

Calendar No. 105111TH CONGRESS
1ST SESSION**H. R. 2997**

IN THE SENATE OF THE UNITED STATES

JULY 10, 2009

Received; read twice and placed on the calendar

AN ACT

Making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, 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
7 ending September 30, 2010, and for other purposes,
8 namely:

1

TITLE I

2

AGRICULTURAL PROGRAMS

3

PRODUCTION, PROCESSING AND MARKETING

4

OFFICE OF THE SECRETARY

5

For necessary expenses of the Office of the Secretary

6

of Agriculture, \$5,285,000: *Provided*, That not to exceed

7

\$11,000 of this amount shall be available for official recep-

8

tion and representation expenses, not otherwise provided

9

for, as determined by the Secretary.

10

OFFICE OF TRIBAL RELATIONS

11

For necessary expenses of the Office of Tribal Rela-

12

tions, \$1,000,000, to support communication and con-

13

sultation activities with Federally Recognized Tribes, as

14

well as other requirements established by law.

15

EXECUTIVE OPERATIONS

16

OFFICE OF THE CHIEF ECONOMIST

17

For necessary expenses of the Office of the Chief

18

Economist, \$13,032,000 (reduced by \$50,000).

19

NATIONAL APPEALS DIVISION

20

For necessary expenses of the National Appeals Divi-

21

sion, \$15,289,000.

22

OFFICE OF BUDGET AND PROGRAM ANALYSIS

23

For necessary expenses of the Office of Budget and

24

Program Analysis, \$9,436,000.

1 OFFICE OF HOMELAND SECURITY

2 For necessary expenses of the Office of Homeland Se-
3 curity, \$2,494,000.

4 OFFICE OF ADVOCACY AND OUTREACH

5 For necessary expenses of the Office of Advocacy and
6 Outreach, \$3,000,000.

7 OFFICE OF THE CHIEF INFORMATION OFFICER

8 For necessary expenses of the Office of the Chief In-
9 formation Officer, \$61,579,000 (reduced by \$2,000,000)
10 (reduced by \$1,000,000) (reduced by \$10,038,000).

11 OFFICE OF THE CHIEF FINANCIAL OFFICER

12 For necessary expenses of the Office of the Chief Fi-
13 nancial Officer, \$6,466,000: *Provided*, That no funds
14 made available by this appropriation may be obligated for
15 FAIR Act or Circular A-76 activities until the Secretary
16 has submitted to the Committees on Appropriations of
17 both Houses of Congress and the Committee on Oversight
18 and Government Reform of the House of Representatives
19 a report on the Department's contracting out policies, in-
20 cluding agency budgets for contracting out.

21 OFFICE OF THE ASSISTANT SECRETARY FOR CIVIL

22 RIGHTS

23 For necessary expenses of the Office of the Assistant
24 Secretary for Civil Rights, \$888,000. Office of Civil Rights

1 For necessary expenses of the Office of Civil Rights,
2 \$23,922,000.

3 AGRICULTURE BUILDINGS AND FACILITIES AND RENTAL
4 PAYMENTS
5 (INCLUDING TRANSFERS OF FUNDS)

6 For payment of space rental and related costs pursu-
7 ant to Public Law 92–313, including authorities pursuant
8 to the 1984 delegation of authority from the Adminis-
9 trator of General Services to the Department of Agri-
10 culture under 40 U.S.C. 486, for programs and activities
11 of the Department which are included in this Act, and for
12 alterations and other actions needed for the Department
13 and its agencies to consolidate unneeded space into con-
14 figurations suitable for release to the Administrator of
15 General Services, and for the operation, maintenance, im-
16 provement, and repair of Agriculture buildings and facili-
17 ties, and for related costs, \$326,982,000 (reduced by
18 \$500,000), to remain available until expended, of which
19 \$224,401,000 (reduced by \$500,000) shall be available for
20 payments to the General Services Administration for rent;
21 of which \$13,500,000 for payment to the Department of
22 Homeland Security for building security activities; and of
23 which \$89,081,000 for buildings operations and mainte-
24 nance expenses: *Provided*, That the Secretary can use up
25 to \$69,000,000 of these funds to cover shortfalls incurred

1 in prior year rental payments: *Provided further*, That the
2 Secretary is authorized to transfer funds from a Depart-
3 mental agency to this account to recover the full cost of
4 the space and security expenses of that agency that are
5 funded by this account when the actual costs exceed the
6 agency estimate which will be available for the activities
7 and payments described herein.

8 HAZARDOUS MATERIALS MANAGEMENT

9 (INCLUDING TRANSFERS OF FUNDS)

10 For necessary expenses of the Department of Agri-
11 culture, to comply with the Comprehensive Environmental
12 Response, Compensation, and Liability Act (42 U.S.C.
13 9601 et seq.) and the Resource Conservation and Recovery
14 Act (42 U.S.C. 6901 et seq.), \$5,125,000, to remain avail-
15 able until expended: *Provided*, That appropriations and
16 funds available herein to the Department for Hazardous
17 Materials Management may be transferred to any agency
18 of the Department for its use in meeting all requirements
19 pursuant to the above Acts on Federal and non-Federal
20 lands.

21 DEPARTMENTAL ADMINISTRATION

22 (INCLUDING TRANSFERS OF FUNDS)

23 For Departmental Administration, \$41,319,000 (re-
24 duced by \$4,000,000), to provide for necessary expenses
25 for management support services to offices of the Depart-

1 ment and for general administration, security, repairs and
2 alterations, and other miscellaneous supplies and expenses
3 not otherwise provided for and necessary for the practical
4 and efficient work of the Department: *Provided*, That this
5 appropriation shall be reimbursed from applicable appro-
6 priations in this Act for travel expenses incident to the
7 holding of hearings as required by 5 U.S.C. 551–558: *Pro-*
8 *vided further*, That of the amount appropriated,
9 \$13,000,000 is for stabilization and reconstruction activi-
10 ties to be carried out under the authority provided by title
11 XIV of the Food and Agriculture Act of 1977 (7 U.S.C.
12 3101 et seq.) and other applicable laws.

13 OFFICE OF THE ASSISTANT SECRETARY FOR
14 CONGRESSIONAL RELATIONS
15 (INCLUDING TRANSFERS OF FUNDS)

16 For necessary expenses of the Office of the Assistant
17 Secretary for Congressional Relations to carry out the pro-
18 grams funded by this Act, including programs involving
19 intergovernmental affairs and liaison within the executive
20 branch, \$3,968,000: *Provided*, That these funds may be
21 transferred to agencies of the Department of Agriculture
22 funded by this Act to maintain personnel at the agency
23 level: *Provided further*, That no funds made available by
24 this appropriation may be obligated after 30 days from
25 the date of enactment of this Act, unless the Secretary

1 has notified the Committees on Appropriations of both
2 Houses of Congress on the allocation of these funds by
3 USDA agency: *Provided further*, That no other funds ap-
4 propriated to the Department by this Act shall be available
5 to the Department for support of activities of congres-
6 sional relations.

7 OFFICE OF COMMUNICATIONS

8 For necessary expenses of the Office of Communica-
9 tions, \$9,722,000.

10 OFFICE OF INSPECTOR GENERAL

11 For necessary expenses of the Office of Inspector
12 General, including employment pursuant to the Inspector
13 General Act of 1978, \$88,781,000 (increased by
14 \$500,000), including such sums as may be necessary for
15 contracting and other arrangements with public agencies
16 and private persons pursuant to section 6(a)(9) of the In-
17 spector General Act of 1978, and including not to exceed
18 \$125,000 for certain confidential operational expenses, in-
19 cluding the payment of informants, to be expended under
20 the direction of the Inspector General pursuant to Public
21 Law 95–452 and section 1337 of Public Law 97–98.

22 OFFICE OF THE GENERAL COUNSEL

23 For necessary expenses of the Office of the General
24 Counsel, \$43,601,000.

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

3 For necessary expenses of the Office of the Under
4 Secretary for Research, Education and Economics,
5 \$620,000.

6 ECONOMIC RESEARCH SERVICE

7 For necessary expenses of the Economic Research
8 Service, \$82,478,000 (increased by \$50,000).

9 NATIONAL AGRICULTURAL STATISTICS SERVICE

10 For necessary expenses of the National Agricultural
11 Statistics Service, \$161,830,000, of which up to
12 \$37,908,000 shall be available until expended for the Cen-
13 sus of Agriculture.

14 AGRICULTURAL RESEARCH SERVICE

15 SALARIES AND EXPENSES

16 For necessary expenses of the Agricultural Research
17 Service and for acquisition of lands by donation, exchange,
18 or purchase at a nominal cost not to exceed \$100, and
19 for land exchanges where the lands exchanged shall be of
20 equal value or shall be equalized by a payment of money
21 to the grantor which shall not exceed 25 percent of the
22 total value of the land or interests transferred out of Fed-
23 eral ownership, \$1,155,568,000 (increased by
24 \$2,000,000): *Provided*, That appropriations hereunder
25 shall be available for the operation and maintenance of

1 aircraft and the purchase of not to exceed one for replace-
2 ment only: *Provided further*, That appropriations here-
3 under shall be available pursuant to 7 U.S.C. 2250 for
4 the construction, alteration, and repair of buildings and
5 improvements, but unless otherwise provided, the cost of
6 constructing any one building shall not exceed \$375,000,
7 except for headhouses or greenhouses which shall each be
8 limited to \$1,200,000, and except for 10 buildings to be
9 constructed or improved at a cost not to exceed \$750,000
10 each, and the cost of altering any one building during the
11 fiscal year shall not exceed 10 percent of the current re-
12 placement value of the building or \$375,000, whichever
13 is greater: *Provided further*, That the limitations on alter-
14 ations contained in this Act shall not apply to moderniza-
15 tion or replacement of existing facilities at Beltsville,
16 Maryland: *Provided further*, That appropriations here-
17 under shall be available for granting easements at the
18 Beltsville Agricultural Research Center: *Provided further*,
19 That the foregoing limitations shall not apply to replace-
20 ment of buildings needed to carry out the Act of April
21 24, 1948 (21 U.S.C. 113a): *Provided further*, That funds
22 may be received from any State, other political subdivi-
23 sion, organization, or individual for the purpose of estab-
24 lishing or operating any research facility or research

1 project of the Agricultural Research Service, as authorized
2 by law.

3 BUILDINGS AND FACILITIES

4 For acquisition of land, construction, repair, improve-
5 ment, extension, alteration, and purchase of fixed equip-
6 ment or facilities as necessary to carry out the agricultural
7 research programs of the Department of Agriculture,
8 where not otherwise provided, \$35,000,000, to remain
9 available until expended.

