

Union Calendar No. 98

111TH CONGRESS
1ST SESSION

H. R. 2997

[Report No. 111-181]

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.

IN THE HOUSE OF REPRESENTATIVES

JUNE 23, 2009

Ms. DELAURO, from the Committee on Appropriations, reported the following bill; which was committed to the Committee of the Whole House on the State of the Union and ordered to be printed

A BILL

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:

9 **TITLE I**

10 **AGRICULTURAL PROGRAMS**

11 **PRODUCTION, PROCESSING AND MARKETING**

12 **OFFICE OF THE SECRETARY**

13 For necessary expenses of the Office of the Secretary
14 of Agriculture, \$5,285,000: *Provided*, That not to exceed
15 \$11,000 of this amount shall be available for official recep-
16 tion and representation expenses, not otherwise provided
17 for, as determined by the Secretary.

18 **OFFICE OF TRIBAL RELATIONS**

19 For necessary expenses of the Office of Tribal Rela-
20 tions, \$1,000,000, to support communication and con-
21 sultation activities with Federally Recognized Tribes, as
22 well as other requirements established by law.

1 EXECUTIVE OPERATIONS

2 OFFICE OF THE CHIEF ECONOMIST

3 For necessary expenses of the Office of the Chief
4 Economist, \$13,032,000.

5 NATIONAL APPEALS DIVISION

6 For necessary expenses of the National Appeals Divi-
7 sion, \$15,289,000.

8 OFFICE OF BUDGET AND PROGRAM ANALYSIS

9 For necessary expenses of the Office of Budget and
10 Program Analysis, \$9,436,000.

11 OFFICE OF HOMELAND SECURITY

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

14 OFFICE OF ADVOCACY AND OUTREACH

15 For necessary expenses of the Office of Advocacy and
16 Outreach, \$3,000,000.

17 OFFICE OF THE CHIEF INFORMATION OFFICER

18 For necessary expenses of the Office of the Chief In-
19 formation Officer, \$61,579,000.

20 OFFICE OF THE CHIEF FINANCIAL OFFICER

21 For necessary expenses of the Office of the Chief Fi-
22 nancial Officer, \$6,466,000: *Provided*, That no funds
23 made available by this appropriation may be obligated for
24 FAIR Act or Circular A-76 activities until the Secretary
25 has submitted to the Committees on Appropriations of
26 both Houses of Congress and the Committee on Oversight

1 and Government Reform of the House of Representatives
2 a report on the Department's contracting out policies, in-
3 cluding agency budgets for contracting out.

4 OFFICE OF THE ASSISTANT SECRETARY FOR CIVIL
5 RIGHTS

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

8 OFFICE OF CIVIL RIGHTS

9 For necessary expenses of the Office of Civil Rights,
10 \$23,922,000.

11 OFFICE OF THE ASSISTANT SECRETARY FOR
12 ADMINISTRATION

13 For necessary expenses of the Office of the Assistant
14 Secretary for Administration, \$700,000.

15 AGRICULTURE BUILDINGS AND FACILITIES AND RENTAL
16 PAYMENTS

17 (INCLUDING TRANSFERS OF FUNDS)

18 For payment of space rental and related costs pursu-
19 ant to Public Law 92-313, including authorities pursuant
20 to the 1984 delegation of authority from the Adminis-
21 trator of General Services to the Department of Agri-
22 culture under 40 U.S.C. 486, for programs and activities
23 of the Department which are included in this Act, and for
24 alterations and other actions needed for the Department
25 and its agencies to consolidate unneeded space into con-

1 figurations suitable for release to the Administrator of
2 General Services, and for the operation, maintenance, im-
3 provement, and repair of Agriculture buildings and facili-
4 ties, and for related costs, \$326,982,000, to remain avail-
5 able until expended, of which \$224,401,000 shall be avail-
6 able for payments to the General Services Administration
7 for rent; of which \$13,500,000 for payment to the Depart-
8 ment of Homeland Security for building security activities;
9 and of which \$89,081,000 for buildings operations and
10 maintenance expenses: *Provided*, That the Secretary can
11 use up to \$69,000,000 of these funds to cover shortfalls
12 incurred in prior year rental payments: *Provided further*,
13 That the Secretary is authorized to transfer funds from
14 a Departmental agency to this account to recover the full
15 cost of the space and security expenses of that agency that
16 are funded by this account when the actual costs exceed
17 the agency estimate which will be available for the activi-
18 ties and payments described herein.

19 HAZARDOUS MATERIALS MANAGEMENT

20 (INCLUDING TRANSFERS OF FUNDS)

21 For necessary expenses of the Department of Agri-
22 culture, to comply with the Comprehensive Environmental
23 Response, Compensation, and Liability Act (42 U.S.C.
24 9601 et seq.) and the Resource Conservation and Recovery
25 Act (42 U.S.C. 6901 et seq.), \$5,125,000, to remain avail-

1 able until expended: *Provided*, That appropriations and
2 funds available herein to the Department for Hazardous
3 Materials Management may be transferred to any agency
4 of the Department for its use in meeting all requirements
5 pursuant to the above Acts on Federal and non-Federal
6 lands.

7 DEPARTMENTAL ADMINISTRATION

8 (INCLUDING TRANSFERS OF FUNDS)

9 For Departmental Administration, \$41,319,000, to
10 provide for necessary expenses for management support
11 services to offices of the Department and for general ad-
12 ministration, security, repairs and alterations, and other
13 miscellaneous supplies and expenses not otherwise pro-
14 vided for and necessary for the practical and efficient work
15 of the Department: *Provided*, That this appropriation shall
16 be reimbursed from applicable appropriations in this Act
17 for travel expenses incident to the holding of hearings as
18 required by 5 U.S.C. 551–558: *Provided further*, That of
19 the amount appropriated, \$13,000,000 is for stabilization
20 and reconstruction activities to be carried out under the
21 authority provided by title XIV of the Food and Agri-
22 culture Act of 1977 (7 U.S.C. 3101 et seq.) and other
23 applicable laws.

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

4 For necessary expenses of the Office of the Assistant
5 Secretary for Congressional Relations to carry out the pro-
6 grams funded by this Act, including programs involving
7 intergovernmental affairs and liaison within the executive
8 branch, \$3,968,000: *Provided*, That these funds may be
9 transferred to agencies of the Department of Agriculture
10 funded by this Act to maintain personnel at the agency
11 level: *Provided further*, That no funds made available by
12 this appropriation may be obligated after 30 days from
13 the date of enactment of this Act, unless the Secretary
14 has notified the Committees on Appropriations of both
15 Houses of Congress on the allocation of these funds by
16 USDA agency: *Provided further*, That no other funds ap-
17 propriated to the Department by this Act shall be available
18 to the Department for support of activities of congres-
19 sional relations.

20 OFFICE OF COMMUNICATIONS

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

23 OFFICE OF INSPECTOR GENERAL

24 For necessary expenses of the Office of Inspector
25 General, including employment pursuant to the Inspector

1 General Act of 1978, \$88,781,000, including such sums
2 as may be necessary for contracting and other arrange-
3 ments with public agencies and private persons pursuant
4 to section 6(a)(9) of the Inspector General Act of 1978,
5 and including not to exceed \$125,000 for certain confiden-
6 tial operational expenses, including the payment of inform-
7 ants, to be expended under the direction of the Inspector
8 General pursuant to Public Law 95-452 and section 1337
9 of Public Law 97-98.

10 OFFICE OF THE GENERAL COUNSEL

11 For necessary expenses of the Office of the General
12 Counsel, \$43,601,000.

13 OFFICE OF THE UNDER SECRETARY FOR RESEARCH,
14 EDUCATION AND ECONOMICS

15 For necessary expenses of the Office of the Under
16 Secretary for Research, Education and Economics,
17 \$620,000.

18 ECONOMIC RESEARCH SERVICE

19 For necessary expenses of the Economic Research
20 Service, \$82,478,000.

21 NATIONAL AGRICULTURAL STATISTICS SERVICE

22 For necessary expenses of the National Agricultural
23 Statistics Service, \$161,830,000, of which up to
24 \$37,908,000 shall be available until expended for the Cen-
25 sus of Agriculture.

1 AGRICULTURAL RESEARCH SERVICE

2 SALARIES AND EXPENSES

3 For necessary expenses of the Agricultural Research
4 Service and for acquisition of lands by donation, exchange,
5 or purchase at a nominal cost not to exceed \$100, and
6 for land exchanges where the lands exchanged shall be of
7 equal value or shall be equalized by a payment of money
8 to the grantor which shall not exceed 25 percent of the
9 total value of the land or interests transferred out of Fed-
10 eral ownership, \$1,155,568,000: *Provided*, That appro-
11 priations hereunder shall be available for the operation
12 and maintenance of aircraft and the purchase of not to
13 exceed one for replacement only: *Provided further*, That
14 appropriations hereunder shall be available pursuant to 7
15 U.S.C. 2250 for the construction, alteration, and repair
16 of buildings and improvements, but unless otherwise pro-
17 vided, the cost of constructing any one building shall not
18 exceed \$375,000, except for headhouses or greenhouses
19 which shall each be limited to \$1,200,000, and except for
20 10 buildings to be constructed or improved at a cost not
21 to exceed \$750,000 each, and the cost of altering any one
22 building during the fiscal year shall not exceed 10 percent
23 of the current replacement value of the building or
24 \$375,000, whichever is greater: *Provided further*, That the
25 limitations on alterations contained in this Act shall not

1 apply to modernization or replacement of existing facilities
2 at Beltsville, Maryland: *Provided further*, That appropria-
3 tions hereunder shall be available for granting easements
4 at the Beltsville Agricultural Research Center: *Provided*
5 *further*, That the foregoing limitations shall not apply to
6 replacement of buildings needed to carry out the Act of
7 April 24, 1948 (21 U.S.C. 113a): *Provided further*, That
8 funds may be received from any State, other political sub-
9 division, organization, or individual for the purpose of es-
10 tablishing or operating any research facility or research
11 project of the Agricultural Research Service, as authorized
12 by law.

