

Filing

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1 DIVISION A—AGRICULTURE RURAL DEVELOP-
 2 MENT, FOOD AND DRUG ADMINISTRATION,
 3 AND RELATED AGENCIES APPROPRIATIONS
 4 ACT, 2008

5 TITLE I
 6 AGRICULTURAL PROGRAMS
 7 PRODUCTION, PROCESSING AND MARKETING
 8 OFFICE OF THE SECRETARY

9 For necessary expenses of the Office of the Secretary
 10 of Agriculture, \$5,097,000: *Provided*, That not to exceed
 11 \$11,000 of this amount shall be available for official recep-
 12 tion and representation expenses, not otherwise provided
 13 for, as determined by the Secretary.

14 EXECUTIVE OPERATIONS
 15 OFFICE OF THE CHIEF ECONOMIST

16 For necessary expenses of the Office of the Chief
 17 Economist, including economic analysis, risk assessment,
 18 cost-benefit analysis, energy and new uses, and the func-
 19 tions of the World Agricultural Outlook Board, as author-
 20 ized by the Agricultural Marketing Act of 1946 (7 U.S.C.
 21 1622g), \$10,487,000.

22 NATIONAL APPEALS DIVISION
 23 For necessary expenses of the National Appeals Divi-
 24 sion, \$14,466,000.

1 OFFICE OF BUDGET AND PROGRAM ANALYSIS

2 For necessary expenses of the Office of Budget and
3 Program Analysis, \$8,270,000.

4 HOMELAND SECURITY STAFF

5 For necessary expenses of the Homeland Security
6 Staff, \$931,000.

7 OFFICE OF THE CHIEF INFORMATION OFFICER

8 For necessary expenses of the Office of the Chief In-
9 formation Officer, \$16,361,000.

10 OFFICE OF THE CHIEF FINANCIAL OFFICER

11 For necessary expenses of the Office of the Chief Fi-
12 nancial Officer, \$5,850,000: *Provided*, That no funds
13 made available by this appropriation may be obligated for
14 FAIR Act or Circular A-76 activities until the Secretary
15 has submitted to the Committees on Appropriations of
16 both Houses of Congress and the Committee on Oversight
17 and Government Reform of the House of Representatives
18 a report on the Department's contracting out policies, in-
19 cluding agency budgets for contracting out.

20 OFFICE OF THE ASSISTANT SECRETARY FOR CIVIL

21 RIGHTS

22 For necessary expenses of the Office of the Assistant
23 Secretary for Civil Rights, \$854,000.

24 OFFICE OF CIVIL RIGHTS

25 For necessary expenses of the Office of Civil Rights,
26 \$20,496,000.

1 OFFICE OF THE ASSISTANT SECRETARY FOR
2 ADMINISTRATION

3 For necessary expenses of the Office of the Assistant
4 Secretary for Administration, \$673,000.

5 AGRICULTURE BUILDINGS AND FACILITIES AND RENTAL
6 PAYMENTS

7 (INCLUDING TRANSFERS OF FUNDS)

8 For payment of space rental and related costs pursu-
9 ant to Public Law 92-313, including authorities pursuant
10 to the 1984 delegation of authority from the Adminis-
11 trator of General Services to the Department of Agri-
12 culture under 40 U.S.C. 486, for programs and activities
13 of the Department which are included in this Act, and for
14 alterations and other actions needed for the Department
15 and its agencies to consolidate unneeded space into con-
16 figurations suitable for release to the Administrator of
17 General Services, and for the operation, maintenance, im-
18 provement, and repair of Agriculture buildings and facili-
19 ties, and for related costs, \$196,252,000, to remain avail-
20 able until expended, of which \$156,590,000 shall be avail-
21 able for payments to the General Services Administration
22 for rent and the Department of Homeland Security for
23 building security: *Provided*, That amounts which are made
24 available for space rental and related costs for the Depart-
25 ment of Agriculture in this Act may be transferred be-

1 tween such appropriations to cover the costs of additional,
2 new, or replacement space 15 days after notice thereof is
3 transmitted to the Appropriations Committees of both
4 Houses of Congress.

5 HAZARDOUS MATERIALS MANAGEMENT

6 (INCLUDING TRANSFERS OF FUNDS)

7 For necessary expenses of the Department of Agri-
8 culture, to comply with the Comprehensive Environmental
9 Response, Compensation, and Liability Act (42 U.S.C.
10 9601 et seq.) and the Resource Conservation and Recovery
11 Act (42 U.S.C. 6901 et seq.), \$4,886,000, to remain avail-
12 able until expended: *Provided*, That appropriations and
13 funds available herein to the Department for Hazardous
14 Materials Management may be transferred to any agency
15 of the Department for its use in meeting all requirements
16 pursuant to the above Acts on Federal and non-Federal
17 lands.

18 DEPARTMENTAL ADMINISTRATION

19 (INCLUDING TRANSFERS OF FUNDS)

20 For Departmental Administration, \$23,144,000, to
21 provide for necessary expenses for management support
22 services to offices of the Department and for general ad-
23 ministration, security, repairs and alterations, and other
24 miscellaneous supplies and expenses not otherwise pro-
25 vided for and necessary for the practical and efficient work

1 of the Department: *Provided*, That this appropriation shall
2 be reimbursed from applicable appropriations in this Act
3 for travel expenses incident to the holding of hearings as
4 required by 5 U.S.C. 551-558.

5 OFFICE OF THE ASSISTANT SECRETARY FOR
6 CONGRESSIONAL RELATIONS
7 (INCLUDING TRANSFERS OF FUNDS)

8 For necessary expenses of the Office of the Assistant
9 Secretary for Congressional Relations to carry out the pro-
10 grams funded by this Act, including programs involving
11 intergovernmental affairs and liaison within the executive
12 branch, \$3,795,000: *Provided*, That these funds may be
13 transferred to agencies of the Department of Agriculture
14 funded by this Act to maintain personnel at the agency
15 level: *Provided further*, That no funds made available by
16 this appropriation may be obligated after 30 days from
17 the date of enactment of this Act, unless the Secretary
18 has notified the Committees on Appropriations of both
19 Houses of Congress on the allocation of these funds by
20 USDA agency: *Provided further*, That no other funds ap-
21 propriated to the Department by this Act shall be available
22 to the Department for support of activities of congres-
23 sional relations.

1 OFFICE OF COMMUNICATIONS

2 For necessary expenses of the Office of Communica-
3 tions to carry out services relating to the coordination of
4 programs involving public affairs, for the dissemination of
5 agricultural information, and the coordination of informa-
6 tion, work, and programs authorized by Congress in the
7 Department, \$9,338,000.

8 OFFICE OF INSPECTOR GENERAL

9 For necessary expenses of the Office of Inspector
10 General, including employment pursuant to the Inspector
11 General Act of 1978, \$80,052,000, including such sums
12 as may be necessary for contracting and other arrange-
13 ments with public agencies and private persons pursuant
14 to section 6(a)(9) of the Inspector General Act of 1978,
15 and including not to exceed \$125,000 for certain confiden-
16 tial operational expenses, including the payment of inform-
17 ants, to be expended under the direction of the Inspector
18 General pursuant to Public Law 95-452 and section 1337
19 of Public Law 97-98.

20 OFFICE OF THE GENERAL COUNSEL

21 For necessary expenses of the Office of the General
22 Counsel, \$39,227,000.

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

3 For necessary expenses of the Office of the Under
4 Secretary for Research, Education and Economics to ad-
5 minister the laws enacted by the Congress for the Eco-
6 nomic Research Service, the National Agricultural Statis-
7 tics Service, the Agricultural Research Service, and the
8 Cooperative State Research, Education, and Extension
9 Service, \$596,000.

10 ECONOMIC RESEARCH SERVICE

11 For necessary expenses of the Economic Research
12 Service in conducting economic research and analysis,
13 \$77,943,000.

14 NATIONAL AGRICULTURAL STATISTICS SERVICE

15 For necessary expenses of the National Agricultural
16 Statistics Service in conducting statistical reporting and
17 service work, \$163,355,000, of which up to \$52,351,000
18 shall be available until expended for the Census of Agri-
19 culture.

20 AGRICULTURAL RESEARCH SERVICE

21 SALARIES AND EXPENSES

22 For necessary expenses to enable the Agricultural Re-
23 search Service to perform agricultural research and dem-
24 onstration relating to production, utilization, marketing,
25 and distribution (not otherwise provided for); home eco-

1 nomics or nutrition and consumer use including the acqui-
2 sition, preservation, and dissemination of agricultural in-
3 formation; and for acquisition of lands by donation, ex-
4 change, or purchase at a nominal cost not to exceed \$100,
5 and for land exchanges where the lands exchanged shall
6 be of equal value or shall be equalized by a payment of
7 money to the grantor which shall not exceed 25 percent
8 of the total value of the land or interests transferred out
9 of Federal ownership, \$1,128,944,000: *Provided*, That ap-
10 propriations hereunder shall be available for the operation
11 and maintenance of aircraft and the purchase of not to
12 exceed one for replacement only: *Provided further*, That
13 appropriations hereunder shall be available pursuant to 7
14 U.S.C. 2250 for the construction, alteration, and repair
15 of buildings and improvements, but unless otherwise pro-
16 vided, the cost of constructing any one building shall not
17 exceed \$375,000, except for headhouses or greenhouses
18 which shall each be limited to \$1,200,000, and except for
19 10 buildings to be constructed or improved at a cost not
20 to exceed \$750,000 each, and the cost of altering any one
21 building during the fiscal year shall not exceed 10 percent
22 of the current replacement value of the building or
23 \$375,000, whichever is greater: *Provided further*, That the
24 limitations on alterations contained in this Act shall not
25 apply to modernization or replacement of existing facilities

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

15 BUILDINGS AND FACILITIES

16 For acquisition of land, construction, repair, improve-
17 ment, extension, alteration, and purchase of fixed equip-
18 ment or facilities as necessary to carry out the agricultural
19 research programs of the Department of Agriculture,
20 where not otherwise provided, \$47,082,000, to remain
21 available until expended.

22 COOPERATIVE STATE RESEARCH, EDUCATION, AND

23 EXTENSION SERVICE

24 RESEARCH AND EDUCATION ACTIVITIES

25 For payments to agricultural experiment stations, for
26 cooperative forestry and other research, for facilities, and

1 for other expenses, ~~667,997,000~~, as follows: to carry out
2 the provisions of the Hatch Act of 1887 (7 U.S.C. 361a-
3 i), ~~192,192,000~~; for grants for cooperative forestry re-
4 search (16 U.S.C. 582a through a-7), \$24,966,000; for
5 payments to eligible institutions (7 U.S.C. 3222),
6 \$41,340,000, provided that each institution receives no
7 less than \$1,000,000; for special grants for agricultural
8 research (7 U.S.C. 450i(c)), \$92,422,000, of which
9 \$2,095,000 shall be for grants pursuant to 7 U.S.C. 3155;
10 for competitive grants for agricultural research on im-
11 proved pest control (7 U.S.C. 450i(c)), \$15,421,000; for
12 competitive research grants (7 U.S.C. 450i(b)),
13 \$192,229,000; for the support of animal health and dis-
14 ease programs (7 U.S.C. 3195), \$5,006,000; for supple-
15 mental and alternative crops and products (7 U.S.C.
16 3319d), \$825,000; for grants for research pursuant to the
17 Critical Agricultural Materials Act (7 U.S.C. 178 et seq.),
18 \$1,091,000, to remain available until expended; for the
19 1994 research grants program for 1994 institutions pur-
20 suant to section 536 of Public Law 103-382 (7 U.S.C.
21 301 note), \$1,544,000, to remain available until expended;
22 for rangeland research grants (7 U.S.C. 3333), \$990,000;
23 for higher education graduate fellowship grants (7 U.S.C.
24 3152(b)(6)), \$3,701,000, to remain available until ex-
25 pended (7 U.S.C. 2209b); for a program pursuant to sec-

(672,997,000)

(197,192,000)

1 tion 1415A of the National Agricultural Research, Extension,
2 sion, and Teaching Policy Act of 1977 (7 U.S.C. 3151a),
3 \$875,000, to remain available until expended; for higher
4 education challenge grants (7 U.S.C. 3152(b)(1)),
5 \$5,423,000; for a higher education multicultural scholars
6 program (7 U.S.C. 3152(b)(5)), \$988,000, to remain
7 available until expended (7 U.S.C. 2209b); for an edu-
8 cation grants program for Hispanic-serving Institutions (7
9 U.S.C. 3241), \$6,089,000; for competitive grants for the
10 purpose of carrying out all provisions of 7 U.S.C. 3242
11 (section 759 of Public Law 106–78) to individual eligible
12 institutions or consortia of eligible institutions in Alaska
13 and in Hawaii, with funds awarded equally to each of the
14 States of Alaska and Hawaii, \$3,218,000; for a secondary
15 agriculture education program and 2-year post-secondary
16 education (7 U.S.C. 3152(j)), \$990,000; for aquaculture
17 grants (7 U.S.C. 3322), \$3,956,000; for sustainable agri-
18 culture research and education (7 U.S.C. 5811),
19 \$14,500,000; for a program of capacity building grants
20 (7 U.S.C. 3152(b)(4)) to institutions eligible to receive
21 funds under 7 U.S.C. 3221 and 3222, \$13,688,000, to
22 remain available until expended (7 U.S.C. 2209b); for pay-
23 ments to the 1994 Institutions pursuant to section
24 534(a)(1) of Public Law 103–382, \$3,342,000; for resi-
25 dent instruction grants for insular areas under section

1 1491 of the National Agricultural Research, Extension,
2 and Teaching Policy Act of 1977 (7 U.S.C. 3363),
3 \$750,000; and for necessary expenses of Research and
4 Education Activities, \$42,451,000, of which \$2,723,000
5 for the Research, Education, and Economics Information
6 System and \$2,151,000 for the Electronic Grants Infor-
7 mation System, are to remain available until expended:
8 *Provided*, That hereafter none of the funds appropriated
9 under this heading shall be available to carry out research
10 related to the production, processing, or marketing of to-
11 bacco or tobacco products: *Provided further*, That here-
12 after this paragraph shall not apply to research on the
13 medical, biotechnological, food, and industrial uses of to-
14 bacco.

