

In the Senate of the United States,

August 4, 2009.

Resolved, That the bill from the House of Representatives (H.R. 2997) entitled “An Act making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes.”, do pass with the following

AMENDMENT:

Strike out all after the enacting clause and insert:

1 *That the following sums are appropriated, out of any*
2 *money in the Treasury not otherwise appropriated, for Ag-*
3 *riculture, Rural Development, Food and Drug Administra-*
4 *tion, and Related Agencies programs for the fiscal year end-*
5 *ing September 30, 2010, and for other purposes, namely:*

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TITLE I

AGRICULTURAL PROGRAMS

PRODUCTION, PROCESSING AND MARKETING

OFFICE OF THE SECRETARY

For necessary expenses of the Office of the Secretary of Agriculture, \$5,285,000: Provided, That not to exceed \$11,000 of this amount shall be available for official reception and representation expenses, not otherwise provided for, as determined by the Secretary.

OFFICE OF TRIBAL RELATIONS

For necessary expenses of the Office of Tribal Relations, \$1,000,000, to support communication and consultation activities with Federally Recognized Tribes, as well as other requirements established by law.

EXECUTIVE OPERATIONS

OFFICE OF THE CHIEF ECONOMIST

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

NATIONAL APPEALS DIVISION

For necessary expenses of the National Appeals Division, \$15,219,000.

OFFICE OF BUDGET AND PROGRAM ANALYSIS

For necessary expenses of the Office of Budget and Program Analysis, \$9,436,0000.

1 *OFFICE OF HOMELAND SECURITY*

2 *For necessary expenses of the Office of Homeland Secu-*
3 *riety, \$1,859,000.*

4 *OFFICE OF THE CHIEF INFORMATION OFFICER*

5 *For necessary expenses of the Office of the Chief Infor-*
6 *mation Officer, \$63,579,000.*

7 *OFFICE OF THE CHIEF FINANCIAL OFFICER*

8 *For necessary expenses of the Office of the Chief Finan-*
9 *cial Officer, \$6,566,000: Provided, That no funds made*
10 *available by this appropriation may be obligated for FAIR*
11 *Act or Circular A-76 activities until the Secretary has sub-*
12 *mitted to the Committees on Appropriations of both Houses*
13 *of Congress and the Committee on Oversight and Govern-*
14 *ment Reform of the House of Representatives a report on*
15 *the Department's contracting out policies, including agency*
16 *budgets for contracting out.*

17 *OFFICE OF THE ASSISTANT SECRETARY FOR CIVIL*

18 *RIGHTS*

19 *For necessary expenses of the Office of the Assistant*
20 *Secretary for Civil Rights, \$895,000.*

21 *OFFICE OF CIVIL RIGHTS*

22 *For necessary expenses of the Office of Civil Rights,*
23 *\$23,422,000.*

1 *OFFICE OF THE ASSISTANT SECRETARY FOR*
2 *ADMINISTRATION*
3 *For necessary expenses of the Office of the Assistant*
4 *Secretary for Administration, \$806,000.*

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 Administrator*
11 *of General Services to the Department of Agriculture under*
12 *40 U.S.C. 486, for programs and activities of the Depart-*
13 *ment which are included in this Act, and for alterations*
14 *and other actions needed for the Department and its agen-*
15 *cies to consolidate unneeded space into configurations suit-*
16 *able for release to the Administrator of General Services,*
17 *and for the operation, maintenance, improvement, and re-*
18 *pair of Agriculture buildings and facilities, and for related*
19 *costs, \$274,482,000, to remain available until expended, of*
20 *which \$168,901,000 shall be available for payments to the*
21 *General Services Administration for rent; of which*
22 *\$13,500,000 for payment to the Department of Homeland*
23 *Security for building security activities; and of which*
24 *\$92,081,000 for buildings operations and maintenance ex-*
25 *penses: Provided, That the Secretary is authorized to trans-*

1 *fer funds from a Departmental agency to this account to*
2 *recover the full cost of the space and security expenses of*
3 *that agency that are funded by this account when the actual*
4 *costs exceed the agency estimate which will be available for*
5 *the activities and payments described herein.*

6 *HAZARDOUS MATERIALS MANAGEMENT*

7 *(INCLUDING TRANSFERS OF FUNDS)*

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

19 *DEPARTMENTAL ADMINISTRATION*

20 *(INCLUDING TRANSFERS OF FUNDS)*

21 *For Departmental Administration, \$41,319,000, to*
22 *provide for necessary expenses for management support*
23 *services to offices of the Department and for general admin-*
24 *istration, security, repairs and alterations, and other mis-*
25 *cellaneous supplies and expenses not otherwise provided for*

1 *and necessary for the practical and efficient work of the*
2 *Department: Provided, That this appropriation shall be re-*
3 *imbursed from applicable appropriations in this Act for*
4 *travel expenses incident to the holding of hearings as re-*
5 *quired by 5 U.S.C. 551–558: Provided further, That of the*
6 *amount appropriated, \$13,000,000 is for stabilization and*
7 *developmental activities to be carried out under the author-*
8 *ity provided by title XIV of the Food and Agriculture Act*
9 *of 1977 (7 U.S.C. 3101 et seq.) and other applicable laws.*

10 *OFFICE OF THE ASSISTANT SECRETARY FOR*

11 *CONGRESSIONAL RELATIONS*

12 *(INCLUDING TRANSFERS OF FUNDS)*

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

1 *Department by this Act shall be available to the Depart-*
2 *ment for support of activities of congressional relations.*

3 *OFFICE OF COMMUNICATIONS*

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

6 *OFFICE OF INSPECTOR GENERAL*

7 *For necessary expenses of the Office of Inspector Gen-*
8 *eral, including employment pursuant to the Inspector Gen-*
9 *eral Act of 1978, \$88,025,000, including such sums as may*
10 *be necessary for contracting and other arrangements with*
11 *public agencies and private persons pursuant to section*
12 *6(a)(9) of the Inspector General Act of 1978, and including*
13 *not to exceed \$125,000 for certain confidential operational*
14 *expenses, including the payment of informants, to be ex-*
15 *pended under the direction of the Inspector General pursu-*
16 *ant to Public Law 95-452 and section 1337 of Public Law*
17 *97-98: Provided, That of the amount made available for*
18 *the Office of Inspector General to conduct investigations*
19 *such sums as are necessary shall be made available for the*
20 *inspection of the national organic program established*
21 *under the Organic Foods Production Act of 1990 (7 U.S.C.*
22 *6501 et seq.).*

23 *OFFICE OF THE GENERAL COUNSEL*

24 *For necessary expenses of the Office of the General*
25 *Counsel, \$43,551,000.*

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

3 *For necessary expenses of the Office of the Under Sec-*
4 *retary for Research, Education and Economics, \$895,000.*

5 *ECONOMIC RESEARCH SERVICE*

6 *For necessary expenses of the Economic Research Serv-*
7 *ice, \$82,078,000.*

8 *NATIONAL AGRICULTURAL STATISTICS SERVICE*

9 *For necessary expenses of the National Agricultural*
10 *Statistics Service, \$161,830,000, of which up to \$37,908,000*
11 *shall be available until expended for the Census of Agri-*
12 *culture.*

13 *AGRICULTURAL RESEARCH SERVICE*

14 *SALARIES AND EXPENSES*

15 *For necessary expenses of the Agricultural Research*
16 *Service and for acquisition of lands by donation, exchange,*
17 *or purchase at a nominal cost not to exceed \$100, and for*
18 *land exchanges where the lands exchanged shall be of equal*
19 *value or shall be equalized by a payment of money to the*
20 *grantor which shall not exceed 25 percent of the total value*
21 *of the land or interests transferred out of Federal ownership,*
22 *\$1,181,632,000, of which \$35,512,000 shall be for the pur-*
23 *poses, and in the amounts, specified in the table titled*
24 *“Congressionally Designated Projects” in the report to ac-*
25 *company this Act: Provided, That appropriations here-*

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

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

3 *BUILDINGS AND FACILITIES*

4 *For acquisition of land, construction, repair, improve-*
5 *ment, extension, alteration, and purchase of fixed equip-*
6 *ment or facilities as necessary to carry out the agricultural*
7 *research programs of the Department of Agriculture, where*
8 *not otherwise provided, \$47,027,000, of which \$47,027,000*
9 *shall be for the purposes, and in the amounts, specified in*
10 *the table titled “Congressionally Designated Projects” in the*
11 *report to accompany this Act, to remain available until ex-*
12 *pended.*

13 *NATIONAL INSTITUTE OF FOOD AND AGRICULTURE*

14 *RESEARCH AND EDUCATION ACTIVITIES*

15 *For payments to agricultural experiment stations, for*
16 *cooperative forestry and other research, for facilities, and*
17 *for other expenses, \$757,821,000, of which \$61,406,000 shall*
18 *be for the purposes, and in the amounts, specified in the*
19 *table titled “Congressionally Designated Projects” in the re-*
20 *port to accompany this Act, as follows: to carry out the*
21 *provisions of the Hatch Act of 1887 (7 U.S.C. 361a–i),*
22 *\$215,000,000; for grants for cooperative forestry research*
23 *(16 U.S.C. 582a through a–7), \$30,000,000; for payments*
24 *to eligible institutions (7 U.S.C. 3222), \$49,000,000, pro-*
25 *vided that each institution receives no less than \$1,000,000;*

1 *for special grants (7 U.S.C. 450i(c)), \$50,456,000; for com-*
2 *petitive grants on improved pest control (7 U.S.C. 450i(c)),*
3 *\$16,423,000; for competitive grants (7 U.S.C. 450(i)(b)),*
4 *\$295,181,000, to remain available until expended; for the*
5 *support of animal health and disease programs (7 U.S.C.*
6 *3195), \$1,000,000; for supplemental and alternative crops*
7 *and products (7 U.S.C. 3319d), \$850,000; for grants for re-*
8 *search pursuant to the Critical Agricultural Materials Act*
9 *(7 U.S.C. 178 et seq.), \$1,083,000, to remain available until*
10 *expended; for the 1994 research grants program for 1994*
11 *institutions pursuant to section 536 of Public Law 103-*
12 *382 (7 U.S.C. 301 note), \$2,000,000, to remain available*
13 *until expended; for rangeland research grants (7 U.S.C.*
14 *3333), \$983,000; for higher education graduate fellowship*
15 *grants (7 U.S.C. 3152(b)(6)), \$3,859,000, to remain avail-*
16 *able until expended (7 U.S.C. 2209b); for a program pursu-*
17 *ant to section 1415A of the National Agricultural Research,*
18 *Extension, and Teaching Policy Act of 1977 (7 U.S.C.*
19 *3151a), \$5,000,000, to remain available until expended; for*
20 *higher education challenge grants (7 U.S.C. 3152(b)(1)),*
21 *\$5,654,000; for a higher education multicultural scholars*
22 *program (7 U.S.C. 3152(b)(5)), \$981,000, to remain avail-*
23 *able until expended (7 U.S.C. 2209b); for an education*
24 *grants program for Hispanic-serving Institutions (7 U.S.C.*
25 *3241), \$7,737,000; for competitive grants for the purpose*

1 *of carrying out all provisions of 7 U.S.C. 3156 to indi-*
2 *vidual eligible institutions or consortia of eligible institu-*
3 *tions in Alaska and in Hawaii, with funds awarded equally*
4 *to each of the States of Alaska and Hawaii, \$3,200,000;*
5 *for a secondary agriculture education program and 2-year*
6 *post-secondary education (7 U.S.C. 3152(j)), \$983,000; for*
7 *aquaculture grants (7 U.S.C. 3322), \$3,928,000; for sus-*
8 *tainable agriculture research and education (7 U.S.C.*
9 *5811), \$14,500,000; for a program of capacity building*
10 *grants (7 U.S.C. 3152(b)(4)) to institutions eligible to re-*
11 *ceive funds under 7 U.S.C. 3221 and 3222, \$16,500,000,*
12 *to remain available until expended (7 U.S.C. 2209b); for*
13 *payments to the 1994 Institutions pursuant to section*
14 *534(a)(1) of Public Law 103–382, \$3,342,000; for resident*
15 *instruction grants for insular areas under section 1491 of*
16 *the National Agricultural Research, Extension, and Teach-*
17 *ing Policy Act of 1977 (7 U.S.C. 3363), \$800,000; for a*
18 *new era rural technology program pursuant to section*
19 *1473E of the National Agricultural Research, Extension,*
20 *and Teaching Policy Act of 1977 (7 U.S.C. 3319e),*
21 *\$750,000; for a competitive grants program for farm busi-*
22 *ness management and benchmarking (7 U.S.C. 5925f),*
23 *\$2,000,000; for a competitive grants program regarding*
24 *biobased energy (7 U.S.C. 8114), \$1,500,000; and for nec-*
25 *essary expenses of Research and Education Activities,*

1 \$25,111,000, of which \$2,704,000 for the Research, Edu-
2 cation, and Economics Information System and \$2,136,000
3 for the Electronic Grants Information System, are to re-
4 main available until expended.