13 BUILDINGS AND FACILITIES

14 For acquisition of land, construction, repair, improve-
15 ment, extension, alteration, and purchase of fixed equip-
16 ment or facilities as necessary to carry out the agricultural
17 research programs of the Department of Agriculture,
18 where not otherwise provided, \$35,000,000, to remain
19 available until expended.

20 NATIONAL INSTITUTE OF FOOD AND
21 AGRICULTURE

22 RESEARCH AND EDUCATION ACTIVITIES

23 For payments to agricultural experiment stations, for
24 cooperative forestry and other research, for facilities, and
25 for other expenses, \$708,004,000, as follows: to carry out
26 the provisions of the Hatch Act of 1887 (7 U.S.C. 361a-

1 i), \$215,000,000; for grants for cooperative forestry re-
2 search (16 U.S.C. 582a through a-7), \$28,000,000; for
3 payments to eligible institutions (7 U.S.C. 3222),
4 \$48,000,000, provided that each institution receives no
5 less than \$1,000,000; for special grants (7 U.S.C.
6 450i(c)), \$70,676,000; for competitive grants on improved
7 pest control (7 U.S.C. 450i(c)), \$15,945,000; for competi-
8 tive grants (7 U.S.C. 450(i)(b)), \$210,000,000, to remain
9 available until expended; for the support of animal health
10 and disease programs (7 U.S.C. 3195), \$2,950,000; for
11 the 1994 research grants program for 1994 institutions
12 pursuant to section 536 of Public Law 103-382 (7 U.S.C.
13 301 note), \$1,610,000, to remain available until expended;
14 for rangeland research grants (7 U.S.C. 3333), \$983,000;
15 for higher education graduate fellowship grants (7 U.S.C.
16 3152(b)(6)), \$3,859,000, to remain available until ex-
17 pended (7 U.S.C. 2209b); for a program pursuant to sec-
18 tion 1415A of the National Agricultural Research, Exten-
19 sion, and Teaching Policy Act of 1977 (7 U.S.C. 3151a),
20 \$4,000,000, to remain available until expended; for higher
21 education challenge grants (7 U.S.C. 3152(b)(1)),
22 \$5,654,000; for a higher education multicultural scholars
23 program (7 U.S.C. 3152(b)(5)), \$981,000, to remain
24 available until expended (7 U.S.C. 2209b); for an edu-
25 cation grants program for Hispanic-serving Institutions

1 (*under* 7 U.S.C. 3241), \$10,000,000; for competitive
2 grants for the purpose of carrying out all provisions of
3 7 U.S.C. 3156 to individual eligible institutions or con-
4 sortia of eligible institutions in Alaska and in Hawaii, with
5 funds awarded equally to each of the States of Alaska and
6 Hawaii, \$3,196,000; for a secondary agriculture education
7 program and two-year post-secondary education (7 U.S.C.
8 3152(j)), \$983,000; for aquaculture grants (7 U.S.C.
9 3322), \$3,928,000; for sustainable agriculture research
10 and education (7 U.S.C. 5811), \$14,399,000; for a pro-
11 gram of capacity building grants (7 U.S.C. 3152(b)(4))
12 to institutions eligible to receive funds under 7 U.S.C.
13 3221 and 3222, \$20,000,000, to remain available until ex-
14 pended (7 U.S.C. 2209b); for payments to the 1994 Insti-
15 tutions pursuant to section 534(a)(1) of Public Law 103-
16 382, \$3,342,000; for resident instruction grants for insu-
17 lar areas under section 1491 of the National Agricultural
18 Research, Extension, and Teaching Policy Act of 1977 (7
19 U.S.C. 3363), \$1,000,000; for distance education grants
20 for insular areas under section 1490 of the National Agri-
21 cultural Research, Extension, and Teaching Policy Act of
22 1977 (7 U.S.C. 3362), \$1,000,000; for competitive grants
23 for the purpose of carrying out section 7526 of the Food,
24 Conservation, and Energy Act of 2008 to eligible institu-
25 tions, \$3,000,000; for a new era rural technology program

1 pursuant to section 1473E of the National Agricultural
2 Research, Extension, and Teaching Policy Act of 1977 (7
3 U.S.C. 3319e), \$1,000,000; and for necessary expenses of
4 Research and Education Activities, \$38,498,000, of which
5 \$2,704,000 for the Research, Education, and Economics
6 Information System and \$2,136,000 for the Electronic
7 Grants Information System, are to remain available until
8 expended.

9 NATIVE AMERICAN INSTITUTIONS ENDOWMENT FUND

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

13 EXTENSION ACTIVITIES

14 For payments to States, the District of Columbia,
15 Puerto Rico, Guam, the Virgin Islands, Micronesia, the
16 Northern Marianas, and American Samoa, \$485,466,000,
17 as follows: payments for cooperative extension work under
18 the Smith-Lever Act, to be distributed under sections 3(b)
19 and 3(c) of said Act, and under section 208(c) of Public
20 Law 93–471, for retirement and employees' compensation
21 costs for extension agents, \$295,000,000; payments for
22 extension work at the 1994 Institutions under the Smith-
23 Lever Act (7 U.S.C. 343(b)(3)), \$4,321,000; payments for
24 the nutrition and family education program for low-income
25 areas under section 3(d) of the Act, \$68,000,000; pay-
26 ments for the pest management program under section

1 3(d) of the Act, \$9,791,000; payments for the farm safety
2 program under section 3(d) of the Act, \$4,863,000; pay-
3 ments for New Technologies for Ag Extension under sec-
4 tion 3(d) of the Act, \$1,500,000; payments to upgrade re-
5 search, extension, and teaching facilities at institutions eli-
6 gible to receive funds under 7 U.S.C. 3221 and 3222,
7 \$21,000,000, to remain available until expended; pay-
8 ments for youth-at-risk programs under section 3(d) of the
9 Smith-Lever Act, \$8,396,000; for youth farm safety edu-
10 cation and certification extension grants, to be awarded
11 competitively under section 3(d) of the Act, \$479,000;
12 payments for carrying out the provisions of the Renewable
13 Resources Extension Act of 1978 (16 U.S.C. 1671 et
14 seq.), \$4,008,000; payments for the federally recognized
15 Tribes Extension Program under section 3(d) of the
16 Smith-Lever Act, \$3,000,000; payments for sustainable
17 agriculture programs under section 3(d) of the Act,
18 \$4,568,000; payments for cooperative extension work by
19 eligible institutions (7 U.S.C. 3221), \$44,000,000, pro-
20 vided that each institution receives no less than
21 \$1,000,000; for grants to youth organizations pursuant to
22 7 U.S.C. 7630, \$1,800,000; payments to carry out the
23 food animal residue avoidance database program as au-
24 thorized by 7 U.S.C. 7642, \$806,000; and for necessary
25 expenses of Extension Activities, \$13,934,000.

INTEGRATED ACTIVITIES

1
2 For the integrated research, education, and extension
3 grants programs, including necessary administrative ex-
4 penses, \$60,022,000, as follows: for competitive grants
5 programs authorized under section 406 of the Agricultural
6 Research, Extension, and Education Reform Act of 1998
7 (7 U.S.C. 7626), \$45,148,000, including \$12,649,000 for
8 the water quality program, \$14,596,000 for the food safe-
9 ty program, \$4,096,000 for the regional pest management
10 centers program, \$4,388,000 for the Food Quality Protec-
11 tion Act risk mitigation program for major food crop sys-
12 tems, \$1,365,000 for the crops affected by Food Quality
13 Protection Act implementation, \$3,054,000 for the methyl
14 bromide transition program, and \$5,000,000 for the or-
15 ganic transition program; for a competitive international
16 science and education grants program authorized under
17 section 1459A of the National Agricultural Research, Ex-
18 tension, and Teaching Policy Act of 1977 (7 U.S.C.
19 3292b), to remain available until expended, \$3,000,000;
20 for grants programs authorized under section 2(c)(1)(B)
21 of Public Law 89–106, as amended, \$732,000, to remain
22 available until September 30, 2011, for the critical issues
23 program; \$1,312,000 for the regional rural development
24 centers program; and \$9,830,000 for the Food and Agri-
25 culture Defense Initiative authorized under section 1484

1 of the National Agricultural Research, Extension, and
2 Teaching Policy Act of 1977, to remain available until
3 September 30, 2011.