15 NATIVE AMERICAN INSTITUTIONS ENDOWMENT FUND

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

19 EXTENSION ACTIVITIES

20 For payments to States, the District of Columbia,
21 Puerto Rico, Guam, the Virgin Islands, Micronesia,
22 Northern Marianas, and American Samoa, ~~\$161,460,000~~,
23 as follows: payments for cooperative extension work under
24 the Smith-Lever Act, to be distributed under sections 3(b)
25 and 3(c) of said Act, and under section 208(c) of Public
26 Law 93-471, for retirement and employees' compensation

(456,160,000)

1 costs for extension agents, ~~\$281,596,000~~; payments for
2 extension work at the 1994 Institutions under the Smith-
3 Lever Act (7 U.S.C. 343(b)(3)), \$3,321,000; payments for
4 the nutrition and family education program for low-income
5 areas under section 3(d) of the Act, \$66,019,000; pay-
6 ments for the pest management program under section
7 3(d) of the Act, \$9,860,000; payments for the farm safety
8 program under section 3(d) of the Act, \$4,759,000; pay-
9 ments for New Technologies for Ag Extension under Sec-
10 tion 3(d) of the Act, \$1,485,000; payments to upgrade re-
11 search, extension, and teaching facilities at institutions eli-
12 gible to receive funds under 7 U.S.C. 3221 and 3222,
13 \$17,389,000, to remain available until expended; pay-
14 ments for youth-at-risk programs under section 3(d) of the
15 Smith-Lever Act, \$8,024,000; for youth farm safety edu-
16 cation and certification extension grants, to be awarded
17 competitively under section 3(d) of the Act, \$467,000;
18 payments for carrying out the provisions of the Renewable
19 Resources Extension Act of 1978 (16 U.S.C. 1671 et
20 seq.), \$4,036,000; payments for the federally-recognized
21 Tribes Extension Program under section 3(d) of the
22 Smith-Lever Act, \$3,000,000; payments for sustainable
23 agriculture programs under section 3(d) of the Act,
24 \$4,600,000; payments for rural health and safety edu-
25 cation as authorized by section 502(i) of Public Law 92-

(276,596,000)

1 419 (7 U.S.C. 2662(i)), \$1,750,000; payments for cooper-
2 ative extension work by eligible institutions (7 U.S.C.
3 3221), \$36,103,000, provided that each institution re-
4 ceives no less than \$1,000,000; for grants to youth organi-
5 zations pursuant to section 7630 of title 7, United States
6 Code, \$1,750,000; and for necessary expenses of Exten-
7 sion Activities, \$17,301,000.

8

INTEGRATED ACTIVITIES

9 For the integrated research, education, and extension
10 grants programs, including necessary administrative ex-
11 penses, \$56,244,000, as follows: for competitive grants
12 programs authorized under section 406 of the Agricultural
13 Research, Extension, and Education Reform Act of 1998
14 (7 U.S.C. 7626), \$42,286,000, including \$12,738,000 for
15 the water quality program, \$14,699,000 for the food safe-
16 ty program, \$4,125,000 for the regional pest management
17 centers program, \$4,419,000 for the Food Quality Protec-
18 tion Act risk mitigation program for major food crop sys-
19 tems, \$1,375,000 for the crops affected by Food Quality
20 Protection Act implementation, \$3,075,000 for the methyl
21 bromide transition program, and \$1,855,000 for the or-
22 ganic transition program; for a competitive international
23 science and education grants program authorized under
24 section 1459A of the National Agricultural Research, Ex-
25 tension, and Teaching Policy Act of 1977 (7 U.S.C.
26 3292b), to remain available until expended, \$2,000,000;

1 for grants programs authorized under section 2(c)(1)(B)
2 of Public Law 89-106, as amended, \$737,000, to remain
3 available until September 30, 2009, for the critical issues
4 program; \$1,321,000 for the regional rural development
5 centers program; and \$9,900,000 for the Food and Agri-
6 culture Defense Initiative authorized under section 1484
7 of the National Agricultural Research, Extension, and
8 Teaching Act of 1977, to remain available until September
9 30, 2009.

10 OUTREACH FOR SOCIALLY DISADVANTAGED FARMERS

11 For grants and contracts pursuant to section 2501
12 of the Food, Agriculture, Conservation, and Trade Act of
13 1990 (7 U.S.C. 2279), \$6,440,000, to remain available
14 until expended.

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

17 For necessary expenses of the Office of the Under
18 Secretary for Marketing and Regulatory Programs to ad-
19 minister programs under the laws enacted by the Congress
20 for the Animal and Plant Health Inspection Service; the
21 Agricultural Marketing Service; and the Grain Inspection,
22 Packers and Stockyards Administration; \$721,000.

1 ANIMAL AND PLANT HEALTH INSPECTION SERVICE
2 SALARIES AND EXPENSES
3 (INCLUDING TRANSFERS OF FUNDS)

4 For expenses, not otherwise provided for, necessary
5 to prevent, control, and eradicate pests and plant and ani-
6 mal diseases; to carry out inspection, quarantine, and reg-
7 ulatory activities; and to protect the environment, as au-
8 thorized by law, including up to \$30,000 for representa-
9 tion allowances and for expenses pursuant to the Foreign
10 Service Act of 1980 (22 U.S.C. 4085), \$873,754,000, of
11 which \$1,000,000 shall be available for the control of out-
12 breaks of insects, plant diseases, animal diseases and for
13 control of pest animals and birds to the extent necessary
14 to meet emergency conditions; of which \$37,269,000 shall
15 be used for the cotton pests program for cost share pur-
16 poses or for debt retirement for active eradication zones;
17 of which \$9,750,000 shall be available for a National Ani-
18 mal Identification program; of which \$51,725,000 shall be
19 used to conduct a surveillance and preparedness program
20 for highly pathogenic avian influenza: *Provided*, That no
21 funds shall be used to formulate or administer a brucel-
22 losis eradication program for the current fiscal year that
23 does not require minimum matching by the States of at
24 least 40 percent: *Provided further*, That this appropriation
25 shall be available for the operation and maintenance of
26 aircraft and the purchase of not to exceed four, of which

1 two shall be for replacement only: *Provided further*, That,
2 in addition, in emergencies which threaten any segment
3 of the agricultural production industry of this country, the
4 Secretary may transfer from other appropriations or funds
5 available to the agencies or corporations of the Depart-
6 ment such sums as may be deemed necessary, to be avail-
7 able only in such emergencies for the arrest and eradi-
8 cation of contagious or infectious disease or pests of ani-
9 mals, poultry, or plants, and for expenses in accordance
10 with sections 10411 and 10417 of the Animal Health Pro-
11 tection Act (7 U.S.C. 8310 and 8316) and sections 431
12 and 442 of the Plant Protection Act (7 U.S.C. 7751 and
13 7772), and any unexpended balances of funds transferred
14 for such emergency purposes in the preceding fiscal year
15 shall be merged with such transferred amounts: *Provided*
16 *further*, That appropriations hereunder shall be available
17 pursuant to law (7 U.S.C. 2250) for the repair and alter-
18 ation of leased buildings and improvements, but unless
19 otherwise provided the cost of altering any one building
20 during the fiscal year shall not exceed 10 percent of the
21 current replacement value of the building.

22 In fiscal year 2008, the agency is authorized to collect
23 fees to cover the total costs of providing technical assist-
24 ance, goods, or services requested by States, other political
25 subdivisions, domestic and international organizations,

1 foreign governments, or individuals, provided that such
2 fees are structured such that any entity's liability for such
3 fees is reasonably based on the technical assistance, goods,
4 or services provided to the entity by the agency, and such
5 fees shall be credited to this account, to remain available
6 until expended, without further appropriation, for pro-
7 viding such assistance, goods, or services.

8 AGRICULTURAL MARKETING SERVICE

9 MARKETING SERVICES

10 For necessary expenses to carry out services related
11 to consumer protection, agricultural marketing and dis-
12 tribution, transportation, and regulatory programs, as au-
13 thorized by law, and for administration and coordination
14 of payments to States, \$76,862,000, including funds for
15 the wholesale market development program for the design
16 and development of wholesale and farmer market facilities
17 for the major metropolitan areas of the country: *Provided,*
18 That this appropriation shall be available pursuant to law
19 (7 U.S.C. 2250) for the alteration and repair of buildings
20 and improvements, but the cost of altering any one build-
21 ing during the fiscal year shall not exceed 10 percent of
22 the current replacement value of the building.

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

1 LIMITATION ON ADMINISTRATIVE EXPENSES

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

9 FUNDS FOR STRENGTHENING MARKETS, INCOME, AND
10 SUPPLY (SECTION 32)
11 (INCLUDING TRANSFERS OF FUNDS)

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

24 PAYMENTS TO STATES AND POSSESSIONS

25 For payments to departments of agriculture, bureaus
26 and departments of markets, and similar agencies for

1 marketing activities under section 204(b) of the Agricul-
2 tural Marketing Act of 1946 (7 U.S.C. 1623(b)),
3 \$11,709,000, of which not less than \$1,875,000 shall be
4 used to make a grant under this heading: *Provided*, That
5 of the amount provided under this heading, \$8,500,000,
6 to remain available until expended, is for specialty crop
7 block grants authorized under section 101 of the Specialty
8 Crops Competitiveness Act of 2004 (Public Law 108-465;
9 7 U.S.C. 1621 note), of which not to exceed five percent
10 may be available for administrative expenses.

11 GRAIN INSPECTION, PACKERS AND STOCKYARDS

12 ADMINISTRATION

13 SALARIES AND EXPENSES

14 For necessary expenses to carry out the provisions
15 of the United States Grain Standards Act, for the admin-
16 istration of the Packers and Stockyards Act, for certifying
17 procedures used to protect purchasers of farm products,
18 and the standardization activities related to grain under
19 the Agricultural Marketing Act of 1946, \$38,785,000:
20 *Provided*, That this appropriation shall be available pursu-
21 ant to law (7 U.S.C. 2250) for the alteration and repair
22 of buildings and improvements, but the cost of altering
23 any one building during the fiscal year shall not exceed
24 10 percent of the current replacement value of the build-
25 ing.

1 authorized by section 1327 of the Food, Agriculture, Con-
2 servation and Trade Act of 1990 (7 U.S.C. 138f): *Pro-*
3 *vided*, That no fewer than 83 full time equivalent positions
4 above the fiscal year 2002 level shall be employed during
5 fiscal year 2008 for purposes dedicated solely to inspec-
6 tions and enforcement related to the Humane Methods of
7 Slaughter Act: *Provided further*, That of the amount avail-
8 able under this heading, \$3,000,000 shall be obligated to
9 maintain the Humane Animal Tracking System as part
10 of the Public Health Data Communication Infrastructure
11 System: *Provided further*, That not to exceed \$650,000 is
12 for construction of a laboratory sample receiving facility:
13 *Provided further*, That this appropriation shall be available
14 pursuant to law (7 U.S.C. 2250) for the alteration and
15 repair of buildings and improvements, but the cost of al-
16 tering any one building during the fiscal year shall not
17 exceed 10 percent of the current replacement value of the
18 building.

19 OFFICE OF THE UNDER SECRETARY FOR FARM AND
20 FOREIGN AGRICULTURAL SERVICES

21 For necessary expenses of the Office of the Under
22 Secretary for Farm and Foreign Agricultural Services to
23 administer the laws enacted by Congress for the Farm
24 Service Agency, the Foreign Agricultural Service, the Risk

1 Management Agency, and the Commodity Credit Corpora-
2 tion, \$632,000.

3 FARM SERVICE AGENCY

4 SALARIES AND EXPENSES

5 (INCLUDING TRANSFERS OF FUNDS)

6 For necessary expenses for carrying out the adminis-
7 tration and implementation of programs administered by
8 the Farm Service Agency, \$1,134,045,000: *Provided*, That
9 the Secretary is authorized to use the services, facilities,
10 and authorities (but not the funds) of the Commodity
11 Credit Corporation to make program payments for all pro-
12 grams administered by the Agency: *Provided further*, That
13 other funds made available to the Agency for authorized
14 activities may be advanced to and merged with this ac-
15 count: *Provided further*, That none of the funds made
16 available by this Act may be used to pay the salary or
17 expenses of any officer or employee of the Department of
18 Agriculture to close or relocate any county or field office
19 of the Farm Service Agency (other than a county or field
20 office that had zero employees as of February 7, 2007),
21 or to develop, submit, consider, or approve any plan for
22 any such closure or relocation before enactment of an om-
23 nibus authorization law to provide for the continuation of
24 agricultural programs for fiscal years after 2007.

1 STATE MEDIATION GRANTS

2 For grants pursuant to section 502(b) of the Agricul-
3 tural Credit Act of 1987, as amended (7 U.S.C. 5101-
4 5106), \$4,400,000.

5 GRASSROOTS SOURCE WATER PROTECTION PROGRAM

6 For necessary expenses to carry out wellhead or
7 groundwater protection activities under section 12400 of
8 the Food Security Act of 1985 (16 U.S.C. 3839bb-2),
9 \$3,713,000, to remain available until expended.