5 NATIVE AMERICAN INSTITUTIONS ENDOWMENT FUND

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

9 EXTENSION ACTIVITIES

10 For payments to States, the District of Columbia,
11 Puerto Rico, Guam, the Virgin Islands, Micronesia, the
12 Northern Marianas, and American Samoa, \$491,292,000,
13 of which \$7,898,000 shall be for the purposes, and in the
14 amounts, specified in the table titled "Congressionally Des-
15 ignated Projects" in the report to accompany this Act, as
16 follows: payments for cooperative extension work under the
17 Smith-Lever Act, to be distributed under sections 3(b) and
18 3(c) of said Act, and under section 208(c) of Public Law
19 93-471, for retirement and employees' compensation costs
20 for extension agents, \$300,000,000; payments for extension
21 work at the 1994 Institutions under the Smith-Lever Act
22 (7 U.S.C. 343(b)(3)), \$4,000,000; payments for the nutri-
23 tion and family education program for low-income areas
24 under section 3(d) of the Act, \$68,139,000; payments for
25 the pest management program under section 3(d) of the Act,

1 \$10,085,000; payments for the farm safety program under
2 section 3(d) of the Act, \$4,863,000; payments for New Tech-
3 nologies for Ag Extension under section 3(d) of the Act,
4 \$2,000,000; payments to upgrade research, extension, and
5 teaching facilities at institutions eligible to receive funds
6 under 7 U.S.C. 3221 and 3222, \$18,540,000, to remain
7 available until expended; payments for youth-at-risk pro-
8 grams under section 3(d) of the Smith-Lever Act,
9 \$8,427,000; for youth farm safety education and certifi-
10 cation extension grants, to be awarded competitively under
11 section 3(d) of the Act, \$493,000; payments for carrying
12 out the provisions of the Renewable Resources Extension Act
13 of 1978 (16 U.S.C. 1671 et seq.), \$4,128,000; payments for
14 the federally-recognized Tribes Extension Program under
15 section 3(d) of the Smith-Lever Act, \$3,090,000; payments
16 for sustainable agriculture programs under section 3(d) of
17 the Act, \$4,705,000; payments for rural health and safety
18 education as authorized by section 502(i) of Public Law
19 92-419 (7 U.S.C. 2662(i)), \$1,738,000; payments for coop-
20 erative extension work by eligible institutions (7 U.S.C.
21 3221), \$41,354,000, provided that each institution receives
22 no less than \$1,000,000; for grants to youth organizations
23 pursuant to 7 U.S.C. 7630, \$1,767,000; payments to carry
24 out the food animal residue avoidance database program
25 as authorized by 7 U.S.C. 7642, \$1,000,000; payments to

1 *carry out section 1672(e)(49) of the Food, Agriculture, Con-*
2 *servation, and Trade Act of 1990 (7 U.S.C. 5925), as*
3 *amended, \$500,000; and for necessary expenses of Extension*
4 *Activities, \$16,463,000.*

5 *INTEGRATED ACTIVITIES*

6 *For the integrated research, education, and extension*
7 *grants programs, including necessary administrative ex-*
8 *penses, \$56,864,000, as follows: for competitive grants pro-*
9 *grams authorized under section 406 of the Agricultural Re-*
10 *search, Extension, and Education Reform Act of 1998 (7*
11 *U.S.C. 7626), \$41,990,000, including \$12,649,000 for the*
12 *water quality program, \$14,596,000 for the food safety pro-*
13 *gram, \$4,096,000 for the regional pest management centers*
14 *program, \$4,388,000 for the Food Quality Protection Act*
15 *risk mitigation program for major food crop systems,*
16 *\$1,365,000 for the crops affected by Food Quality Protection*
17 *Act implementation, \$3,054,000 for the methyl bromide*
18 *transition program, and \$1,842,000 for the organic transi-*
19 *tion program; for a competitive international science and*
20 *education grants program authorized under section 1459A*
21 *of the National Agricultural Research, Extension, and*
22 *Teaching Policy Act of 1977 (7 U.S.C. 3292b), to remain*
23 *available until expended, \$3,000,000; for grants programs*
24 *authorized under section 2(c)(1)(B) of Public Law 89–106,*
25 *as amended, \$732,000, to remain available until September*

1 30, 2011, for the critical issues program; \$1,312,000 for the
2 regional rural development centers program; and
3 \$9,830,000 for the Food and Agriculture Defense Initiative
4 authorized under section 1484 of the National Agricultural
5 Research, Extension, and Teaching Policy Act of 1977, to
6 remain available until September 30, 2011.

7 OFFICE OF THE UNDER SECRETARY FOR MARKETING AND
8 REGULATORY PROGRAMS

9 For necessary expenses of the Office of the Under Sec-
10 retary for Marketing and Regulatory Programs, \$895,000.

11 ANIMAL AND PLANT HEALTH INSPECTION SERVICE

12 SALARIES AND EXPENSES

13 (INCLUDING TRANSFERS OF FUNDS)

14 For necessary expenses of the Animal and Plant
15 Health Inspection Service, including up to \$30,000 for rep-
16 resentation allowances and for expenses pursuant to the
17 Foreign Service Act of 1980 (22 U.S.C. 4085),
18 \$911,394,000, of which \$18,059,000 shall be for the pur-
19 poses, and in the amounts, specified in the table titled
20 “Congressionally Designated Projects” in the report to ac-
21 company this Act, of which \$2,058,000 shall be available
22 for the control of outbreaks of insects, plant diseases, animal
23 diseases and for control of pest animals and birds to the
24 extent necessary to meet emergency conditions; of which
25 \$23,390,000 shall be used for the cotton pests program for

1 *cost share purposes or for debt retirement for active eradi-*
2 *cation zones; of which \$7,300,000 shall be for a National*
3 *Animal Identification program and may only be used for*
4 *ongoing activities and purposes (as of the date of enactment*
5 *of this Act) relating to proposed rulemaking for that pro-*
6 *gram under subchapter II of chapter 5, and chapter 7, of*
7 *title 5, United States Code (commonly known as the “Ad-*
8 *ministrative Procedure Act”); of which \$60,243,000 shall*
9 *be used to prevent and control avian influenza and shall*
10 *remain available until expended: Provided, That funds pro-*
11 *vided for the contingency fund to meet emergency condi-*
12 *tions, information technology infrastructure, fruit fly pro-*
13 *gram, emerging plant pests, cotton pests program, grass-*
14 *hopper and mormon cricket program, the plum pox pro-*
15 *gram, the National Veterinary Stockpile, the National Ani-*
16 *mal Identification System, up to \$1,500,000 in the scrapie*
17 *program for indemnities, up to \$1,000,000 for wildlife serv-*
18 *ices methods development, up to \$1,000,000 of the wildlife*
19 *services operations program for aviation safety, and up to*
20 *25 percent of the screwworm program shall remain avail-*
21 *able until expended: Provided further, That no funds shall*
22 *be used to formulate or administer a brucellosis eradication*
23 *program for the current fiscal year that does not require*
24 *minimum matching by the States of at least 40 percent:*
25 *Provided further, That this appropriation shall be available*

1 *for the operation and maintenance of aircraft and the pur-*
2 *chase of not to exceed four, of which two shall be for replace-*
3 *ment only: Provided further, That, in addition, in emer-*
4 *gencies which threaten any segment of the agricultural pro-*
5 *duction industry of this country, the Secretary may trans-*
6 *fer from other appropriations or funds available to the*
7 *agencies or corporations of the Department such sums as*
8 *may be deemed necessary, to be available only in such emer-*
9 *gencies for the arrest and eradication of contagious or infec-*
10 *tious disease or pests of animals, poultry, or plants, and*
11 *for expenses in accordance with sections 10411 and 10417*
12 *of the Animal Health Protection Act (7 U.S.C. 8310 and*
13 *8316) and sections 431 and 442 of the Plant Protection Act*
14 *(7 U.S.C. 7751 and 7772), and any unexpended balances*
15 *of funds transferred for such emergency purposes in the pre-*
16 *ceding fiscal year shall be merged with such transferred*
17 *amounts: Provided further, That appropriations hereunder*
18 *shall be available pursuant to law (7 U.S.C. 2250) for the*
19 *repair and alteration of leased buildings and improve-*
20 *ments, but unless otherwise provided the cost of altering any*
21 *one building during the fiscal year shall not exceed 10 per-*
22 *cent of the current replacement value of the building: Pro-*
23 *vided further, That of the amount available under this head-*
24 *ing, at least \$17,764,000 shall be used for the tuberculosis*

1 program (including at least \$3,000,000 for tuberculosis in-
2 demnity and depopulation).

3 *In fiscal year 2010, the agency is authorized to collect*
4 *fees to cover the total costs of providing technical assistance,*
5 *goods, or services requested by States, other political sub-*
6 *divisions, domestic and international organizations, foreign*
7 *governments, or individuals, provided that such fees are*
8 *structured such that any entity's liability for such fees is*
9 *reasonably based on the technical assistance, goods, or serv-*
10 *ices provided to the entity by the agency, and such fees shall*
11 *be credited to this account, to remain available until ex-*
12 *pended, without further appropriation, for providing such*
13 *assistance, goods, or services.*

14 *BUILDINGS AND FACILITIES*

15 *For plans, construction, repair, preventive mainte-*
16 *nance, environmental support, improvement, extension, al-*
17 *teration, and purchase of fixed equipment or facilities, as*
18 *authorized by 7 U.S.C. 2250, and acquisition of land as*
19 *authorized by 7 U.S.C. 428a, \$4,712,000, to remain avail-*
20 *able until expended.*

21 *AGRICULTURAL MARKETING SERVICE*

22 *MARKETING SERVICES*

23 *For necessary expenses of the Agricultural Marketing*
24 *Service, \$90,848,000: Provided, That this appropriation*
25 *shall be available pursuant to law (7 U.S.C. 2250) for the*

1 *alteration and repair of buildings and improvements, but*
2 *the cost of altering any one building during the fiscal year*
3 *shall not exceed 10 percent of the current replacement value*
4 *of the building.*

5 *Fees may be collected for the cost of standardization*
6 *activities, as established by regulation pursuant to law (31*
7 *U.S.C. 9701).*

8 *LIMITATION ON ADMINISTRATIVE EXPENSES*

9 *Not to exceed \$64,583,000 (from fees collected) shall be*
10 *obligated during the current fiscal year for administrative*
11 *expenses: Provided, That if crop size is understated and/*
12 *or other uncontrollable events occur, the agency may exceed*
13 *this limitation by up to 10 percent with notification to the*
14 *Committees on Appropriations of both Houses of Congress.*

15 *FUNDS FOR STRENGTHENING MARKETS, INCOME, AND*

16 *SUPPLY (SECTION 32)*

17 *(INCLUDING TRANSFERS OF FUNDS)*

18 *Funds available under section 32 of the Act of August*
19 *24, 1935 (7 U.S.C. 612c), shall be used only for commodity*
20 *program expenses as authorized therein, and other related*
21 *operating expenses, including not less than \$20,000,000 for*
22 *replacement of a system to support commodity purchases,*
23 *except for: (1) transfers to the Department of Commerce as*
24 *authorized by the Fish and Wildlife Act of August 8, 1956;*
25 *(2) transfers otherwise provided in this Act; and (3) not*

1 *more than \$20,056,000 for formulation and administration*
 2 *of marketing agreements and orders pursuant to the Agri-*
 3 *cultural Marketing Agreement Act of 1937 and the Agricul-*
 4 *tural Act of 1961.*

5 *PAYMENTS TO STATES AND POSSESSIONS*

6 *For payments to departments of agriculture, bureaus*
 7 *and departments of markets, and similar agencies for mar-*
 8 *keting activities under section 204(b) of the Agricultural*
 9 *Marketing Act of 1946 (7 U.S.C. 1623(b)), \$1,334,000.*

10 *GRAIN INSPECTION, PACKERS AND STOCKYARDS*

11 *ADMINISTRATION*

12 *SALARIES AND EXPENSES*

13 *For necessary expenses of the Grain Inspection, Pack-*
 14 *ers and Stockyards Administration, \$41,564,000: Provided,*
 15 *That this appropriation shall be available pursuant to law*
 16 *(7 U.S.C. 2250) for the alteration and repair of buildings*
 17 *and improvements, but the cost of altering any one building*
 18 *during the fiscal year shall not exceed 10 percent of the cur-*
 19 *rent replacement value of the building.*

20 *LIMITATION ON INSPECTION AND WEIGHING SERVICES*

21 *EXPENSES*

22 *Not to exceed \$42,463,000 (from fees collected) shall be*
 23 *obligated during the current fiscal year for inspection and*
 24 *weighing services: Provided, That if grain export activities*
 25 *require additional supervision and oversight, or other un-*

1 *controllable factors occur, this limitation may be exceeded*
2 *by up to 10 percent with notification to the Committees*
3 *on Appropriations of both Houses of Congress.*

4 *OFFICE OF THE UNDER SECRETARY FOR FOOD SAFETY*

5 *For necessary expenses of the Office of the Under Sec-*
6 *retary for Food Safety, \$813,000.*

7 *FOOD SAFETY AND INSPECTION SERVICE*

8 *For necessary expenses to carry out services authorized*
9 *by the Federal Meat Inspection Act, the Poultry Products*
10 *Inspection Act, and the Egg Products Inspection Act, in-*
11 *cluding not to exceed \$50,000 for representation allowances*
12 *and for expenses pursuant to section 8 of the Act approved*
13 *August 3, 1956 (7 U.S.C. 1766), \$1,018,520,000; and in*
14 *addition, \$1,000,000 may be credited to this account from*
15 *fees collected for the cost of laboratory accreditation as au-*
16 *thorized by section 1327 of the Food, Agriculture, Conserva-*
17 *tion and Trade Act of 1990 (7 U.S.C. 138f): Provided, That*
18 *funds provided for the Public Health Data Communication*
19 *Infrastructure system shall remain available until ex-*
20 *pended: Provided further, That no fewer than 150 full-time*
21 *equivalent positions shall be employed during fiscal year*
22 *2010 for purposes dedicated solely to inspections and en-*
23 *forcement related to the Humane Methods of Slaughter Act:*
24 *Provided further, That of the amount available under this*
25 *heading, \$3,000,000 shall be obligated to maintain the Hu-*

1 *mane Animal Tracking System as part of the Public Health*
 2 *Data Communication Infrastructure System: Provided fur-*
 3 *ther, That this appropriation shall be available pursuant*
 4 *to law (7 U.S.C. 2250) for the alteration and repair of*
 5 *buildings and improvements, but the cost of altering any*
 6 *one building during the fiscal year shall not exceed 10 per-*
 7 *cent of the current replacement value of the building.*

8 *OFFICE OF THE UNDER SECRETARY FOR FARM AND*
 9 *FOREIGN AGRICULTURAL SERVICES*

10 *For necessary expenses of the Office of the Under Sec-*
 11 *retary for Farm and Foreign Agricultural Services,*
 12 *\$895,000.*

13 *FARM SERVICE AGENCY*

14 *SALARIES AND EXPENSES*

15 *(INCLUDING TRANSFERS OF FUNDS)*

16 *For necessary expenses of the Farm Service Agency,*
 17 *\$1,603,777,000: Provided, That the Secretary is authorized*
 18 *to use the services, facilities, and authorities (but not the*
 19 *funds) of the Commodity Credit Corporation to make pro-*
 20 *gram payments for all programs administered by the Agen-*
 21 *cy: Provided further, That other funds made available to*
 22 *the Agency for authorized activities may be advanced to and*
 23 *merged with this account: Provided further, That funds*
 24 *made available to county committees shall remain available*
 25 *until expended.*

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STATE MEDIATION GRANTS

For grants pursuant to section 502(b) of the Agricultural Credit Act of 1987, as amended (7 U.S.C. 5101–5106), \$4,369,000.