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

6 For necessary expenses of the Office of the Under
7 Secretary for Marketing and Regulatory Programs,
8 \$753,000.

9 ANIMAL AND PLANT HEALTH INSPECTION SERVICE
10 SALARIES AND EXPENSES
11 (INCLUDING TRANSFERS OF FUNDS)

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

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

1 and 442 of the Plant Protection Act (7 U.S.C. 7751 and
2 7772), and any unexpended balances of funds transferred
3 for such emergency purposes in the preceding fiscal year
4 shall be merged with such transferred amounts: *Provided*
5 *further*, That appropriations hereunder shall be available
6 pursuant to law (7 U.S.C. 2250) for the repair and alter-
7 ation of leased buildings and improvements, but unless
8 otherwise provided the cost of altering any one building
9 during the fiscal year shall not exceed 10 percent of the
10 current replacement value of the building.

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

22 BUILDINGS AND FACILITIES

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

1 authorized by 7 U.S.C. 428a, \$4,712,000, 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.

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

15 LIMITATION ON ADMINISTRATIVE EXPENSES

16 Not to exceed \$64,583,000 (from fees collected) shall
17 be obligated during the current fiscal year for administra-
18 tive expenses: *Provided*, That if crop size is understated
19 and/or other uncontrollable events occur, the agency may
20 exceed this limitation by up to 10 percent with notification
21 to the Committees on Appropriations of both Houses of
22 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.

22 GRAIN INSPECTION, PACKERS AND STOCKYARDS

23 ADMINISTRATION

24 SALARIES AND EXPENSES

25 For necessary expenses of the Grain Inspection,
26 Packers and Stockyards Administration, \$41,964,000:

1 *Provided*, That this appropriation shall be available pursu-
2 ant to law (7 U.S.C. 2250) for the alteration and repair
3 of buildings and improvements, but the cost of altering
4 any one building during the fiscal year shall not exceed
5 10 percent of the current replacement value of the build-
6 ing.

7 LIMITATION ON INSPECTION AND WEIGHING SERVICES

8 EXPENSES

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

16 OFFICE OF THE UNDER SECRETARY FOR FOOD SAFETY

17 For necessary expenses of the Office of the Under
18 Secretary for Food Safety, \$622,000.

19 FOOD SAFETY AND INSPECTION SERVICE

20 For necessary expenses to carry out services author-
21 ized by the Federal Meat Inspection Act, the Poultry
22 Products Inspection Act, and the Egg Products Inspection
23 Act, including not to exceed \$50,000 for representation
24 allowances and for expenses pursuant to section 8 of the
25 Act approved August 3, 1956 (7 U.S.C. 1766),
26 \$1,018,520,000; and in addition, \$1,000,000 may be cred-

1 ited to this account from fees collected for the cost of lab-
2 oratory accreditation as authorized by section 1327 of the
3 Food, Agriculture, Conservation and Trade Act of 1990
4 (7 U.S.C. 138f): *Provided*, That no fewer than 120 full-
5 time equivalent positions shall be employed during fiscal
6 year 2010 for purposes dedicated solely to inspections and
7 enforcement related to the Humane Methods of Slaughter
8 Act: *Provided further*, That of the amount available under
9 this heading, \$3,000,000 shall be obligated to maintain
10 the Humane Animal Tracking System as part of the Pub-
11 lic Health Data Communication Infrastructure System:
12 *Provided further*, That this appropriation shall be available
13 pursuant to law (7 U.S.C. 2250) for the alteration and
14 repair of buildings and improvements, but the cost of al-
15 tering any one building during the fiscal year shall not
16 exceed 10 percent of the current replacement value of the
17 building.

18 OFFICE OF THE UNDER SECRETARY FOR FARM AND

19 FOREIGN AGRICULTURAL SERVICES

20 For necessary expenses of the Office of the Under
21 Secretary for Farm and Foreign Agricultural Services,
22 \$662,000.

1 FARM SERVICE AGENCY
2 SALARIES AND EXPENSES
3 (INCLUDING TRANSFERS OF FUNDS)

4 For necessary expenses of the Farm Service Agency,
5 \$1,253,777,000: *Provided*, That the Secretary is author-
6 ized to use the services, facilities, and authorities (but not
7 the funds) of the Commodity Credit Corporation to make
8 program payments for all programs administered by the
9 Agency: *Provided further*, That other funds made available
10 to the Agency for authorized activities may be advanced
11 to and merged with this account.

12 STATE MEDIATION GRANTS

13 For grants pursuant to section 502(b) of the Agricul-
14 tural Credit Act of 1987, as amended (7 U.S.C. 5101-
15 5106), \$4,000,000.

16 GRASSROOTS SOURCE WATER PROTECTION PROGRAM

17 For necessary expenses to carry out wellhead or
18 groundwater protection activities under section 12400 of
19 the Food Security Act of 1985 (16 U.S.C. 3839bb-2),
20 \$5,000,000, to remain available until expended.

21 DAIRY INDEMNITY PROGRAM
22 (INCLUDING TRANSFER OF FUNDS)

23 For necessary expenses involved in making indemnity
24 payments to dairy farmers and manufacturers of dairy
25 products under a dairy indemnity program, such sums as
26 may be necessary, to remain available until expended: *Pro-*

1 *vided*, That such program is carried out by the Secretary
2 in the same manner as the dairy indemnity program de-
3 scribed in the Agriculture, Rural Development, Food and
4 Drug Administration, and Related Agencies Appropria-
5 tions Act, 2001 (Public Law 106–387, 114 Stat. 1549A–
6 12).

7 AGRICULTURAL CREDIT INSURANCE FUND PROGRAM

8 ACCOUNT

9 (INCLUDING TRANSFERS OF FUNDS)

10 For gross obligations for the principal amount of di-
11 rect and guaranteed farm ownership (7 U.S.C. 1922 et
12 seq.) and operating (7 U.S.C. 1941 et seq.) loans, Indian
13 tribe land acquisition loans (25 U.S.C. 488), boll weevil
14 loans (7 U.S.C. 1989), direct and guaranteed conservation
15 loans (7 U.S.C. 1924 et seq.), and Indian highly
16 fractionated land loans (25 U.S.C. 488), to be available
17 from funds in the Agricultural Credit Insurance Fund, as
18 follows: farm ownership loans, \$1,892,990,000, of which
19 \$1,500,000,000 shall be for unsubsidized guaranteed
20 loans and \$392,990,000 shall be for direct loans; oper-
21 ating loans, \$1,994,467,000, of which \$1,150,000,000
22 shall be for unsubsidized guaranteed loans, \$144,467,000
23 shall be for subsidized guaranteed loans and \$700,000,000
24 shall be for direct loans; Indian tribe land acquisition
25 loans, \$3,940,000; conservation loans, \$150,000,000, of
26 which \$75,000,000 shall be for guaranteed loans and

1 \$75,000,000 shall be for direct loans; Indian highly
2 fractionated land loans, \$10,000,000; and for boll weevil
3 eradication program loans, \$100,000,000: *Provided*, That
4 the Secretary shall deem the pink bollworm to be a boll
5 weevil for the purpose of boll weevil eradication program
6 loans.

7 For the cost of direct and guaranteed loans, including
8 the cost of modifying loans as defined in section 502 of
9 the Congressional Budget Act of 1974, as follows: farm
10 ownership loans, \$21,584,000, of which \$5,550,000 shall
11 be for unsubsidized guaranteed loans, and \$16,034,000
12 shall be for direct loans; operating loans, \$80,402,000, of
13 which \$26,910,000 shall be for unsubsidized guaranteed
14 loans, \$20,312,000 shall be for subsidized guaranteed
15 loans, and \$33,180,000 shall be for direct loans; conserva-
16 tion loans, \$1,343,000, of which \$278,000 shall be for
17 guaranteed loans, and \$1,065,000 shall be for direct
18 loans; and Indian highly fractionated land loans,
19 \$793,000.

20 In addition, for administrative expenses necessary to
21 carry out the direct and guaranteed loan programs,
22 \$326,093,000, of which \$318,173,000 shall be transferred
23 to and merged with the appropriation for “Farm Service
24 Agency, Salaries and Expenses”.

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

8 RISK MANAGEMENT AGENCY

9 For necessary expenses of the Risk Management
10 Agency, \$80,325,000: *Provided*, That the funds made
11 available under section 522(e) of the Federal Crop Insur-
12 ance Act (7 U.S.C. 1522(e)) may be used for the Common
13 Information Management System: *Provided further*, That
14 not to exceed \$1,000 shall be available for official recep-
15 tion and representation expenses, as authorized by 7
16 U.S.C. 1506(i).

17 CORPORATIONS

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

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

3 FEDERAL CROP INSURANCE CORPORATION FUND

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

7 COMMODITY CREDIT CORPORATION FUND

8 REIMBURSEMENT FOR NET REALIZED LOSSES

9 (INCLUDING TRANSFERS OF FUNDS)

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

23 HAZARDOUS WASTE MANAGEMENT

24 (LIMITATION ON EXPENSES)

25 For the current fiscal year, the Commodity Credit
26 Corporation shall not expend more than \$5,000,000 for

1 site investigation and cleanup expenses, and operations
2 and maintenance expenses to comply with the requirement
3 of section 107(g) of the Comprehensive Environmental
4 Response, Compensation, and Liability Act (42 U.S.C.
5 9607(g)), and section 6001 of the Resource Conservation
6 and Recovery Act (42 U.S.C. 6961).