10 DAIRY INDEMNITY PROGRAM

11 (INCLUDING TRANSFER OF FUNDS)

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

21 AGRICULTURAL CREDIT INSURANCE FUND PROGRAM

22 ACCOUNT

23 (INCLUDING TRANSFERS OF FUNDS)

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

1 tribe land acquisition loans (25 U.S.C. 488), and boll wee-
2 vil loans (7 U.S.C. 1989), to be available from funds in
3 the Agricultural Credit Insurance Fund, as follows: farm
4 ownership loans, \$1,471,257,000, of which
5 \$1,247,400,000 shall be for unsubsidized guaranteed
6 loans and \$223,857,000 shall be for direct loans; oper-
7 ating loans, \$1,875,686,000, of which \$1,024,650,000
8 shall be for unsubsidized guaranteed loans, \$271,886,000
9 shall be for subsidized guaranteed loans and \$579,150,000
10 shall be for direct loans; Indian tribe land acquisition
11 loans, \$3,960,000; and for boll weevil eradication program
12 loans, \$100,000,000: *Provided*, That the Secretary shall
13 deem the pink bollworm to be a boll weevil for the purpose
14 of boll weevil eradication program loans.

15 For the cost of direct and guaranteed loans, including
16 the cost of modifying loans as defined in section 502 of
17 the Congressional Budget Act of 1974, as follows: farm
18 ownership loans, \$14,952,000, of which \$4,990,000 shall
19 be for unsubsidized guaranteed loans, and \$9,962,000
20 shall be for direct loans; operating loans, \$134,561,000,
21 of which \$24,797,000 shall be for unsubsidized guaran-
22 teed loans, \$36,270,000 shall be for subsidized guaranteed
23 loans, and \$73,494,000 shall be for direct loans; and In-
24 dian tribe land acquisition loans, \$125,000.

1 In addition, for administrative expenses necessary to
2 carry out the direct and guaranteed loan programs,
3 \$311,229,000, of which \$303,309,000 shall be transferred
4 to and merged with the appropriation for "Farm Service
5 Agency, Salaries and Expenses".

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

12 RISK MANAGEMENT AGENCY

13 For administrative and operating expenses, as au-
14 thorized by section 226A of the Department of Agriculture
15 Reorganization Act of 1994 (7 U.S.C. 6933),
16 \$76,658,000: *Provided*, That not more than \$11,166,000
17 of the funds made available under section 522(e) of the
18 Federal Crop Insurance Act (7 U.S.C. 1522(e)) may be
19 used for program compliance and integrity purposes, in-
20 cluding the data mining project, and for the Common In-
21 formation Management System: *Provided further*, That
22 not to exceed \$1,000 shall be available for official recep-
23 tion and representation expenses, as authorized by 7
24 U.S.C. 1506(i).

1 CORPORATIONS

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

12 FEDERAL CROP INSURANCE CORPORATION FUND

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

16 COMMODITY CREDIT CORPORATION FUND

17 REIMBURSEMENT FOR NET REALIZED LOSSES

18 For the current fiscal year, such sums as may be nec-
19 essary to reimburse the Commodity Credit Corporation for
20 net realized losses sustained, but not previously reim-
21 bursed, pursuant to section 2 of the Act of August 17,
22 1961 (15 U.S.C. 713a-11): *Provided*, That of the funds
23 available to the Commodity Credit Corporation under sec-
24 tion 11 of the Commodity Credit Corporation Charter Act
25 (15 U.S.C. 714i) for the conduct of its business with the

1 Foreign Agricultural Service, up to \$5,000,000 may be
2 transferred to and used by the Foreign Agricultural Serv-
3 ice for information resource management activities of the
4 Foreign Agricultural Service that are not related to Com-
5 modity Credit Corporation business.

6 HAZARDOUS WASTE MANAGEMENT

7 (LIMITATION ON EXPENSES)

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

16 TITLE II

17 CONSERVATION PROGRAMS

18 OFFICE OF THE UNDER SECRETARY FOR NATURAL

19 RESOURCES AND ENVIRONMENT

20 For necessary expenses of the Office of the Under
21 Secretary for Natural Resources and Environment to ad-
22 minister the laws enacted by the Congress for the Forest
23 Service and the Natural Resources Conservation Service,
24 \$742,000.

1 NATURAL RESOURCES CONSERVATION SERVICE
2 CONSERVATION OPERATIONS

3 For necessary expenses for carrying out the provi-
4 sions of the Act of April 27, 1935 (16 U.S.C. 590a-f),
5 including preparation of conservation plans and establish-
6 ment of measures to conserve soil and water (including
7 farm irrigation and land drainage and such special meas-
8 ures for soil and water management as may be necessary
9 to prevent floods and the siltation of reservoirs and to con-
10 trol agricultural related pollutants); operation of conserva-
11 tion plant materials centers; classification and mapping of
12 soil; dissemination of information; acquisition of lands,
13 water, and interests therein for use in the plant materials
14 program by donation, exchange, or purchase at a nominal
15 cost not to exceed \$100 pursuant to the Act of August
16 3, 1956 (7 U.S.C. 428a); purchase and erection or alter-
17 ation or improvement of permanent and temporary build-
18 ings; and operation and maintenance of aircraft,
19 \$840,326,000, to remain available until September 30,
20 2009: *Provided*, That appropriations hereunder shall be
21 available pursuant to 7 U.S.C. 2250 for construction and
22 improvement of buildings and public improvements at
23 plant materials centers, except that the cost of alterations
24 and improvements to other buildings and other public im-
25 provements shall not exceed \$250,000: *Provided further*,

1 That when buildings or other structures are erected on
2 non-Federal land, that the right to use such land is ob-
3 tained as provided in 7 U.S.C. 2250a: *Provided further,*
4 That this appropriation shall be available for technical as-
5 sistance and related expenses to carry out programs au-
6 thorized by section 202(c) of title II of the Colorado River
7 Basin Salinity Control Act of 1974 (43 U.S.C. 1592(c)):
8 *Provided further,* That qualified local engineers may be
9 temporarily employed at per diem rates to perform the
10 technical planning work of the Service.

11 WATERSHED AND FLOOD PREVENTION OPERATIONS

12 For necessary expenses to carry out preventive meas-
13 ures, including but not limited to research, engineering op-
14 erations, methods of cultivation, the growing of vegetation,
15 rehabilitation of existing works and changes in use of land,
16 in accordance with the Watershed Protection and Flood
17 Prevention Act (16 U.S.C. 1001–1005 and 1007–1009),
18 the provisions of the Act of April 27, 1935 (16 U.S.C.
19 590a–f), and in accordance with the provisions of laws re-
20 lating to the activities of the Department, \$30,000,000,
21 to remain available until expended: *Provided,* That not to
22 exceed \$15,500,000 of this appropriation shall be available
23 for technical assistance.

24 WATERSHED REHABILITATION PROGRAM

25 For necessary expenses to carry out rehabilitation of
26 structural measures, in accordance with section 14 of the

1 Watershed Protection and Flood Prevention Act (16
2 U.S.C. 1012), and in accordance with the provisions of
3 laws relating to the activities of the Department,
4 \$20,000,000, to remain available until expended.

5 RESOURCE CONSERVATION AND DEVELOPMENT

6 For necessary expenses in planning and carrying out
7 projects for resource conservation and development and
8 for sound land use pursuant to the provisions of sections
9 31 and 32 of the Bankhead-Jones Farm Tenant Act (7
10 U.S.C. 1010–1011; 76 Stat. 607); the Act of April 27,
11 1935 (16 U.S.C. 590a–f); and subtitle H of title XV of
12 the Agriculture and Food Act of 1981 (16 U.S.C. 3451–
13 3461), \$51,088,000, to remain available until expended:
14 *Provided*, That not to exceed \$3,073,000 shall be available
15 for national headquarters activities.

16 HEALTHY FORESTS RESERVE PROGRAM

17 For necessary expenses to carry out the Healthy For-
18 ests Reserve Program authorized under title V of Public
19 Law 108–148 (16 U.S.C. 6571–6578), \$2,000,000, to re-
20 main available until expended.

21 TITLE III

22 RURAL DEVELOPMENT PROGRAMS

23 OFFICE OF THE UNDER SECRETARY FOR RURAL

24 DEVELOPMENT

25 For necessary salaries and expenses of the Office of
26 the Under Secretary for Rural Development to administer

1 programs under the laws enacted by the Congress for the
2 Rural Housing Service, the Rural Business-Cooperative
3 Service, and the Rural Utilities Service, \$632,000.

4 RURAL DEVELOPMENT SALARIES AND EXPENSES

5 (INCLUDING TRANSFERS OF FUNDS)

6 For necessary expenses for carrying out the adminis-
7 tration and implementation of programs in the Rural De-
8 velopment mission area, including activities with institu-
9 tions concerning the development and operation of agricul-
10 tural cooperatives; and for cooperative agreements;
11 \$169,998,000: *Provided*, That notwithstanding any other
12 provision of law, funds appropriated under this section
13 may be used for advertising and promotional activities
14 that support the Rural Development mission area: *Pro-*
15 *vided further*, That not more than \$10,000 may be ex-
16 pended to provide modest nonmonetary awards to non-
17 USDA employees: *Provided further*, That any balances
18 available from prior years for the Rural Utilities Service,
19 Rural Housing Service, and the Rural Business-Coopera-
20 tive Service salaries and expenses accounts shall be trans-
21 ferred to and merged with this appropriation.

22 RURAL HOUSING SERVICE

23 RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT

24 (INCLUDING TRANSFERS OF FUNDS)

25 For gross obligations for the principal amount of di-
26 rect and guaranteed loans as authorized by title V of the

1 Housing Act of 1949, to be available from funds in the
2 rural housing insurance fund, as follows: \$5,349,391,000
3 for loans to section 502 borrowers, of which
4 \$1,129,391,000 shall be for direct loans, and of which
5 \$4,220,000,000 shall be for unsubsidized guaranteed
6 loans; \$34,652,000 for section 504 housing repair loans;
7 \$70,000,000 for section 515 rental housing; \$130,000,000
8 for section 538 guaranteed multi-family housing loans;
9 \$5,045,000 for section 524 site loans; \$11,485,000 for
10 credit sales of acquired property, of which up to
11 \$1,485,000 may be for multi-family credit sales; and
12 \$5,000,000 for section 523 self-help housing land develop-
13 ment loans.

14 For the cost of direct and guaranteed loans, including
15 the cost of modifying loans, as defined in section 502 of
16 the Congressional Budget Act of 1974, as follows: section
17 502 loans, \$156,224,000, of which \$105,824,000 shall be
18 for direct loans, and of which \$50,400,000, to remain
19 available until expended, shall be for unsubsidized guaran-
20 teed loans; section 504 housing repair loans, \$9,796,000;
21 repair, rehabilitation, and new construction of section 515
22 rental housing, \$29,827,000; section 538 multi-family
23 housing guaranteed loans, \$12,220,000; credit sales of ac-
24 quired property, \$552,000; and section 523 self-help hous-
25 ing and development loans, \$142,000: *Provided*, That of

1 the total amount appropriated in this paragraph,
2 \$2,500,000 shall be available through June 30, 2008, for
3 authorized empowerment zones and enterprise commu-
4 nities and communities designated by the Secretary of Ag-
5 riculture as Rural Economic Area Partnership Zones: *Pro-*
6 *vided further*, That any funds under this paragraph ini-
7 tially allocated by the Secretary for housing projects in
8 the State of Alaska that are not obligated by September
9 30, 2008, shall be carried over until September 30, 2009,
10 and made available for such housing projects only in the
11 State of Alaska: *Provided further*, That any unobligated
12 balances for a demonstration program for the preservation
13 and revitalization of the section 515 multi-family rental
14 housing properties as authorized by Public Law 109-97
15 shall be transferred to and merged with the “Rural Hous-
16 ing Service, Multi-family Housing Revitalization Program
17 Account”.

18 . In addition, for administrative expenses necessary to
19 carry out the direct and guaranteed loan programs,
20 \$452,927,000, which shall be transferred to and merged
21 with the appropriation for “Rural Development, Salaries
22 and Expenses”.

23 RENTAL ASSISTANCE PROGRAM

24 For rental assistance agreements entered into or re-
25 newed pursuant to the authority under section 521(a)(2)
26 or agreements entered into in lieu of debt forgiveness or

1 payments for eligible households as authorized by section
2 502(c)(5)(D) of the Housing Act of 1949, \$482,090,000,
3 to remain available through September 30, 2009; and, in
4 addition, such sums as may be necessary, as authorized
5 by section 521(c) of the Act, to liquidate debt incurred
6 prior to fiscal year 1992 to carry out the rental assistance
7 program under section 521(a)(2) of the Act: *Provided*,
8 That of this amount, up to \$6,000,000 shall be available
9 for debt forgiveness or payments for eligible households
10 as authorized by section 502(c)(5)(D) of the Act, and not
11 to exceed \$50,000 per project for advances to nonprofit
12 organizations or public agencies to cover direct costs
13 (other than purchase price) incurred in purchasing
14 projects pursuant to section 502(c)(5)(C) of the Act: *Pro-*
15 *vided further*, That agreements entered into or renewed
16 during the current fiscal year shall be funded for a one-
17 year period: *Provided further*, That any unexpended bal-
18 ances remaining at the end of such one-year agreements
19 may be transferred and used for the purposes of any debt
20 reduction; maintenance, repair, or rehabilitation of any ex-
21 isting projects; preservation; and rental assistance activi-
22 ties authorized under title V of the Act: *Provided further*,
23 That rental assistance provided under agreements entered
24 into prior to fiscal year 2008 for a farm labor multi-family
25 housing project financed under section 514 or 516 of the

1 Act may not be recaptured for use in another project until
2 such assistance has remained unused for a period of 12
3 consecutive months, if such project has a waiting list of
4 tenants seeking such assistance or the project has rental
5 assistance eligible tenants who are not receiving such as-
6 sistance: *Provided further*, That such recaptured rental as-
7 sistance shall, to the extent practicable, be applied to an-
8 other farm labor multi-family housing project financed
9 under section 514 or 516 of the Act.

