

Union Calendar No. 99

108TH CONGRESS
1ST SESSION

H. R. 2673

[Report No. 108-193]

Making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2004, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 9, 2003

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

A BILL

Making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2004, and for other purposes.

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

1 tion, and Related Agencies programs for the fiscal year
2 ending September 30, 2004, and for other purposes,
3 namely:

4 TITLE I

5 AGRICULTURAL PROGRAMS

6 PRODUCTION, PROCESSING, AND MARKETING

7 OFFICE OF THE SECRETARY

8 For necessary expenses of the Office of the Secretary
9 of Agriculture, \$3,468,000: *Provided*, That not to exceed
10 \$11,000 of this amount shall be available for official recep-
11 tion and representation expenses, not otherwise provided
12 for, as determined by the Secretary.

13 EXECUTIVE OPERATIONS

14 CHIEF ECONOMIST

15 For necessary expenses of the Chief Economist, in-
16 cluding economic analysis, risk assessment, cost-benefit
17 analysis, energy and new uses, and the functions of the
18 World Agricultural Outlook Board, as authorized by the
19 Agricultural Marketing Act of 1946 (7 U.S.C. 1622g),
20 \$8,716,000.

21 NATIONAL APPEALS DIVISION

22 For necessary expenses of the National Appeals Divi-
23 sion, \$13,670,000.

24 OFFICE OF BUDGET AND PROGRAM ANALYSIS

25 For necessary expenses of the Office of Budget and
26 Program Analysis, \$7,749,000.

1 OFFICE OF THE CHIEF INFORMATION OFFICER

2 For necessary expenses of the Office of the Chief In-
3 formation Officer, \$14,993,000.

4 COMMON COMPUTING ENVIRONMENT

5 For necessary expenses to acquire a Common Com-
6 puting Environment for the Natural Resources Conserva-
7 tion Service, the Farm and Foreign Agricultural Service,
8 and the Rural Development mission areas for information
9 technology, systems, and services, \$133,155,000, to re-
10 main available until expended, for the capital asset acqui-
11 sition of shared information technology systems, including
12 services as authorized by 7 U.S.C. 6915–16 and 40 U.S.C.
13 1421–28: *Provided*, That obligation of these funds shall
14 be consistent with the Department of Agriculture Service
15 Center Modernization Plan of the county-based agencies,
16 and shall be with the concurrence of the Department's
17 Chief Information Officer.

18 OFFICE OF THE CHIEF FINANCIAL OFFICER

19 For necessary expenses of the Office of the Chief Fi-
20 nancial Officer, \$5,785,000: *Provided*, That the Chief Fi-
21 nancial Officer shall actively market and expand cross-
22 servicing activities of the National Finance Center: *Pro-*
23 *vided further*, That no funds made available by this appro-
24 priation may be obligated for FAIR Act or Circular A–
25 76 activities until the Secretary has submitted to the Com-
26 mittees on Appropriations of both Houses of Congress a

1 report on the Department's contracting out policies, in-
2 cluding agency budgets for contracting out.

5 For necessary salaries and expenses of the Office of
6 the Assistant Secretary for Civil Rights, \$397,000.

7 OFFICE OF THE ASSISTANT SECRETARY FOR
8 ADMINISTRATION

9 For necessary salaries and expenses of the Office of
10 the Assistant Secretary for Administration, \$678,000.

11 AGRICULTURE BUILDINGS AND FACILITIES AND RENTAL 12 PAYMENTS

13 (INCLUDING TRANSFERS OF FUNDS)

14 For payment of space rental and related costs pursu-
15 ant to Public Law 92-313, including authorities pursuant
16 to the 1984 delegation of authority from the Adminis-
17 trator of General Services to the Department of Agri-
18 culture under 40 U.S.C. 486, for programs and activities
19 of the Department which are included in this Act, and for
20 alterations and other actions needed for the Department
21 and its agencies to consolidate unneeded space into con-
22 figurations suitable for release to the Administrator of
23 General Services, and for the operation, maintenance, im-
24 provement, and repair of Agriculture buildings and facili-
25 ties, and for related costs, as follows: for payments to the

1 General Services Administration, \$124,332,000, for build-
2 ings operations and maintenance, \$32,559,000, to remain
3 available until expended: *Provided*, That not to exceed 5
4 percent of amounts which are made available for space
5 rental and related costs for the Department of Agriculture
6 in this Act may be transferred between such appropria-
7 tions to cover the costs of new or replacement space 15
8 days after notice thereof is transmitted to the Appropria-
9 tions Committees of both Houses of Congress.

10 HAZARDOUS MATERIALS MANAGEMENT

11 (INCLUDING TRANSFERS OF FUNDS)

12 For necessary expenses of the Department of Agri-
13 culture, to comply with the Comprehensive Environmental
14 Response, Compensation, and Liability Act (42 U.S.C.
15 9601 et seq.) and the Resource Conservation and Recovery
16 Act (42 U.S.C. 6901 et seq.), \$15,713,000, to remain
17 available until expended: *Provided*, That appropriations
18 and funds available herein to the Department for Haz-
19 ardous Materials Management may be transferred to any
20 agency of the Department for its use in meeting all re-
21 quirements pursuant to the above Acts on Federal and
22 non-Federal lands.

1 DEPARTMENTAL ADMINISTRATION

2 (INCLUDING TRANSFERS OF FUNDS)

3 For Departmental Administration, \$38,592,000, to
4 provide for necessary expenses for management support
5 services to offices of the Department and for general ad-
6 ministration, security, repairs and alterations, and other
7 miscellaneous supplies and expenses not otherwise pro-
8 vided for and necessary for the practical and efficient work
9 of the Department: *Provided*, That this appropriation shall
10 be reimbursed from applicable appropriations in this Act
11 for travel expenses incident to the holding of hearings as
12 required by 5 U.S.C. 551–558.

13 OFFICE OF THE ASSISTANT SECRETARY FOR

14 CONGRESSIONAL RELATIONS

15 (INCLUDING TRANSFERS OF FUNDS)

16 For necessary salaries and expenses of the Office of
17 the Assistant Secretary for Congressional Relations to
18 carry out the programs funded by this Act, including pro-
19 grams involving intergovernmental affairs and liaison
20 within the executive branch, \$3,796,000: *Provided*, That
21 these funds may be transferred to agencies of the Depart-
22 ment of Agriculture funded by this Act to maintain per-
23 sonnel at the agency level: *Provided further*, That no funds
24 made available by this appropriation may be obligated
25 after 30 days from the date of enactment of this Act, un-

1 less the Secretary has notified the Committees on Appro-
2 priations of both Houses of Congress on the allocation of
3 these funds by USDA agency: *Provided further*, That no
4 other funds appropriated to the Department by this Act
5 shall be available to the Department for support of activi-
6 ties of congressional relations.

7 OFFICE OF COMMUNICATIONS

8 For necessary expenses to carry out services relating
9 to the coordination of programs involving public affairs,
10 for the dissemination of agricultural information, and the
11 coordination of information, work, and programs author-
12 ized by Congress in the Department, \$9,245,000: *Pro-*
13 *vided*, That not to exceed \$2,000,000 may be used for
14 farmers' bulletins.

15 OFFICE OF THE INSPECTOR GENERAL

16 For necessary expenses of the Office of the Inspector
17 General, including employment pursuant to the Inspector
18 General Act of 1978, \$77,314,000, including such sums
19 as may be necessary for contracting and other arrange-
20 ments with public agencies and private persons pursuant
21 to section 6(a)(9) of the Inspector General Act of 1978,
22 and including not to exceed \$125,000 for certain confiden-
23 tial operational expenses as well as the payment of inform-
24 ants, to be expended under the direction of the Inspector

1 General pursuant to Public Law 95-452 and section 1337
2 of Public Law 97-98.

3 OFFICE OF THE GENERAL COUNSEL

4 For necessary expenses of the Office of the General
5 Counsel, \$34,700,000.

6 OFFICE OF THE UNDER SECRETARY FOR RESEARCH,

7 EDUCATION, AND ECONOMICS

8 For necessary salaries and expenses of the Office of
9 the Under Secretary for Research, Education, and Eco-
10 nomics to administer the laws enacted by the Congress
11 for the Economic Research Service, the National Agricul-
12 tural Statistics Service, the Agricultural Research Service,
13 and the Cooperative State Research, Education, and Ex-
14 tension Service, \$597,000.

15 ECONOMIC RESEARCH SERVICE

16 For necessary expenses of the Economic Research
17 Service in conducting economic research and analysis, as
18 authorized by the Agricultural Marketing Act of 1946 (7
19 U.S.C. 1621-1627) and other laws, \$71,402,000.

20 NATIONAL AGRICULTURAL STATISTICS SERVICE

21 For necessary expenses of the National Agricultural
22 Statistics Service in conducting statistical reporting and
23 service work, including crop and livestock estimates, sta-
24 tistical coordination and improvements, marketing sur-
25 veys, and the Census of Agriculture, as authorized by 7

1 U.S.C. 1621–1627 and 2204g, and other laws,
2 \$129,800,000, of which up to \$25,279,000 shall be avail-
3 able until expended for the Census of Agriculture.

4 AGRICULTURAL RESEARCH SERVICE

5 SALARIES AND EXPENSES

6 For necessary expenses to enable the Agricultural Re-
7 search Service to perform agricultural research and dem-
8 onstration relating to production, utilization, marketing,
9 and distribution (not otherwise provided for); home eco-
10 nomics or nutrition and consumer use including the acqui-
11 sition, preservation, and dissemination of agricultural in-
12 formation; and for acquisition of lands by donation, ex-
13 change, or purchase at a nominal cost not to exceed \$100,
14 and for land exchanges where the lands exchanged shall
15 be of equal value or shall be equalized by a payment of
16 money to the grantor which shall not exceed 25 percent
17 of the total value of the land or interests transferred out
18 of Federal ownership, \$1,014,000,000: *Provided*, That ap-
19 propriations hereunder shall be available for the operation
20 and maintenance of aircraft and the purchase of not to
21 exceed one for replacement only: *Provided further*, That
22 appropriations hereunder shall be available pursuant to 7
23 U.S.C. 2250 for the construction, alteration, and repair
24 of buildings and improvements, but unless otherwise pro-
25 vided, the cost of constructing any one building shall not

1 exceed \$375,000, except for headhouses or greenhouses
2 which shall each be limited to \$1,200,000, and except for
3 10 buildings to be constructed or improved at a cost not
4 to exceed \$750,000 each, and the cost of altering any one
5 building during the fiscal year shall not exceed 10 percent
6 of the current replacement value of the building or
7 \$375,000, whichever is greater: *Provided further*, That the
8 limitations on alterations contained in this Act shall not
9 apply to modernization or replacement of existing facilities
10 at Beltsville, Maryland: *Provided further*, That appropria-
11 tions hereunder shall be available for granting easements
12 at the Beltsville Agricultural Research Center: *Provided*
13 *further*, That the foregoing limitations shall not apply to
14 replacement of buildings needed to carry out the Act of
15 April 24, 1948 (21 U.S.C. 113a): *Provided further*, That
16 funds may be received from any State, other political sub-
17 division, organization, or individual for the purpose of es-
18 tablishing or operating any research facility or research
19 project of the Agricultural Research Service, as authorized
20 by law.

