allo-
13 cation of these funds by USDA agency: *Provided further*,
14 That no other funds appropriated to the Department by
15 this Act shall be available to the Department for support
16 of activities of congressional relations.

17 OFFICE OF COMMUNICATIONS

18 For necessary expenses of the Office of Communica-
19 tions, \$9,720,000.

20 OFFICE OF INSPECTOR GENERAL

21 For necessary expenses of the Office of Inspector
22 General, including employment pursuant to the Inspector
23 General Act of 1978, \$81,627,000, including such sums
24 as may be necessary for contracting and other arrange-
25 ments with public agencies and private persons pursuant

1 to section 6(a)(9) of the Inspector General Act of 1978,
2 and including not to exceed \$125,000 for certain confiden-
3 tial operational expenses, including the payment of inform-
4 ants, to be expended under the direction of the Inspector
5 General pursuant to Public Law 95–452 and section 1337
6 of Public Law 97–98.

7 OFFICE OF THE GENERAL COUNSEL

8 For necessary expenses of the Office of the General
9 Counsel, \$40,764,000.

10 OFFICE OF THE UNDER SECRETARY FOR RESEARCH,
11 EDUCATION AND ECONOMICS

12 For necessary expenses of the Office of the Under
13 Secretary for Research, Education and Economics,
14 \$626,000.

15 ECONOMIC RESEARCH SERVICE

16 For necessary expenses of the Economic Research
17 Service, \$76,532,000.

18 NATIONAL AGRICULTURAL STATISTICS SERVICE

19 For necessary expenses of the National Agricultural
20 Statistics Service, \$167,699,000, of which up to
21 \$54,325,000 shall be available until expended for the Cen-
22 sus of Agriculture.

1 AGRICULTURAL RESEARCH SERVICE

2 SALARIES AND EXPENSES

3 For necessary expenses of the Agricultural Research
4 Service; and for acquisition of lands by donation, ex-
5 change, or purchase at a nominal cost not to exceed \$100,
6 and for land exchanges where the lands exchanged shall
7 be of equal value or shall be equalized by a payment of
8 money to the grantor which shall not exceed 25 percent
9 of the total value of the land or interests transferred out
10 of Federal ownership, \$1,154,174,000: *Provided*, That ap-
11 propriations hereunder shall be available for the operation
12 and maintenance of aircraft and the purchase of not to
13 exceed one for replacement only: *Provided further*, That
14 appropriations hereunder shall be available pursuant to 7
15 U.S.C. 2250 for the construction, alteration, and repair
16 of buildings and improvements, but unless otherwise pro-
17 vided, the cost of constructing any one building shall not
18 exceed \$375,000, except for headhouses or greenhouses
19 which shall each be limited to \$1,200,000, and except for
20 10 buildings to be constructed or improved at a cost not
21 to exceed \$750,000 each, and the cost of altering any one
22 building during the fiscal year shall not exceed 10 percent
23 of the current replacement value of the building or
24 \$375,000, whichever is greater: *Provided further*, That the
25 limitations on alterations contained in this Act shall not

1 apply to modernization or replacement of existing facilities
2 at Beltsville, Maryland: *Provided further*, That appropria-
3 tions hereunder shall be available for granting easements
4 at the Beltsville Agricultural Research Center: *Provided*
5 *further*, That the foregoing limitations shall not apply to
6 replacement of buildings needed to carry out the Act of
7 April 24, 1948 (21 U.S.C. 113a): *Provided further*, That
8 funds may be received from any State, other political sub-
9 division, organization, or individual for the purpose of es-
10 tablishing or operating any research facility or research
11 project of the Agricultural Research Service, as authorized
12 by law: *Provided further*, That hereafter none of the funds
13 appropriated under this heading shall be available to carry
14 out research related to the production, processing, or mar-
15 keting of tobacco or tobacco products.

16 BUILDINGS AND FACILITIES

17 For acquisition of land, construction, repair, improve-
18 ment, extension, alteration, and purchase of fixed equip-
19 ment or facilities as necessary to carry out the agricultural
20 research programs of the Department of Agriculture,
21 where not otherwise provided, \$40,100,000, to remain
22 available until expended.

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

4 For payments to agricultural experiment stations, for
 5 cooperative forestry and other research, for facilities, and
 6 for other expenses, \$700,849,000, as follows: to carry out
 7 7 U.S.C. 361a–i, \$214,924,000; for grants under 16
 8 U.S.C. 582a through a–7, \$30,008,000; for payments to
 9 eligible institutions (7 U.S.C. 3222), \$40,680,000, of
 10 which \$1,507,496 shall be made available only for the pur-
 11 pose of ensuring that each institution shall receive no less
 12 than \$1,000,000; for grants under 7 U.S.C. 450i(c),
 13 \$67,734,000; for special grants for agricultural research
 14 on improved pest control under 7 U.S.C. 450i(c),
 15 \$14,869,000; for grants under 7 U.S.C. 450i(b),
 16 \$244,000,000; for programs under 7 U.S.C. 3195,
 17 \$5,006,000; to carry out 7 U.S.C. 3319d, \$825,000; for
 18 grants under 7 U.S.C. 178 et seq., \$1,091,000, to remain
 19 available until expended; for the grants program pursuant
 20 to section 536 of Public Law 103–382 (7 U.S.C. 301
 21 note), \$1,544,000, to remain available until expended; for
 22 grants under 7 U.S.C. 3333, \$990,000; for grants under
 23 7 U.S.C. 3155, \$2,780,000; for higher education graduate
 24 fellowship grants under 7 U.S.C. 3152(b)(6), \$3,701,000,
 25 to remain available until expended; for a program pursu-

1 ant to section 1415A of the National Agricultural Re-
 2 search, Extension, and Teaching Policy Act of 1977 (7
 3 U.S.C. 3151a), \$750,000, to remain available until ex-
 4 pended; for higher education challenge grants under 7
 5 U.S.C. 3152(b)(1), \$5,423,000; for a higher education
 6 multicultural scholars program under 7 U.S.C.
 7 3152(b)(5), \$988,000, to remain available until expended;
 8 for a grants program under 7 U.S.C. 3241, \$5,940,000;
 9 for grants for the purpose of carrying out all provisions
 10 of 7 U.S.C. 3242, with funds awarded equally to the par-
 11 ticipating States, \$3,218,000; for a program under 7
 12 U.S.C. 3152(j), \$990,000; for grants under 7 U.S.C.
 13 3322, \$3,928,000; for research and education under 7
 14 U.S.C. 5811, \$15,000,000; for a program of capacity
 15 building grants under 7 U.S.C. 3152(b)(4) to institutions
 16 eligible to receive funds under 7 U.S.C. 3221 and 3222,
 17 \$12,375,000, to remain available until expended; for pay-
 18 ments pursuant to section 534(a)(1) of Public Law 103–
 19 382, \$3,342,000; and for necessary expenses of Research
 20 and Education Activities, \$20,843,000, of which
 21 \$2,723,000 for the Research, Education, and Economics
 22 Information System and \$2,151,000 for the Electronic
 23 Grants Information System, are to remain available until
 24 expended: *Provided*, That hereafter none of the funds ap-
 25 propriated under this heading shall be available to carry

1 out research related to the production, processing, or mar-
 2 keting of tobacco or tobacco products: *Provided further*,
 3 That hereafter this paragraph shall not apply to research
 4 on the medical, biotechnological, food, and industrial uses
 5 of tobacco.

6 NATIVE AMERICAN INSTITUTIONS ENDOWMENT FUND

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

10 EXTENSION ACTIVITIES

11 For payments to States, the District of Columbia,
 12 Puerto Rico, Guam, the Virgin Islands, Micronesia,
 13 Northern Marianas, and American Samoa, \$458,537,000,
 14 as follows: payments for cooperative extension work under
 15 the Smith-Lever Act, to be distributed under sections 3(b)
 16 and 3(c) of said Act, and under section 208(c) of Public
 17 Law 93–471, for retirement and employees’ compensation
 18 costs for extension agents, \$285,762,000; payments under
 19 7 U.S.C. 343(b)(3), \$3,321,000; payments for the nutri-
 20 tion and family education program for low-income areas
 21 under section 3(d) of the Act, \$63,538,000; payments for
 22 the pest management program under section 3(d) of the
 23 Act, \$9,860,000; payments for the farm safety program
 24 under section 3(d) of the Act, \$4,517,000; payments for
 25 New Technologies for Ag Extension under Section 3(d)
 26 of the Act, \$1,485,000; payments to upgrade research, ex-

1 tension, and teaching facilities at institutions eligible to
 2 receive funds under 7 U.S.C. 3221 and 3222,
 3 \$16,777,000, to remain available until expended; pay-
 4 ments for youth-at-risk programs under section 3(d) of the
 5 Smith-Lever Act, \$7,651,000; for youth farm safety edu-
 6 cation and certification extension grants, to be awarded
 7 competitively under section 3(d) of the Act, \$440,000; for
 8 carrying out 16 U.S.C. 1671 et seq., \$4,019,000; pay-
 9 ments for federally-recognized Tribes Extension Program
 10 under section 3(d) of the Smith-Lever Act, \$3,000,000;
 11 payments for sustainable agriculture programs under sec-
 12 tion 3(d) of the Act, \$5,000,000; payments as authorized
 13 by section 502(i) of Public Law 92-419 (7 U.S.C.
 14 2662(i)), \$1,946,000; payments for cooperative extension
 15 work by eligible institutions (7 U.S.C. 3221),
 16 \$35,205,000, of which \$1,724,884 shall be made available
 17 only for the purpose of ensuring that each institution shall
 18 receive no less than \$1,000,000; and for necessary ex-
 19 penses of Extension Activities, \$15,916,000.

20 INTEGRATED ACTIVITIES

21 For the integrated research, education, and extension
 22 grants programs, including necessary administrative ex-
 23 penses, \$12,948,000, as follows: for a competitive inter-
 24 national science and education grants program authorized
 25 under section 1459A of the National Agricultural Re-
 26 search, Extension, and Teaching Policy Act of 1977 (7

1 U.S.C. 3292b), to remain available until expended,
 2 \$990,000; for grants programs authorized under section
 3 2(c)(1)(B) of Public Law 89–106, as amended, \$737,000,
 4 to remain available until September 30, 2009 for the crit-
 5 ical issues program; and \$1,321,000 for the regional rural
 6 development centers program; and \$9,900,000 for the
 7 Food and Agriculture Defense Initiative authorized under
 8 section 1484 of the National Agricultural Research, Ex-
 9 tension, and Teaching Act of 1977, to remain available
 10 until September 30, 2009.

11 OUTREACH FOR SOCIALLY DISADVANTAGED FARMERS

12 For grants and contracts pursuant to section 2501
 13 of the Food, Agriculture, Conservation, and Trade Act of
 14 1990 (7 U.S.C. 2279), \$5,940,000, to remain available
 15 until expended.