10 MULTI-FAMILY HOUSING REVITALIZATION PROGRAM

11 ACCOUNT

12 For the rural housing voucher program as authorized
13 under section 542 of the Housing Act of 1949, but not-
14 withstanding subsection (b) of such section, for the cost
15 to conduct a housing demonstration program to provide
16 revolving loans for the preservation of low-income multi-
17 family housing projects, and for additional costs to con-
18 duct a demonstration program for the preservation and
19 revitalization of multi-family rental housing properties de-
20 scribed in this paragraph, \$28,000,000, to remain avail-
21 able until expended: *Provided*, That of the funds made
22 available under this heading, \$5,000,000 shall be available
23 for rural housing vouchers to any low-income household
24 (including those not receiving rental assistance) residing
25 in a property financed with a section 515 loan which has
26 been prepaid after September 30, 2005: *Provided further*,

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

1 onstration program shall have an interest rate of not more
2 than 1 percent direct loan to the recipient: *Provided fur-*
3 *ther*, That the Secretary may defer the interest and prin-
4 cipal payment to the Rural Housing Service for up to 3
5 years and the term of such loans shall not exceed 30 years:
6 *Provided further*, That of the funds made available under
7 this heading, \$20,000,000 shall be available for a dem-
8 onstration program for the preservation and revitalization
9 of the section 514, 515, and 516 multi-family rental hous-
10 ing properties to restructure existing USDA multi-family
11 housing loans, as the Secretary deems appropriate, ex-
12 pressly for the purposes of ensuring the project has suffi-
13 cient resources to preserve the project for the purpose of
14 providing safe and affordable housing for low-income resi-
15 dents and farm laborers including reducing or eliminating
16 interest; deferring loan payments, subordinating, reducing
17 or reamortizing loan debt; and other financial assistance
18 including advances and incentives required by the Sec-
19 retary: *Provided further*, That if the Secretary determines
20 that additional funds for vouchers described in this para-
21 graph are needed, funds for the preservation and revital-
22 ization demonstration program may be used for such
23 vouchers: *Provided further*, That if Congress enacts legis-
24 lation to permanently authorize a section 515 multi-family
25 rental housing loan restructuring program similar to the

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

6 MUTUAL AND SELF-HELP HOUSING GRANTS

7 For grants and contracts pursuant to section
8 523(b)(1)(A) of the Housing Act of 1949 (42 U.S.C.
9 1490c), \$39,000,000, to remain available until expended:
10 *Provided*, That of the total amount appropriated,
11 \$1,000,000 shall be available through June 30, 2008, for
12 authorized empowerment zones and enterprise commu-
13 nities and communities designated by the Secretary of Ag-
14 riculture as Rural Economic Area Partnership Zones.

15 RURAL HOUSING ASSISTANCE GRANTS

16 (INCLUDING TRANSFER OF FUNDS)

17 For grants and contracts for very low-income housing
18 repair, supervisory and technical assistance, compensation
19 for construction defects, and rural housing preservation
20 made by the Rural Housing Service, as authorized by 42
21 U.S.C. 1474, 1479(c), 1490e, and 1490m, \$39,000,000,
22 to remain available until expended: *Provided*, That of the
23 total amount appropriated, \$1,200,000 shall be available
24 through June 30, 2008, for authorized empowerment
25 zones and enterprise communities and communities des-
26 igned by the Secretary of Agriculture as Rural Economic

1 Area Partnership Zones: *Provided further*, That any bal-
2 ances to carry out a housing demonstration program to
3 provide revolving loans for the preservation of low-income
4 multi-family housing projects as authorized in Public Law
5 108-447 and Public Law 109-97 shall be transferred to
6 and merged with the "Rural Housing Service, Multi-fam-
7 ily Housing Revitalization Program Account".

8 FARM LABOR PROGRAM ACCOUNT

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

14 RURAL COMMUNITY FACILITIES PROGRAM ACCOUNT
15 (INCLUDING TRANSFERS OF FUNDS)

16 For the cost of direct loans, loan guarantees, and
17 grants for rural community facilities programs as author-
18 ized by section 306 and described in section 381E(d)(1)
19 of the Consolidated Farm and Rural Development Act,
20 \$68,952,000, to remain available until expended: *Pro-*
21 *vided*, That \$6,300,000 of the amount appropriated under
22 this heading shall be available for a Rural Community De-
23 velopment Initiative: *Provided further*, That such funds
24 shall be used solely to develop the capacity and ability of
25 private, nonprofit community-based housing and commu-
26 nity development organizations, low-income rural commu-

1 nities, and Federally Recognized Native American Tribes
2 to undertake projects to improve housing, community fa-
3 cilities, community and economic development projects in
4 rural areas: *Provided further*, That such funds shall be
5 made available to qualified private, nonprofit and public
6 intermediary organizations proposing to carry out a pro-
7 gram of financial and technical assistance: *Provided fur-*
8 *ther*, That such intermediary organizations shall provide
9 matching funds from other sources, including Federal
10 funds for related activities, in an amount not less than
11 funds provided: *Provided further*, That \$14,000,000 of the
12 amount appropriated under this heading shall be to pro-
13 vide grants for facilities in rural communities with extreme
14 unemployment and severe economic depression (Public
15 Law 106-387), with up to 5 percent for administration
16 and capacity building in the State rural development of-
17 fices: *Provided further*, That \$4,000,000 of the amount ap-
18 propriated under this heading shall be available for com-
19 munity facilities grants to tribal colleges, as authorized by
20 section 306(a)(19) of such Act: *Provided further*, That not
21 to exceed \$1,000,000 of the amount appropriated under
22 this heading shall be available through June 30, 2008, for
23 authorized empowerment zones and enterprise commu-
24 nities and communities designated by the Secretary of Ag-
25 riculture as Rural Economic Area Partnership Zones for

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

14 RURAL BUSINESS—COOPERATIVE SERVICE

15 RURAL BUSINESS PROGRAM ACCOUNT

16 (INCLUDING TRANSFERS OF FUNDS)

17 For the cost of direct loans, loan guarantees, and
18 grants, for the rural business development programs au-
19 thorized by sections 306 and 310B and described in sec-
20 tion 310B(f) and 381E(d)(3) of the Consolidated Farm
21 and Rural Development Act, \$87,700,000, to remain
22 available until expended: *Provided*, That of the amount ap-
23 propriated under this heading, not to exceed \$500,000
24 shall be made available for a grant to a qualified national
25 organization to provide technical assistance for rural
26 transportation in order to promote economic development

1 and \$3,000,000 shall be for grants to the Delta Regional
2 Authority (7 U.S.C. 1921 et seq.) for any Rural Commu-
3 nity Advancement Program purpose as described in sec-
4 tion 381E(d) of the Consolidated Farm and Rural Devel-
5 opment Act, of which not more than 5 percent may be
6 used for administrative expenses: *Provided further*, That
7 \$4,000,000 of the amount appropriated under this head-
8 ing shall be for business grants to benefit Federally Recog-
9 nized Native American Tribes, including \$250,000 for a
10 grant to a qualified national organization to provide tech-
11 nical assistance for rural transportation in order to pro-
12 mote economic development: *Provided further*, That not to
13 exceed \$8,300,000 of the amount appropriated under this
14 heading shall be available through June 30, 2008, for au-
15 thorized empowerment zones and enterprise communities
16 and communities designated by the Secretary of Agri-
17 culture as Rural Economic Area Partnership Zones for the
18 rural business and cooperative development programs de-
19 scribed in section 381E(d)(3) of the Consolidated Farm
20 and Rural Development Act: *Provided further*, That sec-
21 tion 381E-H and 381N of the Consolidated Farm and
22 Rural Development Act are not applicable to funds made
23 available under this heading: *Provided further*, That any
24 prior balances in the Rural Development, Rural Commu-
25 nity Advancement Program account for programs author-

1 ized by sections 306 and 310B and described in section
2 310B(f) and 381E(d)(3) of such Act be transferred and
3 merged with this account and any other prior balances
4 from the Rural Development, Rural Community Advance-
5 ment Program account that the Secretary determines is
6 appropriate to transfer.

7 RURAL DEVELOPMENT LOAN FUND PROGRAM ACCOUNT
8 (INCLUDING TRANSFER OF FUNDS)

9 For the principal amount of direct loans, as author-
10 ized by the Rural Development Loan Fund (42 U.S.C.
11 9812(a)), \$33,772,000.

12 For the cost of direct loans, \$14,485,000, as author-
13 ized by the Rural Development Loan Fund (42 U.S.C.
14 9812(a)), of which \$1,724,000 shall be available through
15 June 30, 2008, for Federally Recognized Native American
16 Tribes and of which \$3,449,000 shall be available through
17 June 30, 2008, for Mississippi Delta Region counties (as
18 determined in accordance with Public Law 100-460): *Pro-*
19 *vided*, That such costs, including the cost of modifying
20 such loans, shall be as defined in section 502 of the Con-
21 gressional Budget Act of 1974: *Provided further*, That of
22 the total amount appropriated, \$880,000 shall be available
23 through June 30, 2008, for the cost of direct loans for
24 authorized empowerment zones and enterprise commu-
25 nities and communities designated by the Secretary of Ag-
26 riculture as Rural Economic Area Partnership Zones.

1 operatives whose primary focus is to provide assistance to
2 small, minority producers and whose governing board and/
3 or membership is comprised of at least 75 percent minor-
4 ity; and of which \$19,000,000, to remain available until
5 expended, shall be for value-added agricultural product
6 market development grants, as authorized by section 6401
7 of the Farm Security and Rural Investment Act of 2002
8 (7 U.S.C. 1621 note).

9 RURAL EMPOWERMENT ZONES AND ENTERPRISE

10 COMMUNITIES GRANTS

11 For grants in connection with empowerment zones
12 and enterprise communities, \$8,187,000, to remain avail-
13 able until expended, for designated rural empowerment
14 zones and rural enterprise communities, as authorized by
15 the Taxpayer Relief Act of 1997 and the Omnibus Consoli-
16 dated and Emergency Supplemental Appropriations Act,
17 1999 (Public Law 105-277): *Provided*, That the funds
18 provided under this paragraph shall be made available to
19 empowerment zones and enterprise communities in a man-
20 ner and with the same priorities such funds were made
21 available during the 2007 fiscal year.

22 RENEWABLE ENERGY PROGRAM

23 For the cost of a program of direct loans, loan guar-
24 antees, and grants, under the same terms and conditions
25 as authorized by section 9006 of the Farm Security and
26 Rural Investment Act of 2002 (7 U.S.C. 8106),

1 \$36,000,000: *Provided*, That the cost of direct loans and
2 loan guarantees, including the cost of modifying such
3 loans, shall be as defined in section 502 of the Congres-
4 sional Budget Act of 1974.

5 RURAL UTILITIES SERVICE
6 RURAL WATER AND WASTE DISPOSAL PROGRAM ACCOUNT
7 (INCLUDING TRANSFERS OF FUNDS)

8 For the cost of direct loans, loan guarantees, and
9 grants for the rural water, waste water, waste disposal,
10 and solid waste management programs authorized by sec-
11 tions 306, 306A, 306C, 306D, and 310B and described
12 in sections 306C(a)(2), 306D, and 381E(d)(2) of the Con-
13 solidated Farm and Rural Development Act,
14 \$562,565,000, to remain available until expended, of
15 which not to exceed \$500,000 shall be available for the
16 rural utilities program described in section 306(a)(2)(B)
17 of such Act, and of which not to exceed \$1,000,000 shall
18 be available for the rural utilities program described in
19 section 306E of such Act: *Provided*, That \$65,000,000 of
20 the amount appropriated under this heading shall be for
21 water and waste disposal systems grants authorized by
22 306C(a)(2)(B) and 306D of the Consolidated Farm and
23 Rural Development Act and Native Americans authorized
24 by 306C(a)(1): *Provided further*, That the Secretary shall
25 allocate the funds described in the previous proviso in a
26 manner consistent with the historical allocation for such

1 populations under these authorities: *Provided further,*
2 That not to exceed \$18,500,000 of the amount appro-
3 priated under this heading shall be for technical assistance
4 grants for rural water and waste systems pursuant to sec-
5 tion 306(a)(14) of such Act, unless the Secretary makes
6 a determination of extreme need, of which \$5,600,000
7 shall be made available for a grant to a qualified non-prof-
8 it multi-state regional technical assistance organization,
9 with experience in working with small communities on
10 water and waste water problems, the principal purpose of
11 such grant shall be to assist rural communities with popu-
12 lations of 3,300 or less, in improving the planning, financ-
13 ing, development, operation, and management of water
14 and waste water systems, and of which not less than
15 \$800,000 shall be for a qualified national Native American
16 organization to provide technical assistance for rural water
17 systems for tribal communities: *Provided further,* That not
18 to exceed \$13,750,000 of the amount appropriated under
19 this heading shall be for contracting with qualified na-
20 tional organizations for a circuit rider program to provide
21 technical assistance for rural water systems: *Provided fur-*
22 *ther,* That not to exceed \$12,700,000 of the amount ap-
23 propriated under this heading shall be available through
24 June 30, 2008, for authorized empowerment zones and en-
25 terprise communities and communities designated by the

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

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

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

15 For the cost, as defined in section 502 of the Con-
16 gressional Budget Act of 1974, including the cost of modi-
17 fying loans, of direct and guaranteed loans authorized by
18 sections 305 and 306 of the Rural Electrification Act of
19 1936 (7 U.S.C. 935 and 936), as follows: cost of rural
20 electric loans, \$120,000, and the cost of telecommuni-
21 cations loans, \$3,620,000: *Provided*, That notwithstanding
22 section 305(d)(2) of the Rural Electrification Act of 1936,
23 borrower interest rates may exceed 7 percent per year.