GRASSROOTS SOURCE WATER PROTECTION PROGRAM

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

DAIRY INDEMNITY PROGRAM

(INCLUDING TRANSFER OF FUNDS)

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

1 *AGRICULTURAL CREDIT INSURANCE FUND PROGRAM*

2 *ACCOUNT*

3 *(INCLUDING TRANSFERS OF FUNDS)*

4 *For gross obligations for the principal amount of di-*
5 *rect and guaranteed farm ownership (7 U.S.C. 1922 et seq.)*
6 *and operating (7 U.S.C. 1941 et seq.) loans, Indian tribe*
7 *land acquisition loans (25 U.S.C. 488), boll weevil loans*
8 *(7 U.S.C. 1989), direct and guaranteed conservation loans*
9 *(7 U.S.C. 1924 et seq.) and Indian highly fractionated land*
10 *loans (25 U.S.C. 488), to be available from funds in the*
11 *Agricultural Credit Insurance Fund, as follows: farm own-*
12 *ership loans, \$1,892,990,000, of which \$1,500,000,000 shall*
13 *be for unsubsidized guaranteed loans and \$392,990,000*
14 *shall be for direct loans; operating loans, \$1,994,467,000,*
15 *of which \$1,150,000,000 shall be for unsubsidized guaran-*
16 *teed loans, \$144,467,000 shall be for subsidized guaranteed*
17 *loans and \$700,000,000 shall be for direct loans; Indian*
18 *tribe land acquisition loans, \$2,000,000; conservation loans,*
19 *\$150,000,000, of which \$75,000,000 shall be for guaranteed*
20 *loans and \$75,000,000 shall be for direct loans; Indian*
21 *highly fractionated land loans, \$10,000,000; and for boll*
22 *weevil eradication program loans, \$100,000,000: Provided,*
23 *That the Secretary shall deem the pink bollworm to be a*
24 *boll weevil for the purpose of boll weevil eradication pro-*
25 *gram loans.*

1 *For the cost of direct and guaranteed loans, including*
2 *the cost of modifying loans as defined in section 502 of the*
3 *Congressional Budget Act of 1974, as follows: farm owner-*
4 *ship loans, \$21,584,000, of which \$5,550,000 shall be for*
5 *unsubsidized guaranteed loans, and \$16,034,000 shall be for*
6 *direct loans; operating loans, \$80,402,000, of which*
7 *\$26,910,000 shall be for unsubsidized guaranteed loans,*
8 *\$20,312,000 shall be for subsidized guaranteed loans, and*
9 *\$33,180,000 shall be for direct loans; conservation loans,*
10 *\$1,343,000, of which \$278,000 shall be for guaranteed loans,*
11 *and \$1,065,000 shall be for direct loans; and Indian highly*
12 *fractionated land loans, \$793,000.*

13 *In addition, for administrative expenses necessary to*
14 *carry out the direct and guaranteed loan programs,*
15 *\$321,093,000, of which \$313,173,000 shall be transferred to*
16 *and merged with the appropriation for “Farm Service*
17 *Agency, Salaries and Expenses”.*

18 *Funds appropriated by this Act to the Agricultural*
19 *Credit Insurance Program Account for farm ownership, op-*
20 *erating, and conservation direct loans and guaranteed loans*
21 *may be transferred among these programs: Provided, That*
22 *the Committees on Appropriations of both Houses of Con-*
23 *gress are notified at least 15 days in advance of any trans-*
24 *fer.*

1 *RISK MANAGEMENT AGENCY*

2 *For necessary expenses of the Risk Management Agen-*
3 *cy, \$79,425,000: Provided, That the funds made available*
4 *under section 522(e) of the Federal Crop Insurance Act (7*
5 *U.S.C. 1522(e)) may be used for the Common Information*
6 *Management System: Provided further, That not to exceed*
7 *\$1,000 shall be available for official reception and represen-*
8 *tation expenses, as authorized by 7 U.S.C. 1506(i).*

9 *CORPORATIONS*

10 *The following corporations and agencies are hereby au-*
11 *thorized to make expenditures, within the limits of funds*
12 *and borrowing authority available to each such corporation*
13 *or agency and in accord with law, and to make contracts*
14 *and commitments without regard to fiscal year limitations*
15 *as provided by section 104 of the Government Corporation*
16 *Control Act as may be necessary in carrying out the pro-*
17 *grams set forth in the budget for the current fiscal year for*
18 *such corporation or agency, except as hereinafter provided.*

19 *FEDERAL CROP INSURANCE CORPORATION FUND*

20 *For payments as authorized by section 516 of the Fed-*
21 *eral Crop Insurance Act (7 U.S.C. 1516), such sums as may*
22 *be necessary, to remain available until expended.*

1 *COMMODITY CREDIT CORPORATION FUND*
2 *REIMBURSEMENT FOR NET REALIZED LOSSES*
3 *(INCLUDING TRANSFERS OF FUNDS)*

4 *For the current fiscal year, such sums as may be nec-*
5 *essary to reimburse the Commodity Credit Corporation for*
6 *net realized losses sustained, but not previously reimbursed,*
7 *pursuant to section 2 of the Act of August 17, 1961 (15*
8 *U.S.C. 713a–11): Provided, That of the funds available to*
9 *the Commodity Credit Corporation under section 11 of the*
10 *Commodity Credit Corporation Charter Act (15 U.S.C.*
11 *714i) for the conduct of its business with the Foreign Agri-*
12 *cultural Service, up to \$5,000,000 may be transferred to*
13 *and used by the Foreign Agricultural Service for informa-*
14 *tion resource management activities of the Foreign Agricul-*
15 *tural Service that are not related to Commodity Credit Cor-*
16 *poration business.*

17 *HAZARDOUS WASTE MANAGEMENT*
18 *(LIMITATION ON EXPENSES)*

19 *For the current fiscal year, the Commodity Credit Cor-*
20 *poration shall not expend more than \$5,000,000 for site in-*
21 *vestigation and cleanup expenses, and operations and*
22 *maintenance expenses to comply with the requirement of*
23 *section 107(g) of the Comprehensive Environmental Re-*
24 *sponse, Compensation, and Liability Act (42 U.S.C.*

1 9607(g)), and section 6001 of the Resource Conservation
2 and Recovery Act (42 U.S.C. 6961).

3 *TITLE II*

4 *CONSERVATION PROGRAMS*

5 *OFFICE OF THE UNDER SECRETARY FOR NATURAL*
6 *RESOURCES AND ENVIRONMENT*

7 *For necessary expenses of the Office of the Under Sec-*
8 *retary for Natural Resources and Environment, \$895,000.*

9 *NATURAL RESOURCES CONSERVATION SERVICE*

10 *CONSERVATION OPERATIONS*

11 *For necessary expenses for carrying out the provisions*
12 *of the Act of April 27, 1935 (16 U.S.C. 590a–f), including*
13 *preparation of conservation plans and establishment of*
14 *measures to conserve soil and water (including farm irriga-*
15 *tion and land drainage and such special measures for soil*
16 *and water management as may be necessary to prevent*
17 *floods and the siltation of reservoirs and to control agricul-*
18 *tural related pollutants); operation of conservation plant*
19 *materials centers; classification and mapping of soil; dis-*
20 *semination of information; acquisition of lands, water, and*
21 *interests therein for use in the plant materials program by*
22 *donation, exchange, or purchase at a nominal cost not to*
23 *exceed \$100 pursuant to the Act of August 3, 1956 (7 U.S.C.*
24 *428a); purchase and erection or alteration or improvement*
25 *of permanent and temporary buildings; and operation and*

1 *maintenance of aircraft, \$949,577,000, to remain available*
2 *until September 30, 2011, of which up to \$50,730,000 may*
3 *be used in planning and carrying out projects for resource*
4 *conservation and development and for sound land use pur-*
5 *suant to the provisions of sections 31 and 32 of the*
6 *Bankhead-Jones Farm Tenant Act (7 U.S.C. 1010–1011;*
7 *76 Stat. 607); the Act of April 27, 1935 (16 U.S.C. 590a–*
8 *590f); and subtitle H of title XV of the Agriculture and*
9 *Food Act of 1981 (16 U.S.C. 3451–3461), and of which*
10 *\$21,511,000 shall be for the purposes, and in the amounts,*
11 *specified in the table titled “Congressionally Designated*
12 *Projects” in the report to accompany this Act: Provided,*
13 *That appropriations hereunder shall be available pursuant*
14 *to 7 U.S.C. 2250 for construction and improvement of*
15 *buildings and public improvements at plant materials cen-*
16 *ters, except that the cost of alterations and improvements*
17 *to other buildings and other public improvements shall not*
18 *exceed \$250,000: Provided further, That the Secretary is au-*
19 *thorized to transfer ownership of all land, buildings, and*
20 *related improvements of the Natural Resources Conserva-*
21 *tion Service facilities located in Medicine Bow, Wyoming,*
22 *to the Medicine Bow Conservation District: Provided fur-*
23 *ther, That when buildings or other structures are erected*
24 *on non-Federal land, that the right to use such land is ob-*
25 *tained as provided in 7 U.S.C. 2250a.*

1 *WATERSHED AND FLOOD PREVENTION OPERATIONS*

2 *For necessary expenses to carry out preventive meas-*
3 *ures, including but not limited to research, engineering op-*
4 *erations, methods of cultivation, the growing of vegetation,*
5 *rehabilitation of existing works and changes in use of land,*
6 *in accordance with the Watershed Protection and Flood*
7 *Prevention Act (16 U.S.C. 1001–1005 and 1007–1009), the*
8 *provisions of the Act of April 27, 1935 (16 U.S.C. 590a–*
9 *f), and in accordance with the provisions of laws relating*
10 *to the activities of the Department, \$24,394,000, to remain*
11 *available until expended, of which \$16,750,000 shall be for*
12 *the purposes, and in the amounts, specified in the table ti-*
13 *tled “Congressionally Designated Projects” in the report to*
14 *accompany this Act: Provided, That not to exceed*
15 *\$15,000,000 of this appropriation shall be available for*
16 *technical assistance.*

17 *WATERSHED REHABILITATION PROGRAM*

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

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TITLE III

RURAL DEVELOPMENT PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR RURAL

DEVELOPMENT

For necessary expenses of the Office of the Under Secretary for Rural Development, \$895,000.

RURAL DEVELOPMENT SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses for carrying out the administration and implementation of programs in the Rural Development mission area, including activities with institutions concerning the development and operation of agricultural cooperatives; and for cooperative agreements; \$207,237,000: Provided, That notwithstanding any other provision of law, funds appropriated under this section may be used for advertising and promotional activities that support the Rural Development mission area: Provided further, That not more than \$10,000 may be expended to provide modest nonmonetary awards to non-USDA employees: Provided further, That any balances available from prior years for the Rural Utilities Service, Rural Housing Service, and the Rural Business-Cooperative Service salaries and expenses accounts shall be transferred to and merged with this appropriation.

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RURAL HOUSING SERVICE

RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For gross obligations for the principal amount of direct and guaranteed loans as authorized by title V of the Housing Act of 1949, to be available from funds in the rural housing insurance fund, as follows: \$13,226,501,000 for loans to section 502 borrowers, of which \$1,226,501,000 shall be for direct loans, and of which \$12,000,000,000 shall be for unsubsidized guaranteed loans; \$34,412,000 for section 504 housing repair loans; \$69,512,000 for section 515 rental housing; \$129,090,000 for section 538 guaranteed multi-family housing loans; \$5,045,000 for section 524 site loans; \$11,448,000 for credit sales of acquired property, of which up to \$1,448,000 may be for multi-family credit sales; and \$4,970,000 for section 523 self-help housing land development loans.

For the cost of direct and guaranteed loans, including the cost of modifying loans, as defined in section 502 of the Congressional Budget Act of 1974, as follows: section 502 loans, \$217,322,000, of which \$44,522,000 shall be for direct loans, and of which \$172,800,000, to remain available until expended, shall be for unsubsidized guaranteed loans; section 504 housing repair loans, \$4,422,000; repair, rehabilitation, and new construction of section 515 rental

1 *housing, \$18,935,000; section 538 multi-family housing*
2 *guaranteed loans, \$1,485,000; and credit sales of acquired*
3 *property, \$556,000: Provided, That section 538 multi-fam-*
4 *ily housing guaranteed loans funded pursuant to this para-*
5 *graph shall not be subject to a guarantee fee and the interest*
6 *on such loans may not be subsidized: Provided further, That*
7 *any balances for a demonstration program for the preserva-*
8 *tion and revitalization of the section 515 multi-family rent-*
9 *al housing properties as authorized by Public Law 109-*
10 *97 and Public Law 110-5 shall be transferred to and*
11 *merged with the “Rural Housing Service, Multi-family*
12 *Housing Revitalization Program Account”.*

13 *In addition, for administrative expenses necessary to*
14 *carry out the direct and guaranteed loan programs,*
15 *\$468,593,000, which shall be transferred to and merged*
16 *with the appropriation for “Rural Development, Salaries*
17 *and Expenses”.*

18 *RENTAL ASSISTANCE PROGRAM*

19 *For rental assistance agreements entered into or re-*
20 *newed pursuant to the authority under section 521(a)(2)*
21 *or agreements entered into in lieu of debt forgiveness or*
22 *payments for eligible households as authorized by section*
23 *502(c)(5)(D) of the Housing Act of 1949, \$980,000,000;*
24 *and, in addition, such sums as may be necessary, as author-*
25 *ized by section 521(c) of the Act, to liquidate debt incurred*