7 TITLE II

8 CONSERVATION PROGRAMS

9 OFFICE OF THE UNDER SECRETARY FOR NATURAL

10 RESOURCES AND ENVIRONMENT

11 For necessary expenses of the Office of the Under
12 Secretary for Natural Resources and Environment,
13 \$774,000.

14 NATURAL RESOURCES CONSERVATION SERVICE

15 CONSERVATION OPERATIONS

16 For necessary expenses for carrying out the provi-
17 sions of the Act of April 27, 1935 (16 U.S.C. 590a–f),
18 including preparation of conservation plans and establish-
19 ment of measures to conserve soil and water (including
20 farm irrigation and land drainage and such special meas-
21 ures for soil and water management as may be necessary
22 to prevent floods and the siltation of reservoirs and to con-
23 trol agricultural related pollutants); operation of conserva-
24 tion plant materials centers; classification and mapping of
25 soil; dissemination of information; acquisition of lands,

1 water, and interests therein for use in the plant materials
2 program by donation, exchange, or purchase at a nominal
3 cost not to exceed \$100 pursuant to the Act of August
4 3, 1956 (7 U.S.C. 428a); purchase and erection or alter-
5 ation or improvement of permanent and temporary build-
6 ings; and operation and maintenance of aircraft,
7 \$869,397,000, to remain available until September 30,
8 2011: *Provided*, That appropriations hereunder shall be
9 available pursuant to 7 U.S.C. 2250 for construction and
10 improvement of buildings and public improvements at
11 plant materials centers, except that the cost of alterations
12 and improvements to other buildings and other public im-
13 provements shall not exceed \$250,000: *Provided further*,
14 That when buildings or other structures are erected on
15 non-Federal land, that the right to use such land is ob-
16 tained as provided in 7 U.S.C. 2250a.

17 WATERSHED AND FLOOD PREVENTION OPERATIONS

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

1 to remain available until expended: *Provided*, That not to
2 exceed \$12,000,000 of this appropriation shall be available
3 for technical assistance.

4 WATERSHED REHABILITATION PROGRAM

5 For necessary expenses to carry out rehabilitation of
6 structural measures, in accordance with section 14 of the
7 Watershed Protection and Flood Prevention Act (16
8 U.S.C. 1012), and in accordance with the provisions of
9 laws relating to the activities of the Department,
10 \$40,161,000, to remain available until expended.

11 RESOURCE CONSERVATION AND DEVELOPMENT

12 For necessary expenses in planning and carrying out
13 projects for resource conservation and development and
14 for sound land use pursuant to the provisions of sections
15 31 and 32 of the Bankhead-Jones Farm Tenant Act (7
16 U.S.C. 1010–1011; 76 Stat. 607); the Act of April 27,
17 1935 (16 U.S.C. 590a–f); and subtitle H of title XV of
18 the Agriculture and Food Act of 1981 (16 U.S.C. 3451–
19 3461), \$50,730,000: *Provided*, That not to exceed
20 \$3,073,000 shall be available for national headquarters ac-
21 tivities.

1 TITLE III
2 RURAL DEVELOPMENT PROGRAMS
3 OFFICE OF THE UNDER SECRETARY FOR RURAL
4 DEVELOPMENT

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

7 RURAL DEVELOPMENT SALARIES AND EXPENSES
8 (INCLUDING TRANSFERS OF FUNDS)

9 For necessary expenses for carrying out the adminis-
10 tration and implementation of programs in the Rural De-
11 velopment mission area, including activities with institu-
12 tions concerning the development and operation of agricul-
13 tural cooperatives; and for cooperative agreements;
14 \$195,987,000: *Provided*, That notwithstanding any other
15 provision of law, funds appropriated under this section
16 may be used for advertising and promotional activities
17 that support the Rural Development mission area: *Pro-*
18 *vided further*, That not more than \$10,000 may be ex-
19 pended to provide modest nonmonetary awards to non-
20 USDA employees: *Provided further*, That any balances
21 available from prior years for the Rural Utilities Service,
22 Rural Housing Service, and the Rural Business-Coopera-
23 tive Service salaries and expenses accounts shall be trans-
24 ferred to and merged with this appropriation.

1 RURAL HOUSING SERVICE
2 RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT
3 (INCLUDING TRANSFERS OF FUNDS)

4 For gross obligations for the principal amount of di-
5 rect and guaranteed loans as authorized by title V of the
6 Housing Act of 1949, to be available from funds in the
7 rural housing insurance fund, as follows: \$7,325,932,000
8 for loans to section 502 borrowers, of which
9 \$1,121,488,000 shall be for direct loans, and of which
10 \$6,204,444,000 shall be for unsubsidized guaranteed
11 loans; \$34,412,000 for section 504 housing repair loans;
12 \$80,000,000 for section 515 rental housing; \$129,090,000
13 for section 538 guaranteed multi-family housing loans;
14 \$5,045,000 for section 524 site loans; \$11,448,000 for
15 credit sales of acquired property, of which up to
16 \$1,448,000 may be for multi-family credit sales; and
17 \$4,970,000 for section 523 self-help housing land develop-
18 ment loans.

19 For the cost of direct and guaranteed loans, including
20 the cost of modifying loans, as defined in section 502 of
21 the Congressional Budget Act of 1974, as follows: section
22 502 loans, \$130,334,000, of which \$40,710,000 shall be
23 for direct loans, and of which \$89,624,000, to remain
24 available until expended, shall be for unsubsidized guaran-
25 teed loans; section 504 housing repair loans, \$4,422,000;
26 repair, rehabilitation, and new construction of section 515

1 rental housing, \$21,792,000; section 538 multi-family
2 housing guaranteed loans, \$1,485,000; and credit sales of
3 acquired property, \$556,000: *Provided*, That of the total
4 amount appropriated in this paragraph, \$2,500,000 shall
5 be available through June 30, 2010, for authorized em-
6 powerment zones and enterprise communities and commu-
7 nities designated by the Secretary of Agriculture as Rural
8 Economic Area Partnership Zones: *Provided further*, That
9 section 538 multi-family housing guaranteed loans funded
10 pursuant to this paragraph shall not be subject to a guar-
11 antee fee and the interest on such loans may not be sub-
12 sidized: *Provided further*, That any balances for a dem-
13 onstration program for the preservation and revitalization
14 of the section 515 multi-family rental housing properties
15 as authorized by Public Law 109–97 and Public Law 110–
16 5 shall be transferred to and merged with the “Rural
17 Housing Service, Multi-family Housing Revitalization Pro-
18 gram Account”.

19 In addition, for administrative expenses necessary to
20 carry out the direct and guaranteed loan programs,
21 \$468,593,000 shall be transferred to and merged with the
22 appropriation for “Rural Development, Salaries and Ex-
23 penses”.

24 RENTAL ASSISTANCE PROGRAM

25 For rental assistance agreements entered into or re-
26 newed pursuant to the authority under section 521(a)(2)

1 or agreements entered into in lieu of debt forgiveness or
2 payments for eligible households as authorized by section
3 502(c)(5)(D) of the Housing Act of 1949, \$980,000,000;
4 and, in addition, such sums as may be necessary, as au-
5 thorized by section 521(c) of the Act, to liquidate debt
6 incurred prior to fiscal year 1992 to carry out the rental
7 assistance program under section 521(a)(2) of the Act:
8 *Provided*, That of this amount, up to \$5,958,000 shall be
9 available for debt forgiveness or payments for eligible
10 households as authorized by section 502(c)(5)(D) of the
11 Act, and not to exceed \$50,000 per project for advances
12 to nonprofit organizations or public agencies to cover di-
13 rect costs (other than purchase price) incurred in pur-
14 chasing projects pursuant to section 502(c)(5)(C) of the
15 Act: *Provided further*, That of this amount not less than
16 \$2,030,000 is available for newly constructed units fi-
17 nanced by section 515 of the Housing Act of 1949, and
18 not less than \$3,400,000 is for newly constructed units
19 financed under sections 514 and 516 of the Housing Act
20 of 1949: *Provided further*, That rental assistance agree-
21 ments entered into or renewed during the current fiscal
22 year shall be funded for a one-year period: *Provided fur-*
23 *ther*, That any unexpended balances remaining at the end
24 of such one-year agreements may be transferred and used
25 for the purposes of any debt reduction; maintenance, re-

1 pair, or rehabilitation of any existing projects; preserva-
2 tion; and rental assistance activities authorized under title
3 V of the Act: *Provided further*, That rental assistance pro-
4 vided under agreements entered into prior to fiscal year
5 2010 for a farm labor multi-family housing project fi-
6 nanced under section 514 or 516 of the Act may not be
7 recaptured for use in another project until such assistance
8 has remained unused for a period of 12 consecutive
9 months, if such project has a waiting list of tenants seek-
10 ing such assistance or the project has rental assistance
11 eligible tenants who are not receiving such assistance: *Pro-*
12 *vided further*, That such recaptured rental assistance shall,
13 to the extent practicable, be applied to another farm labor
14 multi-family housing project financed under section 514
15 or 516 of the Act.