24 In addition, for administrative expenses necessary to
25 carry out the direct and guaranteed loan programs,
26 \$38,623,000 which shall be transferred to and merged

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

3 DISTANCE LEARNING, TELEMEDICINE, AND BROADBAND
4 PROGRAM

5 For the principal amount of broadband telecommuni-
6 cation loans, \$300,000,000.

7 For grants for telemedicine and distance learning
8 services in rural areas, as authorized by 7 U.S.C. 950aaa
9 et seq., \$35,000,000, to remain available until expended:
10 *Provided*, That \$5,000,000 shall be made available to con-
11 vert analog to digital operation those noncommercial edu-
12 cational television broadcast stations that serve rural
13 areas and are qualified for Community Service Grants by
14 the Corporation for Public Broadcasting under section
15 396(k) of the Communications Act of 1934, including as-
16 sociated translators and repeaters, regardless of the loca-
17 tion of their main transmitter, studio-to-transmitter links,
18 and equipment to allow local control over digital content
19 and programming through the use of high-definition
20 broadcast, multi-casting and datacasting technologies.

21 For the cost of broadband loans, as authorized by 7
22 U.S.C. 901 et seq., \$6,450,000, to remain available until
23 expended: *Provided*, That the cost of direct loans shall be
24 as defined in section 502 of the Congressional Budget Act
25 of 1974.

1 In addition, \$13,500,000, to remain available until
2 expended, for a grant program to finance broadband
3 transmission in rural areas eligible for Distance Learning
4 and Telemedicine Program benefits authorized by 7
5 U.S.C. 950aaa.

6 TITLE IV

7 DOMESTIC FOOD PROGRAMS

8 OFFICE OF THE UNDER SECRETARY FOR FOOD,
9 NUTRITION AND CONSUMER SERVICES

10 For necessary expenses of the Office of the Under
11 Secretary for Food, Nutrition and Consumer Services to
12 administer the laws enacted by the Congress for the Food
13 and Nutrition Service, \$597,000.

14 FOOD AND NUTRITION SERVICE

15 CHILD NUTRITION PROGRAMS

16 (INCLUDING TRANSFERS OF FUNDS)

17 For necessary expenses to carry out the Richard B.
18 Russell National School Lunch Act (42 U.S.C. 1751 et
19 seq.), except section 21, and the Child Nutrition Act of
20 1966 (42 U.S.C. 1771 et seq.), except sections 17 and
21 21; \$13,901,513,000, to remain available through Sep-
22 tember 30, 2009, of which \$7,647,965,000 is hereby ap-
23 propriated and \$6,253,548,000 shall be derived by trans-
24 fer from funds available under section 32 of the Act of
25 August 24, 1935 (7 U.S.C. 612c): *Provided*, That up to

1 \$5,505,000 shall be available for independent verification
2 of school food service claims.

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 \$6,020,000,000, to remain available through September
9 30, 2009, of which such sums as are necessary to restore
10 the contingency reserve to \$150,000,000 shall be placed
11 in reserve, to remain available until expended, to be allo-
12 cated as the Secretary deems necessary, notwithstanding
13 section 17(i) of such Act, to support participation should
14 cost or participation exceed budget estimates: *Provided*,
15 That of the total amount available, the Secretary shall ob-
16 ligate not less than \$15,000,000 for a breastfeeding sup-
17 port initiative in addition to the activities specified in sec-
18 tion 17(h)(3)(A): *Provided further*, That only the provi-
19 sions of section 17(h)(10)(B)(i) and section
20 17(h)(10)(B)(ii) shall be effective in 2008; including
21 \$14,000,000 for the purposes specified in section
22 17(h)(10)(B)(i) and \$30,000,000 for the purposes speci-
23 fied in section 17(h)(10)(B)(ii): *Provided further*, That
24 funds made available for the purposes specified in section
25 17(h)(10)(B)(ii) shall only be made available upon deter-
26 mination by the Secretary that funds are available to meet

1 caseload requirements without the use of the contingency
2 reserve funds after the date of enactment of this Act: *Pro-*
3 *vided further*, That none of the funds in this Act shall be
4 available to pay administrative expenses of WIC clinics ex-
5 cept those that have an announced policy of prohibiting
6 smoking within the space used to carry out the program:
7 *Provided further*, That none of the funds provided in this
8 account shall be available for the purchase of infant for-
9 mula except in accordance with the cost containment and
10 competitive bidding requirements specified in section 17
11 of such Act: *Provided further*, That none of the funds pro-
12 vided shall be available for activities that are not fully re-
13 imbursed by other Federal Government departments or
14 agencies unless authorized by section 17 of such Act: *Pro-*
15 *vided further*, That of the amount provided under this
16 paragraph, \$400,000,000 is designated as described in
17 section 5 (in the matter preceding division A of this con-
18 solidated Act).

19 FOOD STAMP PROGRAM

20 For necessary expenses to carry out the Food Stamp
21 Act (7 U.S.C. 2011 et seq.), \$39,782,723,000, of which
22 \$3,000,000,000 to remain available through September
23 30, 2009, shall be placed in reserve for use only in such
24 amounts and at such times as may become necessary to
25 carry out program operations: *Provided*, That funds pro-
26 vided herein shall be expended in accordance with section

1 16 of the Food Stamp Act: *Provided further*, That this
2 appropriation shall be subject to any work registration or
3 workfare requirements as may be required by law: *Pro-*
4 *vided further*, That funds made available for Employment
5 and Training under this heading shall remain available
6 until expended, as authorized by section 16(h)(1) of the
7 Food Stamp Act: *Provided further*, That notwithstanding
8 section 5(d) of the Food Stamp Act of 1977, any addi-
9 tional payment received under chapter 5 of title 37,
10 United States Code, by a member of the United States
11 Armed Forces deployed to a designated combat zone shall
12 be excluded from household income for the duration of the
13 member's deployment if the additional pay is the result
14 of deployment to or while serving in a combat zone, and
15 it was not received immediately prior to serving in the
16 combat zone: *Provided further*, That funds made available
17 under this heading may be used to enter into contracts
18 and employ staff to conduct studies, evaluations, or to con-
19 duct activities related to food stamp program integrity
20 provided that such activities are authorized by the Food
21 Stamp Act.

22 COMMODITY ASSISTANCE PROGRAM

23 For necessary expenses to carry out disaster assist-
24 ance and the commodity supplemental food program as
25 authorized by section 4(a) of the Agriculture and Con-
26 sumer Protection Act of 1973 (7 U.S.C. 612c note); the

1 Emergency Food Assistance Act of 1983; special assist-
2 ance for the nuclear affected islands, as authorized by sec-
3 tion 103(f)(2) of the Compact of Free Association Amend-
4 ments Act of 2003 (Public Law 108-188); and the Farm-
5 ers' Market Nutrition Program, as authorized by section
6 17(m) of the Child Nutrition Act of 1966, \$211,770,000,
7 to remain available through September 30, 2009: *Pro-*
8 *vided*, That none of these funds shall be available to reim-
9 burse the Commodity Credit Corporation for commodities
10 donated to the program: *Provided further*, That notwith-
11 standing any other provision of law, effective with funds
12 made available in fiscal year 2008 to support the Seniors
13 Farmers' Market Nutrition Program (SFMNP), such
14 funds shall remain available through September 30, 2009:
15 *Provided further*, That no funds available for SFMNP
16 shall be used to pay State or local sales taxes on food pur-
17 chased with SFMNP coupons or checks: *Provided further*,
18 That the value of assistance provided by the SFMNP shall
19 not be considered income or resources for any purposes
20 under any Federal, State or local laws related to taxation,
21 welfare and public assistance programs: *Provided further*,
22 That of the funds made available under section 27(a) of
23 the Food Stamp Act of 1977 (7 U.S.C. 2011 et seq.), the
24 Secretary may use up to \$10,000,000 for costs associated
25 with the distribution of commodities.

1 NUTRITION PROGRAMS ADMINISTRATION

2 For necessary administrative expenses of the Food
3 and Nutrition Service, \$142,727,000, of which \$2,475,000
4 is for the purpose of providing Bill Emerson and Mickey
5 Leland Hunger Fellowships, through the Congressional
6 Hunger Center.

7 TITLE V

8 FOREIGN ASSISTANCE AND RELATED
9 PROGRAMS

10 FOREIGN AGRICULTURAL SERVICE

11 SALARIES AND EXPENSES

12 (INCLUDING TRANSFERS OF FUNDS)

13 For necessary expenses of the Foreign Agricultural
14 Service, including carrying out title VI of the Agricultural
15 Act of 1954 (7 U.S.C. 1761–1768), market development
16 activities abroad, and for enabling the Secretary to coordi-
17 nate and integrate activities of the Department in connec-
18 tion with foreign agricultural work, including not to exceed
19 \$158,000 for representation allowances and for expenses
20 pursuant to section 8 of the Act approved August 3, 1956
21 (7 U.S.C. 1766), \$159,470,000: *Provided*, That the Serv-
22 ice may utilize advances of funds, or reimburse this appro-
23 priation for expenditures made on behalf of Federal agen-
24 cies, public and private organizations and institutions
25 under agreements executed pursuant to the agricultural
26 food production assistance programs (7 U.S.C. 1737) and

1 the foreign assistance programs of the United States
2 Agency for International Development: *Provided further*,
3 That funds made available for the cost of agreements
4 under title I of the Agricultural Trade Development and
5 Assistance Act of 1954 and for title I ocean freight dif-
6 ferential may be used interchangeably between the two ac-
7 counts with prior notice to the Committees on Appropria-
8 tions of both Houses of Congress.

9 PUBLIC LAW 480 TITLE I DIRECT CREDIT AND FOOD FOR
10 PROGRESS PROGRAM ACCOUNT
11 (INCLUDING TRANSFERS OF FUNDS)

12 For administrative expenses to carry out the credit
13 program of title I, Public Law 83-480 and the Food for
14 Progress Act of 1985, \$2,680,000, to be transferred to
15 and merged with the appropriation for "Farm Service
16 Agency, Salaries and Expenses".

17 PUBLIC LAW 480 TITLE II GRANTS

18 For expenses during the current fiscal year, not oth-
19 erwise recoverable, and unrecovered prior years' costs, in-
20 cluding interest thereon, under the Agricultural Trade De-
21 velopment and Assistance Act of 1954, for commodities
22 supplied in connection with dispositions abroad under title
23 II of said Act, \$1,219,400,000, to remain available until
24 expended.

1 COMMODITY CREDIT CORPORATION EXPORT LOANS
2 PROGRAM ACCOUNT
3 (INCLUDING TRANSFERS OF FUNDS)

4 For administrative expenses to carry out the Com-
5 modity Credit Corporation's export guarantee program,
6 GSM 102 and GSM 103, \$5,328,000; to cover common
7 overhead expenses as permitted by section 11 of the Com-
8 modity Credit Corporation Charter Act and in conformity
9 with the Federal Credit Reform Act of 1990, of which
10 \$4,985,000 may be transferred to and merged with the
11 appropriation for "Foreign Agricultural Service, Salaries
12 and Expenses", and of which \$343,000 may be trans-
13 ferred to and merged with the appropriation for "Farm
14 Service Agency, Salaries and Expenses".