16 OFFICE OF THE UNDER SECRETARY FOR MARKETING
 17 AND REGULATORY PROGRAMS

18 For necessary expenses of the Office of the Under
 19 Secretary for Marketing and Regulatory Programs,
 20 \$759,000.

21 ANIMAL AND PLANT HEALTH INSPECTION SERVICE

22 SALARIES AND EXPENSES

23 (INCLUDING TRANSFERS OF FUNDS)

24 For necessary expenses of the Animal and Plant
 25 Health Inspection Service, including not to exceed
 26 \$40,000 for representation allowances and for expenses

1 pursuant to the Foreign Service Act of 1980 (22 U.S.C.
2 4085), \$911,742,000; of which \$4,149,000 shall be avail-
3 able for the control of outbreaks of insects, plant diseases,
4 animal diseases and for control of pest animals and birds
5 to the extent necessary to meet emergency conditions; of
6 which \$43,807,000 shall be used for the cotton pests pro-
7 gram for cost share purposes or for debt retirement for
8 active eradication zones; of which \$19,827,000 shall be
9 available for a National Animal Identification program; of
10 which \$47,514,000 shall be used to conduct a surveillance
11 and preparedness program for highly pathogenic avian in-
12 fluenza: *Provided*, That no funds shall be used to formu-
13 late or administer a brucellosis eradication program for
14 the current fiscal year that does not require minimum
15 matching by the States of at least 40 percent: *Provided*
16 *further*, That the APHIS Wildlife Services program may
17 use such sums as are necessary to pay a fixed rate reim-
18 bursement, on a reimbursement schedule set by program
19 directors for their area of responsibility, to employees for
20 the use of personally owned animals and equipment, in-
21 cluding but not limited to horses, dogs, ATVs, snowmo-
22 biles, computer connectivity, and cellular telephones: *Pro-*
23 *vided further*, That this appropriation shall be available
24 for the operation and maintenance of aircraft and the pur-
25 chase of not to exceed four, of which two shall be for re-

1 placement only: *Provided further*, That appropriations
2 hereunder shall be available pursuant to law (7 U.S.C.
3 2250) for the repair and alteration of leased buildings and
4 improvements, but unless otherwise provided the cost of
5 altering any one building during the fiscal year shall not
6 exceed 10 percent of the current replacement value of the
7 building.

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

19 BUILDINGS AND FACILITIES

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

1 AGRICULTURAL MARKETING SERVICE

2 MARKETING SERVICES

3 For necessary expenses of the Agricultural Marketing
4 Service, \$80,145,000: *Provided*, That of the amount pro-
5 vided under this heading, \$7,000,000, to remain available
6 until expended, is for specialty crop block grants author-
7 ized under section 101 of the Specialty Crops Competitive-
8 ness Act of 2004 (Public Law 108–465; 7 U.S.C. 1621
9 note), of which not to exceed five percent may be available
10 for administrative expenses: *Provided further*, That this
11 appropriation shall be available pursuant to law (7 U.S.C.
12 2250) for the alteration and repair of buildings and im-
13 provements, but the cost of altering any one building dur-
14 ing the fiscal year shall not exceed 10 percent of the cur-
15 rent replacement value of the building.

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

19 LIMITATION ON ADMINISTRATIVE EXPENSES

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

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

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

16 PAYMENTS TO STATES AND POSSESSIONS

17 For payments to departments of agriculture, bureaus
18 and departments of markets, and similar agencies for
19 marketing activities under section 204(b) of the Agricul-
20 tural Marketing Act of 1946 (7 U.S.C. 1623(b)),
21 \$3,834,000, of which not less than \$2,500,000 shall be
22 used to make a grant under this heading.

1 GRAIN INSPECTION, PACKERS AND STOCKYARDS

2 ADMINISTRATION

3 SALARIES AND EXPENSES

4 For necessary expenses of the Grain Inspection,
5 Packers and Stockyards Administration, \$39,115,000:
6 *Provided*, That this appropriation shall be available pursu-
7 ant to law (7 U.S.C. 2250) for the alteration and repair
8 of buildings and improvements, but the cost of altering
9 any one building during the fiscal year shall not exceed
10 10 percent of the current replacement value of the build-
11 ing.

12 LIMITATION ON INSPECTION AND WEIGHING SERVICES

13 EXPENSES

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

21 OFFICE OF THE UNDER SECRETARY FOR FOOD SAFETY

22 For necessary expenses of the Office of the Under
23 Secretary for Food Safety, \$632,000.

24 FOOD SAFETY AND INSPECTION SERVICE

25 For necessary expenses of the Food Safety and In-
26 spection Service, including not to exceed \$50,000 for rep-

1 representation allowances and for expenses pursuant to sec-
2 tion 8 of the Act approved August 3, 1956 (7 U.S.C.
3 1766), \$930,620,000; and in addition, \$1,000,000 may be
4 credited to this account from fees collected for the cost
5 of laboratory accreditation as authorized by section 1327
6 of the Food, Agriculture, Conservation and Trade Act of
7 1990 (7 U.S.C. 138f): *Provided*, That no fewer than 83
8 full time equivalent positions above the fiscal year 2002
9 level shall be employed during fiscal year 2008 for pur-
10 poses dedicated solely to inspections and enforcement re-
11 lated to the Humane Methods of Slaughter Act: *Provided*
12 *further*, That of the amount available under this heading,
13 \$3,000,000 shall be obligated to maintain the Humane
14 Animal Tracking System as part of the Public Health
15 Data Communication Infrastructure System: *Provided*
16 *further*, That this appropriation shall be available pursu-
17 ant to law (7 U.S.C. 2250) for the alteration and repair
18 of buildings and improvements, but the cost of altering
19 any one building during the fiscal year shall not exceed
20 10 percent of the current replacement value of the build-
21 ing.

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

3 For necessary expenses of the Office of the Under
4 Secretary for Farm and Foreign Agricultural Services,
5 \$666,000.

6 FARM SERVICE AGENCY

7 SALARIES AND EXPENSES

8 (INCLUDING TRANSFERS OF FUNDS)

9 For necessary expenses of the Farm Service Agency,
10 \$1,160,662,000: *Provided*, That the Secretary is author-
11 ized to use the services, facilities, and authorities (but not
12 the funds) of the Commodity Credit Corporation to make
13 program payments for all programs administered by the
14 Agency: *Provided further*, That other funds made available
15 to the Agency for authorized activities may be advanced
16 to and merged with this account.

17 STATE MEDIATION GRANTS

18 For grants pursuant to section 502(b) of the Agricul-
19 tural Credit Act of 1987, as amended (7 U.S.C. 5101–
20 5106), \$4,750,000.

21 GRASSROOTS SOURCE WATER PROTECTION PROGRAM

22 For necessary expenses to carry out wellhead or
23 groundwater protection activities under section 1240O of
24 the Food Security Act of 1985 (16 U.S.C. 3839bb–2),
25 \$3,713,000, to remain available until expended.

For necessary expenses involved in making indemnity payments to dairy farmers and manufacturers of dairy products under a dairy indemnity program, \$100,000, to remain available until expended: *Provided*, That such program is carried out by the Secretary in the same manner as the dairy indemnity program described in the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001 (Public Law 106-387, 114 Stat. 1549A-12).

(INCLUDING TRANSFERS OF FUNDS)

For gross obligations for the principal amount of direct and guaranteed farm ownership (7 U.S.C. 1922 et seq.) and operating (7 U.S.C. 1941 et seq.) loans, Indian land acquisition loans (25 U.S.C. 488), and boll weevil loans (7 U.S.C. 1989), to be available from funds in the Agricultural Credit Insurance Fund, as follows: farm ownership loans, \$1,471,257,000, of which \$1,047,400,000 shall be for unsubsidized guaranteed loans and \$223,857,000 shall be for direct loans; operating loans, \$1,875,686,000, of which \$1,024,650,000 shall be for unsubsidized guaranteed loans, \$271,886,000 shall be for subsidized guaranteed loans and \$579,150,000 shall be for direct loans; Indian tribe land acquisition

1 loans, \$3,960,000; and for boll weevil eradication program
2 loans, \$100,000,000: *Provided*, That the Secretary shall
3 deem the pink bollworm to be a boll weevil for the purpose
4 of boll weevil eradication program loans.

5 For the cost of direct and guaranteed loans, including
6 the cost of modifying loans as defined in section 502 of
7 the Congressional Budget Act of 1974, as follows: farm
8 ownership loans, \$14,952,000, of which \$4,990,000 shall
9 be for guaranteed loans, and \$9,962,000 shall be for direct
10 loans; operating loans, \$134,561,000, of which
11 \$24,797,000 shall be for unsubsidized guaranteed loans,
12 \$36,270,000 shall be for subsidized guaranteed loans, and
13 \$73,494,000 shall be for direct loans; and Indian tribe
14 land acquisition loans, \$125,000.

15 In addition, for administrative expenses necessary to
16 carry out the direct and guaranteed loan programs,
17 \$318,150,000, of which \$310,230,000 shall be transferred
18 to and merged with the appropriation for Farm Service
19 Agency, Salaries and Expenses.

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

1 *Provided further*, That none of the funds appropriated or
 2 otherwise made available by this Act shall be used to pay
 3 the salaries and expenses of personnel to collect from the
 4 lender an annual fee on unsubsidized guaranteed oper-
 5 ating loans, a guarantee fee of more than one percent of
 6 the principal obligation of guaranteed unsubsidized oper-
 7 ating or ownership loans, or a guarantee fee on subsidized
 8 guaranteed operating loans administered by the Farm
 9 Service Agency.

10 RISK MANAGEMENT AGENCY

11 For necessary expenses of the Risk Management
 12 Agency, \$78,833,000: *Provided*, That not more than
 13 \$11,166,000 of the funds made available under section
 14 522(e) of the Federal Crop Insurance Act (7 U.S.C.
 15 1522(e)) may be used for program compliance and integ-
 16 rity purposes, including the data mining projects, and for
 17 the Common Information Management System: *Provided*
 18 *further*, That not to exceed \$1,000 shall be available for
 19 official reception and representation expenses, as author-
 20 ized by 7 U.S.C. 1506(i).

21 CORPORATIONS

22 The following corporations and agencies are hereby
 23 authorized to make expenditures, within the limits of
 24 funds and borrowing authority available to each such cor-
 25 poration or agency and in accord with law, and to make

1 contracts and commitments without regard to fiscal year
2 limitations as provided by section 104 of the Government
3 Corporation Control Act as may be necessary in carrying
4 out the programs set forth in the budget for the current
5 fiscal year for such corporation or agency, except as here-
6 inafter provided.

7 FEDERAL CROP INSURANCE CORPORATION FUND

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

11 COMMODITY CREDIT CORPORATION FUND

12 REIMBURSEMENT FOR NET REALIZED LOSSES

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

HAZARDOUS WASTE MANAGEMENT

(LIMITATION ON EXPENSES)

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

FARM STORAGE FACILITY LOANS PROGRAM ACCOUNT

For administrative expenses necessary to carry out the Farm Storage and Sugar Storage Facility Loan Programs, \$4,660,000, to be transferred to and merged with the appropriation for Farm Service Agency, Salaries and Expenses.

TITLE II

CONSERVATION PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR NATURAL

RESOURCES AND ENVIRONMENT

For necessary expenses of the Office of the Under Secretary for Natural Resources and Environment, \$781,000.