16 MULTI-FAMILY HOUSING REVITALIZATION PROGRAM
17 ACCOUNT

18 For the rural housing voucher program as authorized
19 under section 542 of the Housing Act of 1949, but not-
20 withstanding subsection (b) of such section, for the cost
21 to conduct a housing demonstration program to provide
22 revolving loans for the preservation of low-income multi-
23 family housing projects, and for additional costs to con-
24 duct a demonstration program for the preservation and
25 revitalization of multi-family rental housing properties de-
26 scribed in this paragraph, \$31,756,000, to remain avail-

1 able until expended: *Provided*, That of the funds made
2 available under this heading, \$4,965,000 shall be available
3 for rural housing vouchers to any low-income household
4 (including those not receiving rental assistance) residing
5 in a property financed with a section 515 loan which has
6 been prepaid after September 30, 2005: *Provided further*,
7 That the amount of such voucher shall be the difference
8 between comparable market rent for the section 515 unit
9 and the tenant paid rent for such unit: *Provided further*,
10 That funds made available for such vouchers shall be sub-
11 ject to the availability of annual appropriations: *Provided*
12 *further*, That the Secretary shall, to the maximum extent
13 practicable, administer such vouchers with current regula-
14 tions and administrative guidance applicable to section 8
15 housing vouchers administered by the Secretary of the De-
16 partment of Housing and Urban Development: *Provided*
17 *further*, That if the Secretary determines that the amount
18 made available for vouchers in this or any other Act is
19 not needed for vouchers, the Secretary may use such funds
20 for the demonstration programs for the preservation and
21 revitalization of multi-family rental housing properties de-
22 scribed in this paragraph: *Provided further*, That of the
23 funds made available under this heading, \$1,791,000 shall
24 be available for the cost of loans to private nonprofit orga-
25 nizations, or such nonprofit organizations' affiliate loan

1 funds and State and local housing finance agencies, to
2 carry out a housing demonstration program to provide re-
3 volving loans for the preservation of low-income multi-fam-
4 ily housing projects: *Provided further*, That loans under
5 such demonstration program shall have an interest rate
6 of not more than 1 percent direct loan to the recipient:
7 *Provided further*, That the Secretary may defer the inter-
8 est and principal payment to the Rural Housing Service
9 for up to 3 years and the term of such loans shall not
10 exceed 30 years: *Provided further*, That of the funds made
11 available under this heading, \$25,000,000 shall be avail-
12 able for a demonstration program for the preservation and
13 revitalization of the section 514, 515, and 516 multi-fam-
14 ily rental housing properties to restructure existing USDA
15 multi-family housing loans, as the Secretary deems appro-
16 priate, expressly for the purposes of ensuring the project
17 has sufficient resources to preserve the project for the pur-
18 pose of providing safe and affordable housing for low-in-
19 come residents and farm laborers including reducing or
20 eliminating interest; deferring loan payments, subordi-
21 nating, reducing or reamortizing loan debt; and other fi-
22 nancial assistance including advances, payments and in-
23 centives (including the ability of owners to obtain reason-
24 able returns on investment) required by the Secretary:
25 *Provided further*, That the Secretary shall as part of the

1 preservation and revitalization agreement obtain a restric-
2 tive use agreement consistent with the terms of the re-
3 structuring: *Provided further*, That if the Secretary deter-
4 mines that additional funds for vouchers described in this
5 paragraph are needed, funds for the preservation and revi-
6 talization demonstration program may be used for such
7 vouchers: *Provided further*, That if Congress enacts legis-
8 lation to permanently authorize a section 515 multi-family
9 rental housing loan restructuring program similar to the
10 demonstration program described herein, the Secretary
11 may use funds made available for the demonstration pro-
12 gram under this heading to carry out such legislation with
13 the prior approval of the Committees on Appropriations
14 of both Houses of Congress.

15 MUTUAL AND SELF-HELP HOUSING GRANTS

16 For grants and contracts pursuant to section
17 523(b)(1)(A) of the Housing Act of 1949 (42 U.S.C.
18 1490c), \$45,000,000, to remain available until expended:
19 *Provided*, That of the total amount appropriated,
20 \$1,000,000 shall be available through June 30, 2010, for
21 authorized empowerment zones and enterprise commu-
22 nities and communities designated by the Secretary of Ag-
23 riculture as Rural Economic Area Partnership Zones.

1 RURAL HOUSING ASSISTANCE GRANTS

2 (INCLUDING TRANSFER OF FUNDS)

3 For grants and contracts for very low-income housing
4 repair, supervisory and technical assistance, compensation
5 for construction defects, and rural housing preservation
6 made by the Rural Housing Service, as authorized by 42
7 U.S.C. 1474, 1479(e), 1490e, and 1490m, \$45,500,000,
8 to remain available until expended, of which \$4,000,000
9 shall be for grants authorized by section 14204 of the
10 Food, Conservation, and Energy Act of 2008: *Provided*,
11 That of the total amount appropriated, \$1,200,000 shall
12 be available through June 30, 2010, for authorized em-
13 powerment zones and enterprise communities and commu-
14 nities designated by the Secretary of Agriculture as Rural
15 Economic Area Partnership Zones: *Provided further*, That
16 any balances to carry out a housing demonstration pro-
17 gram to provide revolving loans for the preservation of
18 low-income multi-family housing projects as authorized in
19 Public Law 108–447 and Public Law 109–97 shall be
20 transferred to and merged with the “Rural Housing Serv-
21 ice, Multi-family Housing Revitalization Program Ac-
22 count”.

23 FARM LABOR PROGRAM ACCOUNT

24 For the cost of direct loans, grants, and contracts,
25 as authorized by 42 U.S.C. 1484 and 1486, \$22,523,000,
26 to remain available until expended, for direct farm labor

1 housing loans and domestic farm labor housing grants and
2 contracts.

3 RURAL COMMUNITY FACILITIES PROGRAM ACCOUNT
4 (INCLUDING TRANSFERS OF FUNDS)

5 For the cost of direct loans, loan guarantees, and
6 grants for rural community facilities programs as author-
7 ized by section 306 and described in section 381E(d)(1)
8 of the Consolidated Farm and Rural Development Act,
9 \$51,091,000, to remain available until expended: *Pro-*
10 *vided*, That \$6,256,000 of the amount appropriated under
11 this heading shall be available for a Rural Community De-
12 velopment Initiative: *Provided further*, That such funds
13 shall be used solely to develop the capacity and ability of
14 private, nonprofit community-based housing and commu-
15 nity development organizations, low-income rural commu-
16 nities, and Federally Recognized Native American Tribes
17 to undertake projects to improve housing, community fa-
18 cilities, community and economic development projects in
19 rural areas: *Provided further*, That such funds shall be
20 made available to qualified private, nonprofit and public
21 intermediary organizations proposing to carry out a pro-
22 gram of financial and technical assistance: *Provided fur-*
23 *ther*, That such intermediary organizations shall provide
24 matching funds from other sources, including Federal
25 funds for related activities, in an amount not less than

1 funds provided: *Provided further*, That \$10,000,000 of the
2 amount appropriated under this heading shall be to pro-
3 vide grants for facilities in rural communities with extreme
4 unemployment and severe economic depression (Public
5 Law 106–387), with up to 5 percent for administration
6 and capacity building in the State rural development of-
7 fices: *Provided further*, That \$3,972,000 of the amount ap-
8 propriated under this heading shall be available for com-
9 munity facilities grants to tribal colleges, as authorized by
10 section 306(a)(19) of such Act: *Provided further*, That not
11 to exceed \$1,000,000 of the amount appropriated under
12 this heading shall be available through June 30, 2010, for
13 authorized empowerment zones and enterprise commu-
14 nities and communities designated by the Secretary of Ag-
15 riculture as Rural Economic Area Partnership Zones for
16 the rural community programs described in section
17 381E(d)(1) of the Consolidated Farm and Rural Develop-
18 ment Act: *Provided further*, That sections 381E–H and
19 381N of the Consolidated Farm and Rural Development
20 Act are not applicable to the funds made available under
21 this heading: *Provided further*, That any prior balances in
22 the Rural Development, Rural Community Advancement
23 Program account for programs authorized by section 306
24 and described in section 381E(d)(1) of such Act be trans-
25 ferred and merged with this account and any other prior

1 balances from the Rural Development, Rural Community
2 Advancement Program account that the Secretary deter-
3 mines is appropriate to transfer.

4 RURAL BUSINESS—COOPERATIVE SERVICE

5 RURAL BUSINESS PROGRAM ACCOUNT

6 (INCLUDING TRANSFERS OF FUNDS)

7 For the cost of loan guarantees and grants, for the
8 rural business development programs authorized by sec-
9 tions 306 and 310B and described in sections 310B(f) and
10 381E(d)(3) of the Consolidated Farm and Rural Develop-
11 ment Act, \$97,116,000, to remain available until ex-
12 pended: *Provided*, That of the amount appropriated under
13 this heading, not to exceed \$500,000 shall be made avail-
14 able for a grant to a qualified national organization to pro-
15 vide technical assistance for rural transportation in order
16 to promote economic development and \$2,979,000 shall be
17 for grants to the Delta Regional Authority (7 U.S.C. 1921
18 et seq.) for any Rural Community Advancement Program
19 purpose as described in section 381E(d) of the Consoli-
20 dated Farm and Rural Development Act, of which not
21 more than 5 percent may be used for administrative ex-
22 penses: *Provided further*, That \$4,000,000 of the amount
23 appropriated under this heading shall be for business
24 grants to benefit Federally Recognized Native American
25 Tribes, including \$250,000 for a grant to a qualified na-
26 tional organization to provide technical assistance for

1 rural transportation in order to promote economic develop-
2 ment: *Provided further*, That not to exceed \$8,300,000 of
3 the amount appropriated under this heading shall be avail-
4 able through June 30, 2010, for authorized empowerment
5 zones and enterprise communities and communities des-
6 ignated by the Secretary of Agriculture as Rural Economic
7 Area Partnership Zones for the rural business and cooper-
8 ative development programs described in section
9 381E(d)(3) of the Consolidated Farm and Rural Develop-
10 ment Act: *Provided further*, That sections 381E–H and
11 381N of the Consolidated Farm and Rural Development
12 Act are not applicable to funds made available under this
13 heading: *Provided further*, That any prior balances in the
14 Rural Development, Rural Community Advancement Pro-
15 gram account for programs authorized by sections 306
16 and 310B and described in sections 310B(f) and
17 381E(d)(3) of such Act be transferred and merged with
18 this account and any other prior balances from the Rural
19 Development, Rural Community Advancement Program
20 account that the Secretary determines is appropriate to
21 transfer.