15 MC GOVERN-DOLE INTERNATIONAL FOOD FOR EDUCATION
16 AND CHILD NUTRITION PROGRAM GRANTS

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

60

1 TITLE VI
2 RELATED AGENCIES AND FOOD AND DRUG
3 ADMINISTRATION
4 DEPARTMENT OF HEALTH AND HUMAN
5 SERVICES
6 FOOD AND DRUG ADMINISTRATION
7 SALARIES AND EXPENSES
8 For necessary expenses of the Food and Drug Ad-
9 ministration, including hire and purchase of passenger
10 motor vehicles; for payment of space rental and related
11 costs pursuant to Public Law 92-313 for programs and
12 activities of the Food and Drug Administration which are
13 included in this Act; for rental of special purpose space
14 in the District of Columbia or elsewhere; for miscellaneous
15 and emergency expenses of enforcement activities, author-
16 ized and approved by the Secretary and to be accounted
17 for solely on the Secretary's certificate, not to exceed
18 \$25,000; and notwithstanding section 521 of Public Law
19 107-188; \$2,247,961,000: *Provided*, That of the amount
20 provided under this heading, \$459,412,000 shall be de-
21 rived from prescription drug user fees authorized by 21
22 U.S.C. 379h shall be credited to this account and remain
23 available until expended, and shall not include any fees
24 pursuant to 21 U.S.C. 379h(a)(2) and (a)(3) assessed for
25 fiscal year 2009 but collected in fiscal year 2008;

1 \$48,431,000 shall be derived from medical device user fees
2 authorized by 21 U.S.C. 379j, and shall be credited to this
3 account and remain available until expended; and
4 \$13,696,000 shall be derived from animal drug user fees
5 authorized by 21 U.S.C. 379j, and shall be credited to this
6 account and remain available until expended: *Provided fur-*
7 *ther*, That fees derived from prescription drug, medical de-
8 vice, and animal drug assessments received during fiscal
9 year 2008, including any such fees assessed prior to the
10 current fiscal year but credited during the current year,
11 shall be subject to the fiscal year 2008 limitation: *Provided*
12 *further*, That none of these funds shall be used to develop,
13 establish, or operate any program of user fees authorized
14 by 31 U.S.C. 9701: *Provided further*, That of the total
15 amount appropriated: (1) \$513,461,000 shall be for the
16 Center for Food Safety and Applied Nutrition and related
17 field activities in the Office of Regulatory Affairs; (2)
18 \$682,759,000 shall be for the Center for Drug Evaluation
19 and Research and related field activities in the Office of
20 Regulatory Affairs, of which no less than \$41,900,000
21 shall be available for the Office of Generic Drugs; (3)
22 \$236,985,000 shall be for the Center for Biologics Evalua-
23 tion and Research and for related field activities in the
24 Office of Regulatory Affairs; (4) \$109,244,000 shall be
25 for the Center for Veterinary Medicine and for related

1 field activities in the Office of Regulatory Affairs; (5)
2 \$267,284,000 shall be for the Center for Devices and Ra-
3 diological Health and for related field activities in the Of-
4 fice of Regulatory Affairs; (6) \$44,316,000 shall be for
5 the National Center for Toxicological Research; (7) not
6 to exceed \$99,922,000 shall be for Rent and Related ac-
7 tivities, of which \$38,808,000 is for White Oak Consolida-
8 tion, other than the amounts paid to the General Services
9 Administration for rent; (8) not to exceed \$160,094,000
10 shall be for payments to the General Services Administra-
11 tion for rent; and (9) \$133,896,000 shall be for other ac-
12 tivities, including the Office of the Commissioner; the Of-
13 fice of Scientific and Medical Programs; the Office of Pol-
14 icy, Planning and Preparedness; the Office of Inter-
15 national and Special Programs; the Office of Operations;
16 and central services for these offices: *Provided further,*
17 That of the amounts made available under this heading,
18 \$28,000,000 for the Center for Food Safety and Applied
19 Nutrition and related field activities in the Office of Regu-
20 latory Affairs shall be available from July 1, 2008, to Sep-
21 tember 30, 2009, for implementation of a comprehensive
22 food safety performance plan: *Provided further,* That none
23 of the funds made available under this heading shall be
24 used to transfer funds under section 770(n) of the Federal
25 Food, Drug, and Cosmetic Act (21 U.S.C. 379dd): *Pro-*

1 *vided further*, That funds may be transferred from one
2 specified activity to another with the prior approval of the
3 Committees on Appropriations of both Houses of Con-
4 gress.

5 In addition, mammography user fees authorized by
6 42 U.S.C. 263b may be credited to this account, to remain
7 available until expended.

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

11 BUILDINGS AND FACILITIES

12 For plans, construction, repair, improvement, exten-
13 sion, alteration, and purchase of fixed equipment or facili-
14 ties of or used by the Food and Drug Administration,
15 where not otherwise provided, \$2,450,000, to remain
16 available until expended.

17 INDEPENDENT AGENCIES

18 COMMODITY FUTURES TRADING COMMISSION

19 For necessary expenses to carry out the provisions
20 of the Commodity Exchange Act (7 U.S.C. 1 et seq.), in-
21 cluding the purchase and hire of passenger motor vehicles,
22 and the rental of space (to include multiple year leases)
23 in the District of Columbia and elsewhere, \$112,050,000,
24 including not to exceed \$3,000 for official reception and
25 representation expenses.

1 FARM CREDIT ADMINISTRATION
2 LIMITATION ON ADMINISTRATIVE EXPENSES
3 Not to exceed \$46,000,000 (from assessments col-
4 lected from farm credit institutions and from the Federal
5 Agricultural Mortgage Corporation) shall be obligated
6 during the current fiscal year for administrative expenses
7 as authorized under 12 U.S.C. 2249: *Provided*, That this
8 limitation shall not apply to expenses associated with re-
9 ceiverships.

10 TITLE VII
11 GENERAL PROVISIONS
12 (INCLUDING RESCISSIONS AND TRANSFERS OF FUNDS)
13 SEC. 701. Within the unit limit of cost fixed by law,
14 appropriations and authorizations made for the Depart-
15 ment of Agriculture for the current fiscal year under this
16 Act shall be available for the purchase, in addition to those
17 specifically provided for, of not to exceed 182 passenger
18 motor vehicles, of which 142 shall be for replacement only,
19 and for the hire of such vehicles.
20 SEC. 702. New obligational authority provided for the
21 following appropriation items in this Act shall remain
22 available until expended: Animal and Plant Health Inspec-
23 tion Service, the contingency fund to meet emergency con-
24 ditions, information technology infrastructure, fruit fly
25 program, emerging plant pests, cotton pests program,

1 avian influenza programs, grasshopper program, up to
2 \$9,750,000 in animal health monitoring and surveillance
3 for the animal identification system, up to \$1,500,000 in
4 the scrapie program for indemnities, up to \$3,000,000 in
5 the emergency management systems program for the vac-
6 cine bank, up to \$1,000,000 for wildlife services methods
7 development, up to \$1,000,000 of the wildlife services op-
8 erations program for aviation safety, and up to 25 percent
9 of the screwworm program; Food Safety and Inspection
10 Service, Public Health Data Communication Infrastruc-
11 ture System; Cooperative State Research, Education, and
12 Extension Service, funds for competitive research grants
13 (7 U.S.C. 450i(b)), funds for the Research, Education,
14 and Economics Information System, and funds for the
15 Native American Institutions Endowment Fund; Farm
16 Service Agency, salaries and expenses funds made avail-
17 able to county committees; Foreign Agricultural Service,
18 middle-income country training program, and up to
19 \$2,000,000 of the Foreign Agricultural Service appropria-
20 tion solely for the purpose of offsetting fluctuations in
21 international currency exchange rates, subject to docu-
22 mentation by the Foreign Agricultural Service.

23 SEC. 703. The Secretary of Agriculture may transfer
24 unobligated balances of discretionary funds appropriated
25 by this Act or other available unobligated discretionary

1 balances of the Department of Agriculture to the Working
2 Capital Fund for the acquisition of plant and capital
3 equipment necessary for the financial management mod-
4 ernization initiative and the delivery of financial, adminis-
5 trative, and information technology services of primary
6 benefit to the agencies of the Department of Agriculture:
7 *Provided*, That none of the funds made available by this
8 Act or any other Act shall be transferred to the Working
9 Capital Fund without the prior approval of the agency ad-
10 ministrator: *Provided further*, That none of the funds
11 transferred to the Working Capital Fund pursuant to this
12 section shall be available for obligation without the prior
13 approval of the Committees on Appropriations of both
14 Houses of Congress: *Provided further*, That none of the
15 funds appropriated by this Act or made available to the
16 Department's Working Capital Fund shall be available for
17 obligation or expenditure to make any changes to the De-
18 partment's National Finance Center without prior ap-
19 proval of the Committees on Appropriations of both
20 Houses of Congress as required by section 713 of this Act.

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

24 SEC. 705. No funds appropriated by this Act may be
25 used to pay negotiated indirect cost rates on cooperative

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

11 SEC. 706. None of the funds in this Act shall be avail-
12 able to pay indirect costs charged against competitive agri-
13 cultural research, education, or extension grant awards
14 issued by the Cooperative State Research, Education, and
15 Extension Service that exceed 20 percent of total Federal
16 funds provided under each award: *Provided*, That notwith-
17 standing section 1462 of the National Agricultural Re-
18 search, Extension, and Teaching Policy Act of 1977 (7
19 U.S.C. 3310), funds provided by this Act for grants
20 awarded competitively by the Cooperative State Research,
21 Education, and Extension Service shall be available to pay
22 full allowable indirect costs for each grant awarded under
23 section 9 of the Small Business Act (15 U.S.C. 638).

24 SEC. 707. Appropriations to the Department of Agri-
25 culture for the cost of direct and guaranteed loans made

1 available in the current fiscal year shall remain available
2 until expended to disburse obligations made in the current
3 fiscal year for the following accounts: the Rural Develop-
4 ment Loan Fund program account, the Rural Electrifica-
5 tion and Telecommunication Loans program account, and
6 the Rural Housing Insurance Fund program account.

7 SEC. 708. Of the funds made available by this Act,
8 not more than \$1,800,000 shall be used to cover necessary
9 expenses of activities related to all advisory committees,
10 panels, commissions, and task forces of the Department
11 of Agriculture, except for panels used to comply with nego-
12 tiated rule makings and panels used to evaluate competi-
13 tively awarded grants.

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

18 SEC. 710. No employee of the Department of Agri-
19 culture may be detailed or assigned from an agency or
20 office funded by this Act to any other agency or office
21 of the Department for more than 30 days unless the indi-
22 vidual's employing agency or office is fully reimbursed by
23 the receiving agency or office for the salary and expenses
24 of the employee for the period of assignment.

1 SEC. 711. None of the funds appropriated or other-
2 wise made available to the Department of Agriculture or
3 the Food and Drug Administration shall be used to trans-
4 mit or otherwise make available to any non-Department
5 of Agriculture or non-Department of Health and Human
6 Services employee questions or responses to questions that
7 are a result of information requested for the appropria-
8 tions hearing process.

9 SEC. 712. None of the funds made available to the
10 Department of Agriculture by this Act may be used to ac-
11 quire new information technology systems or significant
12 upgrades, as determined by the Office of the Chief Infor-
13 mation Officer, without the approval of the Chief Informa-
14 tion Officer and the concurrence of the Executive Informa-
15 tion Technology Investment Review Board: *Provided*, That
16 notwithstanding any other provision of law, none of the
17 funds appropriated or otherwise made available by this
18 Act may be transferred to the Office of the Chief Informa-
19 tion Officer without the prior approval of the Committees
20 on Appropriations of both Houses of Congress: *Provided*
21 *further*, That none of the funds available to the Depart-
22 ment of Agriculture for information technology shall be
23 obligated for projects over \$25,000 prior to receipt of writ-
24 ten approval by the Chief Information Officer.

1 SEC. 713. (a) None of the funds provided by this Act,
2 or provided by previous Appropriations Acts to the agen-
3 cies funded by this Act that remain available for obligation
4 or expenditure in the current fiscal year, or provided from
5 any accounts in the Treasury of the United States derived
6 by the collection of fees available to the agencies funded
7 by this Act, shall be available for obligation or expenditure
8 through a reprogramming of funds which—

9 (1) creates new programs;

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

11 (3) increases funds or personnel by any means
12 for any project or activity for which funds have been
13 denied or restricted;

14 (4) relocates an office or employees;

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

16 or

17 (6) contracts out or privatizes any functions or
18 activities presently performed by Federal employees;
19 unless the Committees on Appropriations of both
20 Houses of Congress are notified 15 days in advance
21 of such reprogramming of funds.

22 (b) None of the funds provided by this Act, or pro-
23 vided by previous Appropriations Acts to the agencies
24 funded by this Act that remain available for obligation or
25 expenditure in the current fiscal year, or provided from

1 any accounts in the Treasury of the United States derived
2 by the collection of fees available to the agencies funded
3 by this Act, shall be available for obligation or expenditure
4 for activities, programs, or projects through a reprogram-
5 ming of funds in excess of \$500,000 or 10 percent, which-
6 ever is less, that: (1) augments existing programs,
7 projects, or activities; (2) reduces by 10 percent funding
8 for any existing program, project, or activity, or numbers
9 of personnel by 10 percent as approved by Congress; or
10 (3) results from any general savings from a reduction in
11 personnel which would result in a change in existing pro-
12 grams, activities, or projects as approved by Congress; un-
13 less the Committees on Appropriations of both Houses of
14 Congress are notified 15 days in advance of such re-
15 programming of funds.

16 (c) The Secretary of Agriculture, the Secretary of
17 Health and Human Services, or the Chairman of the Com-
18 modity Futures Trading Commission shall notify the Com-
19 mittees on Appropriations of both Houses of Congress be-
20 fore implementing a program or activity not carried out
21 during the previous fiscal year unless the program or ac-
22 tivity is funded by this Act or specifically funded by any
23 other Act.

24 SEC. 714. None of the funds appropriated by this or
25 any other Act shall be used to pay the salaries and ex-

1 penses of personnel who prepare or submit appropriations
2 language as part of the President's Budget submission to
3 the Congress of the United States for programs under the
4 jurisdiction of the Appropriations Subcommittees on Agri-
5 culture, Rural Development, Food and Drug Administra-
6 tion, and Related Agencies that assumes revenues or re-
7 flects a reduction from the previous year due to user fees
8 proposals that have not been enacted into law prior to the
9 submission of the Budget unless such Budget submission
10 identifies which additional spending reductions should
11 occur in the event the user fees proposals are not enacted
12 prior to the date of the convening of a committee of con-
13 ference for the fiscal year 2009 appropriations Act.