10 NATIONAL INSTITUTE OF FOOD AND
11 AGRICULTURE

12 RESEARCH AND EDUCATION ACTIVITIES

13 For payments to agricultural experiment stations, for
14 cooperative forestry and other research, for facilities, and
15 for other expenses, \$708,004,000 (increased by
16 \$3,519,000), as follows: to carry out the provisions of the
17 Hatch Act of 1887 (7 U.S.C. 361a–i), \$215,000,000; for
18 grants for cooperative forestry research (16 U.S.C. 582a
19 through a–7), \$28,000,000; for payments to eligible insti-
20 tutions (7 U.S.C. 3222), \$48,000,000, provided that each
21 institution receives no less than \$1,000,000; for special
22 grants (7 U.S.C. 450i(c)), \$70,676,000; for competitive
23 grants on improved pest control (7 U.S.C. 450i(c)),
24 \$15,945,000; for competitive grants (7 U.S.C. 450(i)(b)),
25 \$210,000,000 (increased by \$3,000,000), to remain avail-

1 able until expended; for the support of animal health and
2 disease programs (7 U.S.C. 3195), \$2,950,000; for the
3 1994 research grants program for 1994 institutions pur-
4 suant to section 536 of Public Law 103–382 (7 U.S.C.
5 301 note), \$1,610,000, to remain available until expended;
6 for rangeland research grants (7 U.S.C. 3333), \$983,000;
7 for higher education graduate fellowship grants (7 U.S.C.
8 3152(b)(6)), \$3,859,000, to remain available until ex-
9 pended (7 U.S.C. 2209b); for a program pursuant to sec-
10 tion 1415A of the National Agricultural Research, Exten-
11 sion, and Teaching Policy Act of 1977 (7 U.S.C. 3151a),
12 \$4,000,000, to remain available until expended; for higher
13 education challenge grants (7 U.S.C. 3152(b)(1)),
14 \$5,654,000; for a higher education multicultural scholars
15 program (7 U.S.C. 3152(b)(5)), \$981,000 (increased by
16 \$519,000), to remain available until expended (7 U.S.C.
17 2209b); for an education grants program for Hispanic-
18 serving Institutions (7 U.S.C. 3241), \$10,000,000; for
19 competitive grants for the purpose of carrying out all pro-
20 visions of 7 U.S.C. 3156 to individual eligible institutions
21 or consortia of eligible institutions in Alaska and in Ha-
22 waii, with funds awarded equally to each of the States of
23 Alaska and Hawaii, \$3,196,000; for a secondary agri-
24 culture education program and 2-year post-secondary edu-
25 cation (7 U.S.C. 3152(j)), \$983,000; for aquaculture

1 grants (7 U.S.C. 3322), \$3,928,000; for sustainable agri-
2 culture research and education (7 U.S.C. 5811),
3 \$14,399,000; for a program of capacity building grants
4 (7 U.S.C. 3152(b)(4)) to institutions eligible to receive
5 funds under 7 U.S.C. 3221 and 3222, \$20,000,000, to
6 remain available until expended (7 U.S.C. 2209b); for pay-
7 ments to the 1994 Institutions pursuant to section
8 534(a)(1) of Public Law 103–382, \$3,342,000; for resi-
9 dent instruction grants for insular areas under section
10 1491 of the National Agricultural Research, Extension,
11 and Teaching Policy Act of 1977 (7 U.S.C. 3363),
12 \$1,000,000; for distance education grants for insular
13 areas under section 1490 of the National Agricultural Re-
14 search, Extension, and Teaching Policy Act of 1977 (7
15 U.S.C. 3362), \$1,000,000; for competitive grants for the
16 purpose of carrying out section 7526 of the Food, Con-
17 servation, and Energy Act of 2008 to eligible institutions,
18 \$3,000,000; for a new era rural technology program pur-
19 suant to section 1473E of the National Agricultural Re-
20 search, Extension, and Teaching Policy Act of 1977 (7
21 U.S.C. 3319e), \$1,000,000; and for necessary expenses of
22 Research and Education Activities, \$38,498,000, of which
23 \$2,704,000 for the Research, Education, and Economics
24 Information System and \$2,136,000 for the Electronic

1 Grants Information System, are to remain available until
2 expended.

3 NATIVE AMERICAN INSTITUTIONS ENDOWMENT FUND

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

7 EXTENSION ACTIVITIES

8 For payments to States, the District of Columbia,
9 Puerto Rico, Guam, the Virgin Islands, Micronesia, the
10 Northern Marianas, and American Samoa, \$485,466,000,
11 as follows: payments for cooperative extension work under
12 the Smith-Lever Act, to be distributed under sections 3(b)
13 and 3(c) of said Act, and under section 208(c) of Public
14 Law 93–471, for retirement and employees’ compensation
15 costs for extension agents, \$295,000,000; payments for
16 extension work at the 1994 Institutions under the Smith-
17 Lever Act (7 U.S.C. 343(b)(3)), \$4,321,000; payments for
18 the nutrition and family education program for low-income
19 areas under section 3(d) of the Act, \$68,000,000; pay-
20 ments for the pest management program under section
21 3(d) of the Act, \$9,791,000; payments for the farm safety
22 program under section 3(d) of the Act, \$4,863,000; pay-
23 ments for New Technologies for Ag Extension under sec-
24 tion 3(d) of the Act, \$1,500,000; payments to upgrade re-
25 search, extension, and teaching facilities at institutions eli-

1 gible to receive funds under 7 U.S.C. 3221 and 3222,
2 \$21,000,000, to remain available until expended; pay-
3 ments for youth-at-risk programs under section 3(d) of the
4 Smith-Lever Act, \$8,396,000; for youth farm safety edu-
5 cation and certification extension grants, to be awarded
6 competitively under section 3(d) of the Act, \$479,000;
7 payments for carrying out the provisions of the Renewable
8 Resources Extension Act of 1978 (16 U.S.C. 1671 et
9 seq.), \$4,008,000; payments for the federally recognized
10 Tribes Extension Program under section 3(d) of the
11 Smith-Lever Act, \$3,000,000; payments for sustainable
12 agriculture programs under section 3(d) of the Act,
13 \$4,568,000; payments for cooperative extension work by
14 eligible institutions (7 U.S.C. 3221), \$44,000,000, pro-
15 vided that each institution receives no less than
16 \$1,000,000; for grants to youth organizations pursuant to
17 7 U.S.C. 7630, \$1,800,000; payments to carry out the
18 food animal residue avoidance database program as au-
19 thorized by 7 U.S.C. 7642, \$806,000; and for necessary
20 expenses of Extension Activities, \$13,934,000.

21 INTEGRATED ACTIVITIES

22 For the integrated research, education, and extension
23 grants programs, including necessary administrative ex-
24 penses, \$60,022,000, as follows: for competitive grants
25 programs authorized under section 406 of the Agricultural

1 Research, Extension, and Education Reform Act of 1998
2 (7 U.S.C. 7626), \$45,148,000, including \$12,649,000 for
3 the water quality program, \$14,596,000 for the food safe-
4 ty program, \$4,096,000 for the regional pest management
5 centers program, \$4,388,000 for the Food Quality Protec-
6 tion Act risk mitigation program for major food crop sys-
7 tems, \$1,365,000 for the crops affected by Food Quality
8 Protection Act implementation, \$3,054,000 for the methyl
9 bromide transition program, and \$5,000,000 for the or-
10 ganic transition program; for a competitive international
11 science and education grants program authorized under
12 section 1459A of the National Agricultural Research, Ex-
13 tension, and Teaching Policy Act of 1977 (7 U.S.C.
14 3292b), to remain available until expended, \$3,000,000;
15 for grants programs authorized under section 2(c)(1)(B)
16 of Public Law 89–106, as amended, \$732,000, to remain
17 available until September 30, 2011, for the critical issues
18 program; \$1,312,000 for the regional rural development
19 centers program; and \$9,830,000 for the Food and Agri-
20 culture Defense Initiative authorized under section 1484
21 of the National Agricultural Research, Extension, and
22 Teaching Policy Act of 1977, to remain available until
23 September 30, 2011.

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

3 For necessary expenses of the Office of the Under
4 Secretary for Marketing and Regulatory Programs,
5 \$753,000.

6 ANIMAL AND PLANT HEALTH INSPECTION SERVICE
7 SALARIES AND EXPENSES
8 (INCLUDING TRANSFERS OF FUNDS)

9 For necessary expenses of the Animal and Plant
10 Health Inspection Service, including up to \$30,000 for
11 representation allowances and for expenses pursuant to
12 the Foreign Service Act of 1980 (22 U.S.C. 4085),
13 \$881,019,000, of which \$2,058,000 shall be available for
14 the control of outbreaks of insects, plant diseases, animal
15 diseases and for control of pest animals and birds to the
16 extent necessary to meet emergency conditions; of which
17 \$23,390,000 shall be used for the cotton pests program
18 for cost share purposes or for debt retirement for active
19 eradication zones; of which \$60,243,000 shall be used to
20 prevent and control avian influenza and shall remain avail-
21 able until expended: *Provided*, That funds provided for the
22 contingency fund to meet emergency conditions, informa-
23 tion technology infrastructure, fruit fly program, emerging
24 plant pests, cotton pests program, grasshopper and mor-
25 mon cricket program, the plum pox program, the National

1 Veterinary Stockpile, up to \$1,500,000 in the scrapie pro-
2 gram for indemnities, up to \$1,000,000 for wildlife serv-
3 ices methods development, up to \$1,000,000 of the wildlife
4 services operations program for aviation safety, and up to
5 25 percent of the screwworm program shall remain avail-
6 able until expended: *Provided further*, That no funds shall
7 be used to formulate or administer a brucellosis eradi-
8 cation program for the current fiscal year that does not
9 require minimum matching by the States of at least 40
10 percent: *Provided further*, That this appropriation shall be
11 available for the operation and maintenance of aircraft
12 and the purchase of not to exceed four, of which two shall
13 be for replacement only: *Provided further*, That, in addi-
14 tion, in emergencies which threaten any segment of the
15 agricultural production industry of this country, the Sec-
16 retary may transfer from other appropriations or funds
17 available to the agencies or corporations of the Depart-
18 ment such sums as may be deemed necessary, to be avail-
19 able only in such emergencies for the arrest and eradi-
20 cation of contagious or infectious disease or pests of ani-
21 mals, poultry, or plants, and for expenses in accordance
22 with sections 10411 and 10417 of the Animal Health Pro-
23 tection Act (7 U.S.C. 8310 and 8316) and sections 431
24 and 442 of the Plant Protection Act (7 U.S.C. 7751 and
25 7772), and any unexpended balances of funds transferred

1 for such emergency purposes in the preceding fiscal year
2 shall be merged with such transferred amounts: *Provided*
3 *further*, That appropriations hereunder shall be available
4 pursuant to law (7 U.S.C. 2250) for the repair and alter-
5 ation of leased buildings and improvements, but unless
6 otherwise provided the cost of altering any one building
7 during the fiscal year shall not exceed 10 percent of the
8 current replacement value of the building.