22 RURAL DEVELOPMENT LOAN FUND PROGRAM ACCOUNT
23 (INCLUDING TRANSFER OF FUNDS)

24 For the principal amount of direct loans, as author-
25 ized by the Rural Development Loan Fund (42 U.S.C.
26 9812(a)), \$33,536,000.

1 For the cost of direct loans, \$8,464,000, as author-
2 ized by the Rural Development Loan Fund (42 U.S.C.
3 9812(a)), of which \$1,035,000 shall be available through
4 June 30, 2010, for Federally Recognized Native American
5 Tribes and of which \$2,070,000 shall be available through
6 June 30, 2010, for Mississippi Delta Region counties (as
7 determined in accordance with Public Law 100–460): *Pro-*
8 *vided*, That such costs, including the cost of modifying
9 such loans, shall be as defined in section 502 of the Con-
10 gressional Budget Act of 1974: *Provided further*, That of
11 the total amount appropriated, \$880,000 shall be available
12 through June 30, 2010, for the cost of direct loans for
13 authorized empowerment zones and enterprise commu-
14 nities and communities designated by the Secretary of Ag-
15 riculture as Rural Economic Area Partnership Zones.

16 In addition, for administrative expenses to carry out
17 the direct loan programs, \$4,941,000 shall be transferred
18 to and merged with the appropriation for “Rural Develop-
19 ment, Salaries and Expenses”.

20 RURAL ECONOMIC DEVELOPMENT LOANS PROGRAM

21 ACCOUNT

22 (INCLUDING RESCISSION OF FUNDS)

23 For the principal amount of direct loans, as author-
24 ized under section 313 of the Rural Electrification Act,

1 for the purpose of promoting rural economic development
2 and job creation projects, \$33,077,000.

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

7 RURAL COOPERATIVE DEVELOPMENT GRANTS

8 For rural cooperative development grants authorized
9 under section 310B(e) of the Consolidated Farm and
10 Rural Development Act (7 U.S.C. 1932), \$30,636,000, of
11 which \$300,000 shall be for a cooperative research agree-
12 ment with a qualified academic institution to conduct re-
13 search on the national economic impact of all types of co-
14 operatives; and of which \$2,582,000 shall be for coopera-
15 tive agreements for the appropriate technology transfer
16 for rural areas program: *Provided*, That not to exceed
17 \$3,463,000 shall be for cooperatives or associations of co-
18 operatives whose primary focus is to provide assistance to
19 small, socially disadvantaged producers and whose gov-
20 erning board and/or membership is comprised of at least
21 75 percent socially disadvantaged members; and of which
22 \$18,867,000, to remain available until expended, shall be
23 for value-added agricultural product market development
24 grants, as authorized by section 231 of the Agricultural
25 Risk Protection Act of 2000 (7 U.S.C. 1621 note).

1 RURAL ENERGY FOR AMERICA PROGRAM

2 For the cost of a program of loan guarantees and
3 grants, under the same terms and conditions as authorized
4 by section 9007 of the Farm Security and Rural Invest-
5 ment Act of 2002 (7 U.S.C. 8107), \$20,000,000: *Pro-*
6 *vided*, That the cost of loan guarantees, including the cost
7 of modifying such loans, shall be as defined in section 502
8 of the Congressional Budget Act of 1974.

9 RURAL UTILITIES SERVICE

10 RURAL WATER AND WASTE DISPOSAL PROGRAM ACCOUNT

11 (INCLUDING TRANSFERS OF FUNDS)

12 For the cost of direct loans, loan guarantees, and
13 grants for the rural water, waste water, waste disposal,
14 and solid waste management programs authorized by sec-
15 tions 306, 306A, 306C, 306D, and 310B and described
16 in sections 306C(a)(2), 306D, and 381E(d)(2) of the Con-
17 solidated Farm and Rural Development Act,
18 \$546,230,000, to remain available until expended, of
19 which not to exceed \$497,000 shall be available for the
20 rural utilities program described in section 306(a)(2)(B)
21 of such Act, and of which not to exceed \$993,000 shall
22 be available for the rural utilities program described in
23 section 306E of such Act: *Provided*, That \$41,085,000 of
24 the amount appropriated under this heading shall be for
25 loans and grants including water and waste disposal sys-
26 tems grants authorized by 306C(a)(2)(B) of the Consoli-

1 dated Farm and Rural Development Act and for Federally
2 recognized Native American Tribes authorized by
3 306C(a)(1): *Provided further*, That not to exceed
4 \$19,500,000 of the amount appropriated under this head-
5 ing shall be for technical assistance grants for rural water
6 and waste systems pursuant to section 306(a)(14) of such
7 Act, unless the Secretary makes a determination of ex-
8 tremе need, of which \$6,000,000 shall be made available
9 for a grant to a qualified nonprofit multi-state regional
10 technical assistance organization, with experience in work-
11 ing with small communities on water and waste water
12 problems, the principal purpose of such grant shall be to
13 assist rural communities with populations of 3,300 or less,
14 in improving the planning, financing, development, oper-
15 ation, and management of water and waste water systems,
16 and of which not less than \$800,000 shall be for a quali-
17 fied national Native American organization to provide
18 technical assistance for rural water systems for tribal com-
19 munities: *Provided further*, That not to exceed
20 \$15,000,000 of the amount appropriated under this head-
21 ing shall be for contracting with qualified national organi-
22 zations for a circuit rider program to provide technical as-
23 sistance for rural water systems: *Provided further*, That
24 not to exceed \$12,700,000 of the amount appropriated
25 under this heading shall be available through June 30,

1 2010, for authorized empowerment zones and enterprise
2 communities and communities designated by the Secretary
3 of Agriculture as Rural Economic Area Partnership Zones
4 for the rural utilities programs described in section
5 381E(d)(2) of such Act: *Provided further*, That sections
6 381E–H and 381N of the Consolidated Farm and Rural
7 Development Act are not applicable to the funds made
8 available under this heading: *Provided further*, That any
9 prior balances in the Rural Development, Rural Commu-
10 nity Advancement Program account programs authorized
11 by sections 306, 306A, 306C, 306D, and 310B and de-
12 scribed in sections 306C(a)(2), 306D, and 381E(d)(2) of
13 such Act be transferred to and merged with this account
14 and any other prior balances from the Rural Development,
15 Rural Community Advancement Program account that the
16 Secretary determines is appropriate to transfer.

17 RURAL ELECTRIFICATION AND TELECOMMUNICATIONS

18 LOANS PROGRAM ACCOUNT

19 (INCLUDING TRANSFER OF FUNDS)

20 The principal amount of direct and guaranteed loans
21 as authorized by section 305 of the Rural Electrification
22 Act of 1936 (7 U.S.C. 935) shall be made as follows: 5
23 percent rural electrification loans, \$100,000,000; loans
24 made pursuant to section 306 of that Act, rural electric,
25 \$6,500,000,000; 5 percent rural telecommunications
26 loans, \$145,000,000; cost of money rural telecommuni-

1 cations loans, \$250,000,000; and for loans made pursuant
2 to section 306 of that Act, rural telecommunications loans,
3 \$295,000,000.

4 In addition, for administrative expenses necessary to
5 carry out the direct and guaranteed loan programs,
6 \$39,959,000, which shall be transferred to and merged
7 with the appropriation for “Rural Development, Salaries
8 and Expenses”.

9 DISTANCE LEARNING, TELEMEDICINE, AND BROADBAND
10 PROGRAM

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

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

19 For the cost of broadband loans, as authorized by
20 section 601 of the Rural Electrification Act, \$28,960,000,
21 to remain available until expended: *Provided*, That the
22 cost of direct loans shall be as defined in section 502 of
23 the Congressional Budget Act of 1974.

24 In addition, \$17,976,000, to remain available until
25 expended, for a grant program to finance broadband
26 transmission in rural areas eligible for Distance Learning

1 and Telemedicine Program benefits authorized by 7
2 U.S.C. 950aaa.

3 TITLE IV

4 DOMESTIC FOOD PROGRAMS

5 OFFICE OF THE UNDER SECRETARY FOR FOOD,
6 NUTRITION AND CONSUMER SERVICES

7 For necessary expenses of the Office of the Under
8 Secretary for Food, Nutrition and Consumer Services,
9 \$623,000.

10 FOOD AND NUTRITION SERVICE

11 CHILD NUTRITION PROGRAMS

12 (INCLUDING TRANSFERS OF FUNDS)

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

1 4405 of the Food, Conservation, and Energy Act of 2008
2 (Public Law No. 110–246).