14 SEC. 715. Notwithstanding any other provision of
15 law, the Natural Resources Conservation Service shall pro-
16 vide financial and technical assistance—

17 (1) from funds available for the Watershed and
18 Flood Prevention Operations program for the
19 Pocasset River Floodplain Management Project in
20 the State of Rhode Island;

21 (2) through the Watershed and Flood Preven-
22 tion Operations program to carry out the East Lo-
23 cust Creek Watershed Plan Revision in Missouri, in-
24 cluding up to 100 percent of the engineering assist-

1 ance and 75 percent cost share for construction cost
2 of site RW1;

3 (3) through the Watershed Flood Prevention
4 Operations program to carry out the Little Otter
5 Creek Watershed project. The sponsoring local orga-
6 nization may obtain land rights by perpetual ease-
7 ments; and

8 (4) through the Watershed and Flood Preven-
9 tion Operations program to the McDowell Grove
10 Dam Flood Plain/Wetlands Restoration Project in
11 DuPage County, Illinois.

12 SEC. 716. None of the funds made available by this
13 or any other Act may be used to close or relocate a Rural
14 Development office unless or until the Secretary of Agri-
15 culture determines the cost effectiveness and/or enhance-
16 ment of program delivery: *Provided*, That not later than
17 60 days before the date of the proposed closure or reloca-
18 tion, the Secretary notifies the Committees on Appropria-
19 tion of the House and Senate, and the members of Con-
20 gress from the State in which the office is located of the
21 proposed closure or relocation and provides a report that
22 describes the justifications for such closures and reloca-
23 tions.

24 SEC. 717. None of the funds made available to the
25 Food and Drug Administration by this Act shall be used

1 to close or relocate, or to plan to close or relocate, the
2 Food and Drug Administration Division of Pharma-
3 ceutical Analysis in St. Louis, Missouri, outside the city
4 or county limits of St. Louis, Missouri.

5 SEC. 718. Notwithstanding any other provision of
6 law, of the funds made available in this Act for competitive
7 research grants (7 U.S.C. 450i(b)), the Secretary may use
8 up to 26 percent of the amount provided to carry out a
9 competitive grants program under the same terms and
10 conditions as those provided in section 401 of the Agricul-
11 tural Research, Extension, and Education Reform Act of
12 1998 (7 U.S.C. 7621).

13 SEC. 719. None of the funds appropriated or other-
14 wise made available by this or any other Act shall be used
15 to pay the salaries and expenses of personnel to carry out
16 an environmental quality incentives program authorized
17 by chapter 4 of subtitle D of title XII of the Food Security
18 Act of 1985 (16 U.S.C. 3839aa et seq.) in excess of
19 \$1,000,000,000.

20 SEC. 720. None of the funds made available in fiscal
21 year 2008 or preceding fiscal years for programs author-
22 ized under the Agricultural Trade Development and As-
23 sistance Act of 1954 (7 U.S.C. 1691 et seq.) in excess
24 of \$20,000,000 shall be used to reimburse the Commodity
25 Credit Corporation for the release of eligible commodities

1 under section 302(f)(2)(A) of the Bill Emerson Humanitarian Trust Act (7 U.S.C. 1736f-1): *Provided*, That any
2 such funds made available to reimburse the Commodity
3 Credit Corporation shall only be used pursuant to section
4 302(b)(2)(B)(i) of the Bill Emerson Humanitarian Trust
5 Act.
6

7 SEC. 721. No funds shall be used to pay salaries and
8 expenses of the Department of Agriculture to carry out
9 or administer the program authorized by section 14(h)(1)
10 of the Watershed Protection and Flood Prevention Act (16
11 U.S.C. 1012(h)(1)).

12 SEC. 722. Notwithstanding subsections (c) and (e)(2)
13 of section 313A of the Rural Electrification Act (7 U.S.C.
14 940c(c) and (e)(2)) in implementing section 313A of that
15 Act, the Secretary shall, with the consent of the lender,
16 structure the schedule for payment of the annual fee, not
17 to exceed an average of 30 basis points per year for the
18 term of the loan, to ensure that sufficient funds are avail-
19 able to pay the subsidy costs for note guarantees under
20 that section.

21 SEC. 723. None of the funds made available by this
22 Act may be used to issue a final rule in furtherance of,
23 or otherwise implement, the proposed rule on cost-sharing
24 for animal and plant health emergency programs of the
25 Animal and Plant Health Inspection Service published on

1 July 8, 2003 (Docket No. 02-062-1; 68 Fed. Reg.
2 40541).

3 SEC. 724. There is hereby appropriated \$437,000, to
4 remain available until expended, for the Denali Commis-
5 sion to address deficiencies in solid waste disposal sites
6 which threaten to contaminate rural drinking water sup-
7 plies.

8 SEC. 725. Funds made available under section 1240I
9 and section 1241(a) of the Food Security Act of 1985 in
10 the current fiscal year shall remain available until ex-
11 pended to disburse obligations made in the current fiscal
12 year. Funds made available under section 524(b) of the
13 Federal Crop Insurance Act, 7 U.S.C. 1524(b), in fiscal
14 years 2004, 2005, 2006, 2007, and 2008 shall remain
15 available until expended to disburse obligations made in
16 fiscal years 2004, 2005, 2006, 2007, and 2008 respec-
17 tively, and except for fiscal year 2008 funds, are not avail-
18 able for new obligations.

19 SEC. 726. None of the funds provided in this Act may
20 be used for salaries and expenses to draft or implement
21 any regulation or rule insofar as it would require recertifi-
22 cation of rural status for each electric and telecommuni-
23 cations borrower for the Rural Electrification and Tele-
24 communication Loans program.

1 SEC. 727. Unless otherwise authorized by existing
2 law, none of the funds provided in this Act, may be used
3 by an executive branch agency to produce any pre-
4 packaged news story intended for broadcast or distribution
5 in the United States unless the story includes a clear noti-
6 fication within the text or audio of the prepackaged news
7 story that the prepackaged news story was prepared or
8 funded by that executive branch agency.

9 SEC. 728. Notwithstanding any other provision of
10 law, any former RUS borrower that has repaid or prepaid
11 an insured, direct or guaranteed loan under the Rural
12 Electrification Act, or any not-for-profit utility that is eli-
13 gible to receive an insured or direct loan under such Act,
14 shall be eligible for assistance under Section 313(b)(2)(B)
15 of such Act in the same manner as a borrower under such
16 Act.

17 SEC. 729. Notwithstanding any other provision of
18 law, the Secretary of Agriculture is authorized to make
19 funding and other assistance available through the emer-
20 gency watershed protection program under section 403 of
21 the Agricultural Credit Act of 1978 (16 U.S.C. 2203) to
22 repair and prevent damage to non-Federal land in water-
23 sheds that have been impaired by fires initiated by the
24 Federal Government and shall waive cost sharing require-
25 ments for the funding and assistance.

1 SEC. 730. None of the funds made available in this
2 Act may be used to study, complete a study of, or enter
3 into a contract with a private party to carry out, without
4 specific authorization in a subsequent Act of Congress, a
5 competitive sourcing activity of the Secretary of Agri-
6 culture, including support personnel of the Department of
7 Agriculture, relating to rural development or farm loan
8 programs.

9 SEC. 731. Of the amount available for Estimated Fu-
10 ture Needs under section 32 of the Act of August 24,
11 1935, \$184,000,000 are hereby rescinded: *Provided*, That
12 in addition, of the unobligated balances under section 32
13 of the Act of August 24, 1935, ~~\$500,000,000~~ are hereby
14 rescinded.

15 SEC. 732. Of the appropriations available for pay-
16 ments for the nutrition and family education program for
17 low-income areas under section 3(d) of the Smith-Lever
18 Act (7 U.S.C. 343(d)), if the payment allocation pursuant
19 to section 1425(c) of the National Agricultural Research,
20 Extension, and Teaching Policy Act of 1977 (7 U.S.C.
21 3175(c)) would be less than \$100,000 for any institution
22 eligible under section 3(d)(2) of the Smith-Lever Act, the
23 Secretary shall adjust payment allocations under section
24 1425(c) of the National Agricultural Research, Extension,

(500,000,000)

1 and Teaching Policy Act of 1977 to ensure that each insti-
2 tution receives a payment of not less than \$100,000.

3 SEC. 733. None of the funds made available in this
4 Act may be used to establish or implement a rule allowing
5 poultry products to be imported into the United States
6 from the People's Republic of China.

7 SEC. 734. There is hereby appropriated \$3,750,000,
8 to remain available until expended, for a grant to the Na-
9 tional Center for Natural Products Research for construc-
10 tion or renovation to carry out the research objectives of
11 the natural products research grant issued by the Food
12 and Drug Administration.

13 SEC. 735. There is hereby appropriated \$150,000, to
14 remain available until expended, for the planning and de-
15 sign of construction of an agriculture pest facility in the
16 State of Hawaii.

17 SEC. 736. None of the funds made available to the
18 Department of Agriculture in this Act may be used to im-
19 plement the risk-based inspection program in the 30 pro-
20 totypic locations announced on February 22, 2007, by the
21 Under Secretary for Food Safety, or at any other loca-
22 tions, until the USDA Office of Inspector General has pro-
23 vided its findings to the Food Safety and Inspection Serv-
24 ice and the Committees on Appropriations of the House
25 of Representatives and the Senate on the data used in sup-

1 port of the development and design of the risk-based in-
2 spection program and FSIS has addressed and resolved
3 issues identified by OIG.

4 SEC. 737. The Secretary of Agriculture shall continue
5 the Water and Waste Systems Direct Loan Program
6 under the authority and conditions (including the fees,
7 borrower interest rate, and the President's economic as-
8 sumptions for the 2008 Fiscal Year, as of June 1, 2007)
9 provided by the "Continuing Appropriations Resolution,
10 2007".

11 SEC. 738. (a) Section 13(b) of the Richard B. Russell
12 National School Lunch Act (42 U.S.C. 1761(b)) is amend-
13 ed—

14 (1) in paragraph (1)—

15 (A) by striking subparagraph (A);

16 (B) by redesignating subparagraphs (B)
17 through (D) as subparagraphs (A) through (C),
18 respectively;

19 (C) in subparagraph (A) (as redesignated
20 by subparagraph (B)), striking "(B)" and all
21 that follows through "shall not exceed" and in-
22 serting the following:

23 “(A) IN GENERAL.—Subject to subpara-
24 graph (B) and in addition to amounts made

1 available under paragraph (3), payments to
2 service institutions shall be”;

3 (D) in subparagraph (B) (as redesignated
4 by subparagraph (B)), by striking “subpara-
5 graph (B)” and inserting “subparagraph (A)”;
6 and

7 (E) in subparagraph (C) (as redesignated
8 by subparagraph (B)), by striking “(A), (B),
9 and (C)” and inserting “(A) and (B)”;

10 (2) in the second sentence of paragraph (3), by
11 striking “full amount of State approved” and all
12 that follows through “maximum allowable”.

13 (b) CONFORMING AMENDMENT.—Section 18 of the
14 Richard B. Russell National School Lunch Act (42 U.S.C.
15 1769) is amended—

16 (1) by striking subsection (f); and

17 (2) by redesignating subsection (g) through (k)
18 as subsections (f) through (j), respectively.

19 (c) EFFECTIVE DATE.—The amendments made by
20 this section take effect on January 1 of the first full cal-
21 endar year following the date of enactment of this Act.

22 SEC. 739. There is hereby appropriated \$9,900,000,
23 to remain available until September 30, 2009, which, in
24 conjunction with all unobligated balances available to the
25 Secretary under section 18(g) of the Richard B. Russell

1 National School Lunch Act (42 U.S.C. 1769(g)) shall be
2 used to continue the Fresh Fruit and Vegetable Program
3 (42 U.S.C. 1769(g)) in all currently participating States
4 and expand the program to all the contiguous States and,
5 Alaska, Hawaii and the District of Columbia not currently
6 served by the authorized program: *Provided*, That of funds
7 available under this section, not to exceed 5 percent may
8 be available for Federal administrative costs, as deter-
9 mined by the Secretary of Agriculture: *Provided further*,
10 That for the purposes of this section, “currently partici-
11 pating States” shall be defined as those authorized to par-
12 ticipate under section 18(g) of the Richard B. Russell Na-
13 tional School Lunch Act (42 U.S.C. 1769(g)) as well as
14 those authorized to participate under section 779 of Public
15 Law 109–97: *Provided further*, That implementation of
16 the program in new States shall begin with school year
17 2008/2009.

18 SEC. 740. Section 704 of the Department of Agri-
19 culture Organic Act of 1944 (7 U.S.C. 2258) is amended
20 by striking the first proviso.

21 SEC. 741. None of the funds made available in this
22 Act may be used to pay the salaries or expenses of per-
23 sonnel to—

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

1 (2) inspect horses under section 903 of the
2 Federal Agriculture Improvement and Reform Act of
3 1996 (7 U.S.C. 1901 note; Public Law 104-127); or

4 (3) implement or enforce section 352.19 of title
5 9, Code of Federal Regulations.

6 SEC. 742. There is hereby appropriated \$800,000 to
7 the Farm Service Agency to carry out a pilot program to
8 demonstrate the use of new technologies that increase the
9 rate of growth of re-forested hardwood trees on private
10 non-industrial forests lands, enrolling lands on the coast
11 of the Gulf of Mexico that were damaged by Hurricane
12 Katrina in 2005.

13 SEC. 743. (a) Sections 9001(a) and 9002 of the U.S.
14 Troop Readiness, Veterans' Care, Katrina Recovery, and
15 Iraq Accountability Appropriations Act, 2007 (Public Law
16 110-28; 121 Stat. 211, 214) are amended by striking
17 "February 28, 2007" each place it occurs and inserting
18 "December 31, 2007".

19 (b) There is hereby appropriated \$20,000,000 for the
20 "Farm Service Agency, Salaries and Expenses".

21 (c) Each amount provided by this section is des-
22 ignated as described in section 5 (in the matter preceding
23 division A of this consolidated Act).