21 None of the funds appropriated under this heading
22 shall be available to carry out research related to the pro-
23 duction, processing, or marketing of tobacco or tobacco
24 products.

1 BUILDINGS AND FACILITIES

2 For acquisition of land, construction, repair, improve-
3 ment, extension, alteration, and purchase of fixed equip-
4 ment or facilities as necessary to carry out the agricultural
5 research programs of the Department of Agriculture,
6 where not otherwise provided, \$35,900,000, to remain
7 available until expended.

8 COOPERATIVE STATE RESEARCH, EDUCATION, AND
9 EXTENSION SERVICE

10 RESEARCH AND EDUCATION ACTIVITIES

11 For payments to agricultural experiment stations, for
12 cooperative forestry and other research, for facilities, and
13 for other expenses, \$594,772,000, as follows: to carry out
14 the provisions of the Hatch Act of 1887 (7 U.S.C. 361a–
15 i), \$180,148,000; for grants for cooperative forestry re-
16 search (16 U.S.C. 582a through a–7), \$21,884,000; for
17 payments to the 1890 land-grant colleges, including
18 Tuskegee University and West Virginia State College (7
19 U.S.C. 3222), \$36,000,000, of which \$1,507,496 shall be
20 made available only for the purpose of ensuring that each
21 institution shall receive no less than \$1,000,000; for spe-
22 cial grants for agricultural research (7 U.S.C. 450i(c)),
23 \$101,241,000; for special grants for agricultural research
24 on improved pest control (7 U.S.C. 450i(c)), \$15,194,000;
25 for competitive research grants (7 U.S.C. 450i(b)),

1 \$149,248,000; for the support of animal health and dis-
2 ease programs (7 U.S.C. 3195), \$5,065,000; for supple-
3 mental and alternative crops and products (7 U.S.C.
4 3319d), \$1,188,000; for the 1994 research grants pro-
5 gram for 1994 institutions pursuant to section 536 of
6 Public Law 103–382 (7 U.S.C. 301 note), \$998,000, to
7 remain available until expended; for rangeland research
8 grants (7 U.S.C. 3333), \$1,000,000; for higher education
9 graduate fellowship grants (7 U.S.C. 3152(b)(6)),
10 \$3,222,000, to remain available until expended (7 U.S.C.
11 2209b); for higher education challenge grants (7 U.S.C.
12 3152(b)(1)), \$4,888,000; for a higher education multicul-
13 tural scholars program (7 U.S.C. 3152(b)(5)), \$992,000,
14 to remain available until expended; for an education
15 grants program for Hispanic-serving Institutions (7
16 U.S.C. 3241), \$4,073,000; for noncompetitive grants for
17 the purpose of carrying out all provisions of 7 U.S.C. 3242
18 (section 759 of Public Law 106–78) to individual eligible
19 institutions or consortia of eligible institutions in Alaska
20 and in Hawaii, with funds awarded equally to each of the
21 States of Alaska and Hawaii, \$2,997,000; for a secondary
22 agriculture education program and 2-year post-secondary
23 education (7 U.S.C. 3152(j)), \$994,000; for aquaculture
24 grants (7 U.S.C. 3322), \$3,996,000; for sustainable agri-
25 culture research and education (7 U.S.C. 5811),

1 \$13,661,000; for a program of capacity building grants
2 (7 U.S.C. 3152(b)(4)) to colleges eligible to receive funds
3 under the Act of August 30, 1890 (7 U.S.C. 321–326 and
4 328), including Tuskegee University and West Virginia
5 State College, \$9,479,000, to remain available until ex-
6 pended (7 U.S.C. 2209b); for payments to the 1994 Insti-
7 tutions pursuant to section 534(a)(1) of Public Law 103–
8 382, \$1,689,000; and for necessary expenses of Research
9 and Education Activities, \$36,815,000.

10 None of the funds appropriated under this heading
11 shall be available to carry out research related to the pro-
12 duction, processing, or marketing of tobacco or tobacco
13 products: *Provided*, That this paragraph shall not apply
14 to research on the medical, biotechnological, food, and in-
15 dustrial uses of tobacco.

16 NATIVE AMERICAN INSTITUTIONS ENDOWMENT FUND

17 For the Native American Institutions Endowment
18 Fund authorized by Public Law 103–382 (7 U.S.C. 301
19 note), \$9,000,000.

20 EXTENSION ACTIVITIES

21 For payments to States, the District of Columbia,
22 Puerto Rico, Guam, the Virgin Islands, Micronesia,
23 Northern Marianas, and American Samoa, \$438,242,000,
24 as follows: payments for cooperative extension work under
25 the Smith-Lever Act, to be distributed under sections 3(b)
26 and 3(c) of said Act, and under section 208(c) of Public

1 Law 93–471, for retirement and employees' compensation
2 costs for extension agents, \$275,940,000; payments for
3 extension work at the 1994 Institutions under the Smith-
4 Lever Act (7 U.S.C. 343(b)(3)), \$3,273,000; payments for
5 the nutrition and family education program for low-income
6 areas under section 3(d) of the Act, \$58,185,000; pay-
7 ments for the pest management program under section
8 3(d) of the Act, \$10,689,000; payments for the farm safe-
9 ty program under section 3(d) of the Act, \$5,489,000;
10 payments to upgrade research, extension, and teaching fa-
11 cilities at the 1890 land-grant colleges, including Tuskegee
12 University and West Virginia State College, as authorized
13 by section 1447 of Public Law 95–113 (7 U.S.C. 3222b),
14 \$13,500,000, to remain available until expended; pay-
15 ments for youth-at-risk programs under section 3(d) of the
16 Smith-Lever Act, \$8,426,000; for youth farm safety edu-
17 cation and certification extension grants, to be awarded
18 competitively under section 3(d) of the Act, \$496,000;
19 payments for carrying out the provisions of the Renewable
20 Resources Extension Act of 1978 (16 U.S.C. 1671 et
21 seq.), \$4,093,000; payments for Indian reservation agents
22 under section 3(d) of the Smith-Lever Act, \$1,983,000;
23 payments for sustainable agriculture programs under sec-
24 tion 3(d) of the Act, \$4,843,000; payments for cooperative
25 extension work by the colleges receiving the benefits of the

1 second Morrill Act (7 U.S.C. 321–326 and 328) and
2 Tuskegee University and West Virginia State College,
3 \$31,908,000, of which \$1,724,884 shall be made available
4 only for the purpose of ensuring that each institution shall
5 receive no less than \$1,000,000; and for necessary ex-
6 penses of extension activities, \$19,417,000.

7 INTEGRATED ACTIVITIES

8 For the integrated research, education, and extension
9 grants programs, including necessary administrative ex-
10 penses, \$62,942,000, as follows: for competitive grants
11 programs authorized under section 406 of the Agricultural
12 Research, Extension, and Education Reform Act of 1998
13 (7 U.S.C. 7626), \$43,942,000, including \$12,887,000 for
14 the water quality program, \$14,870,000 for the food safe-
15 ty program, \$4,501,000 for the regional pest management
16 centers program, \$4,857,000 for the Food Quality Protec-
17 tion Act risk mitigation program for major food crop sys-
18 tems, \$1,487,000 for the crops affected by Food Quality
19 Protection Act implementation, \$3,229,000 for the methyl
20 bromide transition program, and \$2,111,000 for the or-
21 ganic transition program; for a competitive international
22 science and education grants program authorized under
23 section 1459A of the National Agricultural Research, Ex-
24 tension, and Teaching Policy Act of 1977 (7 U.S.C.
25 3292b), to remain available until expended, \$1,000,000;
26 for grants programs authorized under section 2(c)(1)(B)

1 of Public Law 89–106, as amended, \$2,000,000, including
2 \$497,000, to remain available until September 30, 2005
3 for the critical issues program, and \$1,503,000 for the re-
4 gional rural development centers program; and
5 \$16,000,000 for the homeland security program author-
6 ized under section 1484 of the National Agricultural Re-
7 search, Extension, and Teaching Act of 1977, to remain
8 available until September 30, 2005.

9 OUTREACH FOR SOCIALLY DISADVANTAGED FARMERS

10 For grants and contracts pursuant to section 2501
11 of the Food, Agriculture, Conservation, and Trade Act of
12 1990 (7 U.S.C. 2279), \$3,470,000, to remain available
13 until expended.

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

16 For necessary salaries and expenses of the Office of
17 the Under Secretary for Marketing and Regulatory Pro-
18 grams to administer programs under the laws enacted by
19 the Congress for the Animal and Plant Health Inspection
20 Service; the Agricultural Marketing Service; and the Grain
21 Inspection, Packers and Stockyards Administration;
22 \$725,000.

1 ANIMAL AND PLANT HEALTH INSPECTION SERVICE

2 SALARIES AND EXPENSES

3 (INCLUDING TRANSFERS OF FUNDS)

4 For expenses, not otherwise provided for, necessary
5 to prevent, control, and eradicate pests and plant and ani-
6 mal diseases; to carry out inspection, quarantine, and reg-
7 ulatory activities; and to protect the environment, as au-
8 thorized by law, \$725,502,000, of which \$4,139,000 shall
9 be available for the control of outbreaks of insects, plant
10 diseases, animal diseases and for control of pest animals
11 and birds to the extent necessary to meet emergency con-
12 ditions; of which \$51,000,000 shall be used for the boll
13 weevil eradication program for cost share purposes or for
14 debt retirement for active eradication zones: *Provided*,
15 That no funds shall be used to formulate or administer
16 a brucellosis eradication program for the current fiscal
17 year that does not require minimum matching by the
18 States of at least 40 percent: *Provided further*, That this
19 appropriation shall be available for the operation and
20 maintenance of aircraft and the purchase of not to exceed
21 four, of which two shall be for replacement only: *Provided*
22 *further*, That, in addition, in emergencies which threaten
23 any segment of the agricultural production industry of this
24 country, the Secretary may transfer from other appropria-
25 tions or funds available to the agencies or corporations
26 of the Department such sums as may be deemed nec-

1 essary, to be available only in such emergencies for the
2 arrest and eradication of contagious or infectious disease
3 or pests of animals, poultry, or plants, and for expenses
4 in accordance with sections 10411 and 10417 of the Ani-
5 mal Health Protection Act (7 U.S.C. 8310 and 8316) and
6 sections 431 and 442 of the Plant Protection Act (7
7 U.S.C. 7751 and 7772), and any unexpended balances of
8 funds transferred for such emergency purposes in the pre-
9 ceding fiscal year shall be merged with such transferred
10 amounts: *Provided further*, That appropriations hereunder
11 shall be available pursuant to law (7 U.S.C. 2250) for the
12 repair and alteration of leased buildings and improve-
13 ments, but unless otherwise provided the cost of altering
14 any one building during the fiscal year shall not exceed
15 10 percent of the current replacement value of the build-
16 ing.

17 In fiscal year 2004, the agency is authorized to collect
18 fees to cover the total costs of providing technical assist-
19 ance, goods, or services requested by States, other political
20 subdivisions, domestic and international organizations,
21 foreign governments, or individuals, provided that such
22 fees are structured such that any entity's liability for such
23 fees is reasonably based on the technical assistance, goods,
24 or services provided to the entity by the agency, and such
25 fees shall be credited to this account, to remain available

1 until expended, without further appropriation, for pro-
2 viding such assistance, goods, or services.