1 NATURAL RESOURCES CONSERVATION SERVICE
2 CONSERVATION OPERATIONS

3 For necessary expenses for carrying out the provi-
4 sions of the Act of April 27, 1935 (16 U.S.C. 590a–f),
5 including preparation of conservation plans and establish-
6 ment of measures to conserve soil and water (including
7 farm irrigation and land drainage and such special meas-
8 ures for soil and water management as may be necessary
9 to prevent floods and the siltation of reservoirs and to con-
10 trol agricultural related pollutants); operation of conserva-
11 tion plant materials centers; classification and mapping of
12 soil; dissemination of information; acquisition of lands,
13 water, and interests therein for use in the plant materials
14 program by donation, exchange, or purchase at a nominal
15 cost not to exceed \$100 pursuant to the Act of August
16 3, 1956 (7 U.S.C. 428a); purchase and erection or alter-
17 ation or improvement of permanent and temporary build-
18 ings; and operation and maintenance of aircraft,
19 \$862,996,000, to remain available until September 30,
20 2009, of which not less than \$10,950,000 is for snow sur-
21 vey and water forecasting, and not less than \$12,365,000
22 is for operation and establishment of the plant materials
23 centers, and of which not less than \$27,799,000 shall be
24 for the grazing lands conservation initiative: *Provided*,
25 That appropriations hereunder shall be available pursuant

1 to 7 U.S.C. 2250 for construction and improvement of
 2 buildings and public improvements at plant materials cen-
 3 ters, except that the cost of alterations and improvements
 4 to other buildings and other public improvements shall not
 5 exceed \$250,000: *Provided further*, That when buildings
 6 or other structures are erected on non-Federal land, that
 7 the right to use such land is obtained as provided in 7
 8 U.S.C. 2250a: *Provided further*, That this appropriation
 9 shall be available for technical assistance and related ex-
 10 penses to carry out programs authorized by section 202(c)
 11 of title II of the Colorado River Basin Salinity Control
 12 Act of 1974 (43 U.S.C. 1592(c)): *Provided further*, That
 13 qualified local engineers may be temporarily employed at
 14 per diem rates to perform the technical planning work of
 15 the Service.

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, \$33,450,000,
 26 to remain available until expended: *Provided*, That not to

1 exceed \$1,000,000 of this appropriation is available to
2 carry out the purposes of the Endangered Species Act of
3 1973 (Public Law 93–205), including cooperative efforts
4 as contemplated by that Act to relocate endangered or
5 threatened species to other suitable habitats as may be
6 necessary to expedite project construction.

7 WATERSHED REHABILITATION PROGRAM

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

14 RESOURCE CONSERVATION AND DEVELOPMENT

15 For necessary expenses in planning and carrying out
16 projects for resource conservation and development and
17 for sound land use pursuant to the provisions of sections
18 31 and 32 of the Bankhead-Jones Farm Tenant Act (7
19 U.S.C. 1010–1011; 76 Stat. 607); the Act of April 27,
20 1935 (16 U.S.C. 590a–f); and subtitle H of title XV of
21 the Agriculture and Food Act of 1981 (16 U.S.C. 3451–
22 3461), \$53,150,000, to remain available until expended.

23 HEALTHY FORESTS RESERVE PROGRAM

24 For necessary expenses to carry out the Healthy For-
25 ests Reserve Program authorized under title V of Public

1 Law 108–148 (16 U.S.C. 6571–6578), \$2,476,000, to re-
 2 main available until expended.

3 TITLE III

4 RURAL DEVELOPMENT PROGRAMS

5 OFFICE OF THE UNDER SECRETARY FOR RURAL 6 DEVELOPMENT

7 For necessary expenses of the Office of the Under
 8 Secretary for Rural Development, \$666,000.

9 RURAL DEVELOPMENT SALARIES AND EXPENSES

10 (INCLUDING TRANSFERS OF FUNDS)

11 For necessary expenses for carrying out the adminis-
 12 tration and implementation of programs in the Rural De-
 13 velopment mission area, including activities with institu-
 14 tions concerning the development and operation of agricul-
 15 tural cooperatives; and for cooperative agreements;
 16 \$175,302,000: *Provided*, That notwithstanding any other
 17 provision of law, funds appropriated under this section
 18 may be used for advertising and promotional activities
 19 that support the Rural Development mission area: *Pro-*
 20 *vided further*, That not more than \$10,000 may be ex-
 21 pended to provide modest nonmonetary awards to non-
 22 USDA employees: *Provided further*, That any balances
 23 available from prior years for the Rural Utilities Service,
 24 Rural Housing Service, and the Rural Business-Coopera-

1 tive Service salaries and expenses accounts shall be trans-
 2 ferred to and merged with this appropriation.

3 RURAL HOUSING SERVICE

4 RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT

5 (INCLUDING TRANSFERS OF FUNDS)

6 For gross obligations for the principal amount of di-
 7 rect and guaranteed loans as authorized by title V of the
 8 Housing Act of 1949, to be available from funds in the
 9 rural housing insurance fund, as follows: \$4,690,502,000
 10 for loans to section 502 borrowers, of which
 11 \$1,129,391,000 shall be for direct loans, and of which
 12 \$3,561,111,000 shall be for unsubsidized guaranteed
 13 loans; \$34,652,000 for section 504 housing repair loans;
 14 \$70,000,000 for section 515 rental housing; \$150,000,000
 15 for section 538 guaranteed multi-family housing loans;
 16 \$5,045,000 for section 524 site loans; \$11,485,000 for
 17 credit sales of acquired property, of which up to
 18 \$1,485,000 may be for multi-family credit sales; and
 19 \$5,000,000 for section 523 self-help housing land develop-
 20 ment loans.

21 For the cost of direct and guaranteed loans, including
 22 the cost of modifying loans, as defined in section 502 of
 23 the Congressional Budget Act of 1974, as follows: section
 24 502 loans, \$148,319,000, of which \$105,824,000 shall be
 25 for direct loans, and of which \$42,495,000, to remain
 26 available until expended, shall be for unsubsidized guaran-

1 teed loans; section 504 housing repair loans, \$9,796,000;
 2 repair, rehabilitation, and new construction of section 515
 3 rental housing, \$29,827,000; section 538 multi-family
 4 housing guaranteed loans, \$14,100,000; credit sales of ac-
 5 quired property, \$552,000; and section 523 self-help hous-
 6 ing and development loans, \$142,000: *Provided*, That of
 7 the total amount appropriated in this paragraph,
 8 \$2,500,000 shall be available through June 30, 2008, for
 9 authorized empowerment zones and enterprise commu-
 10 nities and communities designated by the Secretary of Ag-
 11 riculture as Rural Economic Area Partnership Zones: *Pro-*
 12 *vided further*, That any funds under this paragraph ini-
 13 tially allocated by the Secretary for housing projects in
 14 the State of Alaska that are not obligated by September
 15 30, 2008, shall be carried over until September 30, 2009,
 16 and made available for such housing projects only in the
 17 State of Alaska: *Provided further*, That any unobligated
 18 balances for a demonstration program for the preservation
 19 and revitalization of the section 515 multi-family rental
 20 housing properties as authorized by Public Law 109-97
 21 shall be transferred to and merged with the Rural Housing
 22 Service, Multifamily Housing Revitalization Program Ac-
 23 count.

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

1 \$462,521,000, which shall be transferred to and merged
 2 with the appropriation for Rural Development, Salaries
 3 and Expenses.

4 FARM LABOR PROGRAM ACCOUNT

5 For the cost of direct loans, grants, and contracts,
 6 as authorized by 42 U.S.C. 1484 and 1486, \$22,000,000,
 7 to remain available until expended, for direct farm labor
 8 housing loans and domestic farm labor housing grants and
 9 contracts.

10 MULTIFAMILY HOUSING REVITALIZATION PROGRAM
 11 ACCOUNT

12 For the rural housing voucher program as authorized
 13 under section 542 of the Housing Act of 1949, but not-
 14 withstanding subsection (b) of such section, for the cost
 15 to conduct a housing demonstration program to provide
 16 revolving loans for the preservation of low-income multi-
 17 family housing projects, and for additional costs to con-
 18 duct a demonstration program for the preservation and
 19 revitalization of the section 515 multi-family rental hous-
 20 ing properties, \$33,423,000, to remain available until ex-
 21 pended: *Provided*, That of the funds made available under
 22 this heading, \$15,500,000 shall be available for rural
 23 housing vouchers to any low-income household (including
 24 those not receiving rental assistance) residing in a prop-
 25 erty financed with a section 515 loan which has been pre-
 26 paid after September 30, 2005: *Provided further*, That the

1 amount of such voucher shall be the difference between
2 comparable market rent for the section 515 unit and the
3 tenant paid rent for such unit: *Provided further*, That
4 funds made available for such vouchers shall be subject
5 to the availability of annual appropriations: *Provided fur-*
6 *ther*, That the Secretary shall, to the maximum extent
7 practicable, administer such vouchers with current regula-
8 tions and administrative guidance applicable to section 8
9 housing vouchers administered by the Secretary of the De-
10 partment of Housing and Urban Development (including
11 the ability to pay administrative costs related to delivery
12 of the voucher funds): *Provided further*, That if the Sec-
13 retary determines that the amount made available for
14 vouchers in this or any other Act is not needed for vouch-
15 ers, the Secretary may use such funds for the demonstra-
16 tion programs for the preservation and revitalization of
17 the section 515 multifamily rental housing properties de-
18 scribed in this paragraph: *Provided further*, That of the
19 funds made available under this heading, \$2,923,000 shall
20 be available for the cost of loans to private non-profit or-
21 ganizations, or such non-profit organizations' affiliate loan
22 funds and State and local housing finance agencies, to
23 carry out a housing demonstration program to provide re-
24 volving loans for the preservation of low-income multi-fam-
25 ily housing projects: *Provided further*, That loans under

1 such demonstration program shall have an interest rate
2 of not more than 1 percent direct loan to the recipient:
3 *Provided further*, That the Secretary may defer the inter-
4 est and principal payment to the Rural Housing Service
5 for up to 3 years and the term of such loans shall not
6 exceed 30 years: *Provided further*, That of the funds made
7 available under this heading, \$15,000,000 shall be avail-
8 able for a demonstration program for the preservation and
9 revitalization of the section 515 multi-family rental hous-
10 ing properties to restructure existing section 515 loans,
11 as the Secretary deems appropriate, expressly for the pur-
12 poses of ensuring the project has sufficient resources to
13 preserve the project for the purpose of providing safe and
14 affordable housing for low-income residents including re-
15 ducing or eliminating interest; deferring loan payments,
16 subordinating, reducing or reamortizing loan debt; and
17 other financial assistance including advances and incen-
18 tives required by the Secretary: *Provided further*, That if
19 the Secretary determines that additional funds for vouch-
20 ers described in this paragraph are needed, funds for the
21 preservation and revitalization demonstration program
22 may be used for such vouchers: *Provided further*, That if
23 Congress enacts legislation to permanently authorize a
24 section 515 multi-family rental housing loan restructuring
25 program similar to the demonstration program described

1 herein, the Secretary may use funds made available for
 2 the demonstration program under this heading to carry
 3 out such legislation with the prior approval of the Commit-
 4 tees on Appropriations of both Houses of Congress.