1 *prior to fiscal year 1992 to carry out the rental assistance*
2 *program under section 521(a)(2) of the Act: Provided, That*
3 *of this amount, up to \$5,958,000 may be available for debt*
4 *forgiveness or payments for eligible households as authorized*
5 *by section 502(c)(5)(D) of the Act, and not to exceed*
6 *\$50,000 per project for advances to nonprofit organizations*
7 *or public agencies to cover direct costs (other than purchase*
8 *price) incurred in purchasing projects pursuant to section*
9 *502(c)(5)(C) of the Act: Provided further, That of this*
10 *amount not less than \$2,030,000 is available for newly con-*
11 *structed units financed by section 515 of the Housing Act*
12 *of 1949, and not less than \$3,400,000 is for newly con-*
13 *structed units financed under sections 514 and 516 of the*
14 *Housing Act of 1949: Provided further, That rental assist-*
15 *ance agreements entered into or renewed during the current*
16 *fiscal year shall be funded for a one-year period: Provided*
17 *further, That any unexpended balances remaining at the*
18 *end of such one-year agreements may be transferred and*
19 *used for the purposes of any debt reduction; maintenance,*
20 *repair, or rehabilitation of any existing projects; preserva-*
21 *tion; and rental assistance activities authorized under title*
22 *V of the Act: Provided further, That rental assistance pro-*
23 *vided under agreements entered into prior to fiscal year*
24 *2010 for a farm labor multi-family housing project financed*
25 *under section 514 or 516 of the Act may not be recaptured*

1 *for use in another project until such assistance has re-*
2 *mained unused for a period of 12 consecutive months, if*
3 *such project has a waiting list of tenants seeking such as-*
4 *sistance or the project has rental assistance eligible tenants*
5 *who are not receiving such assistance: Provided further,*
6 *That such recaptured rental assistance shall, to the extent*
7 *practicable, be applied to another farm labor multi-family*
8 *housing project financed under section 514 or 516 of the*
9 *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 notwith-*
14 *standing subsection (b) of such section, for the cost to con-*
15 *duct a housing demonstration program to provide revolving*
16 *loans for the preservation of low-income multi-family hous-*
17 *ing projects, and for additional costs to conduct a dem-*
18 *onstration program for the preservation and revitalization*
19 *of multi-family rental housing properties described in this*
20 *paragraph, \$39,651,000, to remain available until ex-*
21 *pendent: Provided, That of the funds made available under*
22 *this heading, \$18,000,000 shall be available for rural hous-*
23 *ing vouchers to any low-income household (including those*
24 *not receiving rental assistance) residing in a property fi-*
25 *nanced with a section 515 loan which has been prepaid*

1 *after September 30, 2005: Provided further, That the*
2 *amount of such voucher shall be the difference between com-*
3 *parable market rent for the section 515 unit and the tenant*
4 *paid rent for such unit: Provided further, That funds made*
5 *available for such vouchers shall be subject to the avail-*
6 *ability of annual appropriations: Provided further, That*
7 *the Secretary shall, to the maximum extent practicable, ad-*
8 *minister such vouchers with current regulations and ad-*
9 *ministrative guidance applicable to section 8 housing*
10 *vouchers administered by the Secretary of the Department*
11 *of Housing and Urban Development (including the ability*
12 *to pay administrative costs related to delivery of the vouch-*
13 *er funds): Provided further, That if the Secretary deter-*
14 *mines that the amount made available for vouchers in this*
15 *or any other Act is not needed for vouchers, the Secretary*
16 *may use such funds for the demonstration programs for the*
17 *preservation and revitalization of multi-family rental hous-*
18 *ing properties described in this paragraph: Provided fur-*
19 *ther, That of the funds made available under this heading,*
20 *\$1,791,000 shall be available for the cost of loans to private*
21 *nonprofit organizations, or such nonprofit organizations'*
22 *affiliate loan funds and State and local housing finance*
23 *agencies, to carry out a housing demonstration program to*
24 *provide revolving loans for the preservation of low-income*
25 *multi-family housing projects: Provided further, That loans*

1 *under such demonstration program shall have an interest*
2 *rate of not more than 1 percent direct loan to the recipient:*
3 *Provided further, That the Secretary may defer the interest*
4 *and principal payment to the Rural Housing Service for*
5 *up to 3 years and the term of such loans shall not exceed*
6 *30 years: Provided further, That of the funds made avail-*
7 *able under this heading, \$19,860,000 shall be available for*
8 *a demonstration program for the preservation and revital-*
9 *ization of the section 514, 515, and 516 multi-family rental*
10 *housing properties to restructure existing USDA multi-fam-*
11 *ily housing loans, as the Secretary deems appropriate, ex-*
12 *pressly for the purposes of ensuring the project has sufficient*
13 *resources to preserve the project for the purpose of providing*
14 *safe and affordable housing for low-income residents and*
15 *farm laborers including reducing or eliminating interest;*
16 *deferring loan payments, subordinating, reducing or re-*
17 *amortizing loan debt; and other financial assistance includ-*
18 *ing advances, payments and incentives (including the abil-*
19 *ity of owners to obtain reasonable returns on investment)*
20 *required by the Secretary: Provided further, That the Sec-*
21 *retary shall as part of the preservation and revitalization*
22 *agreement obtain a restrictive use agreement consistent*
23 *with the terms of the restructuring: Provided further, That*
24 *if the Secretary determines that additional funds for vouch-*
25 *ers described in this paragraph are needed, funds for the*

1 *preservation and revitalization demonstration program*
2 *may be used for such vouchers: Provided further, That the*
3 *Secretary may use any unobligated funds appropriated for*
4 *the rural housing voucher program in a prior fiscal year*
5 *to support information technology activities of the Rural*
6 *Housing Service to the extent the Secretary determines that*
7 *additional funds are not needed for this fiscal year to pro-*
8 *vide vouchers described in this paragraph: Provided further,*
9 *That if Congress enacts legislation to permanently author-*
10 *ize a multi-family rental housing loan restructuring pro-*
11 *gram similar to the demonstration program described here-*
12 *in, the Secretary may use funds made available for the dem-*
13 *onstration program under this heading to carry out such*
14 *legislation with the prior notification of the Committees on*
15 *Appropriations of both Houses of Congress.*

16 *MUTUAL AND SELF-HELP HOUSING GRANTS*

17 *For grants and contracts pursuant to section*
18 *523(b)(1)(A) of the Housing Act of 1949 (42 U.S.C. 1490c),*
19 *\$38,727,000, to remain available until expended.*

20 *RURAL HOUSING ASSISTANCE GRANTS*

21 *(INCLUDING TRANSFER OF FUNDS)*

22 *For grants and contracts for very low-income housing*
23 *repair, supervisory and technical assistance, compensation*
24 *for construction defects, and rural housing preservation*
25 *made by the Rural Housing Service, as authorized by 42*

1 *U.S.C. 1474, 1479(c), 1490e, and 1490m, \$41,500,000, to*
2 *remain available until expended: Provided, That any bal-*
3 *ances to carry out a housing demonstration program to pro-*
4 *vide revolving loans for the preservation of low-income*
5 *multi-family housing projects as authorized in Public Law*
6 *108–447 and Public Law 109–97 shall be transferred to and*
7 *merged with the “Rural Housing Service, Multi-family*
8 *Housing Revitalization Program Account”.*

9 *FARM LABOR PROGRAM ACCOUNT*

10 *For the cost of direct loans, grants, and contracts, as*
11 *authorized by 42 U.S.C. 1484 and 1486, \$16,968,000, to*
12 *remain available until expended, for direct farm labor hous-*
13 *ing loans and domestic farm labor housing grants and con-*
14 *tracts.*

15 *RURAL COMMUNITY FACILITIES PROGRAM ACCOUNT*

16 *(INCLUDING TRANSFERS OF FUNDS)*

17 *For the cost of direct loans, loan guarantees, and*
18 *grants for rural community facilities programs as author-*
19 *ized by section 306 and described in section 381E(d)(1) of*
20 *the Consolidated Farm and Rural Development Act,*
21 *\$54,993,000, to remain available until expended: Provided,*
22 *That \$6,256,000 of the amount appropriated under this*
23 *heading shall be available for a Rural Community Develop-*
24 *ment Initiative: Provided further, That such funds shall be*
25 *used solely to develop the capacity and ability of private,*

1 *nonprofit community-based housing and community devel-*
2 *opment organizations, low-income rural communities, and*
3 *Federally Recognized Native American Tribes to undertake*
4 *projects to improve housing, community facilities, commu-*
5 *nity and economic development projects in rural areas: Pro-*
6 *vided further, That such funds shall be made available to*
7 *qualified private, nonprofit and public intermediary orga-*
8 *nizations proposing to carry out a program of financial*
9 *and technical assistance: Provided further, That such inter-*
10 *mediary organizations shall provide matching funds from*
11 *other sources, including Federal funds for related activities,*
12 *in an amount not less than funds provided: Provided fur-*
13 *ther, That \$13,902,000 of the amount appropriated under*
14 *this heading shall be to provide grants for facilities in rural*
15 *communities with extreme unemployment and severe eco-*
16 *nomie depression (Public Law 106–387), with up to 5 per-*
17 *cent for administration and capacity building in the State*
18 *rural development offices: Provided further, That*
19 *\$3,972,000 of the amount appropriated under this heading*
20 *shall be available for community facilities grants to tribal*
21 *colleges, as authorized by section 306(a)(19) of such Act:*
22 *Provided further, That sections 381E–H and 381N of the*
23 *Consolidated Farm and Rural Development Act are not ap-*
24 *plicable to the funds made available under this heading:*
25 *Provided further, That any prior balances in the Rural De-*

1 *velopment, Rural Community Advancement Program ac-*
 2 *count for programs authorized by section 306 and described*
 3 *in section 381E(d)(1) of such Act be transferred and merged*
 4 *with this account and any other prior balances from the*
 5 *Rural Development, Rural Community Advancement Pro-*
 6 *gram account that the Secretary determines is appropriate*
 7 *to transfer.*

8 *RURAL BUSINESS—COOPERATIVE SERVICE*

9 *RURAL BUSINESS PROGRAM ACCOUNT*

10 *(INCLUDING TRANSFERS OF FUNDS)*

11 *For the cost of loan guarantees and grants, for the*
 12 *rural business development programs authorized by sections*
 13 *306 and 310B and described in sections 310B(f) and*
 14 *381E(d)(3) of the Consolidated Farm and Rural Develop-*
 15 *ment Act, \$97,116,000, to remain available until expended:*
 16 *Provided, That of the amount appropriated under this*
 17 *heading, not to exceed \$500,000 shall be made available for*
 18 *a grant to a qualified national organization to provide tech-*
 19 *nical assistance for rural transportation in order to pro-*
 20 *mote economic development and \$2,979,000 shall be for*
 21 *grants to the Delta Regional Authority (7 U.S.C. 2009aa*
 22 *et seq.) for any Rural Community Advancement Program*
 23 *purpose as described in section 381E(d) of the Consolidated*
 24 *Farm and Rural Development Act, of which not more than*
 25 *5 percent may be used for administrative expenses: Pro-*

1 *vided further, That \$4,000,000 of the amount appropriated*
2 *under this heading shall be for business grants to benefit*
3 *Federally Recognized Native American Tribes, including*
4 *\$250,000 for a grant to a qualified national organization*
5 *to provide technical assistance for rural transportation in*
6 *order to promote economic development: Provided further,*
7 *That sections 381E–H and 381N of the Consolidated Farm*
8 *and Rural Development Act are not applicable to funds*
9 *made available under this heading: Provided further, That*
10 *any prior balances in the Rural Development, Rural Com-*
11 *munity Advancement Program account for programs au-*
12 *thorized by sections 306 and 310B and described in sections*
13 *310B(f) and 381E(d)(3) of such Act be transferred and*
14 *merged with this account and any other prior balances from*
15 *the Rural Development, Rural Community Advancement*
16 *Program account that the Secretary determines is appro-*
17 *priate to transfer.*

18 *RURAL DEVELOPMENT LOAN FUND PROGRAM ACCOUNT*

19 *(INCLUDING TRANSFER OF FUNDS)*

20 *For the principal amount of direct loans, as authorized*
21 *by the Rural Development Loan Fund (42 U.S.C. 9812(a)),*
22 *\$33,536,000.*

23 *For the cost of direct loans, \$8,464,000, as authorized*
24 *by the Rural Development Loan Fund (42 U.S.C. 9812(a)),*
25 *of which \$1,035,000 shall be available through June 30,*

1 2010, for Federally Recognized Native American Tribes and
2 of which \$2,070,000 shall be available through June 30,
3 2010, for Mississippi Delta Region counties (as determined
4 in accordance with Public Law 100-460): Provided, That
5 such costs, including the cost of modifying such loans, shall
6 be as defined in section 502 of the Congressional Budget
7 Act of 1974.

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

12 RURAL ECONOMIC DEVELOPMENT LOANS PROGRAM

13 ACCOUNT

14 (INCLUDING RESCISSION OF FUNDS)

15 For the principal amount of direct loans, as authorized
16 under section 313 of the Rural Electrification Act, for the
17 purpose of promoting rural economic development and job
18 creation projects, \$33,077,000.