3 BUILDINGS AND FACILITIES

4 For plans, construction, repair, preventive mainte-
5 nance, environmental support, improvement, extension, al-
6 teration, and purchase of fixed equipment or facilities, as
7 authorized by 7 U.S.C. 2250, and acquisition of land as
8 authorized by 7 U.S.C. 428a, \$4,996,000, to remain avail-
9 able until expended.

10 AGRICULTURAL MARKETING SERVICE

11 MARKETING SERVICES

12 For necessary expenses to carry out services related
13 to consumer protection, agricultural marketing and dis-
14 tribution, transportation, and regulatory programs, as au-
15 thorized by law, and for administration and coordination
16 of payments to States, \$75,953,000, including funds for
17 the wholesale market development program for the design
18 and development of wholesale and farmer market facilities
19 for the major metropolitan areas of the country: *Provided*,
20 That this appropriation shall be available pursuant to law
21 (7 U.S.C. 2250) for the alteration and repair of buildings
22 and improvements, but the cost of altering any one build-
23 ing during the fiscal year shall not exceed 10 percent of
24 the current replacement value of the building.

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

4 LIMITATION ON ADMINISTRATIVE EXPENSES

5 Not to exceed \$62,577,000 (from fees collected) shall
6 be obligated during the current fiscal year for administra-
7 tive expenses: *Provided*, That if crop size is understated
8 and/or other uncontrollable events occur, the agency may
9 exceed this limitation by up to 10 percent with notification
10 to the Committees on Appropriations of both Houses of
11 Congress.

12 FUND FOR STRENGTHENING MARKETS, INCOME, AND

13 SUPPLY (SECTION 32)

14 (INCLUDING TRANSFERS OF FUNDS)

15 Funds available under section 32 of the Act of Au-
16 gust 24, 1935 (7 U.S.C. 612c), shall be used only for com-
17 modity program expenses as authorized therein, and other
18 related operating expenses, except for: (1) transfers to the
19 Department of Commerce as authorized by the Fish and
20 Wildlife Act of August 8, 1956; (2) transfers otherwise
21 provided in this Act; and (3) not more than \$15,392,000
22 for formulation and administration of marketing agree-
23 ments and orders pursuant to the Agricultural Marketing
24 Agreement Act of 1937 and the Agricultural Act of 1961.

1 PAYMENTS TO STATES AND POSSESSIONS

2 For payments to departments of agriculture, bureaus
3 and departments of markets, and similar agencies for
4 marketing activities under section 204(b) of the Agricul-
5 tural Marketing Act of 1946 (7 U.S.C. 1623(b)),
6 \$1,347,000.

7 GRAIN INSPECTION, PACKERS AND STOCKYARDS

8 ADMINISTRATION

9 SALARIES AND EXPENSES

10 For necessary expenses to carry out the provisions
11 of the United States Grain Standards Act, for the admin-
12 istration of the Packers and Stockyards Act, for certifying
13 procedures used to protect purchasers of farm products,
14 and the standardization activities related to grain under
15 the Agricultural Marketing Act of 1946, \$39,690,000:
16 *Provided*, That this appropriation shall be available pursu-
17 ant to law (7 U.S.C. 2250) for the alteration and repair
18 of buildings and improvements, but the cost of altering
19 any one building during the fiscal year shall not exceed
20 10 percent of the current replacement value of the build-
21 ing.

22 LIMITATION ON INSPECTION AND WEIGHING SERVICES

23 EXPENSES

24 Not to exceed \$42,463,000 (from fees collected) shall
25 be obligated during the current fiscal year for inspection
26 and weighing services: *Provided*, That if grain export ac-

1 tivities require additional supervision and oversight, or
2 other uncontrollable factors occur, this limitation may be
3 exceeded by up to 10 percent with notification to the Com-
4 mittees on Appropriations of both Houses of Congress.

5 OFFICE OF THE UNDER SECRETARY FOR FOOD SAFETY

6 For necessary salaries and expenses of the Office of
7 the Under Secretary for Food Safety to administer the
8 laws enacted by the Congress for the Food Safety and In-
9 spection Service, \$599,000.

10 FOOD SAFETY AND INSPECTION SERVICE

11 For necessary expenses to carry out services author-
12 ized by the Federal Meat Inspection Act, the Poultry
13 Products Inspection Act, and the Egg Products Inspection
14 Act, including not to exceed \$50,000 for representation
15 allowances and for expenses pursuant to section 8 of the
16 Act approved August 3, 1956 (7 U.S.C. 1766),
17 \$785,261,000; and in addition, \$1,000,000 may be cred-
18 ited to this account from fees collected for the cost of lab-
19 oratory accreditation as authorized by section 1327 of the
20 Food, Agriculture, Conservation and Trade Act of 1990
21 (7 U.S.C. 138f): *Provided*, That this appropriation shall
22 be available pursuant to law (7 U.S.C. 2250) for the alter-
23 ation and repair of buildings and improvements, but the
24 cost of altering any one building during the fiscal year

1 shall not exceed 10 percent of the current replacement
2 value of the building.

5 For necessary salaries and expenses of the Office of
6 the Under Secretary for Farm and Foreign Agricultural
7 Services to administer the laws enacted by Congress for
8 the Farm Service Agency, the Foreign Agricultural Serv-
9 ice, the Risk Management Agency, and the Commodity
10 Credit Corporation, \$636,000.

11 FARM SERVICE AGENCY
12 SALARIES AND EXPENSES
13 (INCLUDING TRANSFERS OF FUNDS)

14 For necessary expenses for carrying out the adminis-
15 tration and implementation of programs administered by
16 the Farm Service Agency, \$1,016,836,000: *Provided*, That
17 the Secretary of Agriculture is authorized to use the serv-
18 ices, facilities, and authorities (but not the funds) of the
19 Commodity Credit Corporation to make program pay-
20 ments for all programs administered by the Agency: *Pro-*
21 *vided further*, That other funds made available to the
22 Agency for authorized activities may be advanced to and
23 merged with this account.

1 STATE MEDIATION GRANTS

2 For grants pursuant to section 502(b) of the Agricul-
3 tural Credit Act of 1987, as amended (7 U.S.C. 5101–
4 5106), \$3,974,000.

5 DAIRY INDEMNITY PROGRAM

6 (INCLUDING TRANSFER OF FUNDS)

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

16 AGRICULTURAL CREDIT INSURANCE FUND PROGRAM

17 ACCOUNT

18 (INCLUDING TRANSFERS OF FUNDS)

19 For gross obligations for the principal amount of di-
20 rect and guaranteed loans as authorized by 7 U.S.C.
21 1928–1929, to be available from funds in the Agricultural
22 Credit Insurance Fund, as follows: farm ownership loans,
23 \$1,083,143,000, of which \$950,000,000 shall be for guar-
24 anteed loans and \$133,143,000 shall be for direct loans;
25 operating loans, \$2,200,440,000, of which \$1,330,000,000
26 shall be for unsubsidized guaranteed loans, \$252,937,000

1 shall be for subsidized guaranteed loans and \$617,503,000
2 shall be for direct loans; Indian tribe land acquisition
3 loans as authorized by 25 U.S.C. 488, \$2,000,000; and
4 for boll weevil eradication program loans as authorized by
5 7 U.S.C. 1989, \$100,000,000.

6 For the cost of direct and guaranteed loans, including
7 the cost of modifying loans as defined in section 502 of
8 the Congressional Budget Act of 1974, as follows: farm
9 ownership loans, \$34,528,000, of which \$5,130,000 shall
10 be for guaranteed loans, and \$29,398,000 shall be for di-
11 rect loans; operating loans, \$165,633,000, of which
12 \$44,289,000 shall be for unsubsidized guaranteed loans,
13 \$32,300,000 shall be for subsidized guaranteed loans, and
14 \$89,044,000 shall be for direct loans.

15 In addition, for administrative expenses necessary to
16 carry out the direct and guaranteed loan programs,
17 \$298,136,000, of which \$290,136,000 shall be transferred
18 to and merged with the appropriation for "Farm Service
19 Agency, Salaries and Expenses".

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

1 RISK MANAGEMENT AGENCY

2 For administrative and operating expenses, as au-
3 thorized by section 226A of the Department of Agriculture
4 Reorganization Act of 1994 (7 U.S.C. 6933),
5 \$71,509,000: *Provided*, That not to exceed \$1,000 shall
6 be available for official reception and representation ex-
7 penses, as authorized by 7 U.S.C. 1506(i).

8 CORPORATIONS

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

19 FEDERAL CROP INSURANCE CORPORATION FUND

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

1 COMMODITY CREDIT CORPORATION FUND

2 REIMBURSEMENT FOR NET REALIZED LOSSES

3 For the current fiscal year, such sums as may be nec-
4 essary to reimburse the Commodity Credit Corporation for
5 net realized losses sustained, but not previously reim-
6 bursed, pursuant to section 2 of the Act of August 17,
7 1961 (15 U.S.C. 713a–11).

8 HAZARDOUS WASTE MANAGEMENT

9 (LIMITATION ON EXPENSES)

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

18 TITLE II

19 CONSERVATION PROGRAMS

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

22 For necessary salaries and expenses of the Office of
23 the Under Secretary for Natural Resources and Environ-
24 ment to administer the laws enacted by the Congress for
25 the Forest Service and the Natural Resources Conserva-
26 tion Service, \$745,000.

1 NATURAL RESOURCES CONSERVATION SERVICE

2 CONSERVATION OPERATIONS

3 For necessary expenses for carrying out the provi-
4 sions of the Act of April 27, 1935 (16 U.S.C. 590a-f),
5 including preparation of conservation plans and establish-
6 ment of measures to conserve soil and water (including
7 farm irrigation and land drainage and such special meas-
8 ures for soil and water management as may be necessary
9 to prevent floods and the siltation of reservoirs and to con-
10 trol agricultural related pollutants); operation of conserva-
11 tion plant materials centers; classification and mapping of
12 soil; dissemination of information; acquisition of lands,
13 water, and interests therein for use in the plant materials
14 program by donation, exchange, or purchase at a nominal
15 cost not to exceed \$100 pursuant to the Act of August
16 3, 1956 (7 U.S.C. 428a); purchase and erection or alter-
17 ation or improvement of permanent and temporary build-
18 ings; and operation and maintenance of aircraft,
19 \$850,004,000, to remain available until expended (7
20 U.S.C. 2209b), of which not less than \$9,215,000 is for
21 snow survey and water forecasting, and not less than
22 \$11,722,000 is for operation and establishment of the
23 plant materials centers, and of which not less than
24 \$23,500,000 shall be for the grazing lands conservation
25 initiative: *Provided*, That appropriations hereunder shall

1 be available pursuant to 7 U.S.C. 2250 for construction
2 and improvement of buildings and public improvements at
3 plant materials centers, except that the cost of alterations
4 and improvements to other buildings and other public im-
5 provements shall not exceed \$250,000: *Provided further,*
6 That when buildings or other structures are erected on
7 non-Federal land, that the right to use such land is ob-
8 tained as provided in 7 U.S.C. 2250a: *Provided further,*
9 That this appropriation shall be available for technical as-
10 sistance and related expenses to carry out programs au-
11 thorized by section 202(c) of title II of the Colorado River
12 Basin Salinity Control Act of 1974 (43 U.S.C. 1592(c)): *Provided further,* That qualified local engineers may be
14 temporarily employed at per diem rates to perform the
15 technical planning work of the Service: *Provided further,*
16 That none of the funds made available under this para-
17 graph by this or any other appropriations Act may be used
18 to provide technical assistance with respect to programs
19 listed in section 1241(a) of the Food Security Act of 1985
20 (16 U.S.C. 3841(a)).

21 WATERSHED SURVEYS AND PLANNING

22 For necessary expenses to conduct research, inves-
23 tigation, and surveys of watersheds of rivers and other wa-
24 terways, and for small watershed investigations and plan-
25 ning, in accordance with the Watershed Protection and
26 Flood Prevention Act (16 U.S.C. 1001–1009),

1 \$11,124,000: *Provided*, That none of the funds made
2 available under this paragraph by this or any other appro-
3 priations Act may be used to provide technical assistance
4 with respect to programs listed in section 1241(a) of the
5 Food Security Act of 1985 (16 U.S.C. 3841(a)).

6 WATERSHED AND FLOOD PREVENTION OPERATIONS

7 For necessary expenses to carry out preventive meas-
8 ures, including but not limited to research, engineering op-
9 erations, methods of cultivation, the growing of vegetation,
10 rehabilitation of existing works and changes in use of land,
11 in accordance with the Watershed Protection and Flood
12 Prevention Act (16 U.S.C. 1001–1005 and 1007–1009),
13 the provisions of the Act of April 27, 1935 (16 U.S.C.
14 590a–f), and in accordance with the provisions of laws re-
15 lating to the activities of the Department, \$90,000,000,
16 to remain available until expended of which up to
17 \$10,000,000 shall be available for the watersheds author-
18 ized under the Flood Control Act (33 U.S.C. 701 and 16
19 U.S.C. 1006a): *Provided*, That not to exceed \$40,000,000
20 of this appropriation shall be made available for technical
21 assistance: *Provided further*, That not to exceed
22 \$1,000,000 of this appropriation is available to carry out
23 the purposes of the Endangered Species Act of 1973 (Pub-
24 lic Law 93–205), including cooperative efforts as con-
25 templated by that Act to relocate endangered or threat-
26 ened species to other suitable habitats as may be necessary

1 to expedite project construction: *Provided further*, That
2 the amount of federal funds that may be made available
3 to an eligible local organization for construction of a par-
4 ticular rehabilitation project shall be equal to 65 percent
5 of the total rehabilitation costs, but not to exceed 100 per-
6 cent of actual construction costs incurred in the rehabilita-
7 tion: *Provided further*, That consistent with existing stat-
8 ute, rehabilitation assistance provided may not be used to
9 perform operation and maintenance activities specified in
10 the agreement for the covered water resource projects en-
11 tered into between the Secretary and the eligible local or-
12 ganization responsible for the works of improvement: *Pro-
13 vided further*, That none of the funds made available under
14 this paragraph by this or any other appropriations Act
15 may be used to provide technical assistance with respect
16 to programs listed in section 1241(a) of the Food Security
17 Act of 1985 (16 U.S.C. 3841(a)).

18 WATERSHED REHABILITATION PROGRAM

19 For necessary expenses to carry out rehabilitation of
20 structural measures, in accordance with section 14 of the
21 Watershed Protection and Flood Prevention Act, as
22 amended, (16 U.S.C. 1012), and in accordance with the
23 provisions of laws relating to the activities of the Depart-
24 ment, \$40,000,000, to remain available until expended:
25 *Provided*, That none of the funds made available under
26 this paragraph by this or any other appropriations Act

1 may be used to provide technical assistance with respect
2 to programs listed in section 1241(a) of the Food Security
3 Act of 1985 (16 U.S.C. 3841(a)).

4 RESOURCE CONSERVATION AND DEVELOPMENT

5 For necessary expenses in planning and carrying out
6 projects for resource conservation and development and
7 for sound land use pursuant to the provisions of sections
8 31 and 32(l) of title III of the Bankhead-Jones Farm Ten-
9 ant Act (7 U.S.C. 1010–1011; 76 Stat. 607); the Act of
10 April 27, 1935 (16 U.S.C. 590a–f); and subtitle H of title
11 XV of the Agriculture and Food Act of 1981 (16 U.S.C.
12 3451–3461), \$52,894,000, to remain available until ex-
13 pended: *Provided*, That none of the funds made available
14 under this paragraph by this or any other appropriations
15 Act may be used to provide technical assistance with re-
16 spect to programs listed in section 1241(a) of the Food
17 Security Act of 1985 (16 U.S.C. 3841(a)): *Provided fur-*
18 *ther*, That a cooperative or contribution agreement with
19 a national association regarding a Resource Conservation
20 and Development program shall contain the same match-
21 ing, contribution requirements, and funding level, set forth
22 in a similar cooperative or contribution agreement with a
23 national association in fiscal year 2002: *Provided further*,
24 That not to exceed \$3,504,300, the same amount as in
25 the budget, shall be available for national headquarters ac-
26 tivities.

1 **TITLE III**
2 **RURAL DEVELOPMENT PROGRAMS**

3 **OFFICE OF THE UNDER SECRETARY FOR RURAL**
4 **DEVELOPMENT**

5 For necessary salaries and expenses of the Office of
6 the Under Secretary for Rural Development to administer
7 programs under the laws enacted by the Congress for the
8 Rural Housing Service, the Rural Business-Cooperative
9 Service, and the Rural Utilities Service of the Department
10 of Agriculture, \$636,000.

11 **RURAL COMMUNITY ADVANCEMENT PROGRAM**

12 For the cost of direct loans, loan guarantees, and
13 grants, as authorized by 7 U.S.C. 1926, 1926a, 1926c,
14 1926d, and 1932, except for sections 381E–H and 381N
15 of the Consolidated Farm and Rural Development Act,
16 \$706,006,000, to remain available until expended, of
17 which \$27,000,000 shall be for rural community programs
18 described in section 381E(d)(1) of such Act; of which
19 \$605,006,000 shall be for the rural utilities programs de-
20 scribed in sections 381E(d)(2), 306C(a)(2), and 306D of
21 such Act, of which not to exceed \$500,000 shall be avail-
22 able for the rural utilities program described in section
23 306(a)(2)(B) of such Act, and of which not to exceed
24 \$1,000,000 shall be available for the rural utilities pro-
25 gram described in section 306E of such Act; and of which
26 \$74,000,000 shall be for the rural business and coopera-

1 tive development programs described in sections
2 381E(d)(3) and 310B(f) of such Act: *Provided*, That of
3 the total amount appropriated in this account,
4 \$13,000,000 shall be for loans and grants to benefit Fed-
5 erally Recognized Native American Tribes, including
6 grants for drinking water and waste disposal systems pur-
7 suant to section 306C of such Act, of which \$4,000,000
8 shall be available for community facilities grants to tribal
9 colleges, as authorized by section 306(a)(19) of the Con-
10 solidated Farm and Rural Development Act, and of which
11 \$250,000 shall be available for a grant to a qualified na-
12 tional organization to provide technical assistance for
13 rural transportation in order to promote economic develop-
14 ment: *Provided further*, That of the amount appropriated
15 for rural community programs, \$6,000,000 shall be avail-
16 able for a Rural Community Development Initiative: *Pro-*
17 *vided further*, That such funds shall be used solely to de-
18 velop the capacity and ability of private, nonprofit commu-
19 nity-based housing and community development organiza-
20 tions, low-income rural communities, and Federally Recog-
21 nized Native American Tribes to undertake projects to im-
22 prove housing, community facilities, community and eco-
23 nomic development projects in rural areas: *Provided fur-*
24 *ther*, That such funds shall be made available to qualified
25 private, nonprofit and public intermediary organizations

1 proposing to carry out a program of financial and tech-
2 nical assistance: *Provided further*, That such intermediary
3 organizations shall provide matching funds from other
4 sources, including Federal funds for related activities, in
5 an amount not less than funds provided: *Provided further*,
6 That of the amount appropriated for the rural business
7 and cooperative development programs, not to exceed
8 \$500,000 shall be made available for a grant to a qualified
9 national organization to provide technical assistance for
10 rural transportation in order to promote economic develop-
11 ment: *Provided further*, That of the amount appropriated
12 for rural utilities programs, not to exceed \$25,000,000
13 shall be for water and waste disposal systems to benefit
14 the Colonias along the United States/Mexico border, in-
15 cluding grants pursuant to section 306C of such Act; not
16 to exceed \$17,465,000 shall be for technical assistance
17 grants for rural water and waste systems pursuant to sec-
18 tion 306(a)(14) of such Act, of which \$5,513,000 shall
19 be for Rural Community Assistance Programs and not to
20 exceed \$13,000,000 shall be for contracting with qualified
21 national organizations for a circuit rider program to pro-
22 vide technical assistance for rural water systems: *Provided*
23 *further*, That of the total amount appropriated, not to ex-
24 ceed \$22,132,000 shall be available through June 30,
25 2004, for authorized empowerment zones and enterprise

1 communities and communities designated by the Secretary
2 of Agriculture as Rural Economic Area Partnership
3 Zones; of which \$1,000,000 shall be for the rural commu-
4 nity programs described in section 381E(d)(1) of such
5 Act, of which \$12,582,000 shall be for the rural utilities
6 programs described in section 381E(d)(2) of such Act,
7 and of which \$8,550,000 shall be for the rural business
8 and cooperative development programs described in sec-
9 tion 381E(d)(3) of such Act.

10 RURAL DEVELOPMENT SALARIES AND EXPENSES

11 (INCLUDING TRANSFERS OF FUNDS)

12 For necessary expenses for carrying out the adminis-
13 tration and implementation of programs in the Rural De-
14 velopment mission area, including activities with institu-
15 tions concerning the development and operation of agricul-
16 tural cooperatives; and for cooperative agreements;
17 \$146,495,000: *Provided*, That not more than \$10,000
18 may be expended to provide modest nonmonetary awards
19 to non-USDA employees: *Provided further*, That any bal-
20 ances available from prior years for the Rural Utilities
21 Service, Rural Housing Service, and the Rural Business-
22 Cooperative Service salaries and expenses accounts shall
23 be transferred to and merged with this appropriation.

1 RURAL HOUSING SERVICE

2 RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT

3 (INCLUDING TRANSFERS OF FUNDS)

4 For gross obligations for the principal amount of di-
5 rect and guaranteed loans as authorized by title V of the
6 Housing Act of 1949, to be available from funds in the
7 rural housing insurance fund, as follows: \$4,091,634,000
8 for loans to section 502 borrowers, as determined by the
9 Secretary, of which \$1,366,462,000 shall be for direct
10 loans, and of which not more than \$2,725,172,000 shall
11 be for unsubsidized guaranteed loans; \$35,003,000 for
12 section 504 housing repair loans; \$116,545,000 for section
13 515 rental housing; \$100,000,000 for section 538 guaran-
14 teed multi-family housing loans; \$5,045,000 for section
15 524 site loans; \$11,500,000 for credit sales of acquired
16 property, of which up to \$1,500,000 may be for multi-
17 family credit sales; and \$5,000,000 for section 523 self-
18 help housing land development loans.

19 For the cost of direct and guaranteed loans, including
20 the cost of modifying loans, as defined in section 502 of
21 the Congressional Budget Act of 1974, as follows: section
22 502 loans, \$165,921,000, of which \$126,018,000 shall be
23 for direct loans, and of which \$39,903,000, to remain
24 available until expended, shall be for unsubsidized guaran-
25 teed loans; section 504 housing repair loans, \$9,612,000;
26 section 515 rental housing, \$50,126,000 of which

1 \$20,086,400 shall be for repair and rehabilitation, and
2 \$30,039,600 shall be for new construction; section 538
3 multi-family housing guaranteed loans, \$5,950,000; multi-
4 family credit sales of acquired property, \$663,000; and
5 section 523 self-help housing land development loans,
6 \$154,000: *Provided*, That of the total amount appro-
7 priated in this paragraph, \$7,100,000 shall be available
8 through June 30, 2004, for authorized empowerment
9 zones and enterprise communities and communities des-
10 ignated by the Secretary of Agriculture as Rural Economic
11 Area Partnership Zones.

12 In addition, for administrative expenses necessary to
13 carry out the direct and guaranteed loan programs,
14 \$447,151,000, which shall be transferred to and merged
15 with the appropriation for “Rural Development, Salaries
16 and Expenses”.

17 RENTAL ASSISTANCE PROGRAM

18 For rental assistance agreements entered into or re-
19 newed pursuant to the authority under section 521(a)(2)
20 or agreements entered into in lieu of debt forgiveness or
21 payments for eligible households as authorized by section
22 502(c)(5)(D) of the Housing Act of 1949, \$731,000,000;
23 and, in addition, such sums as may be necessary, as au-
24 thorized by section 521(c) of the Act, to liquidate debt
25 incurred prior to fiscal year 1992 to carry out the rental
26 assistance program under section 521(a)(2) of the Act:

1 *Provided*, That of this amount, not more than \$5,900,000
2 shall be available for debt forgiveness or payments for eli-
3 gible households as authorized by section 502(c)(5)(D) of
4 the Act, and not to exceed \$10,000 per project for ad-
5 vances to nonprofit organizations or public agencies to
6 cover direct costs (other than purchase price) incurred in
7 purchasing projects pursuant to section 502(c)(5)(C) of
8 the Act: *Provided further*, That agreements entered into
9 or renewed during the current fiscal year shall be funded
10 for a 5-year period, although the life of any such agree-
11 ment may be extended to fully utilize amounts obligated.

12 MUTUAL AND SELF-HELP HOUSING GRANTS

13 For grants and contracts pursuant to section
14 523(b)(1)(A) of the Housing Act of 1949 (42 U.S.C.
15 1490c), \$34,772,000, to remain available until expended:
16 *Provided*, That of the total amount appropriated,
17 \$1,000,000 shall be available through June 30, 2004, for
18 authorized empowerment zones and enterprise commu-
19 nities and communities designated by the Secretary of Ag-
20 riculture as Rural Economic Area Partnership Zones.

21 RURAL HOUSING ASSISTANCE GRANTS

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
26 U.S.C. 1474, 1479(c), 1490e, and 1490m, \$42,222,000,

1 to remain available until expended: *Provided*, That of the
2 total amount appropriated, \$1,800,000 shall be available
3 through June 30, 2004, for authorized empowerment
4 zones and enterprise communities and communities des-
5 ignated by the Secretary of Agriculture as Rural Economic
6 Area Partnership Zones.

7 FARM LABOR PROGRAM ACCOUNT

8 For the cost of direct loans, grants, and contracts,
9 as authorized by 42 U.S.C. 1484 and 1486, \$36,307,000,
10 to remain available until expended, for direct farm labor
11 housing loans and domestic farm labor housing grants and
12 contracts.

13 RURAL BUSINESS—COOPERATIVE SERVICE

14 RURAL DEVELOPMENT LOAN FUND PROGRAM ACCOUNT

15 (INCLUDING TRANSFER OF FUNDS)

16 For the principal amount of direct loans, as author-
17 ized by the Rural Development Loan Fund (42 U.S.C.
18 9812(a)), \$40,000,000.

19 For the cost of direct loans, \$17,308,000, as author-
20 ized by the Rural Development Loan Fund (42 U.S.C.
21 9812(a)), of which \$1,724,000 shall be available through
22 June 30, 2004, for Federally Recognized Native American
23 Tribes and of which \$3,449,000 shall be available through
24 June 30, 2004, for Mississippi Delta Region counties (as
25 defined by Public Law 100-460): *Provided*, That such
26 costs, including the cost of modifying such loans, shall be

1 as defined in section 502 of the Congressional Budget Act
2 of 1974: *Provided further*, That of the total amount appro-
3 priated, \$2,447,000 shall be available through June 30,
4 2004, for the cost of direct loans for authorized empower-
5 ment zones and enterprise communities and communities
6 designated by the Secretary of Agriculture as Rural Eco-
7 nomic Area Partnership Zones.

8 In addition, for administrative expenses to carry out
9 the direct loan programs, \$4,283,000 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 author-
16 ized under section 313 of the Rural Electrification Act,
17 for the purpose of promoting rural economic development
18 and job creation projects, \$16,120,000.

19 For the cost of direct loans, including the cost of
20 modifying loans as defined in section 502 of the Congres-
21 sional Budget Act of 1974, \$3,000,000.

22 Of the funds derived from interest on the cushion of
23 credit payments in the current fiscal year, as authorized
24 by section 313 of the Rural Electrification Act of 1936,
25 \$3,000,000 shall not be obligated and \$3,000,000 are re-
26 scinded.

1 RURAL COOPERATIVE DEVELOPMENT GRANTS

2 For rural cooperative development grants authorized
3 under section 310B(e) of the Consolidated Farm and
4 Rural Development Act (7 U.S.C. 1932), \$13,000,000, of
5 which \$2,500,000 shall be for cooperative agreements for
6 the appropriate technology transfer for rural areas pro-
7 gram: *Provided*, That not to exceed \$1,500,000 shall be
8 for cooperatives or associations of cooperatives whose pri-
9 mary focus is to provide assistance to small, minority pro-
10 ducers, of which not to exceed \$500,000 shall be for coop-
11 erative research agreements; and of which not to exceed
12 \$4,000,000, to remain available until expended, shall be
13 for value-added agricultural product market development
14 grants, as authorized by section 6401 of the Farm Secu-
15 rity and Rural Investment Act of 2002 (7 U.S.C. 1621
16 note).

17 RURAL EMPOWERMENT ZONES AND ENTERPRISE

18 COMMUNITIES GRANTS

19 For grants in connection with a second round of em-
20 powerment zones and enterprise communities,
21 \$10,967,000, to remain available until expended, for des-
22 ignated rural empowerment zones and rural enterprise
23 communities, as authorized by the Taxpayer Relief Act of
24 1997 and the Omnibus Consolidated and Emergency Sup-
25 plemental Appropriations Act, 1999 (Public Law 105–
26 277).

1 RENEWABLE ENERGY PROGRAM

2 For the cost of direct loans and grants, as authorized
3 by section 9006 of the Farm Security and Rural Invest-
4 ment Act of 2002 (7 U.S.C. 8106), \$3,000,000 for direct
5 renewable energy loans and grants: *Provided*, That the
6 cost of direct loans and loan guarantees, including the cost
7 of modifying such loans, shall be as defined in section 502
8 of the Congressional Budget Act of 1974.

9 RURAL UTILITIES SERVICE

10 RURAL ELECTRIFICATION AND TELECOMMUNICATIONS

11 LOANS PROGRAM ACCOUNT

12 (INCLUDING TRANSFER OF FUNDS)

13 Insured loans pursuant to the authority of section
14 305 of the Rural Electrification Act of 1936 (7 U.S.C.
15 935) shall be made as follows: 5 percent rural electrifica-
16 tion loans, \$240,000,000; municipal rate rural electric
17 loans, \$1,000,000,000; loans made pursuant to section
18 306 of that Act, rural electric, \$2,000,000,000; Treasury
19 rate direct electric loans, \$750,000,000; 5 percent rural
20 telecommunication loans, \$145,000,000; cost of money
21 rural telecommunication loans, \$300,000,000; and loans
22 made pursuant to section 306 of that Act, rural tele-
23 communication loans, \$120,000,000.

24 For the cost, as defined in section 502 of the Con-
25 gressional Budget Act of 1974, including the cost of modi-
26 fying loans, of direct and guaranteed loans authorized by

1 sections 305 and 306 of the Rural Electrification Act of
2 1936 (7 U.S.C. 935 and 936), as follows: cost of rural
3 electric loans, \$60,000, and the cost of telecommunication
4 loans, \$125,000: *Provided*, That notwithstanding section
5 305(d)(2) of the Rural Electrification Act of 1936, bor-
6 rower interest rates may exceed 7 percent per year.

7 In addition, for administrative expenses necessary to
8 carry out the direct and guaranteed loan programs,
9 \$38,166,000 which shall be transferred to and merged
10 with the appropriation for "Rural Development, Salaries
11 and Expenses".

12 RURAL TELEPHONE BANK PROGRAM ACCOUNT

13 (INCLUDING TRANSFER OF FUNDS)

14 The Rural Telephone Bank is hereby authorized to
15 make such expenditures, within the limits of funds avail-
16 able to such corporation in accord with law, and to make
17 such contracts and commitments without regard to fiscal
18 year limitations as provided by section 104 of the Govern-
19 ment Corporation Control Act, as may be necessary in car-
20 rying out its authorized programs.

21 For administrative expenses, including audits, nec-
22 essary to carry out the loan programs and continue to
23 service existing loans, \$3,182,000, to be derived by trans-
24 fer from the shareholder's equity, contained in the unobli-
25 gated balances in the Rural Telephone Bank Liquidating
26 Account, which shall be transferred to and merged with

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

3 DISTANCE LEARNING, TELEMEDICINE, AND BROADBAND
4 PROGRAM

5 For the principal amount of direct distance learning
6 and telemedicine loans, \$300,000,000; and for the prin-
7 cipal amount of broadband telecommunication loans,
8 \$336,000,000.

9 For grants for telemedicine and distance learning
10 services in rural areas, as authorized by 7 U.S.C. 950aaa
11 et seq., \$25,000,000, to remain available until expended.

12 For the cost of direct and guaranteed broadband
13 loans, as authorized by 7 U.S.C. 901, et seq., \$9,116,000:
14 *Provided*, That the cost of direct loans shall be as defined
15 in section 502 of the Congressional Budget Act of 1974.

16 In addition, \$8,000,000, to remain available until ex-
17 pended, for a grant program to finance broadband trans-
18 mission in areas that meet the definition of “rural area”
19 used for the Broadband Loan Program authorized by 7
20 U.S.C. 901.

21 TITLE IV

22 DOMESTIC FOOD PROGRAMS

23 OFFICE OF THE UNDER SECRETARY FOR FOOD,

24 NUTRITION, AND CONSUMER SERVICES

25 For necessary salaries and expenses of the Office of
26 the Under Secretary for Food, Nutrition, and Consumer

1 Services to administer the laws enacted by the Congress
2 for the Food and Nutrition Service, \$599,000.

3 FOOD AND NUTRITION SERVICE

4 CHILD NUTRITION PROGRAMS

5 (INCLUDING TRANSFER OF FUNDS)

6 For necessary expenses to carry out the National
7 School Lunch Act (42 U.S.C. 1751 et seq.), except section
8 21, and the Child Nutrition Act of 1966 (42 U.S.C. 1771
9 et seq.), except sections 17 and 21; \$11,418,441,000, to
10 remain available through September 30, 2005, of which
11 \$6,718,780,000 is hereby appropriated and
12 \$4,699,661,000 shall be derived by transfer from funds
13 available under section 32 of the Act of August 24, 1935
14 (7 U.S.C. 612c): *Provided*, that \$6,000,000 shall be avail-
15 able for the Food and Nutrition Service to conduct a study
16 of certification error and its effect on expenditures in the
17 National School Lunch and School Breakfast Programs
18 and an assessment of the feasibility of using income data
19 matching in those Programs: *Provided further*, that except
20 as specifically provided under this heading, none of the
21 funds made available under this heading shall be used for
22 studies and evaluations: *Provided further*, That up to
23 \$5,235,000 shall be available for independent verification
24 of school food service claims.

1 SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR

2 WOMEN, INFANTS, AND CHILDREN (WIC)

3 For necessary expenses to carry out the special sup-

4 plemental nutrition program as authorized by section 17

5 of the Child Nutrition Act of 1966 (42 U.S.C. 1786),

6 \$4,588,310,000, to remain available through September

7 30, 2005, of which \$20,000,000 shall be for a

8 breastfeeding support initiative in addition to the activities

9 specified in section 17(h)(3)(A); \$25,000,000 shall be for

10 a management information system initiative; and

11 \$25,000,000, to remain available until expended, shall be

12 placed in reserve for use in only such amounts, and in

13 such manner, as the Secretary determines necessary, not-

14 notwithstanding section 17(i) of the Child Nutrition Act, to

15 provide funds to support participation, should costs or

16 participation exceed budget estimates: *Provided*, That not-

17 notwithstanding section 17(h)(10)(A) of such Act,

18 \$14,000,000 shall be available for the purposes specified

19 in section 17(h)(10)(B): *Provided further*, That notwith-

20 standing section 17(g)(5) of such Act, \$4,000,000 shall

21 be available for pilot projects to prevent childhood obesity:

22 *Provided further*, That none of the funds made available

23 under this heading shall be used for studies and evalua-

24 tions: *Provided further*, That none of the funds in this Act

25 shall be available to pay administrative expenses of WIC

1 clinics except those that have an announced policy of pro-
2 hibiting smoking within the space used to carry out the
3 program: *Provided further*, That none of the funds pro-
4 vided in this account shall be available for the purchase
5 of infant formula except in accordance with the cost con-
6 tainment and competitive bidding requirements specified
7 in section 17 of such Act: *Provided further*, That none of
8 the funds provided shall be available for activities that are
9 not fully reimbursed by other Federal Government depart-
10 ments or agencies unless authorized by section 17 of such
11 Act.

12 FOOD STAMP PROGRAM

13 For necessary expenses to carry out the Food Stamp
14 Act (7 U.S.C. 2011 et seq.), \$27,745,981,000, of which
15 \$2,000,000,000 shall be placed in reserve for use only in
16 such amounts and at such times as may become necessary
17 to carry out program operations: *Provided*, That none of
18 the funds made available under this heading shall be used
19 for studies and evaluations: *Provided further*, That funds
20 provided herein shall be expended in accordance with sec-
21 tion 16 of the Food Stamp Act: *Provided further*, That
22 this appropriation shall be subject to any work registration
23 or welfare requirements as may be required by law: *Pro-*
24 *vided further*, That funds made available for Employment
25 and Training under this heading shall remain available

1 until expended, as authorized by section 16(h)(1) of the
2 Food Stamp Act.

3 COMMODITY ASSISTANCE PROGRAM

4 For necessary expenses to carry out disaster assist-
5 ance and the commodity supplemental food program as
6 authorized by section 4(a) of the Agriculture and Con-
7 sumer Protection Act of 1973 (7 U.S.C. 612c note); the
8 Emergency Food Assistance Act of 1983; special assist-
9 ance for the nuclear affected islands, as authorized by sec-
10 tion 103(h)(2) of the Compacts of Free Association Act
11 of 1985; and the Farmers' Market Nutrition Program, as
12 authorized by section 17(m) of the Child Nutrition Act
13 of 1966, \$166,072,000, to remain available through Sep-
14 tember 30, 2005: *Provided*, That none of these funds shall
15 be available to reimburse the Commodity Credit Corpora-
16 tion for commodities donated to the program.

17 NUTRITION PROGRAMS ADMINISTRATION

18 For necessary administrative expenses of the domes-
19 tic nutrition assistance programs funded under this Act,
20 \$140,512,000, of which \$5,000,000 shall be available only
21 for simplifying procedures, reducing overhead costs, tight-
22 ening regulations, improving food stamp benefit delivery,
23 and assisting in the prevention, identification, and pros-
24 ecution of fraud and other violations of law and of which
25 not less than \$7,500,000 shall be available to improve in-
26 tegrity in the Food Stamp and Child Nutrition programs.

4 FOREIGN AGRICULTURAL SERVICE

5 SALARIES AND EXPENSES

6 (INCLUDING TRANSFERS OF FUNDS)

7 For necessary expenses of the Foreign Agricultural
8 Service, including carrying out title VI of the Agricultural
9 Act of 1954 (7 U.S.C. 1761–1768), market development
10 activities abroad, and for enabling the Secretary to coordi-
11 nate and integrate activities of the Department in connec-
12 tion with foreign agricultural work, including not to exceed
13 \$158,000 for representation allowances and for expenses
14 pursuant to section 8 of the Act approved August 3, 1956
15 (7 U.S.C. 1766), \$133,924,000: *Provided*, That the Serv-
16 ice may utilize advances of funds, or reimburse this appro-
17 priation for expenditures made on behalf of Federal agen-
18 cies, public and private organizations and institutions
19 under agreements executed pursuant to the agricultural
20 food production assistance programs (7 U.S.C. 1737) and
21 the foreign assistance programs of the United States
22 Agency for International Development.

23 PUBLIC LAW 480 TITLE I PROGRAM ACCOUNT
24 (INCLUDING TRANSFERS OF FUNDS)

25 For the cost, as defined in section 502 of the Con-
26 gressional Budget Act of 1974, of agreements under the

1 Agricultural Trade Development and Assistance Act of
2 1954, and the Food for Progress Act of 1985, including
3 the cost of modifying credit arrangements under said Acts,
4 \$103,887,000, to remain available until expended.

5 In addition, for administrative expenses to carry out
6 the credit program of title I, Public Law 83-480, and the
7 Food for Progress Act of 1985, to the extent funds appro-
8 priated for Public Law 83-480 are utilized, \$4,041,000,
9 of which \$1,066,000 may be transferred to and merged
10 with the appropriation for "Foreign Agricultural Service,
11 Salaries and Expenses", and of which \$2,975,000 may be
12 transferred to and merged with the appropriation for
13 "Farm Service Agency, Salaries and Expenses".

14 PUBLIC LAW 480 TITLE I OCEAN FREIGHT DIFFERENTIAL

15 GRANTS

16 (INCLUDING TRANSFER OF FUNDS)

17 For ocean freight differential costs for the shipment
18 of agricultural commodities under title I of the Agricul-
19 tural Trade Development and Assistance Act of 1954 and
20 under the Food for Progress Act of 1985, \$28,000,000,
21 to remain available until expended: *Provided*, That funds
22 made available for the cost of agreements under title I
23 of the Agricultural Trade Development and Assistance Act
24 of 1954 and for title I ocean freight differential may be
25 used interchangeably between the two accounts with prior

1 notice to the Committees on Appropriations of both
2 Houses of Congress.

3 PUBLIC LAW 480 TITLE II GRANTS

4 For expenses during the current fiscal year, not oth-
5 erwise recoverable, and unrecovered prior years' costs, in-
6 cluding interest thereon, under the Agricultural Trade De-
7 velopment and Assistance Act of 1954, for commodities
8 supplied in connection with dispositions abroad under title
9 II of said Act, \$1,192,000,000, to remain available until
10 expended.

11 MCGOVERN-DOLE INTERNATIONAL FOOD FOR EDUCATION

12 AND CHILD NUTRITION PROGRAM GRANTS

13 For necessary expenses to carry out the provisions
14 of section 3107 of the Farm Security and Rural Invest-
15 ment Act of 2002 (7 U.S.C. 1736o-1), \$56,874,000, to
16 remain available until expended.

17 COMMODITY CREDIT CORPORATION EXPORT LOANS

18 PROGRAM ACCOUNT

19 (INCLUDING TRANSFERS OF FUNDS)

20 For administrative expenses to carry out the Com-
21 modity Credit Corporation's export guarantee program,
22 GSM 102 and GSM 103, \$4,312,000; to cover common
23 overhead expenses as permitted by section 11 of the Com-
24 modity Credit Corporation Charter Act and in conformity
25 with the Federal Credit Reform Act of 1990, of which
26 \$3,327,000 may be transferred to and merged with the

1 appropriation for "Foreign Agricultural Service, Salaries
2 and Expenses", and of which \$985,000 may be trans-
3 ferred to and merged with the appropriation for "Farm
4 Service Agency, Salaries and Expenses".

5 **TITLE VI**

6 **RELATED AGENCIES AND FOOD AND DRUG**

7 **ADMINISTRATION**

8 **DEPARTMENT OF HEALTH AND HUMAN**

9 **SERVICES**

10 **FOOD AND DRUG ADMINISTRATION**

11 **SALARIES AND EXPENSES**

12 (**INCLUDING TRANSFERS OF FUNDS**)

13 For necessary expenses of the Food and Drug Ad-
14 ministration, including hire and purchase of passenger
15 motor vehicles; for payment of space rental and related
16 costs pursuant to Public Law 92-313 for programs and
17 activities of the Food and Drug Administration which are
18 included in this Act; for rental of special purpose space
19 in the District of Columbia or elsewhere; for miscellaneous
20 and emergency expenses of enforcement activities, author-
21 ized and approved by the Secretary and to be accounted
22 for solely on the Secretary's certificate, not to exceed
23 \$25,000; and notwithstanding section 521 of Public Law
24 107-188; \$1,668,249,000: *Provided*, That of the amount
25 provided under this heading, \$249,825,000 shall be de-
26 rived from prescription drug user fees authorized by 21

1 U.S.C. 379h, and shall be credited to this account and
2 remain available until expended, and \$29,190,000 shall be
3 derived from medical device user fees authorized by 21
4 U.S.C. 379j, and shall be credited to this account and re-
5 main available until expended: *Provided further*, That fees
6 derived from prescription drug and medical device applica-
7 tions received during fiscal year 2004 shall be subject to
8 the fiscal year 2004 limitation: *Provided further*, That any
9 prescription drug or medical device user fee collected in
10 fiscal year 2004 that exceeds this limitation shall be cred-
11 ited to this account and remain available until expended,
12 in accordance with 21 U.S.C. 379h(g)(4) and 379j(h)(4):
13 *Provided further*, That none of these funds shall be used
14 to develop, establish, or operate any program of user fees
15 authorized by 31 U.S.C. 9701: *Provided further*, That of
16 the total amount appropriated: (1) \$412,462,000 shall be
17 for the Center for Food Safety and Applied Nutrition and
18 related field activities in the Office of Regulatory Affairs;
19 (2) \$478,650,000 shall be for the Center for Drug Evalua-
20 tion and Research and related field activities in the Office
21 of Regulatory Affairs, of which no less than \$13,357,000
22 shall be available for grants and contracts awarded under
23 section 5 of the Orphan Drug Act (21 U.S.C. 360ee); (3)
24 \$168,836,000 shall be for the Center for Biologics Evalua-
25 tion and Research and for related field activities in the

1 Office of Regulatory Affairs; (4) \$84,646,000 shall be for
2 the Center for Veterinary Medicine and for related field
3 activities in the Office of Regulatory Affairs; (5)
4 \$209,285,000 shall be for the Center for Devices and Ra-
5 diological Health and for related field activities in the Of-
6 fice of Regulatory Affairs; (6) \$39,887,000 shall be for
7 the National Center for Toxicological Research; (7)
8 \$40,851,000 shall be for Rent and Related activities, other
9 than the amounts paid to the General Services Adminis-
10 tration for rent; (8) \$119,795,000 shall be for payments
11 to the General Services Administration for rent; and (9)
12 \$113,837,000 shall be for other activities, including the
13 Office of the Commissioner; the Office of Management and
14 Systems; the Office of External Relations; the Office of
15 Policy and Planning; and central services for these offices:
16 *Provided further,* That funds may be transferred from one
17 specified activity to another with the prior approval of the
18 Committees on Appropriations of both Houses of Con-
19 gress.

20 In addition, mammography user fees authorized by
21 42 U.S.C. 263b may be credited to this account, to remain
22 available until expended.

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

1 BUILDINGS AND FACILITIES

2 For plans, construction, repair, improvement, exten-
3 sion, alteration, and purchase of fixed equipment or facili-
4 ties of or used by the Food and Drug Administration,
5 where not otherwise provided, \$6,000,000 to remain avail-
6 able until expended.

7 INDEPENDENT AGENCIES

8 COMMODITY FUTURES TRADING COMMISSION

9 For necessary expenses to carry out the provisions
10 of the Commodity Exchange Act (7 U.S.C. 1 et seq.), in-
11 cluding the purchase and hire of passenger motor vehicles,
12 and the rental of space (to include multiple year leases)
13 in the District of Columbia and elsewhere, \$88,435,000,
14 including not to exceed \$3,000 for official reception and
15 representation expenses.

16 FARM CREDIT ADMINISTRATION

17 LIMITATION ON ADMINISTRATIVE EXPENSES

18 Not to exceed \$40,900,000 (from assessments col-
19 lected from farm credit institutions and from the Federal
20 Agricultural Mortgage Corporation) shall be obligated
21 during the current fiscal year for administrative expenses
22 as authorized under 12 U.S.C. 2249: *Provided*, That this
23 limitation shall not apply to expenses associated with re-
24 ceiverships.

1 TITLE VII—GENERAL PROVISIONS

2 SEC. 701. Within the unit limit of cost fixed by law,
3 appropriations and authorizations made for the Depart-
4 ment of Agriculture for the current fiscal year under this
5 Act shall be available for the purchase, in addition to those
6 specifically provided for, of not to exceed 398 passenger
7 motor vehicles, of which 396 shall be for replacement only,
8 and for the hire of such vehicles.

9 SEC. 702. Funds in this Act available to the Depart-
10 ment of Agriculture shall be available for uniforms or al-
11 lowances therefor as authorized by law (5 U.S.C. 5901–
12 5902).

13 SEC. 703. Funds appropriated by this Act shall be
14 available for employment pursuant to the second sentence
15 of section 706(a) of the Department of Agriculture Or-
16 ganic Act of 1944 (7 U.S.C. 2225) and 5 U.S.C. 3109.

17 SEC. 704. The Secretary of Agriculture may transfer
18 unobligated balances of discretionary funds appropriated
19 by this Act or other available unobligated discretionary
20 balances of the Department of Agriculture to the Working
21 Capital Fund for the acquisition of plant and capital
22 equipment necessary for the delivery of financial, adminis-
23 trative, and information technology services of primary
24 benefit to the agencies of the Department of Agriculture:
25 *Provided*, That none of the funds made available by this

1 Act or any other Act shall be transferred to the Working
2 Capital Fund without the prior approval of the agency ad-
3 ministrator: *Provided further*, That none of the funds
4 transferred to the Working Capital Fund pursuant to this
5 section shall be available for obligation without the prior
6 approval of the Committees on Appropriations of both
7 Houses of Congress.

8 SEC. 705. New obligational authority provided for the
9 following appropriation items in this Act shall remain
10 available until expended: Animal and Plant Health Inspec-
11 tion Service, the contingency fund to meet emergency con-
12 ditions, information technology infrastructure, fruit fly
13 program, emerging plant pests, boll weevil program, and
14 up to 25 percent of the screwworm program; Food Safety
15 and Inspection Service, field automation and information
16 management project; Cooperative State Research, Edu-
17 cation, and Extension Service, funds for competitive re-
18 search grants (7 U.S.C. 450i(b)), funds for the Research,
19 Education, and Economics Information System (REEIS),
20 and funds for the Native American Institutions Endow-
21 ment Fund; Farm Service Agency, salaries and expenses
22 funds made available to county committees; Foreign Agri-
23 cultural Service, middle-income country training program
24 and up to \$2,000,000 of the Foreign Agricultural Service
25 appropriation solely for the purpose of offsetting fluctua-

1 tions in international currency exchange rates, subject to
2 documentation by the Foreign Agricultural Service.

3 SEC. 706. No part of any appropriation contained in
4 this Act shall remain available for obligation beyond the
5 current fiscal year unless expressly so provided herein.

6 SEC. 707. Not to exceed \$50,000 of the appropria-
7 tions available to the Department of Agriculture in this
8 Act shall be available to provide appropriate orientation
9 and language training pursuant to section 606C of the Act
10 of August 28, 1954 (7 U.S.C. 1766b).

11 SEC. 708. No funds appropriated by this Act may be
12 used to pay negotiated indirect cost rates on cooperative
13 agreements or similar arrangements between the United
14 States Department of Agriculture and nonprofit institu-
15 tions in excess of 10 percent of the total direct cost of
16 the agreement when the purpose of such cooperative ar-
17 rangements is to carry out programs of mutual interest
18 between the two parties. This does not preclude appro-
19 priate payment of indirect costs on grants and contracts
20 with such institutions when such indirect costs are com-
21 puted on a similar basis for all agencies for which appro-
22 priations are provided in this Act.

23 SEC. 709. None of the funds in this Act shall be avail-
24 able to restrict the authority of the Commodity Credit
25 Corporation to lease space for its own use or to lease space

1 on behalf of other agencies of the Department of Agri-
2 culture when such space will be jointly occupied.

3 SEC. 710. None of the funds in this Act shall be avail-
4 able to pay indirect costs charged against competitive agri-
5 cultural research, education, or extension grant awards
6 issued by the Cooperative State Research, Education, and
7 Extension Service that exceed 20 percent of total Federal
8 funds provided under each award: *Provided*, That notwith-
9 standing section 1462 of the National Agricultural Re-
10 search, Extension, and Teaching Policy Act of 1977 (7
11 U.S.C. 3310), funds provided by this Act for grants
12 awarded competitively by the Cooperative State Research,
13 Education, and Extension Service shall be available to pay
14 full allowable indirect costs for each grant awarded under
15 section 9 of the Small Business Act (15 U.S.C. 638).

16 SEC. 711. Notwithstanding any other provision of
17 this Act, all loan levels provided in this Act shall be consid-
18 ered estimates, not limitations.

19 SEC. 712. Appropriations to the Department of Agri-
20 culture for the cost of direct and guaranteed loans made
21 available in the current fiscal year shall remain available
22 until expended to cover obligations made in the current
23 fiscal year for the following accounts: the Rural Develop-
24 ment Loan Fund program account, the Rural Telephone
25 Bank program account, the Rural Electrification and

1 Telecommunication Loans program account, the Rural
2 Housing Insurance Fund program account, and the Rural
3 Economic Development Loans program account.

4 SEC. 713. None of the funds in this Act may be used
5 to retire more than 5 percent of the Class A stock of the
6 Rural Telephone Bank or to maintain any account or sub-
7 account within the accounting records of the Rural Tele-
8 phone Bank the creation of which has not specifically been
9 authorized by statute: *Provided*, That notwithstanding any
10 other provision of law, none of the funds appropriated or
11 otherwise made available in this Act may be used to trans-
12 fer to the Treasury or to the Federal Financing Bank any
13 unobligated balance of the Rural Telephone Bank tele-
14 phone liquidating account which is in excess of current
15 requirements and such balance shall receive interest as set
16 forth for financial accounts in section 505(c) of the Fed-
17 eral Credit Reform Act of 1990.

18 SEC. 714. Of the funds made available by this Act,
19 not more than \$1,800,000 shall be used to cover necessary
20 expenses of activities related to all advisory committees,
21 panels, commissions, and task forces of the Department
22 of Agriculture, except for panels used to comply with nego-
23 tiated rule makings and panels used to evaluate competi-
24 tively awarded grants.

1 SEC. 715. None of the funds appropriated by this Act
2 may be used to carry out section 410 of the Federal Meat
3 Inspection Act (21 U.S.C. 679a) or section 30 of the Poult-
4 try Products Inspection Act (21 U.S.C. 471).

5 SEC. 716. No employee of the Department of Agri-
6 culture may be detailed or assigned from an agency or
7 office funded by this Act to any other agency or office
8 of the Department for more than 30 days unless the indi-
9 vidual's employing agency or office is fully reimbursed by
10 the receiving agency or office for the salary and expenses
11 of the employee for the period of assignment.

12 SEC. 717. None of the funds appropriated or other-
13 wise made available to the Department of Agriculture
14 shall be used to transmit or otherwise make available to
15 any non-Department of Agriculture employee questions or
16 responses to questions that are a result of information re-
17 quested for the appropriations hearing process.

18 SEC. 718. None of the funds made available to the
19 Department of Agriculture by this Act may be used to ac-
20 quire new information technology systems or significant
21 upgrades, as determined by the Office of the Chief Infor-
22 mation Officer, without the approval of the Chief Informa-
23 tion Officer and the concurrence of the Executive Informa-
24 tion Technology Investment Review Board: *Provided*, That
25 notwithstanding any other provision of law, none of the

1 funds appropriated or otherwise made available by this
2 Act may be transferred to the Office of the Chief Informa-
3 tion Officer without the prior approval of the Committees
4 on Appropriations of both Houses of Congress.