5 RENTAL ASSISTANCE PROGRAM

6 For rental assistance agreements entered into or re-
 7 newed pursuant to the authority under section 521(a)(2)
 8 or agreements entered into in lieu of debt forgiveness or
 9 payments for eligible households as authorized by section
 10 502(c)(5)(D) of the Housing Act of 1949, \$496,950,000,
 11 to remain available through September 30, 2009; and, in
 12 addition, such sums as may be necessary, as authorized
 13 by section 521(c) of the Act, to liquidate debt incurred
 14 prior to fiscal year 1992 to carry out the rental assistance
 15 program under section 521(a)(2) of the Act: *Provided*,
 16 That of this amount, up to \$6,000,000 shall be available
 17 for debt forgiveness or payments for eligible households
 18 as authorized by section 502(c)(5)(D) of the Act, and not
 19 to exceed \$50,000 per project for advances to nonprofit
 20 organizations or public agencies to cover direct costs
 21 (other than purchase price) incurred in purchasing
 22 projects pursuant to section 502(c)(5)(C) of the Act: *Pro-*
 23 *vided further*, That agreements entered into or renewed
 24 during the current fiscal year shall be funded for a one-
 25 year period: *Provided further*, That any unexpended bal-
 26 ances remaining at the end of such one-year agreements

1 may be transferred and used for the purposes of any debt
 2 reduction; maintenance, repair, or rehabilitation of any ex-
 3 isting projects; preservation; and rental assistance activi-
 4 ties authorized under title V of the Act: *Provided further*,
 5 That up to \$3,000,000 may be used for the purpose of
 6 reimbursing funds used for rental assistance agreements
 7 entered into or renewed pursuant to the authority under
 8 section 521(a)(2) of the Act for emergency needs related
 9 to Hurricanes Katrina and Rita: *Provided further*, That
 10 rental assistance provided under agreements entered into
 11 prior to fiscal year 2008 for a farm labor multifamily
 12 housing project financed under section 514 or 516 of the
 13 Act may not be recaptured for use in another project until
 14 such assistance has remained unused for a period of 12
 15 consecutive months, if such project has a waiting list of
 16 tenants seeking such assistance or the project has rental
 17 assistance eligible tenants who are not receiving such as-
 18 sistance: *Provided further*, That such recaptured rental as-
 19 sistance shall, to the extent practicable, be applied to an-
 20 other farm labor multifamily housing project financed
 21 under section 514 or 516 of the Act.

22 MUTUAL AND SELF-HELP HOUSING GRANTS

23 For grants and contracts pursuant to section
 24 523(b)(1)(A) of the Housing Act of 1949 (42 U.S.C.
 25 1490c), \$38,000,000, to remain available until expended:
 26 *Provided*, That of the total amount appropriated,

1 \$1,000,000 shall be available through June 30, 2008, for
 2 authorized empowerment zones and enterprise commu-
 3 nities and communities designated by the Secretary of Ag-
 4 riculture as Rural Economic Area Partnership Zones.

5 RURAL HOUSING ASSISTANCE GRANTS

6 For grants and contracts for very low-income housing
 7 repair, supervisory and technical assistance, compensation
 8 for construction defects, and rural housing preservation
 9 made by the Rural Housing Service, as authorized by 42
 10 U.S.C. 1474, 1479(c), 1490e, and 1490m, \$40,590,000,
 11 to remain available until expended: *Provided*, That of the
 12 total amount appropriated, \$1,200,000 shall be available
 13 through June 30, 2008, for authorized empowerment
 14 zones and enterprise communities and communities des-
 15 ignated by the Secretary of Agriculture as Rural Economic
 16 Area Partnership Zones: *Provided further*, That any bal-
 17 ances to carry out a housing demonstration program to
 18 provide revolving loans for the preservation of low-income
 19 multifamily housing projects as authorized in Public Law
 20 108–447 and Public Law 109–97 shall be transferred to
 21 and merged with the Rural Housing Service, Multifamily
 22 Housing Revitalization Program Account.

23 RURAL COMMUNITY FACILITIES PROGRAM ACCOUNT

24 (INCLUDING TRANSFERS OF FUNDS)

25 For the cost of direct loans, loan guarantees, and
 26 grants for rural community facilities programs as author-

1 ized by section 306 and described in section 381E(d)(1)
2 of the Consolidated Farm and Rural Development Act,
3 \$67,422,000, to remain available until expended: *Pro-*
4 *vided*, That \$6,287,000 of the amount appropriated under
5 this heading shall be available for a Rural Community De-
6 velopment Initiative: *Provided further*, That such funds
7 shall be used solely to develop the capacity and ability of
8 private, nonprofit community-based housing and commu-
9 nity development organizations, low-income rural commu-
10 nities, and Federally Recognized Native American Tribes
11 to undertake projects to improve housing, community fa-
12 cilities, community and economic development projects in
13 rural areas: *Provided further*, That such funds shall be
14 made available to qualified private, nonprofit and public
15 intermediary organizations proposing to carry out a pro-
16 gram of financial and technical assistance: *Provided fur-*
17 *ther*, That such intermediary organizations shall provide
18 matching funds from other sources, including Federal
19 funds for related activities, in an amount not less than
20 funds provided: *Provided further*, That \$16,000,000 of the
21 amount appropriated under this heading shall be to pro-
22 vide grants for facilities in rural communities with extreme
23 unemployment and severe economic depression (Public
24 Law 106–387), with up to 5 percent for administration
25 and capacity building in the State rural development of-

1 fices: *Provided further*, That \$4,000,000 of the amount ap-
2 propriated under this heading shall be available for com-
3 munity facilities grants to tribal colleges, as authorized by
4 section 306(a)(19) of such Act: *Provided further*, That not
5 to exceed \$1,067,000 of the amount appropriated under
6 this heading shall be available through June 30, 2008, for
7 authorized empowerment zones and enterprise commu-
8 nities and communities designated by the Secretary of Ag-
9 riculture as Rural Economic Area Partnership Zones for
10 the rural community programs described in section
11 381E(d)(1) of the Consolidated Farm and Rural Develop-
12 ment Act: *Provided further*, That section 381E–H and
13 381N of the Consolidated Farm and Rural Development
14 Act are not applicable to the funds made available under
15 this heading: *Provided further*, That any prior balances in
16 the Rural Development, Rural Community Advancement
17 Program account for programs authorized by section 306
18 and described in section 381E(d)(1) of such Act be trans-
19 ferred and merged with this account and any other prior
20 balances from the Rural Development, Rural Community
21 Advancement Program account that the Secretary deter-
22 mines is appropriate to transfer.

1 RURAL BUSINESS—COOPERATIVE SERVICE

2 RURAL BUSINESS PROGRAM ACCOUNT

3 (INCLUDING TRANSFERS OF FUNDS)

4 For the cost of direct loans, loan guarantees, and
5 grants, for the rural business development programs au-
6 thorized by sections 306 and 310B and described in sec-
7 tion 310B(f) and 381E(d)(3) of the Consolidated Farm
8 and Rural Development Act, \$86,200,000, to remain
9 available until expended: *Provided*, That of the amount ap-
10 propriated under this heading, not to exceed \$495,000
11 shall be made available for a grant to a qualified national
12 organization to provide technical assistance for rural
13 transportation in order to promote economic development
14 and \$3,000,000 shall be for grants to the Delta Regional
15 Authority (7 U.S.C. 1921 et seq.) for any Rural Commu-
16 nity Advancement Program purpose as described in sec-
17 tion 381E(d) of the Consolidated Farm and Rural Devel-
18 opment Act: *Provided further*, That \$3,996,000 of the
19 amount appropriated under this heading shall be for busi-
20 ness grants to benefit Federally Recognized Native Amer-
21 ican Tribes, including \$248,000 for a grant to a qualified
22 national organization to provide technical assistance for
23 rural transportation in order to promote economic develop-
24 ment: *Provided further*, That not to exceed \$8,300,000 of
25 the amount appropriated under this heading shall be avail-
26 able through June 30, 2008, for authorized empowerment

1 zones and enterprise communities and communities des-
 2 ignated by the Secretary of Agriculture as Rural Economic
 3 Area Partnership Zones for the rural business and cooper-
 4 ative development programs described in section
 5 381E(d)(3) of the Consolidated Farm and Rural Develop-
 6 ment Act: *Provided further*, That section 381E–H and
 7 381N of the Consolidated Farm and Rural Development
 8 Act are not applicable to funds made available under this
 9 heading: *Provided further*, That any prior balances in the
 10 Rural Development, Rural Community Advancement Pro-
 11 gram account for programs authorized by sections 306
 12 and 310B and described in section 310B(f) and
 13 381E(d)(3) of such Act be transferred and merged with
 14 this account and any other prior balances from the Rural
 15 Development, Rural Community Advancement Program
 16 account that the Secretary determines is appropriate to
 17 transfer.

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

20 For the principal amount of direct loans, as author-
 21 ized by the Rural Development Loan Fund (42 U.S.C.
 22 9812(a)), \$33,870,000.

23 For the cost of direct loans, \$14,527,000, as author-
 24 ized by the Rural Development Loan Fund (42 U.S.C.
 25 9812(a)), of which \$1,724,000 shall be available through
 26 June 30, 2008, for Federally Recognized Native American

1 Tribes and of which \$3,449,000 shall be available through
 2 June 30, 2008, for Mississippi Delta Region counties (as
 3 determined in accordance with Public Law 100–460): *Pro-*
 4 *vided*, That such costs, including the cost of modifying
 5 such loans, shall be as defined in section 502 of the Con-
 6 gressional Budget Act of 1974: *Provided further*, That of
 7 the total amount appropriated, \$887,000 shall be available
 8 through June 30, 2008, for the cost of direct loans for
 9 authorized empowerment zones and enterprise commu-
 10 nities and communities designated by the Secretary of Ag-
 11 riculture as Rural Economic Area Partnership Zones.

12 In addition, for administrative expenses to carry out
 13 the direct loan programs, \$4,861,000 shall be transferred
 14 to and merged with the appropriation for Rural Develop-
 15 ment, Salaries and Expenses.

16 RURAL ECONOMIC DEVELOPMENT LOANS PROGRAM
 17 ACCOUNT
 18 (INCLUDING RESCISSION OF FUNDS)

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

23 Of the funds derived from interest on the cushion of
 24 credit payments in the current fiscal year, as authorized
 25 by section 313 of the Rural Electrification Act of 1936,

1 \$34,000,000 shall not be obligated and \$34,000,000 are
2 rescinded.

3 RURAL COOPERATIVE DEVELOPMENT GRANTS

4 For rural cooperative development grants authorized
5 under section 310B(e) of the Consolidated Farm and
6 Rural Development Act (7 U.S.C. 1932), \$26,403,000, of
7 which \$3,000,000 shall be for cooperative agreements for
8 the appropriate technology transfer for rural areas pro-
9 gram: *Provided*, That not to exceed \$1,473,000 shall be
10 for cooperatives or associations of cooperatives whose pri-
11 mary focus is to provide assistance to small, minority pro-
12 ducers and whose governing board and/or membership is
13 comprised of at least 75 percent minority; and of which
14 \$17,475,000, to remain available until expended, shall be
15 for value-added agricultural product market development
16 grants, as authorized by section 6401 of the Farm Secu-
17 rity and Rural Investment Act of 2002 (7 U.S.C. 1621
18 note).

19 RURAL EMPOWERMENT ZONES AND ENTERPRISE

20 COMMUNITY GRANTS

21 For grants in connection with empowerment zones
22 and enterprise communities, \$10,000,000, to remain avail-
23 able until expended, for designated rural empowerment
24 zones and rural enterprise communities, as authorized by
25 the Taxpayer Relief Act of 1997 and the Omnibus Consoli-
26 dated and Emergency Supplemental Appropriations Act,

1 1999 (Public Law 105–277): *Provided*, That the funds
 2 provided under this paragraph shall be made available to
 3 empowerment zones and enterprise communities in a man-
 4 ner and with the same priorities such funds were made
 5 available during the 2007 fiscal year.

6 RENEWABLE ENERGY PROGRAM

7 For the cost of a program of direct loans, loan guar-
 8 antees, and grants, under the same terms and conditions
 9 as authorized by section 9006 of the Farm Security and
 10 Rural Investment Act of 2002 (7 U.S.C. 8106),
 11 \$28,489,000: *Provided*, That the cost of direct loans and
 12 loan guarantees, including the cost of modifying such
 13 loans, shall be as defined in section 502 of the Congres-
 14 sional Budget Act of 1974.

15 RURAL UTILITIES SERVICE

16 RURAL WATER AND WASTE DISPOSAL PROGRAM ACCOUNT
 17 (INCLUDING TRANSFERS OF FUNDS)

18 For the cost of direct loans, loan guarantees, and
 19 grants for the rural water, waste water, waste disposal,
 20 and solid waste management programs authorized by sec-
 21 tions 306, 306A, 306C, 306D, and 310B and described
 22 in sections 306C(a)(2), 306D, and 381E(d)(2) of the Con-
 23 solidated Farm and Rural Development Act,
 24 \$550,469,000, to remain available until expended: *Pro-*
 25 *vided*, That \$65,835,000 of the amount appropriated
 26 under this heading shall be for water and waste disposal

1 systems grants authorized by 306C(a)(2)(B) and 306D of
2 the Consolidated Farm and Rural Development Act and
3 Native Americans authorized by 306C(a)(1): *Provided fur-*
4 *ther*, That the Secretary shall allocate the funds described
5 in the previous proviso in a manner consistent with the
6 allocation for such populations in fiscal year 2007 under
7 these authorities: *Provided further*, That not to exceed
8 \$18,810,000 of the amount appropriated under this head-
9 ing shall be for technical assistance grants for rural water
10 and waste systems pursuant to section 306(a)(14) of such
11 Act, unless the Secretary makes a determination of ex-
12 treme need, of which \$5,600,000 shall be made available
13 for a grant to a qualified non-profit multi-state regional
14 technical assistance organization, with experience in work-
15 ing with small communities on water and waste water
16 problems, the principal purpose of such grant shall be to
17 assist rural communities with populations of 3,300 or less,
18 in improving the planning, financing, development, oper-
19 ation, and management of water and waste water systems,
20 and of which not less than \$841,500 shall be for a quali-
21 fied national Native American organization to provide
22 technical assistance for rural water systems for tribal com-
23 munities: *Provided further*, That not to exceed
24 \$13,612,500 of the amount appropriated under this head-
25 ing shall be for contracting with qualified national organi-

1 zations for a circuit rider program to provide technical as-
 2 sistance for rural water systems: *Provided further*, That
 3 not to exceed \$12,000,000 of the amount appropriated
 4 under this heading shall be available through June 30,
 5 2008, for authorized empowerment zones and enterprise
 6 communities and communities designated by the Secretary
 7 of Agriculture as Rural Economic Area Partnership Zones
 8 for the rural utilities programs described in section
 9 381E(d)(2) of such Act: *Provided further*, That
 10 \$22,000,000 of the amount appropriated under this head-
 11 ing shall be transferred to, and merged with, the Rural
 12 Utilities Service, High Energy Cost Grants Account to
 13 provide grants authorized under section 19 of the Rural
 14 Electrification Act of 1936 (7 U.S.C. 918a): *Provided fur-*
 15 *ther*, That any prior year balances for high cost energy
 16 grants authorized by section 19 of the Rural Electrifica-
 17 tion Act of 1936 (7 U.S.C. 901(19)) shall be transferred
 18 to and merged with the Rural Utilities Service, High En-
 19 ergy Costs Grants Account: *Provided further*, That section
 20 381E–H and 381N of the Consolidated Farm and Rural
 21 Development Act are not applicable to the funds made
 22 available under this heading: *Provided further*, That any
 23 prior balances in the Rural Development, Rural Commu-
 24 nity Advancement Program account programs authorized
 25 by sections 306, 306A, 306C, 306D, and 310B and de-

1 scribed in sections 306C(a)(2), 306D, and 381E(d)(2) of
 2 such Act be transferred and merged with this account and
 3 any other prior balances from the Rural Development,
 4 Rural Community Advancement Program account that the
 5 Secretary determines is appropriate to transfer.

6 RURAL ELECTRIFICATION AND TELECOMMUNICATIONS

7 LOANS PROGRAM ACCOUNT

8 (INCLUDING TRANSFER OF FUNDS)

9 The principal amount of direct and guaranteed loans
 10 as authorized by section 305 of the Rural Electrification
 11 Act of 1936 (7 U.S.C. 935) shall be made as follows: 5
 12 percent rural electrification loans, \$100,000,000; loans
 13 made pursuant to section 306 of that Act, rural electric,
 14 \$6,500,000,000; guaranteed underwriting loans pursuant
 15 to section 313A, \$1,000,000,000; 5 percent rural tele-
 16 communications loans, \$145,000,000; cost of money rural
 17 telecommunications loans, \$250,000,000; and for loans
 18 made pursuant to section 306 of that Act, rural tele-
 19 communications loans, \$295,000,000.

20 For the cost, as defined in section 502 of the Con-
 21 gressional Budget Act of 1974, including the cost of modi-
 22 fying loans, of direct and guaranteed loans authorized by
 23 sections 305 and 306 of the Rural Electrification Act of
 24 1936 (7 U.S.C. 935 and 936), as follows: cost of rural
 25 electric loans, \$120,000, and the cost of telecommuni-
 26 cations loans, \$3,620,000: *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 For baseload generation loans made pursuant to the
4 authority of section 305 of the Rural Electrification Act
5 of 1936 (7 U.S.C. 935), the Secretary shall charge an up-
6 front fee at least equal to the costs of such loan guaran-
7 tees as calculated in accordance with section 502 of the
8 Federal Credit Reform Act of 1990: *Provided*, That funds
9 from the borrower to pay for the fees described in this
10 section shall come from non-Federal sources: *Provided fur-*
11 *ther*, That the source of the fees received from a borrower
12 shall not be a loan or other debt obligation that is made
13 or guaranteed by the Federal Government: *Provided fur-*
14 *ther*, That the Secretary shall establish a separate fee for
15 each project: *Provided further*, That to be eligible for a
16 baseload generation electric loan made or guaranteed by
17 the Rural Utilities Service, the borrower must provide a
18 rating of the project, exclusive of the Federal guarantee,
19 by an organization identified by the Securities and Ex-
20 change Commission as a nationally recognized statistical
21 rating organization, that determines that the project has
22 at least a AA rating, or equivalent rating, as determined
23 by the Secretary.

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

1 \$39,405,000 which shall be transferred to and merged
 2 with the appropriation for Rural Development, Salaries
 3 and Expenses.

4 DISTANCE LEARNING, TELEMEDICINE, AND BROADBAND
 5 PROGRAM

6 For the principal amount of the broadband tele-
 7 communication loans, \$495,000,000.

8 For grants for telemedicine and distance learning
 9 services in rural areas, as authorized by 7 U.S.C. 950aaa
 10 et seq., \$34,750,000, to remain available until expended:
 11 *Provided*, That \$10,000,000 shall be made available to
 12 convert analog to digital operation those noncommercial
 13 educational television broadcast stations that serve rural
 14 areas and are qualified for Community Service Grants by
 15 the Corporation for Public Broadcasting under section
 16 396(k) of the Communications Act of 1934, including as-
 17 sociated translators and repeaters, regardless of the loca-
 18 tion of their main transmitter, studio-to-transmitter links,
 19 and equipment to allow local control over digital content
 20 and programming through the use of high-definition
 21 broadcast, multi-casting and datacasting technologies.

22 For the cost of broadband loans, as authorized by 7
 23 U.S.C. 901 et seq., \$10,643,000, to remain available until
 24 September 30, 2009: *Provided*, That the interest rate for
 25 such loans shall be the cost of borrowing to the Depart-
 26 ment of the Treasury for obligations of comparable matu-

1 rity: *Provided further*, That the cost of direct loans shall
 2 be as defined in section 502 of the Congressional Budget
 3 Act of 1974.

4 In addition, \$8,910,000, to remain available until ex-
 5 pended, for a grant program to finance broadband trans-
 6 mission in rural areas eligible for Distance Learning and
 7 Telemedicine Program benefits authorized by 7 U.S.C.
 8 950aaa.

9 TITLE IV

10 DOMESTIC FOOD PROGRAMS

11 OFFICE OF THE UNDER SECRETARY FOR FOOD,

12 NUTRITION AND CONSUMER SERVICES

13 For necessary expenses of the Office of the Under
 14 Secretary for Food, Nutrition and Consumer Services,
 15 \$628,000.

16 FOOD AND NUTRITION SERVICE

17 CHILD NUTRITION PROGRAMS

18 (INCLUDING TRANSFERS OF FUNDS)

19 For necessary expenses to carry out the Richard B.
 20 Russell National School Lunch Act (42 U.S.C. 1751 et
 21 seq.), except section 21, and the Child Nutrition Act of
 22 1966 (42 U.S.C. 1771 et seq.), except sections 17 and
 23 21; \$13,897,272,000, to remain available through Sep-
 24 tember 30, 2009, of which \$7,662,215,000 is hereby ap-
 25 propriated and \$6,235,057,000 shall be derived by trans-
 26 fer from funds available under section 32 of the Act of

1 August 24, 1935 (7 U.S.C. 612c): *Provided*, That up to
 2 \$5,505,000 shall be available for independent verification
 3 of school food service claims: *Provided further*, That not-
 4 withstanding any other provision of law, for fiscal year
 5 2008, each State described in section 779 of the Agri-
 6 culture, Rural Development, Food and Drug Administra-
 7 tion, and Related Agencies Appropriations Act, 2006
 8 (Public Law 109–97; 119 Stat. 2162), may continue to
 9 receive funding, not to exceed \$500,000 per State, for the
 10 fresh fruit and vegetable pilot program under section
 11 18(g) of the Richard B. Russell National School Lunch
 12 Act (42 U.S.C. 1769(g)) from amounts made available to
 13 carry out that program that remain unexpended as of the
 14 date of enactment of this Act.

15 SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR
 16 WOMEN, INFANTS, AND CHILDREN (WIC)

17 For necessary expenses to carry out the special sup-
 18 plemental nutrition program as authorized by section 17
 19 of the Child Nutrition Act of 1966 (42 U.S.C. 1786),
 20 \$5,720,000,000, to remain available through September
 21 30, 2009, of which such sums as are necessary to restore
 22 the contingency reserve to \$116,000,000 shall be placed
 23 in reserve, to remain available until expended, to be allo-
 24 cated as the Secretary deems necessary, notwithstanding
 25 section 17(i) of such Act, to support participation should
 26 cost or participation exceed budget estimates: *Provided*,

1 That of the current balances remaining in the contingency
2 reserve on the date of enactment of this Act, amounts in
3 excess of \$116,000,000 shall be made available to support
4 base program grants for food and nutrition services and
5 administration: *Provided further*, That of the total amount
6 available, the Secretary shall obligate not less than
7 \$15,000,000 for a breastfeeding support initiative in addi-
8 tion to the activities specified in section 17(h)(3)(A): *Pro-*
9 *vided further*, That only the provisions of section
10 17(h)(10)(B)(i) and section 17(h)(10)(B)(ii) shall be ef-
11 fective in 2008; including \$14,000,000 for the purposes
12 specified in section 17(h)(10)(B)(i) and \$30,000,000 for
13 the purposes specified in section 17(h)(10)(B)(ii): *Pro-*
14 *vided further*, That of the funds made available for the
15 purposes specified in section 17(h)(10)(B)(ii),
16 \$15,000,000 shall be made available from WIC contin-
17 gency funds on October 1, 2007 or the date of enactment
18 of this Act, whichever is later, if a determination is made
19 by the Secretary that \$80,000,000 in contingency funds
20 are projected to remain unobligated at the end of fiscal
21 year 2008, and an additional \$15,000,000 shall be made
22 available from WIC contingency funds if the same deter-
23 mination is made on July 1, 2008: *Provided further*, That
24 none of the funds in this Act shall be available to pay
25 administrative expenses of WIC clinics except those that

1 have an announced policy of prohibiting smoking within
 2 the space used to carry out the program: *Provided further*,
 3 That none of the funds provided in this account shall be
 4 available for the purchase of infant formula except in ac-
 5 cordance with the cost containment and competitive bid-
 6 ding requirements specified in section 17 of such Act: *Pro-*
 7 *vided further*, That none of the funds provided shall be
 8 available for activities that are not fully reimbursed by
 9 other Federal Government departments or agencies unless
 10 authorized by section 17 of such Act.

11 FOOD STAMP PROGRAM

12 For necessary expenses to carry out the Food Stamp
 13 Act (7 U.S.C. 2011 et seq.), \$39,779,223,000, of which
 14 \$3,000,000,000, to remain available through September
 15 30, 2009, shall be placed in reserve for use only in such
 16 amounts and at such times as may become necessary to
 17 carry out program operations: *Provided*, That funds pro-
 18 vided herein shall be expended in accordance with section
 19 16 of the Food Stamp Act: *Provided further*, That this
 20 appropriation shall be subject to any work registration or
 21 workfare requirements as may be required by law: *Pro-*
 22 *vided further*, That funds made available for Employment
 23 and Training under this heading shall remain available
 24 until expended, as authorized by section 16(h)(1) of the
 25 Food Stamp Act: *Provided further*, That funds made avail-
 26 able under this heading may be used to enter into con-

1 tracts and employ staff to conduct studies, evaluations, or
 2 to conduct activities related to food stamp program integ-
 3 rity provided that such activities are authorized by the
 4 Food Stamp Act.

5 COMMODITY ASSISTANCE PROGRAM

6 For necessary expenses to carry out disaster assist-
 7 ance and the commodity supplemental food program, as
 8 authorized by section 4(a) of the Agriculture and Con-
 9 sumer Protection Act of 1973 (7 U.S.C. 612c note); the
 10 Emergency Food Assistance Act of 1983; special assist-
 11 ance for the nuclear affected islands, as authorized by sec-
 12 tion 103(f)(2)(A)(ii) of the Compact of Free Association
 13 Amendments Act of 2003 (Public Law 108–188); and the
 14 Farmers’ Market Nutrition Program, as authorized by
 15 section 17(m) of the Child Nutrition Act of 1966,
 16 \$199,070,000, to remain available through September 30,
 17 2009: *Provided*, That none of these funds shall be avail-
 18 able to reimburse the Commodity Credit Corporation for
 19 commodities donated to the program: *Provided further*,
 20 That notwithstanding any other provision of law, effective
 21 with funds made available in fiscal year 2008 to support
 22 the Seniors Farmers’ Market Nutrition Program
 23 (SFMNP), as authorized by section 4402 of Public Law
 24 107–171, such funds shall remain available through Sep-
 25 tember 30, 2009: *Provided further*, That hereafter no
 26 funds available for SFMNP shall be used to pay State or

1 local sales taxes on food purchased with SFMNP coupons
 2 or checks: *Provided further*, That hereafter the value of
 3 assistance provided by the SFMNP shall not be considered
 4 income or resources for any purposes under any Federal,
 5 State or local laws related to taxation, welfare and public
 6 assistance programs: *Provided further*, That of the funds
 7 made available under section 27(a) of the Food Stamp Act
 8 of 1977 (7 U.S.C. 2027(a)), the Secretary may use up
 9 to \$10,000,000 for costs associated with the distribution
 10 of commodities.

11 NUTRITION PROGRAMS ADMINISTRATION

12 For necessary administrative expenses of the Food
 13 and Nutrition Service, \$147,426,000, of which \$2,500,000
 14 is for the purpose of providing Bill Emerson and Mickey
 15 Leland Hunger Fellowships, through the Congressional
 16 Hunger Center.

17 TITLE V

18 FOREIGN ASSISTANCE AND RELATED 19 PROGRAMS

20 FOREIGN AGRICULTURAL SERVICE

21 SALARIES AND EXPENSES

22 (INCLUDING TRANSFERS OF FUNDS)

23 For necessary expenses of the Foreign Agricultural
 24 Service, including not to exceed \$158,000 for representa-
 25 tion allowances and for expenses pursuant to section 8 of
 26 the Act approved August 3, 1956 (7 U.S.C. 1766),

1 \$167,391,000: *Provided*, That the Service may utilize ad-
 2 vances of funds, or reimburse this appropriation for ex-
 3 penditures made on behalf of Federal agencies, public and
 4 private organizations and institutions under agreements
 5 executed pursuant to the agricultural food production as-
 6 sistance programs (7 U.S.C. 1737) and the foreign assist-
 7 ance programs of the United States Agency for Inter-
 8 national Development: *Provided further*, That funds made
 9 available for the cost of agreements under title I of the
 10 Agricultural Trade Development and Assistance Act of
 11 1954 and for title I ocean freight differential may be used
 12 interchangeably between the two accounts with prior no-
 13 tice to the Committees on Appropriations of both Houses
 14 of Congress.

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

18 For administrative expenses to carry out the credit
 19 program of title I, Public Law 83-480 and the Food for
 20 Progress Act of 1985, \$2,749,000, to be transferred to
 21 and merged with the appropriation for Farm Service
 22 Agency, Salaries and Expenses.

23 PUBLIC LAW 480 TITLE II GRANTS

24 For expenses during the current fiscal year, not oth-
 25 erwise recoverable, and unrecovered prior years' costs, in-
 26 cluding interest thereon, under the Agricultural Trade De-

1 velopment and Assistance Act of 1954, for commodities
 2 supplied in connection with dispositions abroad under title
 3 II of said Act, \$1,219,400,000, to remain available until
 4 expended: *Provided*, That the Commodity Credit Corpora-
 5 tion is authorized to provide the services, facilities, and
 6 authorities for the purpose of implementing such section,
 7 subject to reimbursement from amounts provided herein.

8 COMMODITY CREDIT CORPORATION EXPORT LOANS

9 PROGRAM ACCOUNT

10 (INCLUDING TRANSFERS OF FUNDS)

11 For administrative expenses to carry out the Com-
 12 modity Credit Corporation's export guarantee program,
 13 GSM 102 and GSM 103, \$5,334,000; to cover common
 14 overhead expenses as permitted by section 11 of the Com-
 15 modity Credit Corporation Charter Act and in conformity
 16 with the Federal Credit Reform Act of 1990, of which
 17 \$4,985,000 may be transferred to and merged with the
 18 appropriation for Foreign Agricultural Service, Salaries
 19 and Expenses, and of which \$349,000 may be transferred
 20 to and merged with the appropriation for Farm Service
 21 Agency, Salaries and Expenses.

22 MCGOVERN-DOLE INTERNATIONAL FOOD FOR EDUCATION

23 AND CHILD NUTRITION PROGRAM GRANTS

24 For necessary expenses to carry out the provisions
 25 of section 3107 of the Farm Security and Rural Invest-
 26 ment Act of 2002 (7 U.S.C. 1736o-1), \$100,000,000, to

1 remain available until expended: *Provided*, That the Com-
2 modity Credit Corporation is authorized to provide the
3 services, facilities, and authorities for the purpose of im-
4 plementing such section, subject to reimbursement from
5 amounts provided herein.

6 TITLE VI

7 RELATED AGENCIES AND FOOD AND DRUG

8 ADMINISTRATION

9 DEPARTMENT OF HEALTH AND HUMAN

10 SERVICES

11 FOOD AND DRUG ADMINISTRATION

12 SALARIES AND EXPENSES

13 For necessary expenses of the Food and Drug Ad-
14 ministration, including hire and purchase of passenger
15 motor vehicles; for payment of space rental and related
16 costs pursuant to Public Law 92-313 for programs and
17 activities of the Food and Drug Administration which are
18 included in this Act; for rental of special purpose space
19 in the District of Columbia or elsewhere; for miscellaneous
20 and emergency expenses of enforcement activities, author-
21 ized and approved by the Secretary and to be accounted
22 for solely on the Secretary's certificate, not to exceed
23 \$25,000; and notwithstanding section 521 of Public Law
24 107-188; \$2,276,262,000: *Provided*, That of the amount
25 provided under this heading, \$459,000,000 shall be de-

1 rived from prescription drug user fees authorized by 21
2 U.S.C. 379h, shall be credited to this account and remain
3 available until expended, and shall not include any fees
4 pursuant to 21 U.S.C. 379h(a)(2) and (a)(3) assessed for
5 fiscal year 2009 but collected in fiscal year 2008;
6 \$48,431,000 shall be derived from medical device user fees
7 authorized by 21 U.S.C. 379j, and shall be credited to this
8 account and remain available until expended; and
9 \$13,696,000 shall be derived from animal drug user fees
10 authorized by 21 U.S.C. 379j, and shall be credited to this
11 account and remain available until expended: *Provided fur-*
12 *ther*, That fees derived from prescription drug, medical de-
13 vice, and animal drug assessments received during fiscal
14 year 2008, including any such fees assessed prior to the
15 current fiscal year but credited during the current year,
16 shall be subject to the fiscal year 2008 limitation: *Provided*
17 *further*, That none of these funds shall be used to develop,
18 establish, or operate any program of user fees authorized
19 by 31 U.S.C. 9701: *Provided further*, That of the total
20 amount appropriated: (1) \$522,453,000 shall be for the
21 Center for Food Safety and Applied Nutrition and related
22 field activities in the Office of Regulatory Affairs; (2)
23 \$680,608,000 shall be for the Center for Drug Evaluation
24 and Research and related field activities in the Office of
25 Regulatory Affairs, of which no less than \$42,461,000

1 shall be available for the Office of Generic Drugs; (3)
2 \$240,141,000 shall be for the Center for Biologics Evalua-
3 tion and Research and for related field activities in the
4 Office of Regulatory Affairs; (4) \$110,036,000 shall be
5 for the Center for Veterinary Medicine and for related
6 field activities in the Office of Regulatory Affairs; (5)
7 \$270,869,000 shall be for the Center for Devices and Ra-
8 diological Health and for related field activities in the Of-
9 fice of Regulatory Affairs; (6) \$46,104,000 shall be for
10 the National Center for Toxicological Research; (7) not
11 to exceed \$108,657,000 shall be for Rent and Related ac-
12 tivities, of which \$38,808,000 is for White Oak Consolida-
13 tion, other than the amounts paid to the General Services
14 Administration for rent; (8) not to exceed \$160,544,000
15 shall be for payments to the General Services Administra-
16 tion for rent; and (9) \$136,850,000 shall be for other ac-
17 tivities, including the Office of the Commissioner; the Of-
18 fice of Management; the Office of External Relations; the
19 Office of Policy and Planning; and central services for
20 these offices: *Provided further*, That funds may be trans-
21 ferred from one specified activity to another with the prior
22 notification of the Committees on Appropriations of both
23 Houses of Congress.

1 In addition, mammography user fees authorized by
2 42 U.S.C. 263b may be credited to this account, to remain
3 available until expended.

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

7 BUILDINGS AND FACILITIES

8 For plans, construction, repair, improvement, exten-
9 sion, alteration, and purchase of fixed equipment or facili-
10 ties of or used by the Food and Drug Administration,
11 where not otherwise provided, \$4,950,000, to remain
12 available until expended.

13 INDEPENDENT AGENCY

14 FARM CREDIT ADMINISTRATION

15 LIMITATION ON ADMINISTRATIVE EXPENSES

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

1 TITLE VII

2 GENERAL PROVISIONS

3 (INCLUDING RESCISSIONS AND TRANSFERS OF FUNDS)

4 SEC. 701. Within the unit limit of cost fixed by law,
5 appropriations and authorizations made for the Depart-
6 ment of Agriculture for the current fiscal year under this
7 Act shall be available for the purchase, in addition to those
8 specifically provided for, of not to exceed 292 passenger
9 motor vehicles, of which 290 shall be for replacement only,
10 and for the hire of such vehicles.

11 SEC. 702. New obligational authority provided for the
12 following appropriation items in this Act shall remain
13 available until expended: Animal and Plant Health Inspec-
14 tion Service, the contingency fund to meet emergency con-
15 ditions, information technology infrastructure, emerging
16 plant pests, cotton pests program, grasshopper program,
17 low pathogenic avian influenza program, highly pathogenic
18 avian influenza program, up to \$19,827,000 in animal
19 health monitoring and surveillance for the animal identi-
20 fication system, up to \$1,500,000 in the scrapie program
21 for indemnities, up to \$8,141,000 in the emergency man-
22 agement systems program for the vaccine bank, up to
23 \$1,000,000 for wildlife services methods development, up
24 to \$1,000,000 of the wildlife services operations program
25 for aviation safety, and up to 25 percent of the screwworm

1 program; Food Safety and Inspection Service, Public
2 Health Data Communication Infrastructure System; Co-
3 operative State Research, Education, and Extension Serv-
4 ice, funds for competitive research grants (7 U.S.C.
5 450i(b)), and funds for the Native American Institutions
6 Endowment Fund; Farm Service Agency, salaries and ex-
7 penses funds made available to county committees; For-
8 eign Agricultural Service, middle-income country training
9 program, and up to \$2,000,000 of the Foreign Agricul-
10 tural Service appropriation solely for the purpose of offset-
11 ting fluctuations in international currency exchange rates,
12 subject to documentation by the Foreign Agricultural
13 Service.

14 SEC. 703. The Secretary of Agriculture may transfer
15 unobligated balances of discretionary funds appropriated
16 by this Act or other available unobligated discretionary
17 balances of the Department of Agriculture to the Working
18 Capital Fund for the acquisition of plant and capital
19 equipment necessary for the delivery of financial, adminis-
20 trative, and information technology services of primary
21 benefit to the agencies of the Department of Agriculture,
22 including the modernization of those services and capital
23 and plant equipment, investment, and modernization at
24 the National Finance Center: *Provided*, That none of the
25 funds made available by this Act or any other Act shall

1 be transferred to the Working Capital Fund without the
2 prior approval of the agency administrator: *Provided fur-*
3 *ther*, That none of the funds transferred to the Working
4 Capital Fund pursuant to this section shall be available
5 for obligation without the prior notification of the Com-
6 mittees on Appropriations of both Houses of Congress.

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

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

22 SEC. 706. None of the funds in this Act shall be avail-
23 able to pay indirect costs charged against competitive agri-
24 cultural research, education, or extension grant awards
25 issued by the Cooperative State Research, Education, and

1 Extension Service that exceed 20 percent of total Federal
2 funds provided under each award: *Provided*, That notwith-
3 standing section 1462 of the National Agricultural Re-
4 search, Extension, and Teaching Policy Act of 1977 (7
5 U.S.C. 3310), funds provided by this Act for grants
6 awarded competitively by the Cooperative State Research,
7 Education, and Extension Service shall be available to pay
8 full allowable indirect costs for each grant awarded under
9 section 9 of the Small Business Act (15 U.S.C. 638).

10 SEC. 707. Appropriations to the Department of Agri-
11 culture for the cost of direct and guaranteed loans made
12 available in the current fiscal year shall remain available
13 until expended to disburse obligations made in the current
14 fiscal year for the following accounts: the Rural Develop-
15 ment Loan Fund program account, the Rural Electrifica-
16 tion and Telecommunication Loans program account, and
17 the Rural Housing Insurance Fund program account.

18 SEC. 708. Of the funds made available by this Act,
19 not more than \$1,800,000 shall be used to cover necessary
20 expenses of activities related to all advisory committees,
21 panels, commissions, and task forces of the Department
22 of Agriculture, except for panels used to comply with nego-
23 tiated rule makings and panels used to evaluate competi-
24 tively awarded grants.

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

5 SEC. 710. No employee of the Department of Agri-
6 culture may be detailed or assigned from an agency or
7 office funded by this Act to any other agency or office
8 of the Department for more than 30 days unless the indi-
9 vidual's employing agency or office is fully reimbursed by
10 the receiving agency or office for the salary and expenses
11 of the employee for the period of assignment.

12 SEC. 711. None of the funds appropriated or other-
13 wise made available to the Department of Agriculture or
14 the Food and Drug Administration shall be used to trans-
15 mit or otherwise make available to any non-Department
16 of Agriculture or non-Department of Health and Human
17 Services employee questions or responses to questions that
18 are a result of information requested for the appropria-
19 tions hearing process.

20 SEC. 712. None of the funds made available to the
21 Department of Agriculture by this Act may be used to ac-
22 quire new information technology systems or significant
23 upgrades, as determined by the Office of the Chief Infor-
24 mation Officer, without the approval of the Chief Informa-
25 tion Officer and the concurrence of the Executive Informa-

1 tion Technology Investment Review Board: *Provided*, That
2 notwithstanding any other provision of law, none of the
3 funds appropriated or otherwise made available by this
4 Act may be transferred to the Office of the Chief Informa-
5 tion Officer unless prior notification has been transmitted
6 to the Committees on Appropriations of both Houses of
7 Congress: *Provided further*, That none of the funds avail-
8 able to the Department of Agriculture for information
9 technology shall be obligated for projects over \$25,000
10 prior to receipt of written approval by the Chief Informa-
11 tion Officer.

12 SEC. 713. (a) None of the funds provided by this Act,
13 or provided by previous Appropriations Acts to the agen-
14 cies funded by this Act that remain available for obligation
15 or expenditure in the current fiscal year, or provided from
16 any accounts in the Treasury of the United States derived
17 by the collection of fees available to the agencies funded
18 by this Act, shall be available for obligation or expenditure
19 through a reprogramming of funds which—

- 20 (1) creates new programs;
- 21 (2) eliminates a program, project, or activity;
- 22 (3) increases funds or personnel by any means
23 for any project or activity for which funds have been
24 denied or restricted;
- 25 (4) relocates an office or employees;

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

2 or

3 (6) contracts out or privatizes any functions or

4 activities presently performed by Federal employees;

5 unless the Committees on Appropriations of both

6 Houses of Congress are notified 15 days in advance

7 of such reprogramming of funds.

8 (b) None of the funds provided by this Act, or pro-

9 vided by previous Appropriations Acts to the agencies

10 funded by this Act that remain available for obligation or

11 expenditure in the current fiscal year, or provided from

12 any accounts in the Treasury of the United States derived

13 by the collection of fees available to the agencies funded

14 by this Act, shall be available for obligation or expenditure

15 for activities, programs, or projects through a reprogram-

16 ming of funds in excess of \$500,000 or 10 percent, which-

17 ever is less, that: (1) augments existing programs,

18 projects, or activities; (2) reduces by 10 percent funding

19 for any existing program, project, or activity, or numbers

20 of personnel by 10 percent as approved by Congress; or

21 (3) results from any general savings from a reduction in

22 personnel which would result in a change in existing pro-

23 grams, activities, or projects as approved by Congress; un-

24 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 or the Secretary of
4 Health and Human Services shall notify the Committees
5 on Appropriations of both Houses of Congress before im-
6 plementing a program or activity not carried out during
7 the previous fiscal year unless the program or activity is
8 funded by this Act or specifically funded by any other Act.

9 SEC. 714. Notwithstanding any other provision of
10 law, the Natural Resources Conservation Service shall pro-
11 vide financial and technical assistance—

12 (1) from funds available for the Watershed and
13 Flood Prevention Operations program—

14 (A) for the Lost River Watershed Project
15 in the State of West Virginia, in an amount not
16 to exceed \$5,000,000;

17 (B) for the Lower Hamakua Ditch Water-
18 shed Project in the State of Hawaii, in an
19 amount not to exceed \$250,000;

20 (C) for the Upcountry Maui Watershed
21 Project in the State of Hawaii, in an amount
22 not to exceed \$250,000;

23 (D) for the Pocasset River Floodplain
24 Management Project in the State of Rhode Is-
25 land, in an amount not to exceed \$450,000; and

1 (E) for authorized watershed projects in
2 the State of Missouri, in an amount not to ex-
3 ceed \$2,500,000;

4 (2) through the Watershed and Flood Preven-
5 tion Operations program to carry out the East Lo-
6 cust Creek Watershed Plan Revision in Missouri, in-
7 cluding up to 100 percent of the engineering assist-
8 ance and 75 percent cost share for construction cost
9 of site RW1;

10 (3) through the Watershed Flood Prevention
11 Operations program to carry out the Little Otter
12 Creek Watershed project. The sponsoring local orga-
13 nization may obtain land rights by perpetual ease-
14 ments; and

15 (4) through the Watershed and Flood Preven-
16 tion Operations program to the McDowell Grove
17 Dam Flood Plain/Wetlands Restoration Project in
18 DuPage County, Illinois.

19 SEC. 715. None of the funds made available to the
20 Food and Drug Administration by this Act shall be used
21 to close or relocate, or to plan to close or relocate, the
22 Food and Drug Administration Division of Pharma-
23 ceutical Analysis in St. Louis, Missouri, outside the city
24 or county limits of St. Louis, Missouri.

1 SEC. 716. Notwithstanding any other provision of
2 law, of the funds made available in this Act for competitive
3 research grants (7 U.S.C. 450i(b)), the Secretary may use
4 up to 30 percent of the amount provided to carry out a
5 competitive grants program under the same terms and
6 conditions as those provided in section 401 of the Agricul-
7 tural Research, Extension, and Education Reform Act of
8 1998 (7 U.S.C. 7621).

9 SEC. 717. None of the funds appropriated or other-
10 wise made available by this or any other Act shall be used
11 to pay the salaries and expenses of personnel to carry out
12 an environmental quality incentives program authorized
13 by chapter 4 of subtitle D of title XII of the Food Security
14 Act of 1985 (16 U.S.C. 3839aa et seq.) in excess of
15 \$1,000,000,000.

16 SEC. 718. None of the funds appropriated or made
17 available by this or any other Act may be used to pay
18 the salaries and expenses of personnel to carry out section
19 14(h)(1) of the Watershed Protection and Flood Preven-
20 tion Act (16 U.S.C. 1012(h)(1)): *Provided*, That the
21 \$65,000,000 otherwise made available under this program
22 for fiscal year 2008 are hereby rescinded.

23 SEC. 719. None of the funds made available in fiscal
24 year 2008 or preceding fiscal years for programs author-
25 ized under the Agricultural Trade Development and As-

1 sistance Act of 1954 (7 U.S.C. 1691 et seq.) in excess
 2 of \$20,000,000 shall be used to reimburse the Commodity
 3 Credit Corporation for the release of eligible commodities
 4 under section 302(f)(2)(A) of the Bill Emerson Humanitarian Trust Act (7 U.S.C. 1736f-1): *Provided*, That any
 5 such funds made available to reimburse the Commodity
 6 Credit Corporation shall only be used pursuant to section
 7 302(b)(2)(B)(i) of the Bill Emerson Humanitarian Trust
 8 Act.

10 SEC. 720. Notwithstanding subsections (c) and (e)(2)
 11 of section 313A of the Rural Electrification Act (7 U.S.C.
 12 940c(c) and (e)(2)) in implementing section 313A of that
 13 Act, the Secretary shall, with the consent of the lender,
 14 structure the schedule for payment of the annual fee, not
 15 to exceed an average of 30 basis points per year for the
 16 term of the loan, to ensure that sufficient funds are avail-
 17 able to pay the subsidy costs for note guarantees under
 18 that section.

19 SEC. 721. There is hereby appropriated \$437,000, to
 20 remain available until expended, for the Denali Commis-
 21 sion to address deficiencies in solid waste disposal sites
 22 which threaten to contaminate rural drinking water sup-
 23 plies.

24 SEC. 722. None of the funds made available by this
 25 Act may be used to issue a final rule in furtherance of,

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

6 SEC. 723. Funds made available under section 1240I
7 and section 1241(a) of the Food Security Act of 1985 in
8 the current fiscal year shall remain available until ex-
9 pended to disburse obligations made in the current fiscal
10 year, and are not available for new obligations. Funds
11 made available under section 524(b) of the Federal Crop
12 Insurance Act, 7 U.S.C. 1524(b), in fiscal years 2004,
13 2005, 2006, 2007, and 2008 shall remain available until
14 expended to disburse obligations made in fiscal years
15 2004, 2005, 2006, 2007, and 2008, respectively, and are
16 not available for new obligations.

17 SEC. 724. Notwithstanding any other provision of
18 law, any former RUS borrower that has repaid or prepaid
19 an insured, direct or guaranteed loan under the Rural
20 Electrification Act, or any not-for-profit utility that is eli-
21 gible to receive an insured or direct loan under such Act,
22 shall be eligible for assistance under Section 313(b)(2)(B)
23 of such Act in the same manner as a borrower under such
24 Act.

1 SEC. 725. Hereafter, notwithstanding any other pro-
2 vision of law, the Secretary of Agriculture is authorized
3 to make funding and other assistance available through
4 the emergency watershed protection program under sec-
5 tion 403 of the Agricultural Credit Act of 1978 (16 U.S.C.
6 2203) to repair and prevent damage to non-Federal land
7 in watersheds that have been impaired by fires initiated
8 by the Federal Government and shall waive cost sharing
9 requirements for the funding and assistance.

10 SEC. 726. None of the funds provided in this Act may
11 be used for salaries and expenses to draft or implement
12 any regulation or rule insofar as it would require recertifi-
13 cation of rural status for each electric and telecommuni-
14 cations borrower for the Rural Electrification and Tele-
15 communication Loans program.

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

24 SEC. 728. Of the amount available for Estimated Fu-
25 ture Needs under section 32 of the Act of August 24,

1 1935, \$184,000,000 are hereby rescinded: *Provided*, That
2 in addition, of the unobligated balances under section 32
3 of the Act of August 24, 1935, \$147,000,000 are hereby
4 rescinded.

5 SEC. 729. None of the funds made available under
6 this Act shall be available to pay the administrative ex-
7 penses of a State agency that, after the date of enactment
8 of this Act and prior to receiving certification in accord-
9 ance with the provisions set forth in section 17(h)(11)(E)
10 of the Child Nutrition Act of 1966, authorizes any new
11 for-profit vendor(s) to transact food instruments under
12 the Special Supplemental Nutrition Program for Women,
13 Infants, and Children (WIC) if it is expected that more
14 than 50 percent of the annual revenue of the vendor from
15 the sale of food items will be derived from the sale of sup-
16 plemental foods that are obtained with WIC food instru-
17 ments, except that the Secretary may approve the author-
18 ization of such a vendor if the approval is necessary to
19 assure participant access to program benefits.

20 SEC. 730. Of the appropriations available for pay-
21 ments for the nutrition and family education program for
22 low-income areas under section 3(d) of the Smith-Lever
23 Act (7 U.S.C. 343(d)), if the payment allocation pursuant
24 to section 1425(c) of the National Agricultural Research,
25 Extension, and Teaching Policy Act of 1977 (7 U.S.C.

1 3175(c)) would be less than \$100,000 for any institution
2 eligible under section 3(d)(2) of the Smith-Lever Act, the
3 Secretary shall adjust payment allocations under section
4 1425(c) of the National Agricultural Research, Extension,
5 and Teaching Policy Act of 1977 to ensure that each insti-
6 tution receives a payment of not less than \$100,000.

7 SEC. 731. There is hereby appropriated \$5,000,000,
8 to remain available until expended, for a grant to the Na-
9 tional Center for Natural Products Research for construc-
10 tion or renovation to carry out the research objectives of
11 the natural products research grant issued by the Food
12 and Drug Administration.

13 SEC. 732. There is hereby appropriated \$200,000, to
14 remain available until expended, for the planning and de-
15 sign of construction of an agriculture pest facility in the
16 State of Hawaii.

17 SEC. 733. None of the funds made available by this
18 or any other Act shall be used to transfer funds or assess
19 charges or fees in excess of 5 percent from any program,
20 project, or activity funded under the Animal and Plant
21 Health Inspection Service.

22 SEC. 734. Notwithstanding any other provision of
23 law, and until receipt of the decennial Census for the year
24 2010, the service areas being acquired by Mid-Kansas
25 Electric Cooperative shall be considered eligible for financ-

1 ing under the provisions of the Rural Electrification Act
2 of 1936, as amended.

3 SEC. 735. Section 9012 of Public Law 110–28 is
4 hereby repealed.

5 SEC. 736. The Secretary of Agriculture shall continue
6 the Water and Waste Systems direct loan program under
7 the authority and conditions (including the fees, borrower
8 interest rate, and President’s economic assumptions for
9 the 2008 fiscal year, as of June 1, 2007) provided by the
10 Continuing Appropriations Resolution, 2007.

11 SEC. 737. Section 704 of the Department of Agri-
12 culture Organic Act of 1944 (7 U.S.C. 2258) is amended
13 by striking the first proviso.

14 SEC. 738. Notwithstanding any other provision of
15 law, and until receipt of the decennial Census for the year
16 2010, the Secretary of Agriculture shall consider—

17 (1) the City of Parsons, Kansas; the Town of
18 Boone, North Carolina; the City of Henderson,
19 North Carolina; and the City of Lenoir, North Caro-
20 lina to be rural areas for the purposes of eligibility
21 for Rural Utilities Service water and waste loans
22 and grants.

23 (2) the City of Lansing, Kansas a rural area
24 for purposes of eligibility for Rural Housing Service
25 programs, and the City of Leavenworth, Kansas and

1 the City of Lansing, Kansas as separate geographic
2 entities for purposes of Rural Development grants
3 and loans.

4 SEC. 739. There is hereby appropriated \$1,000,000
5 to the Farm Service Agency to carry out a pilot program
6 to demonstrate the use of new technologies that increase
7 the rate of growth of re-forested hardwood trees on private
8 non-industrial forests lands, enrolling lands on the coast
9 of the Gulf of Mexico that were damaged by Hurricane
10 Katrina in 2005.

11 SEC. 740. (a) Section 9002(a) of the U.S. Troop
12 Readiness, Veterans' Care, Katrina Recovery, and Iraq
13 Accountability Appropriations Act, 2007 (Public law 110–
14 28; 121 Stat. 211) is amended by striking “February 28,
15 2007” each place it occurs and inserting “December 31,
16 2007”.

17 (b) There is hereby appropriated \$10,000,000 to
18 carry out the Emergency Conservation Program.

19 SEC. 741. TRAVEL RELATING TO COMMERCIAL
20 SALES OF AGRICULTURAL AND MEDICAL GOODS. Section
21 910(a) of the Trade Sanctions Reform and Export En-
22 hancement Act of 2000 (22 U.S.C. 7209(a)) is amended
23 to read as follows:

24 “(a) AUTHORIZATION OF TRAVEL RELATING TO
25 COMMERCIAL SALES OF AGRICULTURAL AND MEDICAL

1 GOODS.—The Secretary of the Treasury shall promulgate
2 regulations under which the travel-related transactions
3 listed in paragraph (c) of section 515.560 of title 31, Code
4 of Federal Regulations, are authorized by general license
5 for travel to, from, or within Cuba for the marketing and
6 sale of agricultural and medical goods pursuant to the pro-
7 visions of this title.”.

8 SEC. 742. The Secretary of Agriculture shall—

9 (1) not later than January 18, 2008, promul-
10 gates such proposed regulations as are necessary to
11 implement subtitle D of the Agricultural Marketing
12 Act of 1946 (7 U.S.C. 1638 et seq.);

13 (2) not later than July 19, 2008, promulgate
14 such final regulations as are necessary to implement
15 that subtitle;

16 (3) not later than July 27, 2008, submit the re-
17 ports for the final rules to implement that subtitle
18 that are required under section 801 of title 5,
19 United States Code; and

20 (4) not later than 7 days after each of the dates
21 specified in paragraphs (1), (2), and (3), submit to
22 the Committee on Appropriations, and the Com-
23 mittee on Agriculture, of the House of Representa-
24 tives and the Committee on Appropriations, and the

1 Committee on Agriculture, Nutrition, and Forestry,
2 of the Senate a report that—

3 (A) describes whether the action required
4 under that paragraph was taken by the applica-
5 ble date;

6 (B) if the action was not taken by the ap-
7 plicable date, a description of the reason why
8 the action was not taken; and

9 (C) a plan for making that subtitle appli-
10 cable in accordance with section 285 of the Ag-
11 ricultural Marketing Act of 1946 (7 U.S.C.
12 1638d).

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

Calendar No. 282

110TH CONGRESS
1ST Session

S. 1859

[Report No. 110-134]

A BILL

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

JULY 24, 2007

Read twice and placed on the calendar