1 SEC. 744. Section 17(r)(5) of the Richard B. Russell
2 National School Lunch Act (42 U.S.C. 1766(r)(5)) is
3 amended—

4 (1) by striking “seven” and inserting “eight”;

5 (2) by striking “five” and inserting “six”; and

6 (3) by inserting “West Virginia,” after the first
7 instance of “States shall be”.

8 SEC. 745. Hereafter, notwithstanding any other pro-
9 vision of law, of the funds made available for the Com-
10 modity Assistance Program under division B of Public
11 Law 109–148, Emergency Supplemental Appropriations
12 to Address Hurricanes in the Gulf of Mexico and Pan-
13 demic Influenza, 2006, all unexpended funds shall be
14 made available to support normal program operations of
15 the Commodity Supplemental Food Program under the
16 Agriculture and Consumer Protection Act of 1973 and of
17 the Emergency Food Assistance Program under the
18 Emergency Food Assistance Act of 1983: *Provided*, That
19 any commodities purchased with funds made available
20 under Public Law 109–148 and remaining undistributed
21 shall be used to support normal program operations under
22 the authorities cited in this section.

23 SEC. 746. Notwithstanding any other provision of
24 law, and until receipt of the decennial Census for the year
25 2010, the Secretary of Agriculture shall consider—

1 (1) the City of Alamo, Texas; the City of Mer-
2 cedes, Texas; the City of Weslaco, Texas; the City
3 of Donna, Texas; the City of La Feria, Texas; and
4 the City of Northampton, Massachusetts, (including
5 individuals and entities with projects within the cit-
6 ies) eligible for loans and grants funded through the
7 Rural Business Program account;

8 (2) the City of Bainbridge Island, Washington;
9 the City of Keene, New Hampshire; and the City of
10 Havelock, North Carolina, (including individuals and
11 entities with projects within the cities) eligible for
12 loans and grants funded through the Rural Commu-
13 nity Facilities Program account;

14 (3) the City of Freeport, Illinois; Kitsap County
15 (except the City of Bremerton), Washington; the
16 City of Atascadero, California; and the City of Paso
17 Robles, California, (including individuals and entities
18 with projects within the cities) eligible for loans and
19 grants funded through the Rural Housing Insurance
20 Fund Program account and the Rural Housing As-
21 sistance Grants account;

22 (4) the City of Canton, Mississippi, (including
23 individuals and entities with projects within the cit-
24 ies) eligible for loans and grants funded through the
25 Rural Water and Waste Disposal Program account;

1 (5) the City of Parsons, Kansas; the Town of
2 Boone, North Carolina; the City of Henderson,
3 North Carolina; and the City of Lenoir, North Caro-
4 lina, to be rural areas for the purposes of eligibility
5 for loans and grants funded through the Rural
6 Water and Waste Disposal Program account;

7 (6) the City of Lansing, Kansas, a rural area
8 for purposes of eligibility for Rural Housing Service
9 programs, and the City of Leavenworth, Kansas,
10 and the City of Lansing, Kansas, as separate geo-
11 graphic entities for purposes of Rural Development
12 grants and loans;

13 (7) the City of Binghamton, New York, for the
14 purpose of upgrading a trunk line for waste trans-
15 port to the Town of Conklin, New York, (including
16 individuals and entities with projects within the cit-
17 ies) eligible for loans and grants funded through the
18 Rural Water and Waste Disposal Program account;

19 (8) the County of Lexington, South Carolina,
20 shall be considered to be a rural area for the pur-
21 poses of financing a farmers' market under the
22 Business and Industry Loan Guarantee Program in
23 a local area that has rural characteristics as deter-
24 mined by the Secretary; and

1 (9) the service areas being acquired by Mid-
2 Kansas Electric Cooperative, except for the City of
3 Dodge City, Kansas, shall be considered eligible for
4 financing under the Rural Electrification Act of
5 1936, as amended.

6 SEC. 747. None of the funds made available in this
7 Act may be used—

8 (1) to terminate any of the 13 field laboratories
9 that are operated by the Food and Drug Adminis-
10 tration as of January 1, 2007, or 20 District Of-
11 fices, or any of the inspection or compliance func-
12 tions of any of the 20 District Offices, of the Food
13 and Drug Administration functioning as of January
14 1, 2007; or

15 (2) to consolidate any such laboratory with any
16 other laboratory, or any such District Office, or any
17 of the inspection or compliance functions of any Dis-
18 trict Office, with any other District Office.

19 SEC. 748. Hereafter, the Secretary may use funds
20 made available in chapter 1 of division B of Public Law
21 109–148 for direct and guaranteed loans under title V of
22 the Housing Act of 1949, to make or guarantee loans, as
23 authorized under such Act, to finance housing and repairs
24 to housing in rural areas affected by hurricanes that oc-
25 curred during the 2005 calendar year.

1 SEC. 749. Of the unobligated balances provided pur-
2 suant to section 16(h)(1)(A) of the Food Stamp Act of
3 1977, \$10,500,000 is hereby rescinded.

4 SEC. 750. Of the unobligated balances available in
5 the Child and Adult Care Food Program for the purpose
6 of conducting audits of participating institutions as pro-
7 vided for under section 796 of Public Law 109-97,
8 \$3,500,000 is hereby rescinded.

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9 SEC. 751. EXTENSION OF AGRICULTURAL PRO-
10 GRAMS. (a) EXTENSION.—Except as otherwise provided in
11 this Act and notwithstanding any other provision of law,
12 the authorities provided under the Farm Security and
13 Rural Investment Act of 2002 (Public Law 107-171; 7
14 U.S.C. 7901 et seq.) and each amendment made by that
15 Act (and for mandatory programs at such funding levels),
16 as in effect on September 30, 2007, shall continue, and
17 the Secretary of Agriculture shall carry out the authori-
18 ties, until March 15, 2008.

19 (b) CONSERVATION PROGRAMS.—

20 (1) FARMLAND PROTECTION PROGRAM.—Not-
21 withstanding any other provision of law, the Sec-
22 retary of Agriculture (referred to in this subsection
23 as the “Secretary”) shall continue the farmland pro-
24 tection program established under subchapter B of
25 chapter 2 of subtitle D of title XII of the Food Se-

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AMENDMENT NO.

Calendar No.

Purpose: To extend certain agricultural programs of the Farm Security and Rural Investment Act of 2002 until March 15, 2008.

IN THE SENATE OF THE UNITED STATES—110th Cong., 1st Sess.

(no.)

(title)

Referred to the Committee on _____ and
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by

Viz:

1 At the appropriate place, insert the following:

2 **SEC. . EXTENSION OF AGRICULTURAL PROGRAMS.**

3 (a) EXTENSION.—Except as otherwise provided in
4 this Act and notwithstanding any other provision of law,
5 the authorities provided under the Farm Security and
6 Rural Investment Act of 2002 (Public Law 107–171; 7
7 U.S.C. 7901 et seq.) and each amendment made by that
8 Act (and for mandatory programs at such funding levels),
9 as in effect on September 30, 2007, shall continue, and
10 the Secretary of Agriculture shall carry out the authori-
11 ties, until March 15, 2008.

(751

1 (b) CONSERVATION PROGRAMS.—

2 (1) FARMLAND PROTECTION PROGRAM.—Not-
3 withstanding any other provision of law, the Sec-
4 retary of Agriculture (referred to in this subsection
5 as the “Secretary”) shall continue the farmland pro-
6 tection program established under subchapter B of
7 chapter 2 of subtitle D of title XII of the Food Se-
8 curity Act of 1985 (16 U.S.C. 3838h et seq.) at a
9 funding level of \$97,000,000 per year.

10 (2) GROUND AND SURFACE WATER CONSERVA-
11 TION.—Notwithstanding any other provision of law,
12 the Secretary shall continue the ground and surface
13 water conservation program established under sec-
14 tion 1240I of the Food Security Act of 1985 (16
15 U.S.C. 3839aa-9) at a funding level of \$60,000,000
16 per year.

17 (3) WILDLIFE HABITAT INCENTIVES PRO-
18 GRAM.—Notwithstanding any other provision of law,
19 the Secretary shall continue the wildlife habitat in-
20 centive program established under section 1240N of
21 the Food Security Act of 1985 (16 U.S.C. 3839bb-
22 1) at a funding level of \$85,000,000 per year.

23 (c) EXCEPTIONS.—This section does not apply with
24 respect to—

1 (1) section 1307(a)(6) of the Farm Security
2 and Rural Investment Act of 2002 (7 U.S.C.
3 7957(a)(6));

4 (2) section 524(b) of the Federal Crop Insur-
5 ance Act (7 U.S.C. 1524(b));

6 (3) section 25 of the Food Stamp Act of 1977
7 (7 U.S.C. 2034);

8 (4) title VI of the Rural Electrification Act of
9 1936 (7 U.S.C. 950bb et seq.);

10 (5) section 231 of the Agricultural Risk Protec-
11 tion Act of 2000 (7 U.S.C. 1621 note; Public Law
12 106-224);

13 (6) section 9002 of the Farm Security and
14 Rural Investment Act of 2002 (7 U.S.C. 8102);

15 (7) section 9004 of the Farm Security and
16 Rural Investment Act of 2002 (7 U.S.C. 8104);

17 (8) section 9006 of the Farm Security and
18 Rural Investment Act of 2002 (7 U.S.C. 8106); and

19 (9) subtitles A through C of title I of the Farm
20 Security and Rural Investment Act of 2002 (7
21 U.S.C. 7911 et seq.), with respect to the 2008 crops
22 (other than the 2008 crop of a loan commodity de-
23 scribed in paragraph (11), (12), or (13) of section
24 1202(b) of the Farm Security and Rural Investment
25 Act of 2002 (7 U.S.C. 7932(b))).

88B

(752)

1 SEC. . (a) Except as provided in subsection (c),
2 there is hereby rescinded an amount equal to 0.7 percent
3 of the budget authority provided for fiscal year 2008 for
4 any discretionary account in division A of this Act.

5 (b) Any rescission made by subsection (a) shall be
6 applied proportionately—

7 (1) to each discretionary account and each item
8 of budget authority described in subsection (a); and

9 (2) within each such account and item, to each
10 program, project, and activity (with programs,
11 projects, and activities as delineated in the appro-
12 priation Act, accompanying reports, or explanatory
13 statement for the relevant fiscal year covering such
14 account or item).

15 (c) The rescission in subsection (a) shall not apply
16 to budget authority appropriated or otherwise made avail-
17 able by this Act in the following amounts in the following
18 activities or accounts:

19 (1) \$6,020,000,000 provided for the Special
20 Supplemental Nutrition Program for Women, In-
21 fants, and Children (WIC) in the Department of Ag-
22 riculture in division A.

1 (2) \$930,120,000 provided for the Food Safety
2 and Inspection Service in the Department of Agri-
3 culture in division A.

4 (3) Any amount designated as described in sec-
5 tion 5 (in the matter preceding division A of this
6 consolidated Act).

7 (d) Not later than 30 days after the date of enact-
8 ment of this Act, the Director of the Office of Manage-
9 ment and Budget shall submit to the Committee on Ap-
10 propriations of the Senate and the Committee on Appro-
11 priations of the House of Representatives a report that
12 specifies the account and amount of each rescission made
13 pursuant to this section.

1 curity Act of 1985 (16 U.S.C. 3838h et seq.) at a
2 funding level of \$97,000,000 per year.

3 (2) GROUND AND SURFACE WATER CONSERVA-
4 TION.—Notwithstanding any other provision of law,
5 the Secretary shall continue the ground and surface
6 water conservation program established under sec-
7 tion 1240I of the Food Security Act of 1985 (16
8 U.S.C. 3839aa-9) at a funding level of \$60,000,000
9 per year.

10 (3) WILDLIFE HABITAT INCENTIVES PRO-
11 GRAM.—Notwithstanding any other provision of law,
12 the Secretary shall continue the wildlife habitat in-
13 centive program established under section 1240N of
14 the Food Security Act of 1985 (16 U.S.C. 3839bb-
15 1) at a funding level of \$85,000,000 per year.

16 (c) EXCEPTIONS.—This section does not apply with
17 respect to—

18 (1) section 1307(a)(6) of the Farm Security
19 and Rural Investment Act of 2002 (7 U.S.C.
20 7957(a)(6));

21 (2) section 524(b) of the Federal Crop Insur-
22 ance Act (7 U.S.C. 1524(b));

23 (3) section 25 of the Food Stamp Act of 1977
24 (7 U.S.C. 2034);

- 1 ~~(4) title VI of the Rural Electrification Act of~~
2 ~~1936 (7 U.S.C. 950bb et seq.);~~
3 ~~(5) section 231 of the Agricultural Risk Protec-~~
4 ~~tion Act of 2000 (7 U.S.C. 1621 note; Public Law~~
5 ~~106-224);~~
6 ~~(6) section 9002 of the Farm Security and~~
7 ~~Rural Investment Act of 2002 (7 U.S.C. 8102);~~
8 ~~(7) section 9004 of the Farm Security and~~
9 ~~Rural Investment Act of 2002 (7 U.S.C. 8104);~~
10 ~~(8) section 9006 of the Farm Security and~~
11 ~~Rural Investment Act of 2002 (7 U.S.C. 8106); and~~
12 ~~(9) subtitles A through C of title I of the Farm~~
13 ~~Security and Rural Investment Act of 2002 (7~~
14 ~~U.S.C. 7911 et seq.), with respect to the 2008 crops~~
15 ~~except wool and mohair.~~

16 This division may be cited as the “Agriculture, Rural
17 Development, Food and Drug Administration, and Re-
18 lated Agencies Appropriations Act, 2008”.