9 In fiscal year 2010, the agency is authorized to collect
10 fees to cover the total costs of providing technical assist-
11 ance, goods, or services requested by States, other political
12 subdivisions, domestic and international organizations,
13 foreign governments, or individuals, provided that such
14 fees are structured such that any entity's liability for such
15 fees is reasonably based on the technical assistance, goods,
16 or services provided to the entity by the agency, and such
17 fees shall be credited to this account, to remain available
18 until expended, without further appropriation, for pro-
19 viding such assistance, goods, or services.

20 BUILDINGS AND FACILITIES

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

1 authorized by 7 U.S.C. 428a, \$4,712,000, to remain avail-
2 able until expended.

3 AGRICULTURAL MARKETING SERVICE

4 MARKETING SERVICES

5 For necessary expenses of the Agricultural Marketing
6 Service, \$90,848,000: *Provided*, That this appropriation
7 shall be available pursuant to law (7 U.S.C. 2250) for the
8 alteration and repair of buildings and improvements, but
9 the cost of altering any one building during the fiscal year
10 shall not exceed 10 percent of the current replacement
11 value of the building. Fees may be collected for the cost
12 of standardization activities, as established by regulation
13 pursuant to law (31 U.S.C. 9701).

14 LIMITATION ON ADMINISTRATIVE EXPENSES

15 Not to exceed \$64,583,000 (from fees collected) shall
16 be obligated during the current fiscal year for administra-
17 tive expenses: *Provided*, That if crop size is understated
18 and/or other uncontrollable events occur, the agency may
19 exceed this limitation by up to 10 percent with notification
20 to the Committees on Appropriations of both Houses of
21 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 \$20,000,000 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 \$20,056,000 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 \$1,334,000.

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, \$41,964,000:
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. Of-
21 fice of the Under Secretary for Food Safety For necessary
22 expenses of the Office of the Under Secretary for Food
23 Safety, \$622,000.

1 FOOD SAFETY AND INSPECTION SERVICE

2 For necessary expenses to carry out services author-
3 ized by the Federal Meat Inspection Act, the Poultry
4 Products Inspection Act, and the Egg Products Inspection
5 Act, including not to exceed \$50,000 for representation
6 allowances and for expenses pursuant to section 8 of the
7 Act approved August 3, 1956 (7 U.S.C. 1766),
8 \$1,018,520,000; and in addition, \$1,000,000 may be cred-
9 ited to this account from fees collected for the cost of lab-
10 oratory accreditation as authorized by section 1327 of the
11 Food, Agriculture, Conservation and Trade Act of 1990
12 (7 U.S.C. 138f): *Provided*, That no fewer than 120 full-
13 time equivalent positions shall be employed during fiscal
14 year 2010 for purposes dedicated solely to inspections and
15 enforcement related to the Humane Methods of Slaughter
16 Act: *Provided further*, That of the amount available under
17 this heading, \$3,000,000 shall be obligated to maintain
18 the Humane Animal Tracking System as part of the Pub-
19 lic Health Data Communication Infrastructure System:
20 *Provided further*, That this appropriation shall be available
21 pursuant to law (7 U.S.C. 2250) for the alteration and
22 repair of buildings and improvements, but the cost of al-
23 tering any one building during the fiscal year shall not
24 exceed 10 percent of the current replacement value of the
25 building.

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 \$662,000.

6 FARM SERVICE AGENCY
7 SALARIES AND EXPENSES
8 (INCLUDING TRANSFERS OF FUNDS)

9 For necessary expenses of the Farm Service Agency,
10 \$1,253,777,000 (reduced by \$5,000,000): *Provided*, That
11 the Secretary is authorized to use the services, facilities,
12 and authorities (but not the funds) of the Commodity
13 Credit Corporation to make program payments for all pro-
14 grams administered by the Agency: *Provided further*, That
15 other funds made available to the Agency for authorized
16 activities may be advanced to and merged with this ac-
17 count.

18 STATE MEDIATION GRANTS

19 For grants pursuant to section 502(b) of the Agricul-
20 tural Credit Act of 1987, as amended (7 U.S.C. 5101–
21 5106), \$4,000,000.

22 GRASSROOTS SOURCE WATER PROTECTION PROGRAM

23 For necessary expenses to carry out wellhead or
24 groundwater protection activities under section 12400 of

1 the Food Security Act of 1985 (16 U.S.C. 3839bb–2),
2 \$5,000,000, to remain available until expended.

3 DAIRY INDEMNITY PROGRAM

4 (INCLUDING TRANSFER OF FUNDS)

5 For necessary expenses involved in making indemnity
6 payments to dairy farmers and manufacturers of dairy
7 products under a dairy indemnity program, such sums as
8 may be necessary, to remain available until expended: *Pro-*
9 *vided*, That such program is carried out by the Secretary
10 in the same manner as the dairy indemnity program de-
11 scribed in the Agriculture, Rural Development, Food and
12 Drug Administration, and Related Agencies Appropria-
13 tions Act, 2001 (Public Law 106–387, 114 Stat. 1549A–
14 12).

15 AGRICULTURAL CREDIT INSURANCE FUND PROGRAM

16 ACCOUNT

17 (INCLUDING TRANSFERS OF FUNDS)

18 For gross obligations for the principal amount of di-
19 rect and guaranteed farm ownership (7 U.S.C. 1922 et
20 seq.) and operating (7 U.S.C. 1941 et seq.) loans, Indian
21 tribe land acquisition loans (25 U.S.C. 488), boll weevil
22 loans (7 U.S.C. 1989), direct and guaranteed conservation
23 loans (7 U.S.C. 1924 et seq.), and Indian highly
24 fractionated land loans (25 U.S.C. 488), to be available
25 from funds in the Agricultural Credit Insurance Fund, as

1 follows: farm ownership loans, \$1,892,990,000, of which
2 \$1,500,000,000 shall be for unsubsidized guaranteed
3 loans and \$392,990,000 shall be for direct loans; oper-
4 ating loans, \$1,994,467,000, of which \$1,150,000,000
5 shall be for unsubsidized guaranteed loans, \$144,467,000
6 shall be for subsidized guaranteed loans and \$700,000,000
7 shall be for direct loans; Indian tribe land acquisition
8 loans, \$3,940,000; conservation loans, \$150,000,000, of
9 which \$75,000,000 shall be for guaranteed loans and
10 \$75,000,000 shall be for direct loans; Indian highly
11 fractionated land loans, \$10,000,000; and for boll weevil
12 eradication program loans, \$100,000,000: *Provided*, That
13 the Secretary shall deem the pink bollworm to be a boll
14 weevil for the purpose of boll weevil eradication program
15 loans.

16 For the cost of direct and guaranteed loans, including
17 the cost of modifying loans as defined in section 502 of
18 the Congressional Budget Act of 1974, as follows: farm
19 ownership loans, \$21,584,000, of which \$5,550,000 shall
20 be for unsubsidized guaranteed loans, and \$16,034,000
21 shall be for direct loans; operating loans, \$80,402,000, of
22 which \$26,910,000 shall be for unsubsidized guaranteed
23 loans, \$20,312,000 shall be for subsidized guaranteed
24 loans, and \$33,180,000 shall be for direct loans; conserva-
25 tion loans, \$1,343,000, of which \$278,000 shall be for

1 guaranteed loans, and \$1,065,000 shall be for direct
2 loans; and Indian highly fractionated land loans,
3 \$793,000.

4 In addition, for administrative expenses necessary to
5 carry out the direct and guaranteed loan programs,
6 \$326,093,000 (reduced by \$519,000), of which
7 \$318,173,000 (reduced by \$519,000) shall be transferred
8 to and merged with the appropriation for “Farm Service
9 Agency, Salaries and Expenses”.

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

17 RISK MANAGEMENT AGENCY

18 For necessary expenses of the Risk Management
19 Agency, \$80,325,000: *Provided*, That the funds made
20 available under section 522(e) of the Federal Crop Insur-
21 ance Act (7 U.S.C. 1522(e)) may be used for the Common
22 Information Management System: *Provided further*, That
23 not to exceed \$1,000 shall be available for official recep-
24 tion and representation expenses, as authorized by 7
25 U.S.C. 1506(i).

1 CORPORATIONS

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

12 FEDERAL CROP INSURANCE CORPORATION FUND

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

16 COMMODITY CREDIT CORPORATION FUND

17 REIMBURSEMENT FOR NET REALIZED LOSSES

18 (INCLUDING TRANSFERS OF FUNDS)

19 For the current fiscal year, such sums as may be nec-
20 essary to reimburse the Commodity Credit Corporation for
21 net realized losses sustained, but not previously reim-
22 bursed, pursuant to section 2 of the Act of August 17,
23 1961 (15 U.S.C. 713a–11): *Provided*, That of the funds
24 available to the Commodity Credit Corporation under sec-
25 tion 11 of the Commodity Credit Corporation Charter Act

1 (15 U.S.C. 714i) for the conduct of its business with the
2 Foreign Agricultural Service, up to \$5,000,000 may be
3 transferred to and used by the Foreign Agricultural Serv-
4 ice for information resource management activities of the
5 Foreign Agricultural Service that are not related to Com-
6 modity Credit Corporation business.

7 HAZARDOUS WASTE MANAGEMENT

8 (LIMITATION ON EXPENSES)

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

17 TITLE II

18 CONSERVATION PROGRAMS

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

21 For necessary expenses of the Office of the Under
22 Secretary for Natural Resources and Environment,
23 \$774,000.

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 \$869,397,000 (increased by \$5,000,000), to remain avail-
20 able until September 30, 2011: *Provided*, That appropria-
21 tions hereunder shall be available pursuant to 7 U.S.C.
22 2250 for construction and improvement of buildings and
23 public improvements at plant materials centers, except
24 that the cost of alterations and improvements to other
25 buildings and other public improvements shall not exceed

1 \$250,000: *Provided further*, That when buildings or other
2 structures are erected on non-Federal land, that the right
3 to use such land is obtained as provided in 7 U.S.C.
4 2250a.