5 SEC. 719. (a) None of the funds provided by this Act,
6 or provided by previous Appropriations Acts to the agen-
7 cies funded by this Act that remain available for obligation
8 or expenditure in the current fiscal year, or provided from
9 any accounts in the Treasury of the United States derived
10 by the collection of fees available to the agencies funded
11 by this Act, shall be available for obligation or expenditure
12 through a reprogramming of funds which: (1) creates new
13 programs; (2) eliminates a program, project, or activity;
14 (3) increases funds or personnel by any means for any
15 project or activity for which funds have been denied or
16 restricted; (4) relocates an office or employees; (5) reorga-
17 nizes offices, programs, or activities; or (6) contracts out
18 or privatizes any functions or activities presently per-
19 formed by Federal employees; unless the Committees on
20 Appropriations of both Houses of Congress are notified
21 15 days in advance of such reprogramming of funds.

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

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

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

24 SEC. 720. With the exception of funds needed to ad-
25 minister and conduct oversight of grants awarded and ob-

1 ligations incurred in prior fiscal years, none of the funds
2 appropriated or otherwise made available by this or any
3 other Act may be used to pay the salaries and expenses
4 of personnel to carry out the provisions of section 401 of
5 Public Law 105–185, the Initiative for Future Agriculture
6 and Food Systems (7 U.S.C. 7621).

7 SEC. 721. None of the funds appropriated by this Act
8 or any other Act shall be used to pay the salaries and
9 expenses of personnel who prepare or submit appropria-
10 tions language as part of the President's Budget submis-
11 sion to the Congress of the United States for programs
12 under the jurisdiction of the Appropriations Subcommitt-
13 ees on Agriculture, Rural Development, Food and Drug
14 Administration, and Related Agencies that assumes reve-
15 nues or reflects a reduction from the previous year due
16 to user fees proposals that have not been enacted into law
17 prior to the submission of the Budget unless such Budget
18 submission identifies which additional spending reductions
19 should occur in the event the user fees proposals are not
20 enacted prior to the date of the convening of a committee
21 of conference for the fiscal year 2005 appropriations Act.

22 SEC. 722. None of the funds made available by this
23 Act or any other Act may be used to close or relocate a
24 state Rural Development office unless or until cost effec-

1 tiveness and enhancement of program delivery have been
2 determined.

3 SEC. 723. In addition to amounts otherwise appro-
4 priated or made available by this Act, \$3,000,000 is ap-
5 propriated for the purpose of providing Bill Emerson and
6 Mickey Leland Hunger Fellowships, as authorized by sec-
7 tion 4404 of Public Law 107–171 (2 U.S.C. 1161).

8 SEC. 724. Notwithstanding section 412 of the Agri-
9 cultural Trade Development and Assistance Act of 1954
10 (7 U.S.C. 1736f), any balances available to carry out title
11 III of such Act as of the date of enactment of this Act,
12 and any recoveries and reimbursements that become avail-
13 able to carry out title III of such Act, may be used to
14 carry out title II of such Act.

15 SEC. 725. Section 375(e)(6)(B) of the Consolidated
16 Farm and Rural Development Act (7 U.S.C.
17 2008j(e)(6)(B)) is amended by striking “\$26,499,000”
18 and inserting “\$26,998,000”.

19 SEC. 726. Notwithstanding any other provision of
20 law, the Natural Resources Conservation Service may pro-
21 vide financial and technical assistance through the Water-
22 shed and Flood Prevention Operations program for the
23 Ditch 26 project in Arkansas.

24 SEC. 727. Notwithstanding any other provision of
25 law, the Secretary shall consider the County of Lawrence,

1 Ohio; the City of Havelock, North Carolina; the City of
2 Portsmouth, Ohio; the City of Atascadero, California; the
3 City of Binghamton, New York; the Town of Vestal, New
4 York; the City of Ithaca, New York; the City of Casa
5 Grande, Arizona; and the City of Clarksdale, Mississippi,
6 as meeting the eligibility requirements for loans and
7 grants programs in the Rural Development mission area.

8 SEC. 728. Notwithstanding any other provision of
9 law, the Natural Resources Conservation Service shall pro-
10 vide financial and technical assistance to the DuPage
11 County, Illinois, Kress Creek Watershed Plan, from funds
12 available for the Watershed and Flood Prevention Oper-
13 ations program, not to exceed \$1,600,000 and Rockhouse
14 Creek Watershed, Leslie County, Kentucky, not to exceed
15 \$1,000,000.

16 SEC. 729. None of the funds made available in this
17 Act may be transferred to any department, agency, or in-
18 strumentality of the United States Government, except
19 pursuant to a transfer made by, or transfer authority pro-
20 vided in, this Act or any other appropriation Act.

21 SEC. 730. Agencies and offices of the Department of
22 Agriculture may utilize any unobligated salaries and ex-
23 penses funds to reimburse the Office of the General Coun-
24 sel for salaries and expenses of personnel, and for other
25 related expenses, incurred in representing such agencies

1 and offices in the resolution of complaints by employees
2 or applicants for employment, and in cases and other mat-
3 ters pending before the Equal Employment Opportunity
4 Commission, the Federal Labor Relations Authority, or
5 the Merit Systems Protection Board with the prior ap-
6 proval of the Committees on Appropriations of both
7 Houses of Congress.

8 SEC. 731. None of the funds appropriated or made
9 available by this Act may be used to pay the salaries and
10 expenses of personnel to carry out section 14(h)(1) of the
11 Watershed Protection and Flood Prevention Act (16
12 U.S.C. 1012(h)(1)).

13 SEC. 732. None of the funds appropriated or made
14 available by this Act, or any other Act, may be used to
15 pay the salaries and expenses of personnel to carry out
16 the Rural Strategic Investment Program authorized by
17 subtitle I of the Consolidated Farm and Rural Develop-
18 ment Act (7 U.S.C. 2009dd through dd-7) in excess of
19 \$2,000,000.

20 SEC. 733. None of the funds appropriated or made
21 available by this Act may be used to pay the salaries and
22 expenses of personnel to carry out the Rural Firefighters
23 and Emergency Personnel Grant Program authorized by
24 section 6405 of Public Law 107-171 (7 U.S.C. 2655).

1 SEC. 734. None of the funds appropriated or other-
2 wise made available by this Act shall be used to pay the
3 salaries and expenses of personnel to carry out the provi-
4 sions of sections 7404(a)(1) and 7404(c)(1) of Public Law
5 107–171.

6 SEC. 735. The Agricultural Marketing Service and
7 the Grain Inspection, Packers and Stockyards Administra-
8 tion, that have statutory authority to purchase interest
9 bearing investments outside of Treasury, are not required
10 to establish obligations and outlays for those investments,
11 provided those investments are insured by FDIC or are
12 collateralized at the Federal Reserve with securities ap-
13 proved by the Federal Reserve, operating under the guide-
14 lines of the U.S. Treasury.

15 SEC. 736. Of the funds made available under section
16 27(a) of the Food Stamp Act of 1977 (7 U.S.C. 2011 et
17 seq.), the Secretary may use up to \$10,000,000 for costs
18 associated with the distribution of commodities.

19 SEC. 737. None of the funds appropriated or other-
20 wise made available by this Act shall be used to pay the
21 salaries and expenses of personnel to enroll in excess of
22 200,000 acres in the calendar year 2004 wetlands reserve
23 program as authorized by 16 U.S.C. 3837.

24 SEC. 738. None of the funds appropriated or other-
25 wise made available by this Act shall be used to pay the

1 salaries and expenses of personnel who carry out an envi-
2 ronmental quality incentives program authorized by chap-
3 ter 4 of subtitle D of title XII of the Food Security Act
4 of 1985 (16 U.S.C. 3839aa et seq.) in excess of
5 \$975,000,000.

6 SEC. 739. The Administrator of the Agricultural Re-
7 search Service may make available by outlease agreements
8 with other Federal agencies or non-Federal public or pri-
9 vate entities any unused or underused portion or interest
10 of or interest in any agency real and related personal prop-
11 erty, and may retain and use the proceeds of such agree-
12 ments in carrying out the programs of the agency. Prop-
13 erty proposed for outlease must not be property otherwise
14 required to be reported excess under the Federal Property
15 and Administrative Services Act of 1949, as amended.
16 Outleases shall be made competitively, and be based on
17 the fair market value of the property.

18 SEC. 740. None of the funds appropriated or other-
19 wise made available by this Act shall be used to pay the
20 salaries and expenses of personnel to carry out section
21 9006 of Public Law 107-171, the Farm Security and
22 Rural Investment Act of 2002.

23 SEC. 741. None of the funds appropriated or other-
24 wise made available by this or any other Act shall be used

1 to pay the salaries and expenses of personnel to carry out
2 section 6103 of Public Law 107–171.

3 SEC. 742. None of the funds appropriated or other-
4 wise made available by this or any other Act shall be used
5 to pay the salaries and expenses of personnel to carry out
6 section 6401 of Public Law 107–171, the Farm Security
7 and Rural Investment Act of 2002.

8 SEC. 743. None of the funds appropriated or other-
9 wise made available by this Act shall be used for the imple-
10 mentation of Country of Origin Labeling for meat or meat
11 products.

12 SEC. 744. Any unobligated balances in the Alter-
13 native Agricultural Research and Commercialization Re-
14 volving Fund are hereby rescinded.

15 SEC. 745. None of the funds appropriated or other-
16 wise made available by this Act shall be used to carry out
17 a Conservation Security Program authorized in section
18 1241(a)(3) of the Food Security Act of 1985 (16 U.S.C.
19 3841(a)(3)).

20 SEC. 746. Section 726 of Division A of Public Law
21 108–7 is amended by striking “, as authorized by section
22 4404 of Public Law 107–171 (2 U.S.C. 1161)” and in-
23 serting “through the Congressional Hunger Center”.

24 SEC. 747. (a) ASSISTANCE FOR COMMERCIAL TREE
25 LOSSES.—The Secretary of Agriculture shall use

1 \$5,000,000 of the funds of the Commodity Credit Cor-
2 poration to provide assistance under the Tree Assistance
3 Program, subtitle C of title X of the Farm Security and
4 Rural Investment Act of 2002 (7 U.S.C. 8201 et seq.),
5 to tree-fruit growers located in a federally declared dis-
6 aster area in the State of New York who suffered tree
7 losses in 2003 as a result of an April 4–6, 2003, icestorm.

8 (b) OFFSET.—The amount appropriated by this Act
9 under the heading “RURAL COMMUNITY ADVANCEMENT
10 PROGRAM” is hereby reduced by \$5,000,000.

11 SEC. 748. Section 204(a)(3) of the Agricultural
12 Trade Development and Assistance Act of 1954 (7 U.S.C.
13 1724(a)(3)) is amended by striking “and Committee” and
14 inserting “, the Committee on Appropriations, and the
15 Committee”.

16 SEC. 749. None of the funds appropriated or other-
17 wise made available by this Act for the Food and Drug
18 Administration may be used under section 801 of the Fed-
19 eral Food, Drug, and Cosmetic Act to prevent an indi-
20 vidual not in the business of importing a prescription drug
21 within the meaning of section 801(g) of such Act, whole-
22 salers, or pharmacists from importing a prescription drug
23 which complies with sections 501, 502, and 505.

1 This Act may be cited as the “Agriculture, Rural De-
2 velopment, Food and Drug Administration, and Related
3 Agencies Appropriations Act, 2004”.

Union Calendar No. 99

108th CONGRESS
1st Session

H.R. 2673

[Report No. 108-193]

A BILL

Making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2004, and for other purposes.

JULY 9, 2003

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