3 SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR
4 WOMEN, INFANTS, AND CHILDREN (WIC)

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

21 SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM

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

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

16 COMMODITY ASSISTANCE PROGRAM

17 For necessary expenses to carry out disaster assist-
18 ance and the Commodity Supplemental Food Program as
19 authorized by section 4(a) of the Agriculture and Con-
20 sumer Protection Act of 1973 (7 U.S.C. 612c note); the
21 Emergency Food Assistance Act of 1983; special assist-
22 ance for the nuclear affected islands, as authorized by sec-
23 tion 103(f)(2) of the Compact of Free Association Amend-
24 ments Act of 2003 (Public Law 108–188); and the Farm-
25 ers’ Market Nutrition Program, as authorized by section
26 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 six ad-
6 ditional states that have plans approved by the Depart-
7 ment for the commodity supplemental food program: *Pro-*
8 *vided further*, That none of these funds shall be available
9 to reimburse the Commodity Credit Corporation for com-
10 modities donated to the program: *Provided further*, That
11 notwithstanding 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 two accounts with prior no-
23 tice to the Committees on Appropriations of both Houses
24 of 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
26 \$6,465,000 shall be transferred to and merged with the

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

5 MC GOVERN-DOLE INTERNATIONAL FOOD FOR EDUCATION
 6 AND CHILD NUTRITION PROGRAM GRANTS

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

15 TITLE VI

16 RELATED AGENCY AND FOOD AND DRUG
 17 ADMINISTRATION

18 DEPARTMENT OF HEALTH AND HUMAN
 19 SERVICES

20 FOOD AND DRUG ADMINISTRATION

21 SALARIES AND EXPENSES

22 (INCLUDING TRANSFERS OF FUNDS)

23 For necessary expenses of the Food and Drug Ad-
 24 ministration, including hire and purchase of passenger
 25 motor vehicles; for payment of space rental and related
 26 costs pursuant to Public Law 92–313 for programs and

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

1 cal year 2010 received during fiscal year 2010, including
2 any such fees assessed prior to fiscal year 2010 but cred-
3 ited for fiscal year 2010, shall be subject to the fiscal year
4 2010 limitations: *Provided further*, That none of these
5 funds shall be used to develop, establish, or operate any
6 program of user fees authorized by 31 U.S.C. 9701: *Pro-*
7 *vided further*, That of the total amount appropriated: (1)
8 \$782,915,000 shall be for the Center for Food Safety and
9 Applied Nutrition and related field activities in the Office
10 of Regulatory Affairs; (2) \$873,104,000 shall be for the
11 Center for Drug Evaluation and Research and related
12 field activities in the Office of Regulatory Affairs; (3)
13 \$305,249,000 shall be for the Center for Biologics Evalua-
14 tion and Research and for related field activities in the
15 Office of Regulatory Affairs; (4) \$155,540,000 shall be
16 for the Center for Veterinary Medicine and for related
17 field activities in the Office of Regulatory Affairs; (5)
18 \$349,262,000 shall be for the Center for Devices and Ra-
19 diological Health and for related field activities in the Of-
20 fice of Regulatory Affairs; (6) \$58,745,000 shall be for
21 the National Center for Toxicological Research; (7) not
22 to exceed \$115,882,000 shall be for Rent and Related ac-
23 tivities, of which \$41,496,000 is for White Oak Consolida-
24 tion, other than the amounts paid to the General Services
25 Administration for rent; (8) not to exceed \$168,728,000

1 shall be for payments to the General Services Administra-
2 tion for rent; and (9) \$185,793,000 shall be for other ac-
3 tivities, including the Office of the Commissioner; the Of-
4 fice of Scientific and Medical Programs; the Office of Pol-
5 icy, Planning and Preparedness; the Office of Inter-
6 national and Special Programs; the Office of Operations;
7 and central services for these offices: *Provided further*,
8 That none of the funds made available under this heading
9 shall be used to transfer funds under section 770(n) of
10 the Federal Food, Drug, and Cosmetic Act (21 U.S.C.
11 379dd): *Provided further*, That funds may be transferred
12 from one specified activity to another with the prior ap-
13 proval of the Committees on Appropriations of both
14 Houses of Congress.

15 In addition, mammography user fees authorized by
16 42 U.S.C. 263b, export certification user fees authorized
17 by 21 U.S.C. 381, and priority review user fees authorized
18 by 21 U.S.C. 360n may be credited to this account, to
19 remain available until expended.

20 BUILDINGS AND FACILITIES

21 For plans, construction, repair, improvement, exten-
22 sion, alteration, and purchase of fixed equipment or facili-
23 ties of or used by the Food and Drug Administration,
24 where not otherwise provided, \$12,433,000, to remain
25 available until expended.

1 INDEPENDENT AGENCIES

2 COMMODITY FUTURES TRADING COMMISSION

3 For necessary expenses to carry out the provisions
4 of the Commodity Exchange Act (7 U.S.C. 1 et seq.), in-
5 cluding the purchase and hire of passenger motor vehicles,
6 and the rental of space (to include multiple year leases)
7 in the District of Columbia and elsewhere, \$160,600,000,
8 including not to exceed \$3,000 for official reception and
9 representation expenses: *Provided*, That \$14,600,000 of
10 the total amount appropriated under this heading shall
11 not be available for obligation until the Commodity Fu-
12 tures Trading Commission submits an expenditure plan
13 for fiscal year 2010 to the Committees on Appropriations
14 of the House of Representatives and the Senate and the
15 Committees approve the whole of the plan.

16 FARM CREDIT ADMINISTRATION

17 LIMITATION ON ADMINISTRATIVE EXPENSES

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

TITLE VII

GENERAL PROVISIONS

(INCLUDING RESCISSIONS AND TRANSFERS OF FUNDS)

1 SEC. 701. Within the unit limit of cost fixed by law,
2 appropriations and authorizations made for the Depart-
3 ment of Agriculture for the current fiscal year under this
4 Act shall be available for the purchase, in addition to those
5 specifically provided for, of not to exceed 204 passenger
6 motor vehicles, of which 170 shall be for replacement only,
7 and for the hire of such vehicles.

8 SEC. 702. New obligational authority provided for the
9 following appropriation items in this Act shall remain
10 available until expended: Food Safety and Inspection Serv-
11 ice, Public Health Data Communication Infrastructure
12 System; Farm Service Agency, salaries and expenses
13 funds made available to county committees; Foreign Agri-
14 cultural Service, middle-income country training program,
15 and up to \$2,000,000 of the Foreign Agricultural Service
16 appropriation solely for the purpose of offsetting fluctua-
17 tions in international currency exchange rates, subject to
18 documentation by the Foreign Agricultural Service.

19 SEC. 703. The Secretary of Agriculture may transfer
20 unobligated balances of discretionary funds appropriated
21 by this Act or other available unobligated discretionary
22 balances of the Department of Agriculture to the Working
23
24
25

1 Capital Fund for the acquisition of plant and capital
2 equipment necessary for the delivery of financial, adminis-
3 trative, and information technology services of primary
4 benefit to the agencies of the Department of Agriculture:
5 *Provided*, That none of the funds made available by this
6 Act or any other Act shall be transferred to the Working
7 Capital Fund without the prior approval of the agency ad-
8 ministrator: *Provided further*, That none of the funds
9 transferred to the Working Capital Fund pursuant to this
10 section shall be available for obligation without the prior
11 approval of the Committees on Appropriations of both
12 Houses of Congress: *Provided further*, That none of the
13 funds appropriated by this Act or made available to the
14 Department's Working Capital Fund shall be available for
15 obligation or expenditure to make any changes to the De-
16 partment's National Finance Center without prior ap-
17 proval of the Committees on Appropriations of both
18 Houses of Congress as required by section 712 of this Act.

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

22 SEC. 705. No funds appropriated by this Act may be
23 used to pay negotiated indirect cost rates on cooperative
24 agreements or similar arrangements between the United
25 States Department of Agriculture and nonprofit institu-

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

9 SEC. 706. Appropriations to the Department of Agri-
10 culture for the cost of direct and guaranteed loans made
11 available in the current fiscal year shall remain available
12 until expended to disburse obligations made in the current
13 fiscal year for the following accounts: the Rural Develop-
14 ment Loan Fund program account, the Rural Electrifica-
15 tion and Telecommunication Loans program account, and
16 the Rural Housing Insurance Fund program account.

17 SEC. 707. Of the funds made available by this Act,
18 not more than \$1,800,000 shall be used to cover necessary
19 expenses of activities related to all advisory committees,
20 panels, commissions, and task forces of the Department
21 of Agriculture, except for panels used to comply with nego-
22 tiated rule makings and panels used to evaluate competi-
23 tively awarded grants.

24 SEC. 708. None of the funds appropriated by this Act
25 may be used to carry out section 410 of the Federal Meat

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

3 SEC. 709. No employee of the Department of Agri-
4 culture may be detailed or assigned from an agency or
5 office funded by this Act to any other agency or office
6 of the Department for more than 30 days unless the indi-
7 vidual's employing agency or office is fully reimbursed by
8 the receiving agency or office for the salary and expenses
9 of the employee for the period of assignment.