5 WATERSHED AND FLOOD PREVENTION OPERATIONS

6 For necessary expenses to carry out preventive meas-
7 ures, including but not limited to research, engineering op-
8 erations, methods of cultivation, the growing of vegetation,
9 rehabilitation of existing works and changes in use of land,
10 in accordance with the Watershed Protection and Flood
11 Prevention Act (16 U.S.C. 1001–1005 and 1007–1009),
12 the provisions of the Act of April 27, 1935 (16 U.S.C.
13 590a–f), and in accordance with the provisions of laws re-
14 lating to the activities of the Department, \$20,000,000,
15 to remain available until expended: *Provided*, That not to
16 exceed \$12,000,000 of this appropriation shall be available
17 for technical assistance.

18 WATERSHED REHABILITATION PROGRAM

19 For necessary expenses to carry out rehabilitation of
20 structural measures, in accordance with section 14 of the
21 Watershed Protection and Flood Prevention Act (16
22 U.S.C. 1012), and in accordance with the provisions of
23 laws relating to the activities of the Department,
24 \$40,161,000, to remain available until expended.

1 RESOURCE CONSERVATION AND DEVELOPMENT

2 For necessary expenses in planning and carrying out
3 projects for resource conservation and development and
4 for sound land use pursuant to the provisions of sections
5 31 and 32 of the Bankhead-Jones Farm Tenant Act (7
6 U.S.C. 1010–1011; 76 Stat. 607); the Act of April 27,
7 1935 (16 U.S.C. 590a–f); and subtitle H of title XV of
8 the Agriculture and Food Act of 1981 (16 U.S.C. 3451–
9 3461), \$50,730,000: *Provided*, That not to exceed
10 \$3,073,000 shall be available for national headquarters ac-
11 tivities.

12 TITLE III

13 RURAL DEVELOPMENT PROGRAMS

14 OFFICE OF THE UNDER SECRETARY FOR RURAL
15 DEVELOPMENT

16 For necessary expenses of the Office of the Under
17 Secretary for Rural Development, \$660,000.

18 RURAL DEVELOPMENT SALARIES AND EXPENSES

19 (INCLUDING TRANSFERS OF FUNDS)

20 For necessary expenses for carrying out the adminis-
21 tration and implementation of programs in the Rural De-
22 velopment mission area, including activities with institu-
23 tions concerning the development and operation of agricul-
24 tural cooperatives; and for cooperative agreements;
25 \$195,987,000: *Provided*, That notwithstanding any other

1 provision of law, funds appropriated under this section
2 may be used for advertising and promotional activities
3 that support the Rural Development mission area: *Pro-*
4 *vided further*, That not more than \$10,000 may be ex-
5 pended to provide modest nonmonetary awards to non-
6 USDA employees: *Provided further*, That any balances
7 available from prior years for the Rural Utilities Service,
8 Rural Housing Service, and the Rural Business-Coopera-
9 tive Service salaries and expenses accounts shall be trans-
10 ferred to and merged with this appropriation.

11 RURAL HOUSING SERVICE

12 RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT

13 (INCLUDING TRANSFERS OF FUNDS)

14 For gross obligations for the principal amount of di-
15 rect and guaranteed loans as authorized by title V of the
16 Housing Act of 1949, to be available from funds in the
17 rural housing insurance fund, as follows: \$7,325,932,000
18 for loans to section 502 borrowers, of which
19 \$1,121,488,000 shall be for direct loans, and of which
20 \$6,204,444,000 shall be for unsubsidized guaranteed
21 loans; \$34,412,000 for section 504 housing repair loans;
22 \$80,000,000 for section 515 rental housing; \$129,090,000
23 for section 538 guaranteed multi-family housing loans;
24 \$5,045,000 for section 524 site loans; \$11,448,000 for
25 credit sales of acquired property, of which up to

1 \$1,448,000 may be for multi-family credit sales; and
2 \$4,970,000 for section 523 self-help housing land develop-
3 ment loans.

4 For the cost of direct and guaranteed loans, including
5 the cost of modifying loans, as defined in section 502 of
6 the Congressional Budget Act of 1974, as follows: section
7 502 loans, \$130,334,000, of which \$40,710,000 shall be
8 for direct loans, and of which \$89,624,000, to remain
9 available until expended, shall be for unsubsidized guaran-
10 teed loans; section 504 housing repair loans, \$4,422,000;
11 repair, rehabilitation, and new construction of section 515
12 rental housing, \$21,792,000; section 538 multi-family
13 housing guaranteed loans, \$1,485,000; and credit sales of
14 acquired property, \$556,000: *Provided*, That of the total
15 amount appropriated in this paragraph, \$2,500,000 shall
16 be available through June 30, 2010, for authorized em-
17 powerment zones and enterprise communities and commu-
18 nities designated by the Secretary of Agriculture as Rural
19 Economic Area Partnership Zones: *Provided further*, That
20 section 538 multi-family housing guaranteed loans funded
21 pursuant to this paragraph shall not be subject to a guar-
22 antee fee and the interest on such loans may not be sub-
23 sidized: *Provided further*, That any balances for a dem-
24 onstration program for the preservation and revitalization
25 of the section 515 multi-family rental housing properties

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

5 In addition, for administrative expenses necessary to
6 carry out the direct and guaranteed loan programs,
7 \$468,593,000 shall be transferred to and merged with the
8 appropriation for “Rural Development, Salaries and Ex-
9 penses”.

10 RENTAL ASSISTANCE PROGRAM

11 For rental assistance agreements entered into or re-
12 newed pursuant to the authority under section 521(a)(2)
13 or agreements entered into in lieu of debt forgiveness or
14 payments for eligible households as authorized by section
15 502(c)(5)(D) of the Housing Act of 1949, \$980,000,000;
16 and, in addition, such sums as may be necessary, as au-
17 thorized by section 521(c) of the Act, to liquidate debt
18 incurred prior to fiscal year 1992 to carry out the rental
19 assistance program under section 521(a)(2) of the Act:
20 *Provided*, That of this amount, up to \$5,958,000 shall be
21 available for debt forgiveness or payments for eligible
22 households as authorized by section 502(c)(5)(D) of the
23 Act, and not to exceed \$50,000 per project for advances
24 to nonprofit organizations or public agencies to cover di-
25 rect costs (other than purchase price) incurred in pur-

1 chasing projects pursuant to section 502(e)(5)(C) of the
2 Act: *Provided further*, That of this amount not less than
3 \$2,030,000 is available for newly constructed units fi-
4 nanced by section 515 of the Housing Act of 1949, and
5 not less than \$3,400,000 is for newly constructed units
6 financed under sections 514 and 516 of the Housing Act
7 of 1949: *Provided further*, That rental assistance agree-
8 ments entered into or renewed during the current fiscal
9 year shall be funded for a one-year period: *Provided fur-*
10 *ther*, That any unexpended balances remaining at the end
11 of such one-year agreements may be transferred and used
12 for the purposes of any debt reduction; maintenance, re-
13 pair, or rehabilitation of any existing projects; preserva-
14 tion; and rental assistance activities authorized under title
15 V of the Act: *Provided further*, That rental assistance pro-
16 vided under agreements entered into prior to fiscal year
17 2010 for a farm labor multi-family housing project fi-
18 nanced under section 514 or 516 of the Act may not be
19 recaptured for use in another project until such assistance
20 has remained unused for a period of 12 consecutive
21 months, if such project has a waiting list of tenants seek-
22 ing such assistance or the project has rental assistance
23 eligible tenants who are not receiving such assistance: *Pro-*
24 *vided further*, That such recaptured rental assistance shall,
25 to the extent practicable, be applied to another farm labor

1 multi-family housing project financed under section 514
2 or 516 of the Act.

3 MULTI-FAMILY HOUSING REVITALIZATION PROGRAM

4 ACCOUNT

5 For the rural housing voucher program as authorized
6 under section 542 of the Housing Act of 1949, but not-
7 withstanding subsection (b) of such section, for the cost
8 to conduct a housing demonstration program to provide
9 revolving loans for the preservation of low-income multi-
10 family housing projects, and for additional costs to con-
11 duct a demonstration program for the preservation and
12 revitalization of multi-family rental housing properties de-
13 scribed in this paragraph, \$31,756,000, to remain avail-
14 able until expended: *Provided*, That of the funds made
15 available under this heading, \$4,965,000 shall be available
16 for rural housing vouchers to any low-income household
17 (including those not receiving rental assistance) residing
18 in a property financed with a section 515 loan which has
19 been prepaid after September 30, 2005: *Provided further*,
20 That the amount of such voucher shall be the difference
21 between comparable market rent for the section 515 unit
22 and the tenant paid rent for such unit: *Provided further*,
23 That funds made available for such vouchers shall be sub-
24 ject to the availability of annual appropriations: *Provided*
25 *further*, That the Secretary shall, to the maximum extent

1 practicable, administer such vouchers with current regula-
2 tions and administrative guidance applicable to section 8
3 housing vouchers administered by the Secretary of the De-
4 partment of Housing and Urban Development: *Provided*
5 *further*, That if the Secretary determines that the amount
6 made available for vouchers in this or any other Act is
7 not needed for vouchers, the Secretary may use such funds
8 for the demonstration programs for the preservation and
9 revitalization of multi-family rental housing properties de-
10 scribed in this paragraph: *Provided further*, That of the
11 funds made available under this heading, \$1,791,000 shall
12 be available for the cost of loans to private nonprofit orga-
13 nizations, or such nonprofit organizations' affiliate loan
14 funds and State and local housing finance agencies, to
15 carry out a housing demonstration program to provide re-
16 volving loans for the preservation of low-income multi-fam-
17 ily housing projects: *Provided further*, That loans under
18 such demonstration program shall have an interest rate
19 of not more than 1 percent direct loan to the recipient:
20 *Provided further*, That the Secretary may defer the inter-
21 est and principal payment to the Rural Housing Service
22 for up to 3 years and the term of such loans shall not
23 exceed 30 years: *Provided further*, That of the funds made
24 available under this heading, \$25,000,000 shall be avail-
25 able for a demonstration program for the preservation and

1 revitalization of the sections 514, 515, and 516 multi-fam-
2 ily rental housing properties to restructure existing USDA
3 multi-family housing loans, as the Secretary deems appro-
4 priate, expressly for the purposes of ensuring the project
5 has sufficient resources to preserve the project for the pur-
6 pose of providing safe and affordable housing for low-in-
7 come residents and farm laborers including reducing or
8 eliminating interest; deferring loan payments, subordi-
9 nating, reducing or reamortizing loan debt; and other fi-
10 nancial assistance including advances, payments and in-
11 centives (including the ability of owners to obtain reason-
12 able returns on investment) required by the Secretary:
13 *Provided further*, That the Secretary shall as part of the
14 preservation and revitalization agreement obtain a restric-
15 tive use agreement consistent with the terms of the re-
16 structuring: *Provided further*, That if the Secretary deter-
17 mines that additional funds for vouchers described in this
18 paragraph are needed, funds for the preservation and revi-
19 talization demonstration program may be used for such
20 vouchers: *Provided further*, That if Congress enacts legis-
21 lation to permanently authorize a section 515 multi-family
22 rental housing loan restructuring program similar to the
23 demonstration program described herein, the Secretary
24 may use funds made available for the demonstration pro-
25 gram under this heading to carry out such legislation with

1 the prior approval of the Committees on Appropriations
2 of both Houses of Congress.

3 MUTUAL AND SELF-HELP HOUSING GRANTS

4 For grants and contracts pursuant to section
5 523(b)(1)(A) of the Housing Act of 1949 (42 U.S.C.
6 1490c), \$45,000,000, to remain available until expended:
7 *Provided*, That of the total amount appropriated,
8 \$1,000,000 shall be available through June 30, 2010, 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 RURAL HOUSING ASSISTANCE GRANTS

13 (INCLUDING TRANSFER OF FUNDS)

14 For grants and contracts for very low-income housing
15 repair, supervisory and technical assistance, compensation
16 for construction defects, and rural housing preservation
17 made by the Rural Housing Service, as authorized by 42
18 U.S.C. 1474, 1479(e), 1490e, and 1490m, \$45,500,000,
19 to remain available until expended, of which \$4,000,000
20 shall be for grants authorized by section 14204 of the
21 Food, Conservation, and Energy Act of 2008: *Provided*,
22 That of the total amount appropriated, \$1,200,000 shall
23 be available through June 30, 2010, for authorized em-
24 powerment zones and enterprise communities and commu-
25 nities designated by the Secretary of Agriculture as Rural

1 Economic Area Partnership Zones: *Provided further*, That
2 any balances to carry out a housing demonstration pro-
3 gram to provide revolving loans for the preservation of
4 low-income multi-family housing projects as authorized in
5 Public Law 108–447 and Public Law 109–97 shall be
6 transferred to and merged with the “Rural Housing Serv-
7 ice, Multi-family Housing Revitalization Program Ac-
8 count”.

9 FARM LABOR PROGRAM ACCOUNT

10 For the cost of direct loans, grants, and contracts,
11 as authorized by 42 U.S.C. 1484 and 1486, \$22,523,000,
12 to remain available until expended, for direct farm labor
13 housing loans and domestic farm labor housing grants and
14 contracts.

15 RURAL COMMUNITY FACILITIES PROGRAM ACCOUNT

16 (INCLUDING TRANSFERS OF FUNDS)

17 For the cost of direct loans, loan guarantees, and
18 grants for rural community facilities programs as author-
19 ized by section 306 and described in section 381E(d)(1)
20 of the Consolidated Farm and Rural Development Act,
21 \$51,091,000, to remain available until expended: *Pro-*
22 *vided*, That \$6,256,000 of the amount appropriated under
23 this heading shall be available for a Rural Community De-
24 velopment Initiative: *Provided further*, That such funds
25 shall be used solely to develop the capacity and ability of

1 private, nonprofit community-based housing and commu-
2 nity development organizations, low-income rural commu-
3 nities, and Federally Recognized Native American Tribes
4 to undertake projects to improve housing, community fa-
5 cilities, community and economic development projects in
6 rural areas: *Provided further*, That such funds shall be
7 made available to qualified private, nonprofit and public
8 intermediary organizations proposing to carry out a pro-
9 gram of financial and technical assistance: *Provided fur-*
10 *ther*, That such intermediary organizations shall provide
11 matching funds from other sources, including Federal
12 funds for related activities, in an amount not less than
13 funds provided: *Provided further*, That \$10,000,000 of the
14 amount appropriated under this heading shall be to pro-
15 vide grants for facilities in rural communities with extreme
16 unemployment and severe economic depression (Public
17 Law 106–387), with up to 5 percent for administration
18 and capacity building in the State rural development of-
19 fices: *Provided further*, That \$3,972,000 of the amount ap-
20 propriated under this heading shall be available for com-
21 munity facilities grants to tribal colleges, as authorized by
22 section 306(a)(19) of such Act: *Provided further*, That not
23 to exceed \$1,000,000 of the amount appropriated under
24 this heading shall be available through June 30, 2010, for
25 authorized empowerment zones and enterprise commu-

1 nities and communities designated by the Secretary of Ag-
2 riculture as Rural Economic Area Partnership Zones for
3 the rural community programs described in section
4 381E(d)(1) of the Consolidated Farm and Rural Develop-
5 ment Act: *Provided further*, That sections 381E–H and
6 381N of the Consolidated Farm and Rural Development
7 Act are not applicable to the funds made available under
8 this heading: *Provided further*, That any prior balances in
9 the Rural Development, Rural Community Advancement
10 Program account for programs authorized by section 306
11 and described in section 381E(d)(1) of such Act be trans-
12 ferred and merged with this account and any other prior
13 balances from the Rural Development, Rural Community
14 Advancement Program account that the Secretary deter-
15 mines is appropriate to transfer.

16 RURAL BUSINESS—COOPERATIVE SERVICE

17 RURAL BUSINESS PROGRAM ACCOUNT

18 (INCLUDING TRANSFERS OF FUNDS)

19 For the cost of loan guarantees and grants, for the
20 rural business development programs authorized by sec-
21 tions 306 and 310B and described in sections 310B(f) and
22 381E(d)(3) of the Consolidated Farm and Rural Develop-
23 ment Act, \$97,116,000, to remain available until ex-
24 pended: *Provided*, That of the amount appropriated under
25 this heading, not to exceed \$500,000 shall be made avail-

1 able for a grant to a qualified national organization to pro-
2 vide technical assistance for rural transportation in order
3 to promote economic development and \$2,979,000 shall be
4 for grants to the Delta Regional Authority (7 U.S.C. 1921
5 et seq.) for any Rural Community Advancement Program
6 purpose as described in section 381E(d) of the Consoli-
7 dated Farm and Rural Development Act, of which not
8 more than 5 percent may be used for administrative ex-
9 penses: *Provided further*, That \$4,000,000 of the amount
10 appropriated under this heading shall be for business
11 grants to benefit Federally Recognized Native American
12 Tribes, including \$250,000 for a grant to a qualified na-
13 tional organization to provide technical assistance for
14 rural transportation in order to promote economic develop-
15 ment: *Provided further*, That not to exceed \$8,300,000 of
16 the amount appropriated under this heading shall be avail-
17 able through June 30, 2010, for authorized empowerment
18 zones and enterprise communities and communities des-
19 igned by the Secretary of Agriculture as Rural Economic
20 Area Partnership Zones for the rural business and cooper-
21 ative development programs described in section
22 381E(d)(3) of the Consolidated Farm and Rural Develop-
23 ment Act: *Provided further*, That sections 381E–H and
24 381N of the Consolidated Farm and Rural Development
25 Act are not applicable to funds made available under this

1 heading: *Provided further*, That any prior balances in the
2 Rural Development, Rural Community Advancement Pro-
3 gram account for programs authorized by sections 306
4 and 310B and described in sections 310B(f) and
5 381E(d)(3) of such Act be transferred and merged with
6 this account and any other prior balances from the Rural
7 Development, Rural Community Advancement Program
8 account that the Secretary determines is appropriate to
9 transfer.

10 RURAL DEVELOPMENT LOAN FUND PROGRAM ACCOUNT
11 (INCLUDING TRANSFER OF FUNDS)

12 For the principal amount of direct loans, as author-
13 ized by the Rural Development Loan Fund (42 U.S.C.
14 9812(a)), \$33,536,000. For the cost of direct loans,
15 \$8,464,000, as authorized by the Rural Development
16 Loan Fund (42 U.S.C. 9812(a)), of which \$1,035,000
17 shall be available through June 30, 2010, for Federally
18 Recognized Native American Tribes and of which
19 \$2,070,000 shall be available through June 30, 2010, for
20 Mississippi Delta Region counties (as determined in ac-
21 cordance with Public Law 100–460): *Provided*, That such
22 costs, including the cost of modifying such loans, shall be
23 as defined in section 502 of the Congressional Budget Act
24 of 1974: *Provided further*, That of the total amount appro-
25 priated, \$880,000 shall be available through June 30,

1 2010, for the cost of direct loans for authorized empower-
2 ment zones and enterprise communities and communities
3 designated by the Secretary of Agriculture as Rural Eco-
4 nomic Area Partnership Zones. In addition, for adminis-
5 trative expenses to carry out the direct loan programs,
6 \$4,941,000 shall be transferred to and merged with the
7 appropriation for “Rural Development, Salaries and Ex-
8 penses”.

9 RURAL ECONOMIC DEVELOPMENT LOANS PROGRAM

10 ACCOUNT

11 (INCLUDING RESCISSION OF FUNDS)

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

16 Of the funds derived from interest on the cushion of
17 credit payments, as authorized by section 313 of the Rural
18 Electrification Act of 1936, \$43,000,000 shall not be obli-
19 gated and \$43,000,000 are rescinded.

20 RURAL COOPERATIVE DEVELOPMENT GRANTS

21 For rural cooperative development grants authorized
22 under section 310B(e) of the Consolidated Farm and
23 Rural Development Act (7 U.S.C. 1932), \$30,636,000, of
24 which \$300,000 shall be for a cooperative research agree-
25 ment with a qualified academic institution to conduct re-

1 search on the national economic impact of all types of co-
2 operatives; and of which \$2,582,000 shall be for coopera-
3 tive agreements for the appropriate technology transfer
4 for rural areas program: *Provided*, That not to exceed
5 \$3,463,000 shall be for cooperatives or associations of co-
6 operatives whose primary focus is to provide assistance to
7 small, socially disadvantaged producers and whose gov-
8 erning board and/or membership is comprised of at least
9 75 percent socially disadvantaged members; and of which
10 \$18,867,000, to remain available until expended, shall be
11 for value-added agricultural product market development
12 grants, as authorized by section 231 of the Agricultural
13 Risk Protection Act of 2000 (7 U.S.C. 1621 note).

14 RURAL ENERGY FOR AMERICA PROGRAM

15 For the cost of a program of loan guarantees and
16 grants, under the same terms and conditions as authorized
17 by section 9007 of the Farm Security and Rural Invest-
18 ment Act of 2002 (7 U.S.C. 8107), \$20,000,000 (in-
19 creased by \$2,000,000): *Provided*, That the cost of loan
20 guarantees, including the cost of modifying such loans,
21 shall be as defined in section 502 of the Congressional
22 Budget Act of 1974.

1 RURAL UTILITIES SERVICE
2 RURAL WATER AND WASTE DISPOSAL PROGRAM ACCOUNT
3 (INCLUDING TRANSFERS OF FUNDS)

4 For the cost of direct loans, loan guarantees, and
5 grants for the rural water, waste water, waste disposal,
6 and solid waste management programs authorized by sec-
7 tions 306, 306A, 306C, 306D, and 310B and described
8 in sections 306C(a)(2), 306D, and 381E(d)(2) of the Con-
9 solidated Farm and Rural Development Act,
10 \$546,230,000 (increased by \$10,038,000), to remain
11 available until expended, of which not to exceed \$497,000
12 shall be available for the rural utilities program described
13 in section 306(a)(2)(B) of such Act, and of which not to
14 exceed \$993,000 shall be available for the rural utilities
15 program described in section 306E of such Act: *Provided*,
16 That \$41,085,000 of the amount appropriated under this
17 heading shall be for loans and grants including water and
18 waste disposal systems grants authorized by
19 306C(a)(2)(B) of the Consolidated Farm and Rural De-
20 velopment Act and for Federally recognized Native Amer-
21 ican Tribes authorized by 306C(a)(1): *Provided further*,
22 That not to exceed \$19,500,000 of the amount appro-
23 priated under this heading shall be for technical assistance
24 grants for rural water and waste systems pursuant to sec-
25 tion 306(a)(14) of such Act, unless the Secretary makes

1 a determination of extreme need, of which \$6,000,000
2 shall be made available for a grant to a qualified nonprofit
3 multi-state regional technical assistance organization, with
4 experience in working with small communities on water
5 and waste water problems, the principal purpose of such
6 grant shall be to assist rural communities with populations
7 of 3,300 or less, in improving the planning, financing, de-
8 velopment, operation, and management of water and waste
9 water systems, and of which not less than \$800,000 shall
10 be for a qualified national Native American organization
11 to provide technical assistance for rural water systems for
12 tribal communities: *Provided further*, That not to exceed
13 \$15,000,000 of the amount appropriated under this head-
14 ing shall be for contracting with qualified national organi-
15 zations for a circuit rider program to provide technical as-
16 sistance for rural water systems: *Provided further*, That
17 not to exceed \$12,700,000 of the amount appropriated
18 under this heading shall be available through June 30,
19 2010, for authorized empowerment zones and enterprise
20 communities and communities designated by the Secretary
21 of Agriculture as Rural Economic Area Partnership Zones
22 for the rural utilities programs described in section
23 381E(d)(2) of such Act: *Provided further*, That sections
24 381E–H and 381N of the Consolidated Farm and Rural
25 Development Act are not applicable to the funds made

1 available under this heading: *Provided further*, That any
2 prior balances in the Rural Development, Rural Commu-
3 nity Advancement Program account programs authorized
4 by sections 306, 306A, 306C, 306D, and 310B and de-
5 scribed in sections 306C(a)(2), 306D, and 381E(d)(2) of
6 such Act be transferred to and merged with this account
7 and any other prior balances from the Rural Development,
8 Rural Community Advancement Program account that the
9 Secretary determines is appropriate to transfer.

10 RURAL ELECTRIFICATION AND TELECOMMUNICATIONS

11 LOANS PROGRAM ACCOUNT

12 (INCLUDING TRANSFER OF FUNDS)

13 The principal amount of direct and guaranteed loans
14 as authorized by section 305 of the Rural Electrification
15 Act of 1936 (7 U.S.C. 935) shall be made as follows: 5
16 percent rural electrification loans, \$100,000,000; loans
17 made pursuant to section 306 of that Act, rural electric,
18 \$6,500,000,000; 5 percent rural telecommunications
19 loans, \$145,000,000; cost of money rural telecommuni-
20 cations loans, \$250,000,000; and for loans made pursuant
21 to section 306 of that Act, rural telecommunications loans,
22 \$295,000,000.

23 In addition, for administrative expenses necessary to
24 carry out the direct and guaranteed loan programs,
25 \$39,959,000, which shall be transferred to and merged

1 with the appropriation for “Rural Development, Salaries
2 and Expenses”.

3 DISTANCE LEARNING, TELEMEDICINE, AND BROADBAND
4 PROGRAM

5 For the principal amount of broadband telecommuni-
6 cation loans, \$400,000,000.

7 For grants for telemedicine and distance learning
8 services in rural areas, as authorized by 7 U.S.C. 950aaa
9 et seq., \$34,755,000, to remain available until expended:
10 *Provided*, That the Secretary may use funds under this
11 heading for grants authorized by 379(g) of the Consoli-
12 dated Farm and Rural Development Act.

13 For the cost of broadband loans, as authorized by
14 section 601 of the Rural Electrification Act, \$28,960,000,
15 to remain available until expended: *Provided*, That the
16 cost of direct loans shall be as defined in section 502 of
17 the Congressional Budget Act of 1974.

18 In addition, \$17,976,000, to remain available until
19 expended, for a grant program to finance broadband
20 transmission in rural areas eligible for Distance Learning
21 and Telemedicine Program benefits authorized by 7
22 U.S.C. 950aaa.

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

5 For necessary expenses of the Office of the Under
6 Secretary for Food, Nutrition and Consumer Services,
7 \$623,000.

8 FOOD AND NUTRITION SERVICE
9 CHILD NUTRITION PROGRAMS
10 (INCLUDING TRANSFERS OF FUNDS)

11 In lieu of the amounts made available in section
12 14222(b) of the Food, Conservation, and Energy Act of
13 2008, for necessary expenses to carry out the Richard B.
14 Russell National School Lunch Act (42 U.S.C. 1751 et
15 seq.), except section 21, and the Child Nutrition Act of
16 1966 (42 U.S.C. 1771 et seq.), except sections 17 and
17 21; \$16,799,584,000, to remain available through Sep-
18 tember 30, 2011, of which \$10,051,707,000 is hereby ap-
19 propriated and \$6,747,877,000 shall be derived by trans-
20 fer from funds available under section 32 of the Act of
21 August 24, 1935 (7 U.S.C. 612c): *Provided*, That of the
22 total amount available, \$5,000,000 shall be available to
23 be awarded as competitive grants to implement section
24 4405 of the Food, Conservation, and Energy Act of 2008
25 (Public Law 110–246).

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

3 For necessary expenses to carry out the special sup-
4 plemental nutrition program as authorized by section 17
5 of the Child Nutrition Act of 1966 (42 U.S.C. 1786),
6 \$7,541,000,000, to remain available through September
7 30, 2011: *Provided*, That, notwithstanding section
8 17(h)(10)(A) of such Act, only the provisions of section
9 17(h)(10)(B)(i), section 17(h)(10)(B)(ii), and section
10 17(h)(10)(B)(iii) shall be effective in 2010: *Provided fur-*
11 *ther*, That none of the funds provided in this account shall
12 be available for the purchase of infant formula except in
13 accordance with the cost containment and competitive bid-
14 ding requirements specified in section 17 of such Act: *Pro-*
15 *vided further*, That none of the funds provided shall be
16 available for activities that are not fully reimbursed by
17 other Federal Government departments or agencies unless
18 authorized by section 17 of such Act.

19 SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM

20 For necessary expenses to carry out the Food and
21 Nutrition Act of 2008 (7 U.S.C. 2011 et seq.),
22 \$61,351,846,000, of which \$3,000,000,000, to remain
23 available through September 30, 2011, shall be placed in
24 reserve for use only in such amounts and at such times
25 as may become necessary to carry out program operations:

1 *Provided*, That funds provided herein shall be expended
2 in accordance with section 16 of the Food and Nutrition
3 Act of 2008: *Provided further*, That this appropriation
4 shall be subject to any work registration or workfare re-
5 quirements as may be required by law: *Provided further*,
6 That funds made available for Employment and Training
7 under this heading shall remain available until expended,
8 as authorized by section 16(h)(1) of the Food and Nutri-
9 tion Act of 2008: *Provided further*, That funds made avail-
10 able under this heading may be used to enter into con-
11 tracts and employ staff to conduct studies, evaluations, or
12 to conduct activities related to program integrity provided
13 that such activities are authorized by the Food and Nutri-
14 tion Act of 2008.

15 COMMODITY ASSISTANCE PROGRAM

16 For necessary expenses to carry out disaster assist-
17 ance and the Commodity Supplemental Food Program as
18 authorized by section 4(a) of the Agriculture and Con-
19 sumer Protection Act of 1973 (7 U.S.C. 612c note); the
20 Emergency Food Assistance Act of 1983; special assist-
21 ance for the nuclear affected islands, as authorized by sec-
22 tion 103(f)(2) of the Compact of Free Association Amend-
23 ments Act of 2003 (Public Law 108–188); and the Farm-
24 ers’ Market Nutrition Program, as authorized by section
25 17(m) of the Child Nutrition Act of 1966, \$255,570,000,

1 to remain available through September 30, 2011, of which
2 \$5,000,000 shall be for emergency food program infra-
3 structure grants authorized by section 209 of the Emer-
4 gency Food Assistance Act of 1983: *Provided*, That of the
5 amount provided, \$5,000,000 is to begin service in 6 addi-
6 tional States that have plans approved by the Department
7 for the commodity supplemental food program: *Provided*
8 *further*, That none of these funds shall be available to re-
9 imburse the Commodity Credit Corporation for commod-
10 ities donated to the program: *Provided further*, That not-
11 withstanding any other provision of law, effective with
12 funds made available in fiscal year 2010 to support the
13 Seniors Farmers' Market Nutrition Program, as author-
14 ized by section 4402 of the Farm Security and Rural In-
15 vestment Act of 2002, such funds shall remain available
16 through September 30, 2011: *Provided further*, That of
17 the funds made available under section 27(a) of the Food
18 and Nutrition Act of 2008 (7 U.S.C. 2036(a)), the Sec-
19 retary may use up to 10 percent for costs associated with
20 the distribution of commodities.

21 NUTRITION PROGRAMS ADMINISTRATION

22 For necessary administrative expenses of the Food
23 and Nutrition Service for carrying out any domestic nutri-
24 tion assistance program, \$147,801,000.

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

7 For necessary expenses of the Foreign Agricultural
8 Service, including not to exceed \$158,000 for representa-
9 tion allowances and for expenses pursuant to section 8 of
10 the Act approved August 3, 1956 (7 U.S.C. 1766),
11 \$177,136,000: *Provided*, That the Service may utilize ad-
12 vances of funds, or reimburse this appropriation for ex-
13 penditures made on behalf of Federal agencies, public and
14 private organizations and institutions under agreements
15 executed pursuant to the agricultural food production as-
16 sistance programs (7 U.S.C. 1737) and the foreign assist-
17 ance programs of the United States Agency for Inter-
18 national Development: *Provided further*, That funds made
19 available for the cost of agreements under title I of the
20 Agricultural Trade Development and Assistance Act of
21 1954 and for title I ocean freight differential may be used
22 interchangeably between the 2 accounts with prior notice
23 to the Committees on Appropriations of both Houses of
24 Congress.

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

4 For administrative expenses to carry out the credit
5 program of title I, Public Law 83–480 and the Food for
6 Progress Act of 1985, \$2,812,000, to be transferred to
7 and merged with the appropriation for “Farm Service
8 Agency, Salaries and Expenses”.

9 PUBLIC LAW 480 TITLE II GRANTS

10 For expenses during the current fiscal year, not oth-
11 erwise recoverable, and unrecovered prior years’ costs, in-
12 cluding interest thereon, under the Food for Peace Act
13 (Public Law 83–480, as amended), for commodities sup-
14 plied in connection with dispositions abroad under title II
15 of said Act, \$1,690,000,000, to remain available until ex-
16 pended.

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

20 For administrative expenses to carry out the Com-
21 modity Credit Corporation’s export guarantee program,
22 GSM 102 and GSM 103, \$6,820,000; to cover common
23 overhead expenses as permitted by section 11 of the Com-
24 modity Credit Corporation Charter Act and in conformity
25 with the Federal Credit Reform Act of 1990, of which

1 \$6,465,000 shall be transferred to and merged with the
2 appropriation for “Foreign Agricultural Service, Salaries
3 and Expenses”, and of which \$355,000 shall be trans-
4 ferred to and merged with the appropriation for “Farm
5 Service Agency, Salaries and Expenses”.

6 MC GOVERN-DOLE INTERNATIONAL FOOD FOR

7 EDUCATION AND CHILD NUTRITION PROGRAM GRANTS

8 For necessary expenses to carry out the provisions
9 of section 3107 of the Farm Security and Rural Invest-
10 ment Act of 2002 (7 U.S.C. 1736o–1), \$199,500,000, to
11 remain available until expended: *Provided*, That the Com-
12 modity Credit Corporation is authorized to provide the
13 services, facilities, and authorities for the purpose of im-
14 plementing such section, subject to reimbursement from
15 amounts provided herein.

16

TITLE VI

17

RELATED AGENCY AND FOOD AND DRUG

18

ADMINISTRATION

19

DEPARTMENT OF HEALTH AND HUMAN

20

SERVICES

21

FOOD AND DRUG ADMINISTRATION

22

SALARIES AND EXPENSES

23

(INCLUDING TRANSFERS OF FUNDS)

24

For necessary expenses of the Food and Drug Ad-
25 ministration, including hire and purchase of passenger

1 motor vehicles; for payment of space rental and related
2 costs pursuant to Public Law 92–313 for programs and
3 activities of the Food and Drug Administration which are
4 included in this Act; for rental of special purpose space
5 in the District of Columbia or elsewhere; for miscellaneous
6 and emergency expenses of enforcement activities, author-
7 ized and approved by the Secretary and to be accounted
8 for solely on the Secretary’s certificate, not to exceed
9 \$25,000; and notwithstanding section 521 of Public Law
10 107–188; \$2,995,218,000 (increased by \$235,000,000):
11 *Provided*, That of the amount provided under this heading,
12 \$578,162,000 shall be derived from prescription drug user
13 fees authorized by 21 U.S.C. 379h shall be credited to this
14 account and remain available until expended, and shall not
15 include any fees pursuant to 21 U.S.C. 379h(a)(2) and
16 (a)(3) assessed for fiscal year 2011 but collected in fiscal
17 year 2010; \$57,014,000 shall be derived from medical de-
18 vice user fees authorized by 21 U.S.C. 379j, and shall be
19 credited to this account and remain available until ex-
20 pended; \$17,280,000 shall be derived from animal drug
21 user fees authorized by 21 U.S.C. 379j, and shall be cred-
22 ited to this account and remain available until expended;
23 \$5,106,000 shall be derived from animal generic drug user
24 fees authorized by 21 U.S.C. 379f, and shall be credited
25 to this account and shall remain available until expended;

1 and \$235,000,000 shall be derived from tobacco product
2 user fees authorized by section 919 of the Federal Food,
3 Drug, and Cosmetic Act, as added by section 101 of the
4 Family Smoking Prevention and Tobacco Control Act
5 (Public Law 111–31), and shall be credited to this account
6 and remain available until expended: *Provided further*,
7 That fees derived from prescription drug, medical device,
8 animal drug, animal generic drug, and tobacco product as-
9 sessments for fiscal year 2010 received during fiscal year
10 2010, including any such fees assessed prior to fiscal year
11 2010 but credited for fiscal year 2010, shall be subject
12 to the fiscal year 2010 limitations: *Provided further*, That
13 none of these funds shall be used to develop, establish,
14 or operate any program of user fees authorized by 31
15 U.S.C. 9701: *Provided further*, That of the total amount
16 appropriated: (1) \$782,915,000 shall be for the Center for
17 Food Safety and Applied Nutrition and related field activi-
18 ties in the Office of Regulatory Affairs; (2) \$873,104,000
19 shall be for the Center for Drug Evaluation and Research
20 and related field activities in the Office of Regulatory Af-
21 fairs; (3) \$305,249,000 shall be for the Center for Bio-
22 logics Evaluation and Research and for related field activi-
23 ties in the Office of Regulatory Affairs; (4) \$155,540,000
24 shall be for the Center for Veterinary Medicine and for
25 related field activities in the Office of Regulatory Affairs;

1 (5) \$349,262,000 shall be for the Center for Devices and
2 Radiological Health and for related field activities in the
3 Office of Regulatory Affairs; (6) \$58,745,000 shall be for
4 the National Center for Toxicological Research; (7)
5 \$216,523,000 shall be for the Center for Tobacco Prod-
6 ucts and for related field activities in the Office of Regu-
7 latory Affairs; (8) not to exceed \$117,225,000 shall be for
8 Rent and Related activities, of which \$41,496,000 is for
9 White Oak Consolidation, other than the amounts paid to
10 the General Services Administration for rent; (9) not to
11 exceed \$171,526,000 shall be for payments to the General
12 Services Administration for rent; and (10) not to exceed
13 \$200,129,000 shall be for other activities, including the
14 Office of the Commissioner; the Office of Scientific and
15 Medical Programs; the Office of Policy, Planning and Pre-
16 paredness; the Office of International and Special Pro-
17 grams; the Office of Operations; and central services for
18 these offices: *Provided further*, That none of the funds
19 made available under this heading shall be used to trans-
20 fer funds under section 770(n) of the Federal Food, Drug,
21 and Cosmetic Act (21 U.S.C. 379dd): *Provided further*,
22 That funds may be transferred from one specified activity
23 to another with the prior approval of the Committees on
24 Appropriations of both Houses of Congress.

1 In addition, mammography user fees authorized by
2 42 U.S.C. 263b, export certification user fees authorized
3 by 21 U.S.C. 381, and priority review user fees authorized
4 by 21 U.S.C. 360n may be credited to this account, to
5 remain available until expended.

6 BUILDINGS AND FACILITIES

7 For plans, construction, repair, improvement, exten-
8 sion, alteration, and purchase of fixed equipment or facili-
9 ties of or used by the Food and Drug Administration,
10 where not otherwise provided, \$12,433,000, to remain
11 available until expended.

12 INDEPENDENT AGENCIES

13 COMMODITY FUTURES TRADING COMMISSION

14 For necessary expenses to carry out the provisions
15 of the Commodity Exchange Act (7 U.S.C. 1 et seq.), in-
16 cluding the purchase and hire of passenger motor vehicles,
17 and the rental of space (to include multiple year leases)
18 in the District of Columbia and elsewhere, \$160,600,000,
19 including not to exceed \$3,000 for official reception and
20 representation expenses: *Provided*, That \$14,600,000 of
21 the total amount appropriated under this heading shall
22 not be available for obligation until the Commodity Fu-
23 tures Trading Commission submits an expenditure plan
24 for fiscal year 2010 to the Committees on Appropriations

1 of the House of Representatives and the Senate and the
2 Committees approve the whole of the plan.

3 FARM CREDIT ADMINISTRATION

4 LIMITATION ON ADMINISTRATIVE EXPENSES

5 Not to exceed \$54,500,000 (from assessments col-
6 lected from farm credit institutions, including the Federal
7 Agricultural Mortgage Corporation) shall be obligated
8 during the current fiscal year for administrative expenses
9 as authorized under 12 U.S.C. 2249: *Provided*, That this
10 limitation shall not apply to expenses associated with re-
11 ceiverships.

12 TITLE VII

13 GENERAL PROVISIONS

14 (INCLUDING RESCISSIONS AND TRANSFERS OF FUNDS)

15 SEC. 701. Within the unit limit of cost fixed by law,
16 appropriations and authorizations made for the Depart-
17 ment of Agriculture for the current fiscal year under this
18 Act shall be available for the purchase, in addition to those
19 specifically provided for, of not to exceed 204 passenger
20 motor vehicles, of which 170 shall be for replacement only,
21 and for the hire of such vehicles.

22 SEC. 702. New obligational authority provided for the
23 following appropriation items in this Act shall remain
24 available until expended: Food Safety and Inspection Serv-
25 ice, Public Health Data Communication Infrastructure

1 System; Farm Service Agency, salaries and expenses
2 funds made available to county committees; Foreign Agri-
3 cultural Service, middle-income country training program,
4 and up to \$2,000,000 of the Foreign Agricultural Service
5 appropriation solely for the purpose of offsetting fluctua-
6 tions in international currency exchange rates, subject to
7 documentation by the Foreign Agricultural Service.

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

1 obligation or expenditure to make any changes to the De-
2 partment's National Finance Center without prior ap-
3 proval of the Committees on Appropriations of both
4 Houses of Congress as required by section 712 of this Act.

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

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

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

1 tion and Telecommunication Loans program account, and
2 the Rural Housing Insurance Fund program account.

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

10 SEC. 708. None of the funds appropriated by this Act
11 may be used to carry out section 410 of the Federal Meat
12 Inspection Act (21 U.S.C. 679a) or section 30 of the Poul-
13 try Products Inspection Act (21 U.S.C. 471).

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

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

1 Services employee questions or responses to questions that
2 are a result of information requested for the appropria-
3 tions hearing process.

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

20 SEC. 712. (a) None of the funds provided by this Act,
21 or provided by previous Appropriations Acts to the agen-
22 cies funded by this Act that remain available for obligation
23 or expenditure in the current fiscal year, or provided from
24 any accounts in the Treasury of the United States derived
25 by the collection of fees available to the agencies funded

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

3 (1) creates new programs;

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

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

8 (4) relocates an office or employees;

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

10 or

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

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

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

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

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

1 submission of the Budget unless such Budget submission
2 identifies which additional spending reductions should
3 occur in the event the user fees proposals are not enacted
4 prior to the date of the convening of a committee of con-
5 ference for the fiscal year 2011 appropriations Act.

6 SEC. 714. None of the funds made available by this
7 or any other Act may be used to close or relocate a Rural
8 Development office unless or until the Secretary of Agri-
9 culture determines the cost effectiveness and/or enhance-
10 ment of program delivery: *Provided*, That not later than
11 120 days before the date of the proposed closure or reloca-
12 tion, the Secretary notifies the Committees on Appropria-
13 tion of the House and Senate, and the members of Con-
14 gress from the State in which the office is located of the
15 proposed closure or relocation and provides a report that
16 describes the justifications for such closures and reloca-
17 tions.

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

24 SEC. 716. None of the funds appropriated or other-
25 wise made available by this or any other Act shall be used

1 to pay the salaries and expenses of personnel to carry out
2 an environmental quality incentives program authorized
3 by chapter 4 of subtitle D of title XII of the Food Security
4 Act of 1985 (16 U.S.C. 3839aa et seq.) in excess of
5 \$1,180,000,000.

6 SEC. 717. None of the funds made available in fiscal
7 year 2009 or preceding fiscal years for programs author-
8 ized under the Food for Peace Act (7 U.S.C. 1691 et seq.)
9 in excess of \$20,000,000 shall be used to reimburse the
10 Commodity Credit Corporation for the release of eligible
11 commodities under section 302(f)(2)(A) of the Bill Emer-
12 son Humanitarian Trust Act (7 U.S.C. 1736f-1): *Pro-*
13 *vided*, That any such funds made available to reimburse
14 the Commodity Credit Corporation shall only be used pur-
15 suant to section 302(b)(2)(B)(i) of the Bill Emerson Hu-
16 manitarian Trust Act.

17 SEC. 718. No funds shall be used to pay salaries and
18 expenses of the Department of Agriculture to carry out
19 or administer the program authorized by section 14(h)(1)
20 of the Watershed Protection and Flood Prevention Act (16
21 U.S.C. 1012(h)(1)).

22 SEC. 719. Funds made available under section 1240I
23 and section 1241(a) of the Food Security Act of 1985 and
24 section 524(b) of the Federal Crop Insurance Act (7
25 U.S.C. 1524(b)) in the current fiscal year shall remain

1 available until expended to disburse obligations made in
2 the current fiscal year.

3 SEC. 720. Unless otherwise authorized by existing
4 law, none of the funds provided in this Act, may be used
5 by an executive branch agency to produce any pre-
6 packaged news story intended for broadcast or distribution
7 in the United States unless the story includes a clear noti-
8 fication within the text or audio of the prepackaged news
9 story that the prepackaged news story was prepared or
10 funded by that executive branch agency.

11 SEC. 721. Notwithstanding any other provision of
12 law, any former RUS borrower that has repaid or prepaid
13 an insured, direct or guaranteed loan under the Rural
14 Electrification Act, or any not-for-profit utility that is eli-
15 gible to receive an insured or direct loan under such Act,
16 shall be eligible for assistance under section 313(b)(2)(B)
17 of such Act in the same manner as a borrower under such
18 Act.

19 SEC. 722. Of the unobligated balances under section
20 32 of the Act of August 24, 1935, \$52,000,000 are hereby
21 rescinded.

22 SEC. 723. None of the funds made available in this
23 Act may be used to establish or implement a rule allowing
24 poultry products to be imported into the United States
25 from the People's Republic of China.

1 SEC. 724. None of the funds made available to the
2 Department of Agriculture in this Act may be used to im-
3 plement the risk-based inspection program in the 30 pro-
4 totype locations announced on February 22, 2007, by the
5 Under Secretary for Food Safety, or at any other loca-
6 tions, until the USDA Office of Inspector General has pro-
7 vided its findings to the Food Safety and Inspection Serv-
8 ice and the Committees on Appropriations of the House
9 of Representatives and the Senate on the data used in sup-
10 port of the development and design of the risk-based in-
11 spection program and FSIS has addressed and resolved
12 issues identified by OIG.

13 SEC. 725. Notwithstanding any other provision of
14 law, and until receipt of the decennial Census in the year
15 2010, the Secretary of Agriculture shall consider—

16 (1) the city of Lumberton, North Carolina, and
17 the city of Sanford, North Carolina (including indi-
18 viduals and entities with projects within the city), el-
19 igible for loans and grants funded through the Rural
20 Community Facilities Program account;

21 (2) the unincorporated area of Los Osos, Cali-
22 fornia (including individuals and entities with
23 projects within the cities), eligible for loans and
24 grants funded through the Rural Water and Waste
25 Disposal Program account; and

1 (3) the city of Nogales, Arizona (including indi-
2 viduals and entities with projects within the city), el-
3 igible for loans and grants funded under the housing
4 programs of the Rural Housing Service.

5 SEC. 726. There is hereby appropriated \$2,500,000
6 for section 4404 of Public Law 107–171.

7 SEC. 727. There is hereby appropriated:

8 (1) \$1,408,000 shall be for a grant to the Wis-
9 consin Department of Agriculture, Trade, and Con-
10 sumer Protection, as authorized by section 6402 of
11 the Farm Security and Rural Investment Act of
12 2002 (7 U.S.C. 1621 note);

13 (2) \$1,000,000 shall be for development of a
14 prototype for a national carbon inventory and ac-
15 counting system for forestry and agriculture, to be
16 awarded under full and open competition;

17 (3) \$1,000,000 for the International Food Pro-
18 tection Training Institute; and

19 (4) \$200,000 for the Center for Foodborne Ill-
20 ness Research and Prevention.

21 SEC. 728. Notwithstanding any other provision of
22 law, the Natural Resources Conservation Service shall pro-
23 vide financial and technical assistance through the Water-
24 shed and Flood Prevention Operations program to carry
25 out—

1 (1) the Alameda Creek Watershed Project in
2 Alameda County, California;

3 (2) the Hurricane Katrina-Related Watershed
4 Restoration project in Jackson County, Mississippi;

5 (3) the Pidcock-Mill Creeks Watershed project
6 in Bucks County, Pennsylvania;

7 (4) the Farmington River Restoration project in
8 Litchfield County, Connecticut;

9 (5) the Lake Oscawana Management and Res-
10 toration project in Putnam County, New York; and

11 (6) the Richland Creek Reservoir in Paulding
12 County, Georgia.

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

16 (1) by inserting “the District of Columbia and”
17 after the first instance of “institutions located in”;

18 (2) by striking “ten” and inserting “eleven”;

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

20 and

21 (4) by inserting “Connecticut,” after the first
22 instance of “States shall be”.

23 SEC. 730. Notwithstanding any other provision of
24 law, for the purposes of a grant under section 412 of the
25 Agricultural Research, Extension, and Education Reform

1 Act of 1998, none of the funds in this or any other Act
2 may be used to prohibit the provision of in-kind support
3 from non-Federal sources under section 412(e)(3) in the
4 form of unrecovered indirect costs not otherwise charged
5 against the grant, consistent with the indirect rate of cost
6 approved for a recipient.

7 SEC. 731. None of the funds made available in this
8 Act may be used to pay the salaries or expenses of per-
9 sonnel to—

10 (1) inspect horses under section 3 of the Fed-
11 eral Meat Inspection Act (21 U.S.C. 603);

12 (2) inspect horses under section 903 of the
13 Federal Agriculture Improvement and Reform Act of
14 1996 (7 U.S.C. 1901 note; Public Law 104–127); or

15 (3) implement or enforce section 352.19 of title
16 9, Code of Federal Regulations.

17 SEC. 732. The Secretary of Agriculture may author-
18 ize a State agency to use funds provided in this Act to
19 exceed the maximum amount of reconstituted liquid con-
20 centrate infant formula specified in 7 CFR 246.10 when
21 issuing liquid concentrate infant formula to participants.

22 SEC. 733. Of the unobligated balances provided pur-
23 suant to section 16(h)(1)(A) of the Food and Nutrition
24 Act of 2008, \$11,000,000 is hereby rescinded.

1 SEC. 734. Of the prior year unobligated balances pro-
2 vided for the purpose of section 306D of the Consolidated
3 Farm and Rural Development Act, \$25,008,000 is hereby
4 rescinded.

5 SEC. 735. There is appropriated, for the grant pro-
6 gram for the purpose of obtaining and adding to an anhy-
7 drous ammonia fertilizer nurse tank a substance to reduce
8 the amount of methamphetamine that can be produced
9 from any anhydrous ammonia removed from the nurse
10 tank as authorized by section 14203 of the Food, Con-
11 servation, and Energy Act of 2008 (21 U.S.C. 864a),
12 hereby derived from the amount provided in this Act for
13 “Rural Development Salaries and Expenses”, \$2,000,000.

14 SEC. 736. None of the funds appropriated or other-
15 wise made available by this Act may be used for first-class
16 travel by the employees of agencies funded by this Act in
17 contravention of sections 301–10.122 through 301–10.124
18 of title 41, Code of Federal Regulations.

19 This Act may be cited as the “Agriculture, Rural De-
20 velopment, Food and Drug Administration, and Related
21 Agencies Appropriations Act, 2010”.

Passed the House of Representatives July 9, 2009.

Attest: LORRAINE C. MILLER,
Clerk.

111TH CONGRESS
1ST SESSION
H. R. 2997

AN ACT

Making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes.

JULY 10, 2009

Read twice and placed on the calendar