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

23 RURAL COOPERATIVE DEVELOPMENT GRANTS

24 For rural cooperative development grants authorized
25 under section 310B(e) of the Consolidated Farm and Rural

1 *Development Act (7 U.S.C. 1932(i)), \$38,854,000, of which*
2 *\$300,000 shall be for a cooperative research agreement with*
3 *a qualified academic institution to conduct research on the*
4 *national economic impact of all types of cooperatives; and*
5 *of which \$2,800,000 shall be for cooperative agreements for*
6 *the appropriate technology transfer for rural areas pro-*
7 *gram: Provided, That not to exceed \$3,463,000 shall be for*
8 *cooperatives or associations of cooperatives whose primary*
9 *focus is to provide assistance to small, socially disadvan-*
10 *tagged producers and whose governing board and/or member-*
11 *ship is comprised of at least 75 percent socially disadvan-*
12 *tagged members; and of which \$21,867,000, to remain avail-*
13 *able until expended, shall be for value-added agricultural*
14 *product market development grants, as authorized by sec-*
15 *tion 231 of the Agricultural Risk Protection Act of 2000*
16 *(7 U.S.C. 1621 note).*

17 *RURAL MICROENTERPRISE INVESTMENT PROGRAM*

18 *ACCOUNT*

19 *For the cost of loans and grants, \$22,000,000 as au-*
20 *thorized by section 379E of the Consolidated Farm and*
21 *Rural Development Act (7 U.S.C. 1981 et seq.): Provided,*
22 *That such costs of loans, including the cost of modifying*
23 *such loans, shall be as defined in section 502 of the Congres-*
24 *sional Budget Act of 1974.*

1 *RURAL ENERGY FOR AMERICA PROGRAM*

2 *For the cost of a program of loan guarantees and*
3 *grants, under the same terms and conditions as authorized*
4 *by section 9007 of the Farm Security and Rural Investment*
5 *Act of 2002 (7 U.S.C. 8107), \$68,130,000: Provided, That*
6 *the cost of loan guarantees, including the cost of modifying*
7 *such loans, shall be as defined in section 502 of the Congres-*
8 *sional Budget Act of 1974.*

9 *BIOREFINERY ASSISTANCE PROGRAM ACCOUNT*

10 *For the cost of guaranteed loans, \$17,339,000, as au-*
11 *thorized by section 9003 of the Farm Security and Rural*
12 *Investment Act of 2002 (7 U.S.C. 8107): Provided, That*
13 *such costs, including the cost of modifying such loans, shall*
14 *be as defined in section 502 of the Congressional Budget*
15 *Act of 1974.*

16 *RURAL UTILITIES SERVICE*17 *RURAL WATER AND WASTE DISPOSAL PROGRAM ACCOUNT*18 *(INCLUDING TRANSFERS OF FUNDS)*

19 *For the cost of direct loans, loan guarantees, and*
20 *grants for the rural water, waste water, waste disposal, and*
21 *solid waste management programs authorized by sections*
22 *306, 306A, 306C, 306D, 306E, and 310B and described in*
23 *sections 306C(a)(2), 306D, 306E, and 381E(d)(2) of the*
24 *Consolidated Farm and Rural Development Act,*
25 *\$568,730,000, to remain available until expended, of which*

1 *not to exceed \$497,000 shall be available for the rural utili-*
2 *ties program described in section 306(a)(2)(B) of such Act,*
3 *and of which not to exceed \$993,000 shall be available for*
4 *the rural utilities program described in section 306E of*
5 *such Act: Provided, That \$70,000,000 of the amount appro-*
6 *priated under this heading shall be for loans and grants*
7 *including water and waste disposal systems grants author-*
8 *ized by 306C(a)(2)(B) and 306D of the Consolidated Farm*
9 *and Rural Development Act, Federally-recognized Native*
10 *American Tribes authorized by 306C(a)(1), and the Depart-*
11 *ment of Hawaiian Home Lands (of the State of Hawaii):*
12 *Provided further, That such loans and grants shall not be*
13 *subject to any matching requirements: Provided further,*
14 *That not to exceed \$19,000,000 of the amount appropriated*
15 *under this heading shall be for technical assistance grants*
16 *for rural water and waste systems pursuant to section*
17 *306(a)(14) of such Act, unless the Secretary makes a deter-*
18 *mination of extreme need, of which \$5,600,000 shall be*
19 *made available for a grant to a qualified non-profit multi-*
20 *state regional technical assistance organization, with expe-*
21 *rience in working with small communities on water and*
22 *waste water problems, the principal purpose of such grant*
23 *shall be to assist rural communities with populations of*
24 *3,300 or less, in improving the planning, financing, devel-*
25 *opment, operation, and management of water and waste*

1 *water systems, and of which not less than \$800,000 shall*
2 *be for a qualified national Native American organization*
3 *to provide technical assistance for rural water systems for*
4 *tribal communities: Provided further, That not to exceed*
5 *\$14,000,000 of the amount appropriated under this heading*
6 *shall be for contracting with qualified national organiza-*
7 *tions for a circuit rider program to provide technical assist-*
8 *ance for rural water systems: Provided further, That*
9 *\$17,500,000 of the amount appropriated under this heading*
10 *shall be transferred to, and merged with, the Rural Utilities*
11 *Service, High Energy Cost Grants Account to provide*
12 *grants authorized under section 19 of the Rural Electrifica-*
13 *tion Act of 1936 (7 U.S.C. 918a): Provided further, That*
14 *any prior year balances for high cost energy grants author-*
15 *ized by section 19 of the Rural Electrification Act of 1936*
16 *(7 U.S.C. 918a) shall be transferred to and merged with*
17 *the Rural Utilities Service, High Energy Costs Grants Ac-*
18 *count: Provided further, That sections 381E–H and 381N*
19 *of the Consolidated Farm and Rural Development Act are*
20 *not applicable to the funds made available under this head-*
21 *ing: Provided further, That any prior balances in the Rural*
22 *Development, Rural Community Advancement Program ac-*
23 *count programs authorized by sections 306, 306A, 306C,*
24 *306D, 306E, and 310B and described in sections*
25 *306C(a)(2), 306D, 306E, and 381E(d)(2) of such Act be*

1 *transferred to and merged with this account and any other*
2 *prior balances from the Rural Development, Rural Commu-*
3 *nity Advancement Program account that the Secretary de-*
4 *termines is appropriate to transfer.*

5 *RURAL ELECTRIFICATION AND TELECOMMUNICATIONS*

6 *LOANS PROGRAM ACCOUNT*

7 *(INCLUDING TRANSFER OF FUNDS)*

8 *The principal amount of direct and guaranteed loans*
9 *as authorized by sections 305 and 306 of the Rural Elec-*
10 *trification Act of 1936 (7 U.S.C. 935 and 936) shall be*
11 *made as follows: 5 percent rural electrification loans,*
12 *\$100,000,000; loans made pursuant to section 306 of that*
13 *Act, rural electric, \$6,500,000,000; guaranteed under-*
14 *writing loans pursuant to section 313A, \$500,000,000; 5*
15 *percent rural telecommunications loans, \$145,000,000; cost*
16 *of money rural telecommunications loans, \$250,000,000;*
17 *and for loans made pursuant to section 306 of that Act,*
18 *rural telecommunications loans, \$295,000,000.*

19 *In addition, for administrative expenses necessary to*
20 *carry out the direct and guaranteed loan programs,*
21 *\$39,959,000, which shall be transferred to and merged with*
22 *the appropriation for “Rural Development, Salaries and*
23 *Expenses”.*

1 *DISTANCE LEARNING, TELEMEDICINE, AND BROADBAND*
2 *PROGRAM*

3 *For the principal amount of broadband telecommuni-*
4 *cation loans, \$531,699,000.*

5 *For grants for telemedicine and distance learning serv-*
6 *ices in rural areas, as authorized by 7 U.S.C. 950aaa et*
7 *seq., \$37,755,000, to remain available until expended: Pro-*
8 *vided, That \$3,000,000 shall be made available for grants*
9 *authorized by 379G of the Consolidated Farm and Rural*
10 *Development Act: Provided further, That \$4,965,000 shall*
11 *be made available to those noncommercial educational tele-*
12 *vision broadcast stations that serve rural areas and are*
13 *qualified for Community Service Grants by the Corporation*
14 *for Public Broadcasting under section 396(k) of the Com-*
15 *munications Act of 1934, including associated translators*
16 *and repeaters, regardless of the location of their main trans-*
17 *mitter, studio-to-transmitter links, and equipment to allow*
18 *local control over digital content and programming through*
19 *the use of high-definition broadcast, multi-casting and*
20 *datacasting technologies.*

21 *For the cost of broadband loans, as authorized by sec-*
22 *tion 601 of the Rural Electrification Act, \$38,495,000, to*
23 *remain available until expended: Provided, That the cost*
24 *of direct loans shall be as defined in section 502 of the Con-*
25 *gressional Budget Act of 1974.*

1 *In addition, \$13,406,000, to remain available until ex-*
2 *pended, for a grant program to finance broadband trans-*
3 *mission in rural areas eligible for Distance Learning and*
4 *Telemedicine Program benefits authorized by 7 U.S.C.*
5 *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 Sec-*
11 *retary for Food, Nutrition and Consumer Services,*
12 *\$813,000.*

13 *FOOD AND NUTRITION SERVICE*

14 *CHILD NUTRITION PROGRAMS*

15 *(INCLUDING TRANSFERS OF FUNDS)*

16 *In lieu of the amounts made available in section*
17 *14222(b) of the Food, Conservation, and Energy Act of*
18 *2008, for necessary expenses to carry out the Richard B.*
19 *Russell National School Lunch Act (42 U.S.C. 1751 et seq.),*
20 *except section 21, and the Child Nutrition Act of 1966 (42*
21 *U.S.C. 1771 et seq.), except sections 17 and 21;*
22 *\$16,801,584,000, to remain available through September*
23 *30, 2011, of which \$2,000,000 may be used to carry out*
24 *the school community garden pilot program established*
25 *under section 18(g)(3) of the Richard B. Russell National*

1 *School Lunch Act (42 U.S.C. 1769(g)(3)) and shall be de-*
2 *ri ved by transfer of the amount made available under the*
3 *heading “ANIMAL AND PLANT HEALTH INSPECTION SERV-*
4 *ICE” of title I for “SALARIES AND EXPENSES” of which*
5 *\$10,051,707,000 is hereby appropriated and \$6,747,877,000*
6 *shall be derived by transfer from funds available under sec-*
7 *tion 32 of the Act of August 24, 1935 (7 U.S.C. 612c): Pro-*
8 *vided, That of the total amount available, \$5,000,000 shall*
9 *be available to be awarded as competitive grants to imple-*
10 *ment section 4405 of the Food, Conservation, and Energy*
11 *Act of 2008 (Public Law 110–246), and may be awarded*
12 *notwithstanding the limitations imposed by sections*
13 *4405(b)(1)(A) and 4405(c)(1)(A).*

14 *SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR*

15 *WOMEN, INFANTS, AND CHILDREN (WIC)*

16 *For necessary expenses to carry out the WIC Program*
17 *as authorized by section 17 of the Child Nutrition Act of*
18 *1966 (42 U.S.C. 1786), \$7,552,000,000, to remain available*
19 *through September 30, 2011: Provided, That none of the*
20 *funds provided in this account shall be available for the*
21 *purchase of infant formula except in accordance with the*
22 *cost containment and competitive bidding requirements*
23 *specified in section 17 of such Act: Provided further, That*
24 *none of the funds provided shall be available for activities*
25 *that are not fully reimbursed by other Federal Government*

1 *departments or agencies unless authorized by section 17 of*
2 *such Act.*

3 *SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM*

4 *For necessary expenses to carry out the Food and Nu-*
5 *trition Act of 2008 (7 U.S.C. 2011 et seq.), \$61,351,846,000,*
6 *of which \$3,000,000,000, to remain available through Sep-*
7 *tember 30, 2011, shall be placed in reserve for use only in*
8 *such amounts and at such times as may become necessary*
9 *to carry out program operations: Provided, That funds pro-*
10 *vided herein shall be expended in accordance with section*
11 *16 of the Food and Nutrition Act of 2008: Provided further,*
12 *That this appropriation shall be subject to any work reg-*
13 *istration or workfare requirements as may be required by*
14 *law: Provided further, That funds made available for Em-*
15 *ployment and Training under this heading shall remain*
16 *available until expended, notwithstanding section 16(h)(1)*
17 *of the Food and Nutrition Act of 2008: Provided further,*
18 *That funds made available under this heading may be used*
19 *to enter into contracts and employ staff to conduct studies,*
20 *evaluations, or to conduct activities related to program in-*
21 *tegrity provided that such activities are authorized by the*
22 *Food and Nutrition Act of 2008.*

23 *COMMODITY ASSISTANCE PROGRAM*

24 *For necessary expenses to carry out disaster assistance*
25 *and the Commodity Supplemental Food Program as au-*

1 *thorized by section 4(a) of the Agriculture and Consumer*
2 *Protection Act of 1973 (7 U.S.C. 612c note); the Emergency*
3 *Food Assistance Act of 1983; special assistance for the nu-*
4 *clear affected islands, as authorized by section 103(f)(2) of*
5 *the Compact of Free Association Amendments Act of 2003*
6 *(Public Law 108–188); and the Farmers’ Market Nutrition*
7 *Program, as authorized by section 17(m) of the Child Nutri-*
8 *tion Act of 1966, \$233,388,000, to remain available through*
9 *September 30, 2011: Provided, That none of these funds*
10 *shall be available to reimburse the Commodity Credit Cor-*
11 *poration for commodities donated to the program: Provided*
12 *further, That notwithstanding any other provision of law,*
13 *effective with funds made available in fiscal year 2010 to*
14 *support the Seniors Farmers’ Market Nutrition Program,*
15 *as authorized by section 4402 of the Farm Security and*
16 *Rural Investment Act of 2002, such funds shall remain*
17 *available through September 30, 2011: Provided further,*
18 *That of the funds made available under section 27(a) of*
19 *the Food and Nutrition Act of 2008 (7 U.S.C. 2036(a)),*
20 *the Secretary may use up to 10 percent for costs associated*
21 *with the distribution of commodities.*

22 *NUTRITION PROGRAMS ADMINISTRATION*

23 *For necessary administrative expenses of the Food and*
24 *Nutrition Service for carrying out any domestic nutrition*
25 *assistance program, \$147,801,000.*

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TITLE V

FOREIGN ASSISTANCE AND RELATED PROGRAMS

FOREIGN AGRICULTURAL SERVICE

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Foreign Agricultural Service, including not to exceed \$158,000 for representation allowances and for expenses pursuant to section 8 of the Act approved August 3, 1956 (7 U.S.C. 1766), \$180,367,000: Provided, That the Service may utilize advances of funds, or reimburse this appropriation for expenditures made on behalf of Federal agencies, public and private organizations and institutions under agreements executed pursuant to the agricultural food production assistance programs (7 U.S.C. 1737) and the foreign assistance programs of the United States Agency for International Development: Provided further, That funds made available for middle-income country training programs and up to \$2,000,000 of the Foreign Agricultural Service appropriation solely for the purpose of offsetting fluctuations in international currency exchange rates, subject to documentation by the Foreign Agricultural Service, shall remain available until expended.

1 *FOOD FOR PEACE TITLE I DIRECT CREDIT AND FOOD FOR*
2 *PROGRESS PROGRAM ACCOUNT*
3 *(INCLUDING TRANSFERS OF FUNDS)*

4 *For administrative expenses to carry out the credit*
5 *program of title I, Public Law 83-480 and the Food for*
6 *Progress Act of 1985, \$2,812,000, shall be transferred to and*
7 *merged with the appropriation for "Farm Service Agency,*
8 *Salaries and Expenses": Provided, That funds made avail-*
9 *able for the cost of agreements under title I of the Agricul-*
10 *tural Trade Development and Assistance Act of 1954 and*
11 *for title I ocean freight differential may be used inter-*
12 *changeably between the two accounts with prior notice to*
13 *the Committees on Appropriations of both Houses of Con-*
14 *gress.*

15 *FOOD FOR PEACE TITLE II GRANTS*

16 *For expenses during the current fiscal year, not other-*
17 *wise recoverable, and unrecovered prior years' costs, includ-*
18 *ing interest thereon, under the Food for Peace Act (Public*
19 *Law 83-480, as amended), for commodities supplied in*
20 *connection with dispositions abroad under title II of said*
21 *Act, \$1,690,000,000, to remain available until 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, \$6,820,000; to cover common over-*
7 *head expenses as permitted by section 11 of the Commodity*
8 *Credit Corporation Charter Act and in conformity with the*
9 *Federal Credit Reform Act of 1990, of which \$6,465,000*
10 *shall be transferred to and merged with the appropriation*
11 *for "Foreign Agricultural Service, Salaries and Expenses",*
12 *and of which \$355,000 shall be transferred to and merged*
13 *with the appropriation for "Foreign Agricultural Service,*
14 *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 of*
18 *section 3107 of the Farm Security and Rural Investment*
19 *Act of 2002 (7 U.S.C. 1736o-1), \$199,500,000, to remain*
20 *available until expended: Provided, That of this amount,*
21 *the Secretary shall use up to \$10,000,000 to conduct pilot*
22 *projects to field test new and improved micronutrient for-*
23 *tified food products designed to meet energy and nutrient*
24 *needs of program participants: Provided further, That the*
25 *Commodity Credit Corporation is authorized to provide the*

1 *services, facilities, and authorities for the purpose of imple-*
2 *menting such section, subject to reimbursement from*
3 *amounts provided herein.*

4 *TITLE VI*

5 *RELATED AGENCY AND FOOD AND DRUG*

6 *ADMINISTRATION*

7 *DEPARTMENT OF HEALTH AND HUMAN*

8 *SERVICES*

9 *FOOD AND DRUG ADMINISTRATION*

10 *SALARIES AND EXPENSES*

11 *For necessary expenses of the Food and Drug Adminis-*
12 *tration, including hire and purchase of passenger motor ve-*
13 *hicles; for payment of space rental and related costs pursu-*
14 *ant to Public Law 92-313 for programs and activities of*
15 *the Food and Drug Administration which are included in*
16 *this Act; for rental of special purpose space in the District*
17 *of Columbia or elsewhere; for miscellaneous and emergency*
18 *expenses of enforcement activities, authorized and approved*
19 *by the Secretary and to be accounted for solely on the Sec-*
20 *retary's certificate, not to exceed \$25,000; and notwith-*
21 *standing section 521 of Public Law 107-188;*
22 *\$3,230,218,000: Provided, That of the amount provided*
23 *under this heading, \$578,162,000 shall be derived from pre-*
24 *scription drug user fees authorized by 21 U.S.C. 379h shall*
25 *be credited to this account and remain available until ex-*

1 *pending, and shall not include any fees pursuant to 21*
2 *U.S.C. 379h(a)(2) and (a)(3) assessed for fiscal year 2011*
3 *but collected in fiscal year 2010; \$57,014,000 shall be de-*
4 *duced from medical device user fees authorized by 21 U.S.C.*
5 *379j, and shall be credited to this account and remain*
6 *available until expended; \$17,280,000 shall be derived from*
7 *animal drug user fees authorized by 21 U.S.C. 379j, and*
8 *shall be credited to this account and remain available until*
9 *expended; \$5,106,000 shall be derived from animal generic*
10 *drug user fees authorized by 21 U.S.C. 379f, and shall be*
11 *credited to this account and shall remain available until*
12 *expended; and \$235,000,000 shall be derived from tobacco*
13 *product user fees authorized by the Family Smoking Pre-*
14 *vention and Tobacco Control Act (Public Law 111–31) and*
15 *shall be credited to this account and remain available until*
16 *expended: Provided further, That fees derived from prescrip-*
17 *tion drug, medical device, animal drug, animal generic*
18 *drug, and tobacco product assessments for fiscal year 2010*
19 *received during fiscal year 2010, including any such fees*
20 *assessed prior to fiscal year 2010 but credited for fiscal year*
21 *2010, shall be subject to the fiscal year 2010 limitations:*
22 *Provided further, That none of these funds shall be used to*
23 *develop, establish, or operate any program of user fees au-*
24 *thorized by 31 U.S.C. 9701: Provided further, That of the*
25 *total amount appropriated: (1) \$782,915,000 shall be for*

1 *the Center for Food Safety and Applied Nutrition and re-*
2 *lated field activities in the Office of Regulatory Affairs; (2)*
3 *\$873,104,000 shall be for the Center for Drug Evaluation*
4 *and Research and related field activities in the Office of*
5 *Regulatory Affairs, of which no less than \$51,545,000 shall*
6 *be available for the Office of Generic Drugs; (3)*
7 *\$305,249,000 shall be for the Center for Biologics Evalua-*
8 *tion and Research and for related field activities in the Of-*
9 *ice of Regulatory Affairs; (4) \$155,540,000 shall be for the*
10 *Center for Veterinary Medicine and for related field activi-*
11 *ties in the Office of Regulatory Affairs; (5) \$349,262,000*
12 *shall be for the Center for Devices and Radiological Health*
13 *and for related field activities in the Office of Regulatory*
14 *Affairs; (6) \$58,745,000 shall be for the National Center for*
15 *Toxicological Research; (7) \$216,523,000 shall be for the*
16 *Center for Tobacco Products and for related field activities*
17 *in the Office of Regulatory Affairs; (8) not to exceed*
18 *\$117,225,000 shall be for Rent and Related activities, of*
19 *which \$41,496,000 is for White Oak Consolidation, other*
20 *than the amounts paid to the General Services Administra-*
21 *tion for rent; (9) not to exceed \$171,526,000 shall be for*
22 *payments to the General Services Administration for rent;*
23 *and (10) \$200,129,000 shall be for other activities, includ-*
24 *ing the Office of the Commissioner; the Office of Scientific*
25 *and Medical Programs; the Office of Policy, Planning and*

1 *Preparedness; the Office of International and Special Pro-*
2 *grams; the Office of Operations; and central services for*
3 *these offices: Provided further, That the Commissioner,*
4 *through the Center for Food Safety and Applied Nutrition,*
5 *may conduct a study and, not later than one year after*
6 *the date of enactment of this Act, submit a report to Con-*
7 *gress on the psychological, physiological, and neurological*
8 *similarities between addiction to certain types of food and*
9 *addiction to classic drugs of abuse: Provided further, That*
10 *funds may be transferred from one specified activity to an-*
11 *other with the prior notification of the Committees on Ap-*
12 *propriations of both Houses of Congress.*

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

18 *BUILDINGS AND FACILITIES*

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

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INDEPENDENT AGENCY

FARM CREDIT ADMINISTRATION

LIMITATION ON ADMINISTRATIVE EXPENSES

Not to exceed \$54,500,000 (from assessments collected from farm credit institutions, including the Federal Agricultural Mortgage Corporation) shall be obligated during the current fiscal year for administrative expenses as authorized under 12 U.S.C. 2249: Provided, That this limitation shall not apply to expenses associated with receiverships.

TITLE VII

GENERAL PROVISIONS

(INCLUDING RESCISSION)

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

SEC. 702. Section 10101 of division B of the Consolidated Security, Disaster Assistance, and Continuing Appropriations Act, 2009, (Public Law 110–329) is amended in subsection (b) by inserting at the end the following: “In carrying out this section, the Secretary may transfer funds

1 *into existing or new accounts as determined by the Sec-*
2 *retary.”.*

3 *SEC. 703. The Secretary of Agriculture may transfer*
4 *unobligated balances of discretionary funds appropriated*
5 *by this Act or other available unobligated discretionary bal-*
6 *ances of the Department of Agriculture to the Working Cap-*
7 *ital Fund for the acquisition of plant and capital equip-*
8 *ment necessary for the delivery of financial, administrative,*
9 *and information technology services of primary benefit to*
10 *the agencies of the Department of Agriculture: Provided,*
11 *That none of the funds made available by this Act or any*
12 *other Act shall be transferred to the Working Capital Fund*
13 *without the prior notification of the agency administrator:*
14 *Provided further, That none of the funds transferred to the*
15 *Working Capital Fund pursuant to this section shall be*
16 *available for obligation without the prior notification of the*
17 *Committees on Appropriations of both Houses of Congress:*
18 *Provided further, That none of the funds appropriated by*
19 *this Act or made available to the Department’s Working*
20 *Capital Fund shall be available for obligation or expendi-*
21 *ture to make any changes to the Department’s National Fi-*
22 *nance Center without prior approval of the Committees on*
23 *Appropriations of both Houses of Congress as required by*
24 *section 712 of this Act: Provided further, That of annual*
25 *income amounts in the Working Capital Fund of the De-*

1 *partment of Agriculture allocated for the National Finance*
2 *Center, the Secretary may reserve not more than 4 percent*
3 *for the replacement or acquisition of capital equipment, in-*
4 *cluding equipment for the improvement and implementa-*
5 *tion of a financial management plan, information tech-*
6 *nology, and other systems of the National Finance Center*
7 *or to pay any unforeseen, extraordinary cost of the National*
8 *Finance Center: Provided further, That none of the amounts*
9 *reserved shall be available for obligation unless the Sec-*
10 *retary submits notification of the obligation to the Commit-*
11 *tees on Appropriations of the House of Representatives and*
12 *the Senate: Provided further, That the limitation on the ob-*
13 *ligation of funds pending notification to Congressional*
14 *Committees shall not apply to any obligation that, as deter-*
15 *mined by the Secretary, is necessary to respond to a de-*
16 *clared state of emergency that significantly impacts the op-*
17 *erations of the National Finance Center; or to evacuate em-*
18 *ployees of the National Finance Center to a safe haven to*
19 *continue operations of the National Finance Center.*

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

23 *SEC. 705. No funds appropriated by this Act may be*
24 *used to pay negotiated indirect cost rates on cooperative*
25 *agreements or similar arrangements between the United*

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

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

18 *SEC. 707. Of the funds made available by this Act, not*
19 *more than \$1,800,000 shall be used to cover necessary ex-*
20 *penses of activities related to all advisory committees, pan-*
21 *els, commissions, and task forces of the Department of Agri-*
22 *culture, except for panels used to comply with negotiated*
23 *rule makings and panels used to evaluate competitively*
24 *awarded grants.*

1 *SEC. 708. Hereafter, none of the funds appropriated*
2 *by this Act or any other Act may be used to carry out sec-*
3 *tion 410 of the Federal Meat Inspection Act (21 U.S.C.*
4 *679a) or section 30 of the Poultry Products Inspection Act*
5 *(21 U.S.C. 471).*

6 *SEC. 709. No employee of the Department of Agri-*
7 *culture may be detailed or assigned from an agency or office*
8 *funded by this Act or any other Act to any other agency*
9 *or office of the Department for more than 30 days unless*
10 *the individual's employing agency or office is fully reim-*
11 *bursed by the receiving agency or office for the salary and*
12 *expenses of the employee for the period of assignment.*

13 *SEC. 710. None of the funds appropriated or otherwise*
14 *made available to the Department of Agriculture or the*
15 *Food and Drug Administration shall be used to transmit*
16 *or otherwise make available to any non-Department of Ag-*
17 *riculture or non-Department of Health and Human Serv-*
18 *ices employee questions or responses to questions that are*
19 *a result of information requested for the appropriations*
20 *hearing process.*

21 *SEC. 711. None of the funds made available to the De-*
22 *partment of Agriculture by this Act may be used to acquire*
23 *new information technology systems or significant up-*
24 *grades, as determined by the Office of the Chief Information*
25 *Officer, without the approval of the Chief Information Offi-*

1 *cer and the concurrence of the Executive Information Tech-*
2 *nology Investment Review Board: Provided, That notwith-*
3 *standing any other provision of law, none of the funds ap-*
4 *propriated or otherwise made available by this Act may be*
5 *transferred to the Office of the Chief Information Officer*
6 *unless prior notification has been transmitted to the Com-*
7 *mittees on Appropriations of both Houses of Congress: Pro-*
8 *vided further, That none of the funds available to the De-*
9 *partment of Agriculture for information technology shall be*
10 *obligated for projects over \$25,000 prior to receipt of writ-*
11 *ten approval by the Chief Information Officer.*

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

20 *(1) creates new programs;*

21 *(2) eliminates a program, project, or activity;*

22 *(3) increases funds or personnel by any means*
23 *for any project or activity for which funds have been*
24 *denied or restricted;*

25 *(4) relocates an office or employees;*

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

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

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

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

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

1 *of program delivery: Provided, That not later than 120 days*
2 *before the date of the proposed closure or relocation, the Sec-*
3 *retary notifies the Committees on Appropriation of the*
4 *House and Senate, and the members of Congress from the*
5 *State in which the office is located of the proposed closure*
6 *or relocation and provides a report that describes the jus-*
7 *tifications for such closures and relocations.*

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

14 *SEC. 716. There is hereby appropriated \$499,000 for*
15 *any authorized Rural Development program purpose, in*
16 *communities suffering from extreme outmigration and situ-*
17 *ated in areas that were designated as part of an Empower-*
18 *ment Zone pursuant to section 111 of the Community Re-*
19 *newal Tax Relief Act of 2000 (as contained in appendix*
20 *G of Public Law 106–554).*

21 *SEC. 717. None of the funds made available in fiscal*
22 *year 2010 or preceding fiscal years for programs authorized*
23 *under the Food for Peace Act (7 U.S.C. 1691 et seq.) in*
24 *excess of \$20,000,000 shall be used to reimburse the Com-*
25 *modity Credit Corporation for the release of eligible com-*

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

7 *SEC. 718. There is hereby appropriated \$3,497,000, to*
8 *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 and*
12 *Drug Administration.*

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

19 *SEC. 720. None of the funds appropriated or otherwise*
20 *made available by this or any other Act shall be used to*
21 *pay the salaries and expenses of personnel to carry out the*
22 *following:*

23 *(1) An Environmental Quality Incentives Pro-*
24 *gram as authorized by sections 1241-240H of the*

1 *Food Security Act of 1985, as amended (16 U.S.C.*
2 *3839aa–3839aa(8)), in excess of \$1,180,000,000.*

3 *(2) a program authorized by section 14(h)(1) of*
4 *the Watershed Protection and Flood Prevention Act*
5 *(16 U.S.C. 1012(h)(1)).*

6 *(3) a program under subsection (b)(2)(A)(ii) of*
7 *section 14222 of Public Law 110–246 in excess of*
8 *\$1,123,000,000: Provided, That none of the funds*
9 *made available in this Act or any other Act shall be*
10 *used for salaries and expenses to carry out section*
11 *19(i)(1)(C) of the Richard B. Russell National School*
12 *Lunch Act as amended by section 4304 of Public Law*
13 *110–246 in excess of \$25,000,000 until October 1,*
14 *2010: Provided further, That the unobligated balances*
15 *under section 32 of the Act of August 24, 1935,*
16 *\$52,000,000 are hereby rescinded.*

17 *SEC. 721. Hereafter, notwithstanding any other provi-*
18 *sion of law, any former RUS borrower that has repaid or*
19 *prepaid an insured, direct or guaranteed loan under the*
20 *Rural Electrification Act, or any not-for-profit utility that*
21 *is eligible to receive an insured or direct loan under such*
22 *Act, shall be eligible for assistance under section*
23 *313(b)(2)(B) of such Act in the same manner as a borrower*
24 *under such Act.*

1 *SEC. 722. There is hereby appropriated \$2,600,000, to*
2 *remain available until expended, for the planning and de-*
3 *sign of construction of an agricultural pest facility in the*
4 *State of Hawaii.*

5 *SEC. 723. There is hereby appropriated \$4,000,000 to*
6 *the Secretary of Agriculture to award grant(s) to develop*
7 *and field test new food products designed to improve the*
8 *nutritional delivery of humanitarian food assistance pro-*
9 *vided through the McGovern-Dole (section 3107 of the Farm*
10 *Security and Rural Investment Act of 2002 (7 U.S.C.*
11 *17360–1)) and the Food for Peace title II (7 U.S.C. 1691*
12 *et seq.) programs: Provided, That the Secretary shall use*
13 *the authorities provided under the Research, Education,*
14 *and Economics mission area of the Department in award-*
15 *ing such grant(s), with priority given to proposals that*
16 *demonstrate partnering with and in-kind support from the*
17 *private sector.*

18 *SEC. 724. The Rural Utilities Service, Rural Housing*
19 *Service, and Rural Business and Cooperative Service shall*
20 *permit an applicant to solicit and procure professional*
21 *services and have prepared all environmental reviews, as-*
22 *sessments, and impact statements: Provided, That such pro-*
23 *fessional services will be funded by the applicants and se-*
24 *lected by the agencies from procurement schedules of con-*
25 *tractors determined qualified to perform said services: Pro-*

1 *vided further, That the Agencies shall establish the scope*
2 *of work and procedures for such services as well as proce-*
3 *dures to assure contractors have no financial or other con-*
4 *flicts of interest in the outcome of the action and the docu-*
5 *mentation meets the needs of the Agencies: Provided further,*
6 *That nothing herein shall affect the responsibility of the*
7 *Agencies to comply with the National Environmental Pol-*
8 *icy Act.*

9 *SEC. 725. Notwithstanding any other provision of law,*
10 *and until receipt of the decennial Census for the year 2010,*
11 *the Secretary of Agriculture shall consider—*

12 *(1) The unincorporated community of Los Osos,*
13 *in the County of San Luis Obispo, California, to be*
14 *a rural area for the purposes of eligibility for Rural*
15 *Utilities Service water and waste disposal loans and*
16 *grants; and*

17 *(2) The unincorporated community of*
18 *Thermalito in Butte County, California, (including*
19 *individuals and entities with projects within the com-*
20 *munity) eligible for loans and grants funded under*
21 *the housing programs of the Rural Housing Service.*

22 *SEC. 726. There is hereby appropriated \$3,000,000 for*
23 *section 4404 of Public Law 107–171.*

24 *SEC. 727. Notwithstanding any other provision of law,*
25 *there is hereby appropriated:*

1 (1) \$3,000,000 of which \$2,000,000 shall be for
2 a grant to the Wisconsin Department of Agriculture,
3 Trade, and Consumer Protection, and \$1,000,000
4 shall be for a grant to the Vermont Agency of Agri-
5 culture, Foods, and Markets, as authorized by section
6 6402 of the Farm Security and Rural Investment Act
7 of 2002 (7 U.S.C. 1621 note); and

8 (2) \$350,000 for a grant to the Wisconsin De-
9 partment of Agriculture, Trade and Consumer Protec-
10 tion.

11 SEC. 728. Notwithstanding any other provision of law,
12 the Natural Resources Conservation Service shall provide
13 financial and technical assistance—

14 (1) through the Watershed and Flood Prevention
15 Operations program for the Pocasset River Flood-
16 plain Management Project in the State of Rhode Is-
17 land;

18 (2) through the Watershed and Flood Prevention
19 Operations program to carry out the East Locust
20 Creek Watershed Plan Revision in Missouri, includ-
21 ing up to 100 percent of the engineering assistance
22 and 75 percent cost share for construction cost of site
23 RW1;

24 (3) through the Watershed and Flood Prevention
25 Operations program to carry out the Little Otter

1 *Creek Watershed project in Missouri. The sponsoring*
2 *local organization may obtain land rights by per-*
3 *petual easements;*

4 *(4) through the Watershed and Flood Prevention*
5 *Operations program to carry out the DuPage County*
6 *Watershed project in the State of Illinois;*

7 *(5) through the Watershed and Flood Prevention*
8 *Operations program to carry out the Dunloup Creek*
9 *Watershed Project in Fayette and Raleigh Counties,*
10 *West Virginia;*

11 *(6) through the Watershed and Flood Prevention*
12 *Operations program to carry out the Dry Creek Wa-*
13 *tershed project in the State of California; and*

14 *(7) through the Watershed and Flood Prevention*
15 *Operations program to carry out the Upper Clark*
16 *Fork Watershed project in the State of Montana.*

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

20 *(1) by striking “ten” and inserting “eleven”;*

21 *(2) by striking “eight” and inserting “nine”;*

22 *and*

23 *(3) by inserting “Wisconsin,” after the first in-*
24 *stance of “States shall be”.*

1 *SEC. 730. Notwithstanding any other provision of law,*
2 *for the purposes of a grant under section 412 of the Agricul-*
3 *tural Research, Extension, and Education Reform Act of*
4 *1998, none of the funds in this or any other Act may be*
5 *used to prohibit the provision of in-kind support from non-*
6 *Federal sources under section 412(e)(3) in the form of unre-*
7 *covered indirect costs not otherwise charged against the*
8 *grant, consistent with the indirect rate of cost approved for*
9 *a recipient.*

10 *SEC. 731. Except as otherwise specifically provided by*
11 *law, unobligated balances remaining available at the end*
12 *of the fiscal year from appropriations made available for*
13 *salaries and expenses in this Act for the Farm Service Agen-*
14 *cy and the Rural Development mission area, shall remain*
15 *available through September 30, 2011, for information tech-*
16 *nology expenses.*

17 *SEC. 732. (a) CHILD NUTRITION PROGRAMS.—Section*
18 *9(b) of the Richard B. Russell National School Lunch Act*
19 *(42 U.S.C. 1758(b)) is amended by adding at the end the*
20 *following:*

21 *“(14) COMBAT PAY.—*

22 *“(A) DEFINITION OF COMBAT PAY.—In this*
23 *paragraph, the term ‘combat pay’ means any ad-*
24 *ditional payment under chapter 5 of title 37,*
25 *United States Code, or otherwise designated by*

1 *the Secretary to be appropriate for exclusion*
2 *under this paragraph, that is received by or from*
3 *a member of the United States Armed Forces de-*
4 *ployed to a designated combat zone, if the addi-*
5 *tional pay—*

6 “(i) *is the result of deployment to or*
7 *service in a combat zone; and*

8 “(ii) *was not received immediately*
9 *prior to serving in a combat zone.*

10 “(B) *EXCLUSION.—Combat pay shall not be*
11 *considered to be income for the purpose of deter-*
12 *mining the eligibility for free or reduced price*
13 *meals of a child who is a member of the house-*
14 *hold of a member of the United States Armed*
15 *Forces.”.*

16 (b) *SPECIAL SUPPLEMENTAL NUTRITION PROGRAM*
17 *FOR WOMEN, INFANTS, AND CHILDREN.—Section 17(d)(2)*
18 *of the Child Nutrition Act of 1966 (42 U.S.C. 1786(d)(2))*
19 *is amended—*

20 (1) *by redesignating subparagraph (C) as sub-*
21 *paragraph (D); and*

22 (2) *by inserting after subparagraph (B) the fol-*
23 *lowing:*

24 “(C) *COMBAT PAY.—For the purpose of de-*
25 *termining income eligibility under this section, a*

1 *State agency shall exclude from income any ad-*
2 *ditional payment under chapter 5 of title 37,*
3 *United States Code, or otherwise designated by*
4 *the Secretary to be appropriate for exclusion*
5 *under this subparagraph, that is received by or*
6 *from a member of the United States Armed*
7 *Forces deployed to a designated combat zone, if*
8 *the additional pay—*

9 *“(i) is the result of deployment to or*
10 *service in a combat zone; and*

11 *“(ii) was not received immediately*
12 *prior to serving in a combat zone.”.*

13 *SEC. 733. (a) Section 531(g)(7)(F) of the Federal Crop*
14 *Insurance Act (7 U.S.C. 1531(g)(7)(F)) is amended—*

15 *(1) in the matter preceding clause (i), by insert-*
16 *ing “(including multiyear assistance)” after “assist-*
17 *ance”; and*

18 *(2) in clause (i), by inserting “or multiyear pro-*
19 *duction losses” after “a production loss”.*

20 *(b) Section 901(g)(7)(F) of the Trade Act of 1974 (19*
21 *U.S.C. 2497(g)(7)(F)) is amended—*

22 *(1) in the matter preceding clause (i), by insert-*
23 *ing “(including multiyear assistance)” after “assist-*
24 *ance”; and*

1 (2) in clause (i), by inserting “or multiyear pro-
2 duction losses” after “a production loss”.

3 SEC. 734. Notwithstanding section 17(g)(5) of the
4 Child Nutrition Act of 1966 (42.U.S.C. 1786(g)(5)), not
5 more than \$15,000,000 of funds provided in this Act may
6 be used for the purpose of evaluating program performance
7 in the Special Supplemental Nutrition Program for
8 Women, Infants and Children.

9 SEC. 735. Notwithstanding section 17(h)(10)(A) of the
10 Child Nutrition Act of 1966 (42 U.S.C. 1786(h)(10)(A)),
11 \$154,000,000 of funds provided in this Act shall be used
12 for infrastructure, management information systems and
13 breastfeeding peer counseling support: Provided, That of the
14 \$154,000,000, not less than \$14,000,000 shall be used for
15 infrastructure, not less than \$60,000,000 shall be used for
16 management information systems, and not less than
17 \$80,000,000 shall be used for breastfeeding peer counselors
18 and other related activities.

19 SEC. 736. Agencies with jurisdiction for carrying out
20 international food assistance programs under the jurisdic-
21 tion of this Act, including title II of the Food for Peace
22 Act and the McGovern-Dole International Food for Edu-
23 cation Program, shall—

1 (1) provide to the Committees on Appropriations
2 of the House and the Senate no later than March 1,
3 2010, the following:

4 (A) estimates on cost-savings and pro-
5 grammatic efficiencies that would result from in-
6 creased use of pre-positioning of food aid com-
7 modities and processes to ensure such cargoes are
8 appropriately maintained to prevent spoilage;

9 (B) estimates on cost-savings and pro-
10 grammatic efficiencies that would result from the
11 use of longer-term commodity procurement con-
12 tracts, the proportional distribution of com-
13 modity purchases throughout the fiscal year,
14 longer-term shipping contracts, contracts which
15 include shared-risk principles, and adoptions of
16 other commercially acceptable contracting prac-
17 tices;

18 (C) estimates on costs of domestic procure-
19 ment of commodities, domestic inland transpor-
20 tation of food aid commodities, domestic storage
21 (including loading and unloading), foreign stor-
22 age (including loading and unloading), foreign
23 inland transportation, and ocean freight (includ-
24 ing ocean freight as adjusted by the ocean freight
25 differential reimbursement provided by the Sec-

1 *retary of Transportation), and costs relating to*
2 *allocation and distribution of commodities in re-*
3 *ipient countries;*

4 *(D) information on the frequency of delays*
5 *in transporting food aid commodities, the cause*
6 *or purpose of any delays (including how those*
7 *delays are tracked, monitored and resolved),*
8 *missed schedules by carriers and non-carriers*
9 *(and resulting program costs due to such delays,*
10 *including impacts to program beneficiaries);*

11 *(E) information on the methodologies to im-*
12 *prove interagency coordination between host gov-*
13 *ernments, the World Food Program, and non-*
14 *governmental organization to develop more con-*
15 *sistent estimates of food aid needs and the num-*
16 *ber of intended recipients to appropriately in-*
17 *form the purchases of commodities and in order*
18 *to appropriately plan for commodity procure-*
19 *ment for food aid programs;*

20 *(2) provide the matter described under subsection*
21 *(1) of this section in the form of a consensus report*
22 *under the signatures of the Secretaries of Agriculture,*
23 *State, and Transportation; and*

1 (3) estimates and cost savings analysis for this
2 section shall be derived from periods representative of
3 normal program operations.

4 SEC. 737. There is hereby appropriated \$7,000,000 to
5 carry out section 4202 of Public Law 110–246.

6 SEC. 738. There is hereby appropriated \$2,600,000 to
7 carry out section 1621 of Public Law 110–246.

8 SEC. 739. There is hereby appropriated \$4,000,000 to
9 carry out section 1613 of Public Law 110–246.

10 SEC. 740. There is hereby appropriated \$250,000, to
11 remain available until expended, for a grant to the Kansas
12 Farm Bureau Foundation for work-force development ini-
13 tiatives to address out-migration in rural areas.

14 SEC. 741. There is hereby appropriated \$800,000 to
15 the Farm Service Agency to carry out a pilot program to
16 demonstrate the use of new technologies that increase the
17 rate of growth of re-forested hardwood trees on private non-
18 industrial forests lands, enrolling lands on the coast of the
19 Gulf of Mexico that were damaged by Hurricane Katrina
20 in 2005.

21 SEC. 742. Applicants with very low, low, and moderate
22 incomes shall be eligible for the program established in sec-
23 tion 791 of Public Law 109–97.

24 SEC. 743. The Secretary of Agriculture may authorize
25 a State agency to use funds provided in this Act to exceed

1 *the maximum amount of reconstituted infant formula speci-*
2 *fied in 7 C.F.R. 246.10 when issuing infant formula to par-*
3 *ticipants. Such authorizations shall not otherwise impact*
4 *the eligibility of manufacturers to remain eligible under the*
5 *Special Supplemental Nutrition Program for Women, In-*
6 *fants and Children authorized by section 17 of the Child*
7 *Nutrition Act of 1966.*

8 *SEC. 744. None of the funds made available by this*
9 *Act may be used to establish or implement a rule allowing*
10 *poultry products to be imported into the United States from*
11 *the People's Republic of China unless the Secretary of Agri-*
12 *culture formally commits in advance to conduct audits of*
13 *inspection systems, on-site reviews of slaughter and proc-*
14 *essing facilities, laboratories and other control operations*
15 *before any Chinese facilities are certified as eligible to ship*
16 *fully cooked poultry products to the United States, and at*
17 *least once annually in subsequent years: Provided, That the*
18 *Secretary commits in advance to implement a significantly*
19 *increased level of port of entry re-inspection: Provided fur-*
20 *ther, That the Secretary commits in advance to conduct in-*
21 *formation sharing with other countries importing poultry*
22 *products from China that have conducted audits and plant*
23 *inspections: Provided further, That this section shall be ap-*
24 *plied in a manner consistent with United States obligations*
25 *under international trade agreements.*

1 *SEC. 745. (a) The Commissioner of Food and Drugs*
2 *may establish within the Food and Drug Administration*
3 *a review group which shall recommend to the Commissioner*
4 *of Food and Drugs appropriate preclinical, trial design,*
5 *and regulatory paradigms and optimal solutions for the*
6 *prevention, diagnosis, and treatment of rare diseases: Pro-*
7 *vided, That the Commissioner of Food and Drugs shall ap-*
8 *point 8 individuals employed by the Food and Drug Ad-*
9 *ministration to serve on the review group: Provided further,*
10 *That members of the review group shall have specific exper-*
11 *tise relating to the development of articles for use in the*
12 *prevention, diagnosis, or treatment of rare diseases, includ-*
13 *ing specific expertise in developing or carrying out clinical*
14 *trials.*

15 *(b) The Commissioner of Food and Drugs may estab-*
16 *lish within the Food and Drug Administration a review*
17 *group which shall recommend to the Commissioner of Food*
18 *and Drugs appropriate preclinical, trial design, and regu-*
19 *latory paradigms and optimal solutions for the prevention,*
20 *diagnosis, and treatment of neglected diseases of the devel-*
21 *oping world: Provided, That the Commissioner of Food and*
22 *Drugs shall appoint 8 individuals employed by the Food*
23 *and Drug Administration to serve on the review group: Pro-*
24 *vided further, That members of the review group shall have*
25 *specific expertise relating to the development of articles for*

1 *use in the prevention, diagnosis, or treatment of neglected*
2 *diseases of the developing world, including specific expertise*
3 *in developing or carrying out clinical trials: Provided fur-*
4 *ther, That for the purposes of this section the term “ne-*
5 *glected disease of the developing world” means a tropical*
6 *disease, as defined in section 524(a)(3) of the Federal Food,*
7 *Drug, and Cosmetic Act (21 U.S.C. 360n(a)(3)).*

8 *(c) The Commissioner of Food and Drugs shall—*

9 *(1) submit, not later than 1 year after the date*
10 *of the establishment of review groups under sub-*
11 *sections (a) and (b), a report to Congress that de-*
12 *scribes both the findings and recommendations made*
13 *by the review groups under subsections (a) and (b);*

14 *(2) issue, not later than 180 days after submis-*
15 *sion of the report to Congress under paragraph (1),*
16 *guidance based on such recommendations for articles*
17 *for use in the prevention, diagnosis, and treatment of*
18 *rare diseases and for such uses in neglected diseases*
19 *of the developing world; and*

20 *(3) develop, not later than 180 days after sub-*
21 *mission of the report to Congress under paragraph*
22 *(1), internal review standards based on such rec-*
23 *ommendations for articles for use in the prevention,*
24 *diagnosis, and treatment of rare diseases and for such*
25 *uses in neglected diseases of the developing world.*

1 *SEC. 746. Not later than 60 days after the date of en-*
2 *actment of this Act, the Administrator of the Foreign Agri-*
3 *cultural Service shall submit to Congress a report that de-*
4 *scribes the status of the reorganization of the Foreign Agri-*
5 *cultural Service and any future plans of the Administrator*
6 *to modify office structures to meet existing, emerging, and*
7 *new priorities.*

8 *SEC. 747. None of the funds made available by this*
9 *Act may be used to pay the salaries and expenses of any*
10 *employee of the Department of Agriculture to assess any*
11 *agency any greenbook charge or to use any funds acquired*
12 *through an assessment of greenbook charges made prior to*
13 *the date of enactment of this Act.*

14 *SEC. 748. The Commissioner of Food and Drugs, in*
15 *consultation with the Administrator of the National Oce-*
16 *anic and Atmospheric Administration, shall conduct a*
17 *study and, not later than 240 days after the date of enact-*
18 *ment of this Act, submit a report to Congress on the tech-*
19 *nical challenges associated with inspecting imported sea-*
20 *food. The study and report shall—*

21 *(1) provide information on the status of seafood*
22 *importation, including—*

23 *(A) the volume of seafood imported into the*
24 *United States annually, by product and country*
25 *of origin;*

1 (B) the number of physical inspections of
2 imported seafood products conducted annually,
3 by product and country of origin; and

4 (C) a listing of the United States ports of
5 entry for seafood imports by volume;

6 (2) provide information on imported seafood
7 products, by product and country of origin, that do
8 not meet standards as set forth in the applicable food
9 importation law, including the reason for which each
10 such product does not meet such standards;

11 (3) identify the fish, crayfish, shellfish, and other
12 sea species most susceptible to violations of the appli-
13 cable food importation law;

14 (4) identify the aquaculture and mariculture
15 practices that are of greatest concern to human
16 health; and

17 (5) suggest methods for improving import inspec-
18 tion policies and procedures to protect consumers in
19 the United States.

20 SEC. 749. (a) IN GENERAL.—Not later than 1 year
21 after the date of the enactment of this Act, the Comptroller
22 General of the United States, shall report to the Committees
23 on Appropriations of the House of Representatives and of
24 the Senate on developing the tourism potential of rural com-
25 munities.

1 **(b) CONTENT OF THE REPORT.**—*The report required*
2 *by subsection (a) shall—*

3 (1) *identify existing Federal programs that pro-*
4 *vide assistance to rural small businesses in developing*
5 *tourism marketing and promotion plans relating to*
6 *tourism in rural areas;*

7 (2) *identify existing Federal programs that as-*
8 *sist rural small business concerns in obtaining cap-*
9 *ital for starting or expanding businesses primarily*
10 *servicing tourists; and*

11 (3) *include recommendations, if any, for improv-*
12 *ing existing programs or creating new Federal pro-*
13 *grams that may benefit tourism in rural commu-*
14 *nities.*

15 **SEC. 750.** *Notwithstanding any other provision of law*
16 *and until the receipt of the decennial census in the year*
17 *2010, the Secretary of Agriculture may fund community*
18 *facility and water and waste disposal projects of commu-*
19 *nities and municipal districts and areas in Connecticut,*
20 *Massachusetts, and Rhode Island that filed applications for*
21 *the projects with the appropriate rural development field*
22 *office of the Department of Agriculture prior to August 1,*
23 *2009, and were determined by the field office to be eligible*
24 *for funding.*

25 **SEC. 751.** (a) *The Senate finds that—*

1 (1) sudden loss in late 2008 of export-market
2 based demand equivalent to about 3 percent of domes-
3 tic milk production has thrown the U.S. dairy indus-
4 try into a critical supply-demand imbalance;

5 (2) an abrupt decline in U.S. exports was fueled
6 by the onset of the global economic crisis combined
7 with resurgence of milk supplies in Oceania;

8 (3) the U.S. average all-milk price reported by
9 the National Agriculture Statistics Service from Jan-
10 uary through May of 2009, has averaged \$4.80 per
11 hundredweight below the cost of production;

12 (4) approximately \$3,900,000,000 in dairy pro-
13 ducer equity has been lost since January;

14 (5) anecdotal evidence suggests that U.S. dairy
15 producers are losing upwards of \$100 per cow per
16 month;

17 (6) the Food, Conservation, and Energy Act of
18 2008 extended the counter-cyclical Milk Income Loss
19 Contract (MILC) support program and instituted a
20 ‘feed cost adjuster’ to augment that support;

21 (7) the Secretary of Agriculture in March trans-
22 ferred approximately 200,000,000 pounds of nonfat
23 dry milk to USDA’s Food and Nutrition Service in
24 a move designed to remove inventory from the market
25 and support low-income families;

1 (8) *the Secretary on March 22nd reactivated*
2 *USDA’s Dairy Export Incentive Program (DEIP) to*
3 *help U.S. producers meet prevailing world prices and*
4 *develop international markets;*

5 (9) *the Secretary announced on July 31, 2009 a*
6 *temporary increase in the amount paid for dairy*
7 *products through the Dairy Product Price Support*
8 *Program (DPPSP), an adjustment that is projected*
9 *to increase dairy farmers’ revenue by \$243,000,000;*
10 *and*

11 (10) *U.S. dairy producers face unprecedented*
12 *challenges that threaten the stability of the industry,*
13 *the nation’s milk production infrastructure, and thou-*
14 *sands of rural communities.*

15 (b) *The Senate states that the Secretary of Agriculture*
16 *and the President’s Office of Management and Budget*
17 *should continue to closely monitor the U.S. dairy sector and*
18 *use all available discretionary authority to ensure its long-*
19 *term health and sustainability.*

20 SEC. 752. (a) *The Commissioner of Food and Drugs,*
21 *in consultation with the Secretary of Agriculture, may con-*
22 *duct a study on the labeling of personal care products regu-*
23 *lated by the Food and Drug Administration for which or-*
24 *ganic content claims are made. Any such study shall in-*
25 *clude—*

1 (1) *a survey of personal care products for which*
2 *the word “organic” appears on the label; and*

3 (2) *a determination, based on statistical sam-*
4 *pling of the products identified under paragraph (1),*
5 *of the accuracy of such claims.*

6 (b) *If the Commissioner of Food and Drugs conducts*
7 *a study described in subsection (a), such Commissioner*
8 *shall—*

9 (1) *not later than 270 days after the date of en-*
10 *actment of this Act, submit to the Committees on Ag-*
11 *riculture, Nutrition, and Forestry, Appropriations,*
12 *and Health, Education, Labor, and Pensions in the*
13 *Senate and the Committees on Agriculture, Appro-*
14 *priations, and Energy and Commerce in the House of*
15 *Representatives a report on the findings of the study*
16 *under subsection (a); and*

17 (2) *provide such Committees with any rec-*
18 *ommendations on the need to establish labeling stand-*
19 *ards for personal care products for which organic con-*
20 *tent claims are made, including whether the Food and*
21 *Drug Administration should have pre-market ap-*
22 *proval authority for personal care product labeling.*

23 SEC. 753. (a) *The Senate finds that—*

24 (1) *agriculture is a national security concern;*

1 (2) *the United States suffers from periodic disas-*
2 *ters which affects the food and fiber supply of the*
3 *United States;*

4 (3) *the Food, Conservation, and Energy Act of*
5 *2008 (7 U.S.C. 8701 et seq.) established 5 permanent*
6 *disaster programs to deliver timely and immediate*
7 *assistance to agricultural producers recovering from*
8 *losses;*

9 (4) *as of the date of enactment of this Act, of*
10 *those 5 disaster programs—*

11 (A) *none are available, finalized, and im-*
12 *plemented to deliver urgently needed assistance*
13 *for 2009 producer losses; and*

14 (B) *only 1 is being implemented for 2008*
15 *losses;*

16 (5) *according to the Drought Monitor, the State*
17 *of Texas is suffering from extreme and exceptional*
18 *drought conditions, the highest level of severity; and*

19 (6) *the Secretary of Agriculture has previously*
20 *authorized various forms of disaster assistance by*
21 *providing funding under section 32 of the Act of Au-*
22 *gust 24, 1935 (7 U.S.C. 612c), and through the Com-*
23 *modity Credit Corporation.*

24 (b) *It is the sense of the Senate that the Secretary of*
25 *Agriculture should use all of the discretionary authority*

1 *available to the Secretary to make available immediate re-*
2 *lief and assistance for agricultural producers suffering*
3 *losses as a result of the 2009 droughts.*

4 *SEC. 754. (a) The Senate finds that—*

5 *(1) with livestock producers facing losses from*
6 *harsh weather in 2008 and continuing to face disas-*
7 *ters in 2009, Congress wanted to assist livestock pro-*
8 *ducers in recovering losses more quickly and effi-*
9 *ciently than previous ad hoc disaster assistance pro-*
10 *grams;*

11 *(2) on June 18, 2008, Congress established the*
12 *livestock indemnity program under section 531(c) of*
13 *the Federal Crop Insurance Act (7 U.S.C. 1531(c))*
14 *and section 901(c) of the Trade Act of 1974 (19*
15 *U.S.C. 2497(c)) as a permanent disaster assistance*
16 *program to provide livestock producers with payments*
17 *of 75 percent of the fair market value for livestock*
18 *losses as a result of adverse weather such as floods,*
19 *blizzards, and extreme heat;*

20 *(3) on July 13, 2009, the Secretary of Agri-*
21 *culture promulgated rules for the livestock indemnity*
22 *program that separated non adult beef animals into*
23 *weight ranges of “less than 400 pounds” and “400*
24 *pounds and more”;* and

1 (4) the “400 pounds and more” range would fall
2 well short of covering 75 percent market value pay-
3 ment for livestock in these higher ranges that are close
4 to market weight.

5 (b) It is the sense of the Senate that the Secretary of
6 Agriculture—

7 (1) should strive to establish a methodology to
8 calculate more specific payments to offset the cost of
9 loss for each animal as was intended by Congress for
10 calendar years 2008 through 2011; and

11 (2) should work with groups representing affected
12 livestock producers to come up with this more precise
13 methodology.

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

Attest:

Secretary.

11TH CONGRESS
1ST SESSION

H.R. 2997

AMENDMENT