10 SEC. 710. None of the funds appropriated or other-
11 wise made available to the Department of Agriculture or
12 the Food and Drug Administration shall be used to trans-
13 mit or otherwise make available to any non-Department
14 of Agriculture or non-Department of Health and Human
15 Services employee questions or responses to questions that
16 are a result of information requested for the appropria-
17 tions hearing process.

18 SEC. 711. None of the funds made available to the
19 Department of Agriculture by this Act may be used to ac-
20 quire new information technology systems or significant
21 upgrades, as determined by the Office of the Chief Infor-
22 mation Officer, without the approval of the Chief Informa-
23 tion Officer and the concurrence of the Executive Informa-
24 tion Technology Investment Review Board: *Provided*, That
25 notwithstanding any other provision of law, none of the

1 funds appropriated or otherwise made available by this
2 Act may be transferred to the Office of the Chief Informa-
3 tion Officer without the prior approval of the Committees
4 on Appropriations of both Houses of Congress: *Provided*
5 *further*, That none of the funds available to the Depart-
6 ment of Agriculture for information technology shall be
7 obligated for projects over \$25,000 prior to receipt of writ-
8 ten approval by the Chief Information Officer.

9 SEC. 712. (a) None of the funds provided by this Act,
10 or provided by previous Appropriations Acts to the agen-
11 cies funded by this Act that remain available for obligation
12 or expenditure in the current fiscal year, or provided from
13 any accounts in the Treasury of the United States derived
14 by the collection of fees available to the agencies funded
15 by this Act, shall be available for obligation or expenditure
16 through a reprogramming of funds which—

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

1 (6) contracts out or privatizes any functions or
2 activities presently performed by Federal employees;
3 unless the Committees on Appropriations of both
4 Houses of Congress are notified 15 days in advance
5 of such reprogramming of funds.

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

1 (c) The Secretary of Agriculture or the Secretary of
2 Health and Human Services shall notify the Committees
3 on Appropriations of both Houses of Congress before im-
4 plementing a program or activity not carried out during
5 the previous fiscal year unless the program or activity is
6 funded by this Act or specifically funded by any other Act.

7 SEC. 713. None of the funds appropriated by this or
8 any other Act shall be used to pay the salaries and ex-
9 penses of personnel who prepare or submit appropriations
10 language as part of the President's Budget submission to
11 the Congress of the United States for programs under the
12 jurisdiction of the Appropriations Subcommittees on Agri-
13 culture, Rural Development, Food and Drug Administra-
14 tion, and Related Agencies that assumes revenues or re-
15 flects a reduction from the previous year due to user fees
16 proposals that have not been enacted into law prior to the
17 submission of the Budget unless such Budget submission
18 identifies which additional spending reductions should
19 occur in the event the user fees proposals are not enacted
20 prior to the date of the convening of a committee of con-
21 ference for the fiscal year 2011 appropriations Act.

22 SEC. 714. None of the funds made available by this
23 or any other Act may be used to close or relocate a Rural
24 Development office unless or until the Secretary of Agri-
25 culture determines the cost effectiveness and/or enhance-

1 ment of program delivery: *Provided*, That not later than
2 120 days before the date of the proposed closure or reloca-
3 tion, the Secretary notifies the Committees on Appropria-
4 tion of the House and Senate, and the members of Con-
5 gress from the State in which the office is located of the
6 proposed closure or relocation and provides a report that
7 describes the justifications for such closures and reloca-
8 tions.

9 SEC. 715. None of the funds made available to the
10 Food and Drug Administration by this Act shall be used
11 to close or relocate, or to plan to close or relocate, the
12 Food and Drug Administration Division of Pharma-
13 ceutical Analysis in St. Louis, Missouri, outside the city
14 or county limits of St. Louis, Missouri.

15 SEC. 716. None of the funds appropriated or other-
16 wise made available by this or any other Act shall be used
17 to pay the salaries and expenses of personnel to carry out
18 an environmental quality incentives program authorized
19 by chapter 4 of subtitle D of title XII of the Food Security
20 Act of 1985 (16 U.S.C. 3839aa et seq.) in excess of
21 \$1,180,000,000.

22 SEC. 717. None of the funds made available in fiscal
23 year 2009 or preceding fiscal years for programs author-
24 ized under the Food for Peace Act (7 U.S.C. 1691 et seq.)
25 in excess of \$20,000,000 shall be used to reimburse the

1 Commodity Credit Corporation for the release of eligible
2 commodities under section 302(f)(2)(A) of the Bill Emer-
3 son Humanitarian Trust Act (7 U.S.C. 1736f-1): *Pro-*
4 *vided*, That any such funds made available to reimburse
5 the Commodity Credit Corporation shall only be used pur-
6 suant to section 302(b)(2)(B)(i) of the Bill Emerson Hu-
7 manitarian Trust Act.

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

13 SEC. 719. Funds made available under section 1240I
14 and section 1241(a) of the Food Security Act of 1985 and
15 section 524(b) of the Federal Crop Insurance Act (7
16 U.S.C. 1524(b)) in the current fiscal year shall remain
17 available until expended to disburse obligations made in
18 the current fiscal year.

19 SEC. 720. Unless otherwise authorized by existing
20 law, none of the funds provided in this Act, may be used
21 by an executive branch agency to produce any pre-
22 packaged news story intended for broadcast or distribution
23 in the United States unless the story includes a clear noti-
24 fication within the text or audio of the prepackaged news

1 story that the prepackaged news story was prepared or
2 funded by that executive branch agency.

3 SEC. 721. Notwithstanding any other provision of
4 law, any former RUS borrower that has repaid or prepaid
5 an insured, direct or guaranteed loan under the Rural
6 Electrification Act, or any not-for-profit utility that is eli-
7 gible to receive an insured or direct loan under such Act,
8 shall be eligible for assistance under section 313(b)(2)(B)
9 of such Act in the same manner as a borrower under such
10 Act.

11 SEC. 722. Of the unobligated balances under section
12 32 of the Act of August 24, 1935, \$52,000,000 are hereby
13 rescinded.

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

18 SEC. 724. None of the funds made available to the
19 Department of Agriculture in this Act may be used to im-
20 plement the risk-based inspection program in the 30 pro-
21 totype locations announced on February 22, 2007, by the
22 Under Secretary for Food Safety, or at any other loca-
23 tions, until the USDA Office of Inspector General has pro-
24 vided its findings to the Food Safety and Inspection Serv-
25 ice and the Committees on Appropriations of the House

1 of Representatives and the Senate on the data used in sup-
2 port of the development and design of the risk-based in-
3 spection program and FSIS has addressed and resolved
4 issues identified by OIG.

5 SEC. 725. Notwithstanding any other provision of
6 law, and until receipt of the decennial Census in the year
7 2010, the Secretary of Agriculture shall consider—

8 (1) the city of Lumberton, North Carolina, and
9 the city of Sanford, North Carolina (including indi-
10 viduals and entities with projects within the city), el-
11 igible for loans and grants funded through the Rural
12 Community Facilities Program account;

13 (2) the unincorporated area of Los Osos, Cali-
14 fornia (including individuals and entities with
15 projects within the cities), eligible for loans and
16 grants funded through the Rural Water and Waste
17 Disposal Program account; and

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

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

24 SEC. 727. There is hereby appropriated:

1 (1) \$1,408,000 shall be for a grant to the Wis-
2 consin Department of Agriculture, Trade, and Con-
3 sumer Protection, as authorized by section 6402 of
4 the Farm Security and Rural Investment Act of
5 2002 (7 U.S.C. 1621 note);

6 (2) \$1,000,000 shall be for development of a
7 prototype for a national carbon inventory and ac-
8 counting system for forestry and agriculture, to be
9 awarded under full and open competition;

10 (3) \$1,000,000 for the International Food Pro-
11 tection Training Institute; and

12 (4) \$200,000 for the Center for Foodborne Ill-
13 ness Research and Prevention.

14 SEC. 728. Notwithstanding any other provision of
15 law, the Natural Resources Conservation Service shall pro-
16 vide financial and technical assistance through the Water-
17 shed and Flood Prevention Operations program to carry
18 out—

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

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

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

1 (4) the Farmington River Restoration project in
2 Litchfield County, Connecticut;

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

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

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

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

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

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

14 and

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

17 SEC. 730. Notwithstanding any other provision of
18 law, for the purposes of a grant under section 412 of the
19 Agricultural Research, Extension, and Education Reform
20 Act of 1998, none of the funds in this or any other Act
21 may be used to prohibit the provision of in-kind support
22 from non-Federal sources under section 412(e)(3) in the
23 form of unrecovered indirect costs not otherwise charged
24 against the grant, consistent with the indirect rate of cost
25 approved for a recipient.

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

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

6 (2) inspect horses under section 903 of the
7 Federal Agriculture Improvement and Reform Act of
8 1996 (7 U.S.C. 1901 note; Public Law 104–127); or

9 (3) implement or enforce section 352.19 of title
10 9, Code of Federal Regulations.

11 SEC. 732. The Secretary of Agriculture may author-
12 ize a State agency to use funds provided in this Act to
13 exceed the maximum amount of reconstituted liquid con-
14 centrate infant formula specified in 7 C.F.R. 246.10 when
15 issuing liquid concentrate infant formula to participants.

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

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

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

Union Calendar No. 98

111TH CONGRESS
1ST Session

H. R. 2997

[Report No. 111-181]

A BILL

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.

June 23, 2009

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed