

**Calendar No. 99**111<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION**S. 1406****[Report No. 111-39]**

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

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## IN THE SENATE OF THE UNITED STATES

JULY 7, 2009

Mr. KOHL, from the Committee on Appropriations, reported the following original bill; which was read twice and placed on the calendar

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**A BILL**

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

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

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

4 For necessary expenses of the Animal and Plant  
5 Health Inspection Service, including up to \$30,000 for  
6 representation allowances and for expenses pursuant to  
7 the Foreign Service Act of 1980 (22 U.S.C. 4085),  
8 \$911,394,000, of which \$18,059,000 shall be for the pur-  
9 poses, and in the amounts, specified in the table titled  
10 “Congressionally Designated Projects” in the report to ac-  
11 company this Act, of which \$2,058,000 shall be available  
12 for the control of outbreaks of insects, plant diseases, ani-  
13 mal diseases and for control of pest animals and birds to  
14 the extent necessary to meet emergency conditions; of  
15 which \$23,390,000 shall be used for the cotton pests pro-  
16 gram for cost share purposes or for debt retirement for  
17 active eradication zones; of which \$14,607,000 shall be for  
18 a National Animal Identification program; of which  
19 \$60,243,000 shall be used to prevent and control avian  
20 influenza and shall remain available until expended: *Pro-*  
21 *vided*, That funds provided for the contingency fund to  
22 meet emergency conditions, information technology infra-  
23 structure, fruit fly program, emerging plant pests, cotton  
24 pests program, grasshopper and mormon cricket program,  
25 the plum pox program, the National Veterinary Stockpile,

1 the National Animal Identification System, up to  
2 \$1,500,000 in the scrapie program for indemnities, up to  
3 \$1,000,000 for wildlife services methods development, up  
4 to \$1,000,000 of the wildlife services operations program  
5 for aviation safety, and up to 25 percent of the screwworm  
6 program shall remain available until expended: *Provided*  
7 *further*, That no funds shall be used to formulate or ad-  
8 minister a brucellosis eradication program for the current  
9 fiscal year that does not require minimum matching by  
10 the States of at least 40 percent: *Provided further*, That  
11 this appropriation shall be available for the operation and  
12 maintenance of aircraft and the purchase of not to exceed  
13 four, of which two shall be for replacement only: *Provided*  
14 *further*, That, in addition, in emergencies which threaten  
15 any segment of the agricultural production industry of this  
16 country, the Secretary may transfer from other appropria-  
17 tions or funds available to the agencies or corporations  
18 of the Department such sums as may be deemed nec-  
19 essary, to be available only in such emergencies for the  
20 arrest and eradication of contagious or infectious disease  
21 or pests of animals, poultry, or plants, and for expenses  
22 in accordance with sections 10411 and 10417 of the Ani-  
23 mal Health Protection Act (7 U.S.C. 8310 and 8316) and  
24 sections 431 and 442 of the Plant Protection Act (7  
25 U.S.C. 7751 and 7772), and any unexpended balances of

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

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

21 BUILDINGS AND FACILITIES

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

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

3                   AGRICULTURAL MARKETING SERVICE

4                                   MARKETING SERVICES

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

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

15                   LIMITATION ON ADMINISTRATIVE EXPENSES

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

1 TITLE VII  
2 GENERAL PROVISIONS  
3 (INCLUDING RESCISSION)

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

11 SEC. 702. Section 10101 of division B of the Consoli-  
12 dated Security, Disaster Assistance, and Continuing Ap-  
13 propriations Act, 2009, (Public Law 110–329) is amended  
14 in subsection (b) by inserting at the end the following: “In  
15 carrying out this section, the Secretary may transfer funds  
16 into existing or new accounts as determined by the Sec-  
17 retary.”.

18 SEC. 703. The Secretary of Agriculture may transfer  
19 unobligated balances of discretionary funds appropriated  
20 by this Act or other available unobligated discretionary  
21 balances of the Department of Agriculture to the Working  
22 Capital Fund for the acquisition of plant and capital  
23 equipment necessary for the delivery of financial, adminis-  
24 trative, and information technology services of primary  
25 benefit to the agencies of the Department of Agriculture:

1 *Provided*, That none of the funds made available by this  
2 Act or any other Act shall be transferred to the Working  
3 Capital Fund without the prior notification of the agency  
4 administrator: *Provided further*, That none of the funds  
5 transferred to the Working Capital Fund pursuant to this  
6 section shall be available for obligation without the prior  
7 notification of the Committees on Appropriations of both  
8 Houses of Congress: *Provided further*, That none of the  
9 funds appropriated by this Act or made available to the  
10 Department's Working Capital Fund shall be available for  
11 obligation or expenditure to make any changes to the De-  
12 partment's National Finance Center without prior ap-  
13 proval of the Committees on Appropriations of both  
14 Houses of Congress as required by section 712 of this Act:  
15 *Provided further*, That of annual income amounts in the  
16 Working Capital Fund of the Department of Agriculture  
17 allocated for the National Finance Center, the Secretary  
18 may reserve not more than 4 percent for the replacement  
19 or acquisition of capital equipment, including equipment  
20 for the improvement and implementation of a financial  
21 management plan, information technology, and other sys-  
22 tems of the National Finance Center or to pay any unfore-  
23 seen, extraordinary cost of the National Finance Center:  
24 *Provided further*, That none of the amounts reserved shall  
25 be available for obligation unless the Secretary submits

1 notification of the obligation to the Committees on Appro-  
2 priations of the House of Representatives and the Senate:  
3 *Provided further*, That the limitation on the obligation of  
4 funds pending notification to Congressional Committees  
5 shall not apply to any obligation that, as determined by  
6 the Secretary, is necessary to respond to a declared state  
7 of emergency that significantly impacts the operations of  
8 the National Finance Center; or to evacuate employees of  
9 the National Finance Center to a safe haven to continue  
10 operations of the National Finance Center.

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

14 SEC. 705. No funds appropriated by this Act may be  
15 used to pay negotiated indirect cost rates on cooperative  
16 agreements or similar arrangements between the United  
17 States Department of Agriculture and nonprofit institu-  
18 tions in excess of 10 percent of the total direct cost of  
19 the agreement when the purpose of such cooperative ar-  
20 rangements is to carry out programs of mutual interest  
21 between the two parties: *Provided*, That this does not pre-  
22 clude appropriate payment of indirect costs on grants and  
23 contracts with such institutions when such indirect costs  
24 are computed on a similar basis for all agencies for which  
25 appropriations are provided in this Act.

1       SEC. 706. Appropriations to the Department of Agri-  
2 culture for the cost of direct and guaranteed loans made  
3 available in the current fiscal year shall remain available  
4 until expended to disburse obligations made in the current  
5 fiscal year for the following accounts: the Rural Develop-  
6 ment Loan Fund program account, the Rural Electrifica-  
7 tion and Telecommunication Loans program account, and  
8 the Rural Housing Insurance Fund program account.

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

16       SEC. 708. Hereafter, none of the funds appropriated  
17 by this Act or any other Act may be used to carry out  
18 section 410 of the Federal Meat Inspection Act (21 U.S.C.  
19 679a) or section 30 of the Poultry Products Inspection  
20 Act (21 U.S.C. 471).

21       SEC. 709. No employee of the Department of Agri-  
22 culture may be detailed or assigned from an agency or  
23 office funded by this Act or any other Act to any other  
24 agency or office of the Department for more than 30 days  
25 unless the individual's employing agency or office is fully

1 reimbursed by the receiving agency or office for the salary  
2 and expenses of the employee for the period of assignment.

3       SEC. 710. None of the funds appropriated or other-  
4 wise made available to the Department of Agriculture or  
5 the Food and Drug Administration shall be used to trans-  
6 mit or otherwise make available to any non-Department  
7 of Agriculture or non-Department of Health and Human  
8 Services employee questions or responses to questions that  
9 are a result of information requested for the appropria-  
10 tions hearing process.

11       SEC. 711. None of the funds made available to the  
12 Department of Agriculture by this Act may be used to ac-  
13 quire new information technology systems or significant  
14 upgrades, as determined by the Office of the Chief Infor-  
15 mation Officer, without the approval of the Chief Informa-  
16 tion Officer and the concurrence of the Executive Informa-  
17 tion Technology Investment Review Board: *Provided*, That  
18 notwithstanding any other provision of law, none of the  
19 funds appropriated or otherwise made available by this  
20 Act may be transferred to the Office of the Chief Informa-  
21 tion Officer unless prior notification has been transmitted  
22 to the Committees on Appropriations of both Houses of  
23 Congress: *Provided further*, That none of the funds avail-  
24 able to the Department of Agriculture for information  
25 technology shall be obligated for projects over \$25,000

1 prior to receipt of written approval by the Chief Informa-  
2 tion Officer.

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

11 (1) creates new programs;

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

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

16 (4) relocates an office or employees;

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

18 or

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

24 (b) None of the funds provided by this Act, or pro-  
25 vided by previous Appropriations Acts to the agencies

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

18 (c) The Secretary of Agriculture or the Secretary of  
19 Health and Human Services shall notify the Committees  
20 on Appropriations of both Houses of Congress before im-  
21 plementing a program or activity not carried out during  
22 the previous fiscal year unless the program or activity is  
23 funded by this Act or specifically funded by any other Act.

24 SEC. 713. None of the funds appropriated by this or  
25 any other Act shall be used to pay the salaries and ex-

1 penses of personnel who prepare or submit appropriations  
2 language as part of the President's Budget submission to  
3 the Congress of the United States for programs under the  
4 jurisdiction of the Appropriations Subcommittees on Agri-  
5 culture, Rural Development, Food and Drug Administra-  
6 tion, and Related Agencies that assumes revenues or re-  
7 flects a reduction from the previous year due to user fees  
8 proposals that have not been enacted into law prior to the  
9 submission of the Budget unless such Budget submission  
10 identifies which additional spending reductions should  
11 occur in the event the user fees proposals are not enacted  
12 prior to the date of the convening of a committee of con-  
13 ference for the fiscal year 2011 appropriations Act.

14       SEC. 714. None of the funds made available by this  
15 or any other Act may be used to close or relocate a Rural  
16 Development office unless or until the Secretary of Agri-  
17 culture determines the cost effectiveness and/or enhance-  
18 ment of program delivery: *Provided*, That not later than  
19 120 days before the date of the proposed closure or reloca-  
20 tion, the Secretary notifies the Committees on Appropria-  
21 tion of the House and Senate, and the members of Con-  
22 gress from the State in which the office is located of the  
23 proposed closure or relocation and provides a report that  
24 describes the justifications for such closures and reloca-  
25 tions.

1        SEC. 715. None of the funds made available to the  
2 Food and Drug Administration by this Act shall be used  
3 to close or relocate, or to plan to close or relocate, the  
4 Food and Drug Administration Division of Pharma-  
5 ceutical Analysis in St. Louis, Missouri, outside the city  
6 or county limits of St. Louis, Missouri.

7        SEC. 716. There is hereby appropriated \$499,000 for  
8 any authorized Rural Development program purpose, in  
9 communities suffering from extreme outmigration and sit-  
10 uated in areas that were designated as part of an Em-  
11 powerment Zone pursuant to section 111 of the Commu-  
12 nity Renewal Tax Relief Act of 2000 (as contained in ap-  
13 pendix G of Public Law 106–554).

14        SEC. 717. None of the funds made available in fiscal  
15 year 2010 or preceding fiscal years for programs author-  
16 ized under the Food for Peace Act (7 U.S.C. 1691 et seq.)  
17 in excess of \$20,000,000 shall be used to reimburse the  
18 Commodity Credit Corporation for the release of eligible  
19 commodities under section 302(f)(2)(A) of the Bill Emer-  
20 son Humanitarian Trust Act (7 U.S.C. 1736f–1): *Pro-*  
21 *vided*, That any such funds made available to reimburse  
22 the Commodity Credit Corporation shall only be used pur-  
23 suant to section 302(b)(2)(B)(i) of the Bill Emerson Hu-  
24 manitarian Trust Act.

1       SEC. 718. There is hereby appropriated \$3,497,000,  
2 to remain available until expended, for a grant to the Na-  
3 tional Center for Natural Products Research for construc-  
4 tion or renovation to carry out the research objectives of  
5 the natural products research grant issued by the Food  
6 and Drug Administration.

7       SEC. 719. Funds made available under section 1240I  
8 and section 1241(a) of the Food Security Act of 1985 and  
9 section 524(b) of the Federal Crop Insurance Act (7  
10 U.S.C. 1524(b)) in the current fiscal year shall remain  
11 available until expended to disburse obligations made in  
12 the current fiscal year.

13       SEC. 720. None of the funds appropriated or other-  
14 wise made available by this or any other Act shall be used  
15 to pay the salaries and expenses of personnel to carry out  
16 the following:

17           (1) An Environmental Quality Incentives Pro-  
18 gram as authorized by sections 1241–240H of the  
19 Food Security Act of 1985, as amended (16 U.S.C.  
20 3839aa–3839aa(8)), in excess of \$1,180,000,000.

21           (2) a program authorized by section 14(h)(1) of  
22 the Watershed Protection and Flood Prevention Act  
23 (16 U.S.C. 1012(h)(1)).

24           (3) a program under subsection (b)(2)(A)(ii) of  
25 section 14222 of Public Law 110–246 in excess of

1       \$1,123,000,000: *Provided*, That none of the funds  
2       made available in this Act or any other Act shall be  
3       used for salaries and expenses to carry out section  
4       19(i)(1)(C) of the Richard B. Russell National  
5       School Lunch Act as amended by section 4304 of  
6       Public Law 110–246 in excess of \$25,000,000 until  
7       October 1, 2010: *Provided further*, That the unobli-  
8       gated balances under section 32 of the Act of Au-  
9       gust 24, 1935, \$52,000,000 are hereby rescinded.

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

18       SEC. 722. There is hereby appropriated \$2,600,000,  
19       to remain available until expended, for the planning and  
20       design of construction of an agricultural pest facility in  
21       the State of Hawaii.

22       SEC. 723. There is hereby appropriated \$4,000,000  
23       to the Secretary of Agriculture to award grant(s) to de-  
24       velop and field test new food products designed to improve  
25       the nutritional delivery of humanitarian food assistance

1 provided through the McGovern-Dole (section 3107 of the  
2 Farm Security and Rural Investment Act of 2002 (7  
3 U.S.C. 1736o-1)) and the Food for Peace title II (7  
4 U.S.C. 1691 et seq.) programs: *Provided*, That the Sec-  
5 retary shall use the authorities provided under the Re-  
6 search, Education, and Economics mission area of the De-  
7 partment in awarding such grant(s), with priority given  
8 to proposals that demonstrate partnering with and in-kind  
9 support from the private sector.

10       SEC. 724. The Rural Utilities Service, Rural Housing  
11 Service, and Rural Business and Cooperative Service shall  
12 permit an applicant to solicit and procure professional  
13 services and have prepared all environmental reviews, as-  
14 sessments, and impact statements: *Provided*, That such  
15 professional services will be funded by the applicants and  
16 selected by the agencies from procurement schedules of  
17 contractors determined qualified to perform said services:  
18 *Provided further*, That the Agencies shall establish the  
19 scope of work and procedures for such services as well as  
20 procedures to assure contractors have no financial or other  
21 conflicts of interest in the outcome of the action and the  
22 documentation meets the needs of the Agencies: *Provided*  
23 *further*, That nothing herein shall affect the responsibility  
24 of the Agencies to comply with the National Environ-  
25 mental Policy Act.

1       SEC. 725. Notwithstanding any other provision of  
2 law, and until receipt of the decennial Census for the year  
3 2010, the Secretary of Agriculture shall consider—

4           (1) The unincorporated community of Los  
5 Osos, in the County of San Luis Obispo, California,  
6 to be a rural area for the purposes of eligibility for  
7 Rural Utilities Service water and waste disposal  
8 loans and grants; and

9           (2) The unincorporated community of  
10 Thermalito in Butte County, California, (including  
11 individuals and entities with projects within the com-  
12 munity) eligible for loans and grants funded under  
13 the housing programs of the Rural Housing Service.

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

16       SEC. 727. Notwithstanding any other provision of  
17 law, there is hereby appropriated:

18           (1) \$3,000,000 of which \$2,000,000 shall be for  
19 a grant to the Wisconsin Department of Agriculture,  
20 Trade, and Consumer Protection, and \$1,000,000  
21 shall be for a grant to the Vermont Agency of Agri-  
22 culture, Foods, and Markets, as authorized by sec-  
23 tion 6402 of the Farm Security and Rural Invest-  
24 ment Act of 2002 (7 U.S.C. 1621 note); and

1           (2) \$350,000 for a grant to the Wisconsin De-  
2           partment of Agriculture, Trade and Consumer Pro-  
3           tection.

4           SEC. 728. Notwithstanding any other provision of  
5           law, the Natural Resources Conservation Service shall pro-  
6           vide financial and technical assistance—

7           (1) through the Watershed and Flood Preven-  
8           tion Operations program for the Pocasset River  
9           Floodplain Management Project in the State of  
10          Rhode Island;

11          (2) through the Watershed and Flood Preven-  
12          tion Operations program to carry out the East Lo-  
13          cust Creek Watershed Plan Revision in Missouri, in-  
14          cluding up to 100 percent of the engineering assist-  
15          ance and 75 percent cost share for construction cost  
16          of site RW1;

17          (3) through the Watershed and Flood Preven-  
18          tion Operations program to carry out the Little  
19          Otter Creek Watershed project in Missouri. The  
20          sponsoring local organization may obtain land rights  
21          by perpetual easements;

22          (4) through the Watershed and Flood Preven-  
23          tion Operations program to carry out the DuPage  
24          County Watershed project in the State of Illinois;

1           (5) through the Watershed and Flood Preven-  
2           tion Operations program to carry out the Dunloup  
3           Creek Watershed Project in Fayette and Raleigh  
4           Counties, West Virginia;

5           (6) through the Watershed and Flood Preven-  
6           tion Operations program to carry out the Dry Creek  
7           Watershed project in the State of California; and

8           (7) through the Watershed and Flood Preven-  
9           tion Operations program to carry out the Upper  
10          Clark Fork Watershed project in the State of Mon-  
11          tana.

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

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

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

17          and

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

20          SEC. 730. Notwithstanding any other provision of  
21          law, for the purposes of a grant under section 412 of the  
22          Agricultural Research, Extension, and Education Reform  
23          Act of 1998, none of the funds in this or any other Act  
24          may be used to prohibit the provision of in-kind support  
25          from non-Federal sources under section 412(e)(3) in the

1 form of unrecovered indirect costs not otherwise charged  
2 against the grant, consistent with the indirect rate of cost  
3 approved for a recipient.

4       SEC. 731. Except as otherwise specifically provided  
5 by law, unobligated balances remaining available at the  
6 end of the fiscal year from appropriations made available  
7 for salaries and expenses in this Act for the Farm Service  
8 Agency and the Rural Development mission area, shall re-  
9 main available through September 30, 2011, for informa-  
10 tion technology expenses.

11       SEC. 732. (a) CHILD NUTRITION PROGRAMS.—Sec-  
12 tion 9(b) of the Richard B. Russell National School Lunch  
13 Act (42 U.S.C. 1758(b)) is amended by adding at the end  
14 the following:

15               “(14) COMBAT PAY.—

16                       “(A) DEFINITION OF COMBAT PAY.—In  
17 this paragraph, the term ‘combat pay’ means  
18 any additional payment under chapter 5 of title  
19 37, United States Code, or otherwise designated  
20 by the Secretary to be appropriate for exclusion  
21 under this paragraph, that is received by or  
22 from a member of the United States Armed  
23 Forces deployed to a designated combat zone, if  
24 the additional pay—

1                   “(i) is the result of deployment to or  
2                   service in a combat zone; and

3                   “(ii) was not received immediately  
4                   prior to serving in a combat zone.

5                   “(B) EXCLUSION.—Combat pay shall not  
6                   be considered to be income for the purpose of  
7                   determining the eligibility for free or reduced  
8                   price meals of a child who is a member of the  
9                   household of a member of the United States  
10                  Armed Forces.”.

11                  (b) SPECIAL SUPPLEMENTAL NUTRITION PROGRAM  
12                  FOR WOMEN, INFANTS, AND CHILDREN.—Section  
13                  17(d)(2) of the Child Nutrition Act of 1966 (42 U.S.C.  
14                  1786(d)(2)) is amended—

15                   (1) by redesignating subparagraph (C) as sub-  
16                   paragraph (D); and

17                   (2) by inserting after subparagraph (B) the fol-  
18                   lowing:

19                   “(C) COMBAT PAY.—For the purpose of  
20                   determining income eligibility under this sec-  
21                   tion, a State agency shall exclude from income  
22                   any additional payment under chapter 5 of title  
23                   37, United States Code, or otherwise designated  
24                   by the Secretary to be appropriate for exclusion  
25                   under this subparagraph, that is received by or

1 from a member of the United States Armed  
2 Forces deployed to a designated combat zone, if  
3 the additional pay—

4 “(i) is the result of deployment to or  
5 service in a combat zone; and

6 “(ii) was not received immediately  
7 prior to serving in a combat zone.”.

8 SEC. 733. (a) Section 531(g)(7)(F) of the Federal  
9 Crop Insurance Act (7 U.S.C. 1531(g)(7)(F)) is amend-  
10 ed—

11 (1) in the matter preceding clause (i), by insert-  
12 ing “(including multiyear assistance)” after “assist-  
13 ance”; and

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

16 (b) Section 901(g)(7)(F) of the Trade Act of 1974  
17 (19 U.S.C. 2497(g)(7)(F)) is amended—

18 (1) in the matter preceding clause (i), by insert-  
19 ing “(including multiyear assistance)” after “assist-  
20 ance”; and

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

23 SEC. 734. Notwithstanding section 17(g)(5) of the  
24 Child Nutrition Act of 1966 (42.U.S.C. 1786(g)(5)), not  
25 more than \$15,000,000 of funds provided in this Act may

1 be used for the purpose of evaluating program perform-  
2 ance in the Special Supplemental Nutrition Program for  
3 Women, Infants and Children.

4       SEC. 735. Notwithstanding section 17(h)(10)(A) of  
5 the Child Nutrition Act of 1966 (42 U.S.C.  
6 1786(h)(10)(A)), \$154,000,000 of funds provided in this  
7 Act shall be used for infrastructure, management informa-  
8 tion systems and breastfeeding peer counseling support:  
9 *Provided*, That of the \$154,000,000, not less than  
10 \$14,000,000 shall be used for infrastructure, not less than  
11 \$60,000,000 shall be used for management information  
12 systems, and not less than \$80,000,000 shall be used for  
13 breastfeeding peer counselors and other related activities.

14       SEC. 736. Agencies with jurisdiction for carrying out  
15 international food assistance programs under the jurisdic-  
16 tion of this Act, including title II of the Food for Peace  
17 Act and the McGovern-Dole International Food for Edu-  
18 cation Program, shall—

19           (1) provide to the Committees on Appropria-  
20 tions of the House and the Senate no later than  
21 March 1, 2010, the following:

22                   (A) estimates on cost-savings and pro-  
23 grammatic efficiencies that would result from  
24 increased use of pre-positioning of food aid  
25 commodities and processes to ensure such car-

1 goes are appropriately maintained to prevent  
2 spoilage;

3 (B) estimates on cost-savings and pro-  
4 grammatic efficiencies that would result from  
5 the use of longer-term commodity procurement  
6 contracts, the proportional distribution of com-  
7 modity purchases throughout the fiscal year,  
8 longer-term shipping contracts, contracts which  
9 include shared-risk principles, and adoptions of  
10 other commercially acceptable contracting prac-  
11 tices;

12 (C) estimates on costs of domestic procure-  
13 ment of commodities, domestic inland transpor-  
14 tation of food aid commodities, domestic stor-  
15 age (including loading and unloading), foreign  
16 storage (including loading and unloading), for-  
17 eign inland transportation, and ocean freight  
18 (including ocean freight as adjusted by the  
19 ocean freight differential reimbursement pro-  
20 vided by the Secretary of Transportation), and  
21 costs relating to allocation and distribution of  
22 commodities in recipient countries;

23 (D) information on the frequency of delays  
24 in transporting food aid commodities, the cause  
25 or purpose of any delays (including how those

1 delays are tracked, monitored and resolved),  
2 missed schedules by carriers and non-carriers  
3 (and resulting program costs due to such  
4 delays, including impacts to program bene-  
5 ficiaries);

6 (E) information on the methodologies to  
7 improve interagency coordination between host  
8 governments, the World Food Program, and  
9 non-governmental organization to develop more  
10 consistent estimates of food aid needs and the  
11 number of intended recipients to appropriately  
12 inform the purchases of commodities and in  
13 order to appropriately plan for commodity pro-  
14 curement for food aid programs;

15 (2) provide the matter described under sub-  
16 section (1) of this section in the form of a consensus  
17 report under the signatures of the Secretaries of Ag-  
18 riculture, State, and Transportation; and

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

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

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

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

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

7       SEC. 741. There is hereby appropriated \$800,000 to  
8 the Farm Service Agency to carry out a pilot program to  
9 demonstrate the use of new technologies that increase the  
10 rate of growth of re-forested hardwood trees on private  
11 non-industrial forests lands, enrolling lands on the coast  
12 of the Gulf of Mexico that were damaged by Hurricane  
13 Katrina in 2005.

14       SEC. 742. Applicants with very low, low, and mod-  
15 erate incomes shall be eligible for the program established  
16 in section 791 of Public Law 109–97.

17       SEC. 743. The Secretary of Agriculture may author-  
18 ize a State agency to use funds provided in this Act to  
19 exceed the maximum amount of reconstituted infant for-  
20 mula specified in 7 C.F.R. 246.10 when issuing infant for-  
21 mula to participants. Such authorizations shall not other-  
22 wise impact the eligibility of manufacturers to remain eli-  
23 gible under the Special Supplemental Nutrition Program  
24 for Women, Infants and Children authorized by section  
25 17 of the Child Nutrition Act of 1966.

1        SEC. 744. None of the funds made available by this  
2 Act may be used to establish or implement a rule allowing  
3 poultry products to be imported into the United States  
4 from the People’s Republic of China unless the Secretary  
5 of Agriculture formally commits in advance to conduct au-  
6 dits of inspection systems, on-site reviews of slaughter and  
7 processing facilities, laboratories and other control oper-  
8 ations before any Chinese facilities are certified as eligible  
9 to ship fully cooked poultry products to the United States,  
10 and at least once annually in subsequent years: *Provided*,  
11 That the Secretary commits in advance to implement a  
12 significantly increased level of port of entry re-inspection:  
13 *Provided further*, That the Secretary commits in advance  
14 to conduct information sharing with other countries im-  
15 porting poultry products from China that have conducted  
16 audits and plant inspections.

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

## Calendar No. 99

111TH CONGRESS }  
1st Session }

SENATE

{ REPORT  
111-39

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### AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIA- TIONS BILL, 2010

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JULY 7, 2009.—Ordered to be printed

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Mr. KOHL, from the Committee on Appropriations,  
submitted the following

### REPORT

[To accompany S. 1406]

The Committee on Appropriations reports the bill (S. 1406) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes, reports favorably thereon and recommends that the bill do pass.

#### *Total obligational authority, fiscal year 2010*

Total of bill as reported to the Senate .....	\$123,993,248,000
Amount of 2009 appropriations .....	126,962,906,000
Amount of 2010 budget estimate .....	123,759,120,000
Bill as recommended to Senate compared to—	
2009 appropriations .....	– 2,969,658,000
2010 budget estimate .....	+ 234,128,000

OFFICE OF THE UNDER SECRETARY FOR MARKETING AND  
REGULATORY PROGRAMS

Appropriations, 2009 .....	\$737,000
Budget estimate, 2010 .....	895,000
Committee recommendation .....	895,000

The Office of the Under Secretary for Marketing and Regulatory Programs provides direction and coordination in carrying out laws enacted by the Congress with respect to the Department's marketing, grading, and standardization activities related to grain; competitive marketing practices of livestock, marketing orders, and various programs; veterinary services; and plant protection and quarantine. The Office has oversight and management responsibilities for the Animal and Plant Health Inspection Service; Agricultural Marketing Service; and Grain Inspection, Packers and Stockyards Administration.

COMMITTEE RECOMMENDATIONS

The Committee recommends an appropriation of \$895,000 for the Office of the Under Secretary for Marketing and Regulatory Programs.

ANIMAL AND PLANT HEALTH INSPECTION SERVICE

SALARIES AND EXPENSES

Appropriations, 2009 .....	\$876,675,000
Budget estimate, 2010 .....	872,423,000
Committee recommendation .....	911,394,000

The Secretary of Agriculture established the Animal and Plant Health Inspection Service [APHIS] on April 2, 1972, under the authority of reorganization plan No. 2 of 1953, and other authorities. The major objectives of APHIS are to protect the animal and plant resources of the Nation from diseases and pests. These objectives are carried out under the major areas of activity, as follows:

*Pest and Disease Exclusion.*—The agency conducts inspection and quarantine activities at U.S. ports of entry to prevent the introduction of exotic animal and plant diseases and pests. The Agency also participates in inspection, survey, and control activities in foreign countries to reinforce its domestic activities.

*Agricultural Quarantine Inspection [AQI].*—The agency collects user fees to cover the cost of inspection and quarantine activities at U.S. ports of entry to prevent the introduction of exotic animal and plant diseases and pests.

*Plant and Animal Health Monitoring.*—The agency conducts programs to assess animal and plant health and to detect endemic and exotic diseases and pests.

*Pest and Disease Management Programs.*—The agency carries out programs to control and eradicate pest infestations and animal diseases that threaten the United States; reduce agricultural losses caused by predatory animals, birds, and rodents; provide technical assistance to other cooperators such as States, counties, farmer or rancher groups, and foundations; and ensure compliance with interstate movement and other disease control regulations within the jurisdiction of the agency.

*Animal Care.*—The agency conducts regulatory activities that ensure the humane care and treatment of animals and horses as the Animal Welfare and Horse Protection Acts require. These activities include inspection of certain establishments that handle animals intended for research, exhibition, and as pets, and monitoring certain horse shows.

*Scientific and Technical Services.*—The agency performs other regulatory activities, including the development of standards for the licensing and testing of veterinary biologicals to ensure their safety and effectiveness; diagnostic activities to support the control and eradication programs in other functional components; applied research to reduce economic damage from vertebrate animals; development of new pest and animal damage control methods and tools; and regulatory oversight of genetically engineered products.

#### COMMITTEE RECOMMENDATIONS

The Committee recommends an appropriation of \$911,394,000 for salaries and expenses of the Animal and Plant Health Inspection Service.

The following table reflects the Committee's specific recommendations for the Animal and Plant Health Inspection Service:

#### ANIMAL AND PLANT HEALTH INSPECTION SERVICE

[In thousands of dollars]

	Fiscal year 2009 enacted	Fiscal year 2010 budget request	Committee recommendation
<b>PEST AND DISEASE EXCLUSION:</b>			
Agricultural Quarantine Inspection [AQI] .....	26,979	26,000	29,000
Cattle Fever Ticks .....	9,907	13,157	13,157
Foreign Animal Disease/Foot and Mouth Disease .....	4,000	4,004	4,004
Fruit Fly Exclusion & Detection .....	62,320	62,920	62,920
Import/Export .....	12,963	13,298	13,298
Overseas Technical & Trade Operations .....	15,725	16,172	16,172
Screwworm .....	27,635	27,714	27,714
Tropical Bont Tick .....	425	429	429
Subtotal, Pest and Disease Exclusion .....	159,954	163,694	166,694
<b>PLANT AND ANIMAL HEALTH MONITORING:</b>			
Animal Health Monitoring & Surveillance .....	129,180	127,122	130,614
Animal & Plant Health Reg. Enforcement .....	13,694	13,983	13,983
Avian Influenza .....	60,594	60,243	60,243
Emergency Management Systems .....	15,619	15,794	15,794
National Veterinary Stockpile .....	3,739	3,757	3,757
Pest Detection .....	27,776	26,756	28,113
Select Agents .....	5,128	5,176	5,176
Subtotal, Plant and Animal Health Monitoring .....	255,730	252,831	257,680
<b>PEST AND DISEASE MANAGEMENT:</b>			
Aquaculture .....	5,887	5,806	5,972
Biological Control .....	9,737	9,967	10,467
Brucellosis .....	9,584	9,057	9,707
Chronic Wasting Disease .....	17,014	15,607	16,875
Contingency Funds .....	2,025	2,058	2,058
Cotton Pests .....	29,590	25,047	23,390
Emerging Plant Pests .....	133,677	143,831	159,300
Golden Nematode .....	816	831	831
Grasshopper .....	5,552	4,578	6,078
Gypsy Moth .....	4,843	4,920	5,170

## ANIMAL AND PLANT HEALTH INSPECTION SERVICE—Continued

[In thousands of dollars]

	Fiscal year 2009 enacted	Fiscal year 2010 budget request	Committee recommendation
Imported Fire Ant .....	1,893	1,902	1,902
Johne's Disease .....	6,821	5,937	6,876
Noxious Weeds .....	1,993	1,171	1,790
Plum Pox .....	2,195	2,206	2,206
Pseudorabies .....	2,446	2,510	2,510
Scrapie .....	17,733	17,906	17,906
Tuberculosis .....	15,657	15,516	15,764
Wildlife Services Operations .....	76,047	70,502	76,281
Witchweed .....	1,510	1,517	1,517
Subtotal, Pest and Disease Management .....	345,020	340,869	366,600
<b>ANIMAL CARE:</b>			
Animal Welfare .....	21,522	21,979	21,979
Horse Protection .....	499	500	500
Subtotal, Animal Care .....	22,021	22,479	22,479
<b>SCIENTIFIC AND TECHNICAL SERVICES:</b>			
Biotechnology Regulatory Services .....	12,877	12,791	13,050
Environmental Compliance .....	2,669	2,715	2,715
Plant Methods Development Labs .....	9,712	9,949	9,949
Veterinary Biologics .....	16,922	17,325	17,325
Veterinary Diagnostics .....	23,585	23,778	26,073
Wildlife Services Methods Development .....	17,986	15,793	18,630
Subtotal, Scientific and Technical Services .....	83,751	82,351	87,742
<b>MANAGEMENT:</b>			
APHIS Information Technology Infrastructure .....	4,474	4,474	4,474
Physical/Operational Security .....	5,725	5,725	5,725
Subtotal, Management .....	10,199	10,199	10,199
<b>TOTAL, APHIS .....</b>	<b>876,675</b>	<b>872,423</b>	<b>911,394</b>

The Committee encourages the Secretary to continue use of contingency funding from Commodity Credit Corporation monies, as in past fiscal years, to cover additional emergencies as the Secretary determines necessary.

## PEST AND DISEASE EXCLUSION

*Agricultural Quarantine Inspection [AQI]*

*Committee Recommendation.*—The Committee recommendation includes an appropriation of \$29,000,000 for the AQI appropriated account to conduct preclearance quarantine inspections of persons, baggage, cargo, and other articles destined for movement from the State of Hawaii to the continental United States, Guam, Puerto Rico, or the United States Virgin Islands.

*Interline Activities.*—The Committee recommendation includes \$3,000,000 for interline activities in Hawaii. The State of Hawaii is currently under a Federal quarantine for fruit flies. This quarantine requires the predeparture inspection of all airline passengers and luggage departing Hawaii for the U.S. mainland. Although APHIS currently provides funding to pay for inspections at the Honolulu airport, this funding will pay for federally required

inspections for flights originating at neighbor island airports and connecting in Honolulu.

*Fruit Fly Exclusion and Detection*

*Committee Recommendation.*—The Committee recommendation includes \$62,920,000 for the fruit fly exclusion and detection program, of which no less than the fiscal year 2009 level shall be used to enhance activities to prevent Medflies from moving into the United States as well as activities at U.S. borders.

PLANT AND ANIMAL HEALTH MONITORING

*Animal Health Monitoring and Surveillance*

*Committee Recommendation.*—The Committee recommendation includes \$130,614,000 for the animal health monitoring and surveillance program, which includes \$350,000 for the Trichinae certification program.

*Animal Identification.*—The Committee recommendation includes \$14,607,000 to continue implementation of the National Animal Identification System.

*Bio-safety.*—The Committee recommendation includes \$240,000 to address bio-safety issues relating to antibiotic resistant strains of bacterial pathogens in the State of Vermont.

*Disease Surveillance.*—The Committee recommendation includes \$700,000 to work with North Dakota State University and Dickinson State University to develop, test, and implement the use of RFID tags for animal identification, strengthening pathogen diagnostic and identification capabilities and pinpointing problem areas in the traceback systems and methods to resolve them.

*National Farm Animal Identification and Records.*—The Committee recommendation includes \$343,000 to allow additional producers to participate in the National Farm Animal Identification and Records Project, which electronically identifies individual animals and tracks their movements from birth to slaughter within 48 hours in order to combat animal disease outbreaks.

*New Mexico Rapid Syndrome Validation Program.*—The Committee recommendation includes \$404,000 for the New Mexico Rapid Syndrome Validation Program to develop an early detection and reporting system for infectious animal diseases.

*Animal and Plant Health Regulatory Enforcement*

*Committee Recommendation.*—The Committee recommendation includes \$13,983,000 for the animal and plant health regulatory enforcement program to support Animal Welfare Act (7 U.S.C. 2131 et seq.) compliance inspections.

*Avian Influenza*

*Committee Recommendation.*—The Committee recommendation includes \$60,243,000 for avian influenza activities.

*Emergency Management Systems*

*Committee Recommendation.*—The Committee recommendation includes \$15,794,000 for emergency management systems.

*National Veterinary Stockpile*

*Committee Recommendation.*—The Committee recommendation includes \$3,757,000 for the National Veterinary Stockpile.

*Pest Detection*

*Committee Recommendation.*—The Committee recommendation includes \$28,113,000 for pest detection.

*California County Pest Detection Augmentation Program.*—The Committee recommendation includes \$619,000 to continue the California County Pest Detection Augmentation Program, which is a statewide network of insect traps and other detection tools to serve as an early warning system against serious agricultural pests in the State of California.

*Import Inspection.*—California's agricultural industry is highly susceptible to exotic pests due to its international border and as home to some of the Nation's busiest seaports. The California County Pest Detection Augmentation Program is operated at points of entry in California to prevent the establishment of serious agricultural and environmental invasive pests and diseases. This funding will address the growing of interstate shipments from international ports of entry in other States, where inspectors are not monitoring for the pests that could devastate California agriculture. The Committee recommendation includes \$738,000 for this program.

## PEST AND DISEASE MANAGEMENT

*Aquaculture*

*Committee Recommendation.*—The Committee recommendation includes \$5,972,000 for the aquaculture program.

*Cormorant and Pelican Control.*—The Committee recommendation includes \$569,000 to continue telemetry and population dynamics studies and operations to develop environmentally and economically sustainable methods to help catfish farmers manage cormorant and pelican populations.

*Invasive Aquatic Species.*—The Committee recommendation includes \$94,000 for the State of Vermont's Lake Champlain's Fish and Wildlife Management Cooperative for the control of invasive aquatic species, which cause damage and threaten State listed endangered species, and are one of the biggest threats to the fishing industry in Lake Champlain.

*Viral Hemorrhagic Septicemia [VHS].*—The Committee recommendation includes \$4,600,000 for the control of VHS in the Great Lakes States.

*Biological Control*

*Committee Recommendation.*—The Committee recommendation includes \$10,467,000 for biological control.

*Hemlock Woolly Adelgid.*—The Committee recommendation includes \$500,000 for control of Hemlock Woolly Adelgid in Tennessee.

*Brucellosis Eradication*

*Committee Recommendation.*—The Committee recommendation includes \$9,707,000 for brucellosis eradication.

*Greater Yellowstone Interagency Brucellosis Committee.*—The Committee recommendation includes \$650,000 for the Greater Yellowstone Interagency Brucellosis Committee to continue brucellosis prevention, surveillance, control, and eradication. The Committee encourages the coordination of Federal, State, and private actions to eliminate brucellosis from wildlife in the Greater Yellowstone area. This amount shall be equally divided between the States of Idaho, Montana, and Wyoming.

*Chronic Wasting Disease [CWD]*

*Committee Recommendation.*—The Committee recommendation includes \$16,875,000 for the chronic wasting disease certification and control program to include additional surveillance and disease control activities with free-ranging cervids, and to increase State testing capacity for the timely identification of the presence of this disease.

*Contingency Funds*

*Committee Recommendation.*—The Committee recommendation includes \$2,058,000 for APHIS contingency funds, allowing APHIS to control outbreaks of insects, plant diseases, animal diseases, and pest animals and birds to the extent necessary to meet emergency conditions. The contingency fund allows APHIS to act rapidly to control emergencies before they can spread and cause significant economic damage.

*Cotton Pests*

*Committee Recommendation.*—The Committee recommendation includes \$23,390,000 for the cotton pests program.

*Emerging Plant Pests*

*Committee Recommendation.*—The Committee recommendation includes \$159,300,000 for the emerging plant pests program. The Committee expects the Secretary to make funds available from the CCC for activities related to plant pests in fiscal year 2010, as necessary.

The Committee is concerned about the ever-increasing number of nonnative plant pests and diseases discovered in the United States. Significant Federal, State, and grower resources are being spent on controlling these pests and diseases, such as Glassy-Winged Sharpshooter and Pierce's Disease, Asian Citrus Psyllid and Huanglongbing Disease, Light Brown Apple Moth, and other plant pests. These pests pose a real threat to the long-term economic viability of U.S. agriculture. The Committee urges APHIS to address this issue and to undertake extremely careful review of requests for importation from growing regions that are home to pests or diseases that do not exist in the United States so as not to add to the current pest and disease crisis.

*Asian Long Horned Beetle.*—The Committee recommendation includes \$30,021,000 for Asian long horned beetle.

*Citrus Health Response Program.*—The Committee recommendation includes \$45,687,000 for the citrus health response program.

*Emerald Ash Borer.*—The Committee recommendation includes \$39,705,000 for emerald ash borer. This invasive species has been found in Illinois, Indiana, Kentucky, Maryland, Michigan, Minnesota, Missouri, Ohio, Pennsylvania, Virginia, Wisconsin, and West Virginia. The Committee recognizes that the emerald ash borer, which poses a significant threat to the Nation's population of ash trees, has the potential to cause significant economic and ecological damage, and that further efforts are required to manage the spread of emerald ash borer and develop techniques and technologies to eradicate this species.

*Glassy-Winged Sharpshooter.*—The Committee recommendation includes \$22,983,000 for glassy-winged sharpshooter.

*Karnal Bunt.*—The Committee recommendation includes \$2,151,000 for karnal bunt.

*Light Brown Apple Moth.*—The Committee recommendation includes \$1,008,000 for Light Brown Apple Moth.

*Miscellaneous Pests.*—The Committee recommendation includes \$2,102,000 for miscellaneous pests.

*Potato Cyst Nematode.*—The Committee recommendation includes \$8,327,000 for potato cyst nematode.

*Sirex Woodwasp.*—The Committee recommendation includes \$1,500,000 for sirex woodwasp.

*Sudden Oak Death (Phytophthora ramora).*—The Committee recommendation includes \$5,347,000 for sudden oak death. The Committee encourages APHIS to use the funding provided to promote the research, development, and testing of new systems of nursery pest and disease management and for programs of inspection and regulation.

*Varroa Mite Suppression.*—The Committee recommendation includes \$469,000 to suppress and limit the varroa mite population on the Island of Oahu, and to prevent spread of the mite to the neighboring islands. Colony Collapse Disorder [CCD] has devastated bee keepers on mainland USA, and is severely limiting the supply of bees to those commercial crops requiring bee pollination. The Island of Hawaii (Big Island) is a major supplier of queen bees to mainland bee keepers with the largest supplier of queen bees in the United States located in Kona on Big Island.

#### *Grasshopper*

*Committee Recommendation.*—The Committee recommendation includes \$6,078,000 for the grasshopper program.

*Mormon Cricket.*—The Committee recommendation includes \$1,000,000 for grasshopper and cricket survey and control activities in the State of Nevada.

#### *Gypsy Moth*

*Committee Recommendation.*—The Committee recommendation includes \$5,170,000 for the gypsy moth program.

*Gypsy Moth, New Jersey.*—The Committee recommendation includes \$250,000 to support and enhance gypsy moth control in communities and public lands in the State of New Jersey.

*Johne's Disease*

*Committee Recommendation.*—The Committee recommendation includes \$6,876,000 for Johne's disease.

*Noxious Weeds*

*Committee Recommendation.*—The Committee recommendation includes \$1,790,000 for the noxious weeds program.

*Cogongrass Control.*—The Committee recommendation includes \$208,000 for an invasive species program to prevent the spread of cogongrass in Mississippi, and requests that the agency take necessary steps to address this invasive weed as a regional infestation problem.

*Nez Perce Bio-Control Center.*—The Committee recommendation includes \$176,000 for the Nez Perce Bio-Control Center to increase the availability and distribution of biological control organisms used in an integrated weed management system.

*Noxious Weed Management.*—The Committee recommendation includes \$235,000 for a weed management program with the State of Nevada to control invasive weeds on rangelands that threaten the viability of Nevada's agricultural economy.

*Tuberculosis*

*Committee Recommendation.*—The Committee recommendation includes \$15,764,000 for the tuberculosis program.

*Tuberculosis Transmission.*—The Committee is concerned about the potential threats that wildlife poses for transmitting tuberculosis to domestic livestock and directs the agency to continue technical and operational assistance to Michigan producers to prevent or reduce the transmission of tuberculosis between wildlife and cattle. The Committee recommendation includes \$248,000 for bovine tuberculosis eradication efforts in the State of Michigan.

*Wildlife Services Operations*

*Committee Recommendation.*—The Committee recommendation includes \$76,281,000 for wildlife services operations. The Committee does not concur with the budget request to reduce funding in the wildlife services operations account to allow cooperators to assume a larger share of the costs associated with preventing and reducing wildlife damage. The Committee provides funding to continue cooperating with States to conduct wildlife management programs such as livestock protection, migratory bird damage to crops, invasive species damage, property damage, human health and safety, and threatened and endangered species protection.

*Animal Management and Control.*—The Committee recommendation includes \$496,000 for animal management and control in the State of Mississippi. The Committee expects the agency to make the fiscal year 2009 level of funding available to all counties in the State. The Committee commends the agency's assistance in cooperative relationships with local and Federal partners to reduce animal damage to cropland and forests.

*Blackbird Management.*—The Committee recommendation includes \$265,000 to conduct methods development and continue control measures for minimizing blackbird damage in North and South

Dakota. The Committee recommendation also includes \$94,000 for blackbird management activities in Louisiana.

*Cooperative Livestock Protection Program.*—The Committee recommendation includes \$223,000 for the Cooperative Livestock Protection Program in the Commonwealth of Pennsylvania to provide technical and operational assistance in identifying, controlling, and abating damage, animal health problems, and economic losses caused by black vultures, Canadian geese, European starlings, coyotes, and other wildlife.

*Cormorant Control.*—The Committee recommendation includes \$465,000 for cormorant management and control, which includes \$139,000 for the State of Michigan, \$103,000 for the Lake Champlain basin, and \$223,000 for Delta States' operations.

*Integrated Predation Management Activities.*—The Committee recommendation includes \$280,000 for integrated predation management activities in the State of West Virginia.

*Oral Rabies Vaccination.*—The Committee recommendation includes \$23,810,000 for rabies control activities. The Committee expects a portion of the program increase to be available for rabies activities in the Appalachian region and to further progress already made along the Appalachian Ridge to control this disease.

*Tri-State Predator Control.*—Due to the increase in federally listed endangered species and the reintroduction of wolf populations in Idaho, Montana and Wyoming, State operation accounts for wildlife services have suffered financially, therefore the Committee recommendation includes \$926,000 for the tri-State predator control program in Idaho, Montana, and Wyoming to respond to wolf depredation and monitor wolf populations.

*Wildlife Services, Hawaii.*—The Committee recommendation includes \$2,230,000 for Wildlife Service Operations in Hawaii. These operations include support for the State office to provide on-site coordination of prevention and control activities in Hawaii and the American Pacific, support for a permanent facility in Hilo for vertebrate pest control in Hawaii and the Pacific Region, continued rodent control efforts in active agricultural areas, prevention of the movement of Brown Tree Snakes from Guam to Hawaii, efforts to control coqui frog infestations, and other wildlife services activities.

*Wildlife Services South Dakota.*—The Committee recommendation includes \$519,000 for wildlife service operations with the South Dakota Department of Game, Fish, and Parks to meet the growing demands of controlling predatory, nuisance, and diseased animals.

#### ANIMAL CARE

##### *Animal Welfare*

*Committee Recommendation.*—The Committee recommendation includes \$21,979,000 for the animal care unit for enforcement of the Animal Welfare Act.

*Horse Welfare.*—The Committee directs the Government Accountability Office [GAO] to conduct an investigation on the status of horse welfare in this country as it relates to the cessation of horse slaughter operations. In particular, the Committee believes that GAO should consider, at least, how the horse industry has re-

sponded to the closure of U.S. horse slaughter facilities in terms of both the numbers of horse sales, exports, adoptions, or abandonments; the implications these changes have had on farm income and trade; the extent to which horses in the United States are slaughtered for any purpose; any impacts to State and local governments and animal protection organizations; how the Department oversees the transport of horses destined for slaughter in foreign countries, particularly Canada and Mexico; the manner in which the Department coordinates with the Department of the Interior and State governments to assist them in identifying, holding and transporting unwanted horses for foreign export; and general conclusions regarding the welfare of horses as a result of a ban on horse slaughter for human consumption. The Committee expects a report in this investigation by March 1, 2010.

#### SCIENTIFIC AND TECHNICAL SERVICES

##### *Biotechnology Regulatory Services*

*Committee Recommendation.*—The Committee recommendation includes \$13,050,000 for biotechnology regulatory services.

*Genetically Modified Products.*—The Committee recommendation includes \$259,000 for a national institute at Iowa State University devoted to risk assessment, mitigation, and communication for genetically modified agricultural products.

##### *Plant Methods Development Laboratories*

*Committee Recommendation.*—The Committee recommendation includes \$9,949,000 for the Plant Methods Development Laboratories Program.

*Sericea Lespedeza.*—*Sericea lespedeza* is an important field crop in the southeastern United States. *Sericea lespedeza* also poses environmental challenges to ecosystems in tall grass prairie lands in the Great Plains region. APHIS is encouraged to collaborate with conservation programs in the Great Plains region where *sericea lespedeza* is an invasive species to find economically and ecologically appropriate approaches.

##### *Veterinary Diagnostics*

*Committee Recommendation.*—The Committee recommendation includes \$26,073,000 for veterinary diagnostics, which includes an increase of \$1,657,000 for APHIS costs associated with the agency's mission at the National Centers for Animal Health in Ames, Iowa.

*Agriculture Compliance Laboratory.*—The Committee recommendation includes \$69,000 for the animal health diagnostic laboratory in the State of Delaware.

*Disease Prevention.*—The Committee recommendation includes \$69,000 to develop diagnostics, treatment and prevention for diseases, including West Nile Virus, infecting farm-raised reptiles. Research has confirmed that reptiles are a major vector for West Nile Virus, and the spread of this disease appears to be escalating, posing a significant human health risk and a great economic cost to the farming industry.

*National Agriculture Biosecurity Center.*—The Committee recommendation includes \$500,000 for the National Agriculture Bio-

security Center in the State of Kansas to help protect agricultural infrastructure and economy from endemic and emerging biological threats.

*Wildlife Services Methods Development*

*Committee Recommendation.*—The Committee recommendation includes \$18,630,000 for wildlife services methods development.

*Berryman Institute.*—The Committee recommendation includes \$1,500,000 to continue the existing program at the Jack Berryman Institute for addressing wildlife damage management issues, including wildlife disease threats and wildlife economics.

*National Wildlife Research Station, Texas.*—The Committee recommendation includes \$290,000 for the National Wildlife Research Station located in the State of Texas for activities related to emerging infectious diseases associated with wildlife populations and human health.

*Predator Control.*—The Committee understands that APHIS is currently evaluating a theobromine and caffeine mixture as a possible tool for predation management. The Committee also understands that this mixture induces mortality with minimal pre-mortality symptoms, and because theobromine and caffeine are readily available, antidotes exist should it be accidentally ingested by livestock or a pet. The Committee encourages APHIS to continue evaluating this method, conduct field studies, and take the appropriate steps to register these compounds with the Environmental Protection Agency.

COMMITTEE DIRECTIVES

In complying with the Committee’s directives, the Committee expects APHIS not to redirect support for programs and activities without prior notification to and approval by the House and Senate Committees on Appropriations in accordance with the reprogramming procedures specified in the act. Unless otherwise directed, the Animal and Plant Health Inspection Service shall implement appropriations by programs, projects, and activities as specified by the Appropriations Committees. Unspecified reductions necessary to carry out the provisions of this act are to be implemented in accordance with the definitions contained in the program, project, and activity section of this report.

The following is a list of congressionally designated projects:

ANIMAL AND PLANT HEALTH INSPECTION SERVICE, CONGRESSIONALLY DESIGNATED PROJECTS

Project	Program	Amount
Agriculture Compliance Laboratory Equipment, Delaware Department of Agriculture.	Veterinary diagnostics .....	\$69,000
Animal management and control, APHIS Mississippi .....	Wildlife services operations .....	496,000
Berryman Institute, Jack Berryman Institute Utah and Mississippi Agriculture and Forestry Experiment Station.	Wildlife services methods development.	1,500,000
Bio-safety and antibiotic resistance, University of Vermont .....	Animal health monitoring and surveillance.	240,000
Blackbird management, APHIS Louisiana .....	Wildlife services operations .....	94,000
Blackbird management, APHIS North and South Dakota .....	Wildlife services operations .....	265,000
Bovine tuberculosis eradication Michigan, Michigan Department of Agriculture.	Tuberculosis .....	248,000

ANIMAL AND PLANT HEALTH INSPECTION SERVICE, CONGRESSIONALLY DESIGNATED PROJECTS—  
Continued

Project	Program	Amount
California county pest detection augmentation program, California Department of Food and Agriculture.	Pest detection .....	619,000
California county pest detection import inspection program, California Department of Food and Agriculture.	Pest detection .....	738,000
Cogongrass control, Mississippi Department of Agriculture .....	Noxious weeds .....	208,000
Cooperative livestock protection program, APHIS Pennsylvania and Pennsylvania Department of Agriculture.	Wildlife services operations .....	223,000
Cormorant control, APHIS Michigan .....	Wildlife services operations .....	139,000
Cormorant control, APHIS Mississippi .....	Wildlife services operations .....	223,000
Cormorant control, APHIS Vermont and Vermont Fish and Wildlife Department.	Wildlife services operations .....	103,000
Disease prevention, Louisiana Department of Wildlife and Fisheries.	Veterinary diagnostics .....	69,000
Disease surveillance in North Dakota, North Dakota State University and Dickinson State University.	Animal health monitoring and surveillance.	700,000
Genetically modified products, Iowa State University .....	Biotechnology regulatory services .....	259,000
Greater Yellowstone Interagency Brucellosis Committee, Idaho Department of Agriculture, Montana Department of Livestock, Wyoming Livestock Board.	Brucellosis .....	650,000
Gypsy moth, New Jersey, New Jersey Department of Agriculture ..	Gypsy moth .....	250,000
Hawaii interline, APHIS Hawaii .....	Agricultural quarantine inspection .....	3,000,000
Hawaii wildlife services activities, APHIS Hawaii .....	Wildlife services operations .....	2,230,000
Hemlock Woolly Adelgid, Tennessee, University of Tennessee .....	Biological control .....	500,000
Integrated predation management activities, APHIS West Virginia.	Wildlife services operations .....	280,000
Invasive aquatic species, Lake Champlain Fish and Wildlife Management Cooperative, Vermont.	Aquaculture .....	94,000
Mormon cricket Nevada, APHIS Nevada .....	Grasshopper .....	1,000,000
National Agriculture Biosecurity Center, Kansas State University.	Veterinary diagnostics .....	500,000
National farm animal identification and records, Holstein Association.	Animal health monitoring and surveillance.	343,000
National Wildlife Research Station, Texas A&M .....	Wildlife services methods development.	290,000
New Mexico rapid syndrome validation program, New Mexico State University.	Animal health monitoring and surveillance.	404,000
Nez Perce Bio-control Center, Nez Perce Tribe .....	Noxious weeds .....	176,000
Noxious weed management, Nevada Department of Agriculture ..	Noxious weeds .....	235,000
Tri-State predator control, APHIS Idaho, Montana, and Wyoming.	Wildlife services operations .....	926,000
Varroa mite suppression, APHIS Hawaii .....	Emerging plant pests .....	469,000
Wildlife Services South Dakota, South Dakota Department of Game, Fish, and Parks.	Wildlife services operations .....	519,000
TOTAL, Animal and Plant Health Inspection Service .....	.....	18,059,000

BUILDINGS AND FACILITIES

Appropriations, 2009 .....	\$4,712,000
Budget estimate, 2010 .....	4,712,000
Committee recommendation .....	4,712,000

The APHIS appropriation for “Buildings and Facilities” funds major nonrecurring construction projects in support of specific program activities and recurring construction, alterations, preventive maintenance, and repairs of existing APHIS facilities.

COMMITTEE RECOMMENDATIONS

The Committee recommendation includes an appropriation of \$4,712,000 for buildings and facilities of the Animal and Plant

Health Inspection Service. This funding is necessary to allow APHIS to maintain existing facilities, and perform critically needed repairs to and replacements of building components, such as heating, ventilation and air-conditioning on a prioritized basis at APHIS facilities. The Committee notes that due to the environmentally sensitive nature of many APHIS facilities, closure of a facility could result if APHIS is unable to complete the required repairs.

AGRICULTURAL MARKETING SERVICE

MARKETING SERVICES

Appropriations, 2009 .....	\$86,711,000
Budget estimate, 2010 .....	90,848,000
Committee recommendation .....	90,848,000

The Agricultural Marketing Service [AMS] was established by the Secretary of Agriculture on April 2, 1972. AMS carries out programs authorized by more than 50 different statutory authorities, the primary ones being the Agricultural Marketing Act of 1946 (7 U.S.C. 1621–1627); the U.S. Cotton Standards Act (7 U.S.C. 51–65); the Cotton Statistics and Estimates Act (7 U.S.C. 471–476); the Tobacco Inspection Act (7 U.S.C. 511–511q); the Perishable Agricultural Commodities Act (7 U.S.C. 499a–499s); the Egg Products Inspection Act (21 U.S.C. 1031–1056); and section 32 (15 U.S.C. 713c).

Programs administered by this agency include the market news services, payments to States for marketing activities, the Plant Variety Protection Act (7 U.S.C. 2321 et seq.), the Federal administration of marketing agreements and orders, standardization, grading, classing, and shell egg surveillance services, transportation services, wholesale farmers and alternative market development, commodity purchases, Perishable Agricultural Commodities Act (7 U.S.C. 499a–499b), and market protection and promotion activities.

COMMITTEE RECOMMENDATIONS

The Committee recommends an appropriation of \$90,848,000 for marketing services of the Agricultural Marketing Service.

*Local Purchase.*—The Committee is aware that the Iowa Buy Fresh/Buy Local works with communities to implement plans to create more local commerce around locally grown foods, including working with institutional food buyers to develop strong linkages to local farmers and processors. The Committee encourages AMS to provide technical and financial assistance, as appropriate, to this program.

*Organics.*—The Committee recommendation includes \$6,667,000 for the National Organic Program [NOP]. The Committee encourages the agency to fund independent and comprehensive scientific reviews of substances and materials proposed for use in organic agriculture, prior to their consideration by the National Organic Standards Board, as required by the Organic Foods Production Act [OFPA]. The Committee further encourages the agency to finalize the pending pasture rule for organic livestock and initiate rule-making to address the issue of the origin of livestock. Finally, the Committee expects the NOP to move forward with respect to Peer

TITLE VII  
GENERAL PROVISIONS

The Committee recommends the following provisions:

Section 701. This section makes funds available for the purchase, replacement, and hire of passenger motor vehicles.

Section 702. This section provides the Secretary of Agriculture with needed transfer authorities for the Rural Development Disaster Assistance Fund.

Section 703. This section gives the Secretary of Agriculture authority to transfer unobligated balances to the Working Capital Fund.

Section 704. This section limits the funding provided in the bill to 1 year, unless otherwise specified.

Section 705. This section limits negotiated indirect costs on cooperative agreements between the Department of Agriculture and nonprofit organizations to 10 percent.

Section 706. This section makes appropriations to the Department of Agriculture for the cost of direct guaranteed loans available until expended to disburse obligations for certain Rural Development programs.

Section 707. This section makes funds available for the expenses and activities of certain advisory committees, panels, commissions, and task forces at the Department of Agriculture.

Section 708. This section prohibits the use of funds to establish an inspection panel at the Department of Agriculture.

Section 709. This section requires Department of Agriculture agencies to provide reimbursement to other Department of Agriculture agencies for employees detailed for longer than 30 days.

Section 710. This section prohibits the Department of Agriculture and the Department of Health and Human Services from transmitting questions or responses as a result of the appropriations hearing process to non-Department employees.

Section 711. This section prohibits the purchase of new information technology equipment and equipment in excess of \$25,000 without the prior approval of the Chief Information Officer.

Section 712. This section prohibits the reprogramming of funds for programs, projects, or activities in excess of \$500,000 or 10 percent, whichever is less without the prior notification of the Committee on Appropriations.

Section 713. This section prohibits the use of funds for user fee proposals that fail to provide sufficient budget impact information.

Section 714. This section places conditions on the closing or relocation of Rural Development State Offices.

Section 715. This section prohibits the closing of the Food and Drug Administration's St. Louis, Missouri laboratory.

Section 716. This section provides program funding for remote rural communities suffering from extreme outmigration.

Section 717. This section limits the amount of funding available to reimburse the Commodity Credit Corporation for the release of commodities under the Bill Emerson Humanitarian Trust.

Section 718. This section provides funding for the National Center for Natural Products Research to construct and/or renovate facilities to enhance the research conducted on botanicals and dietary supplements at the National Center in conjunction with FDA's Center for Food Safety and Applied Nutrition. This research aids FDA's regulatory mission in ensuring the safety and effectiveness of dietary supplements by identifying, isolating, and analyzing specific components of botanicals and dietary supplements.

Section 719. This section makes funds for certain conservation programs available until expended to disburse certain obligations made in the current fiscal year.

Section 720. This section prohibits funds to carry out certain sections of Public Law 110-246.

Section 721. This section makes certain former Rural Utilities Service borrowers eligible for the Rural Economic Development loan and grant program.

Section 722. This section provides funding to complete the environmental assessment for and continue the design of a facility that will allow the creation of sterile fruit flies of all varieties of established fruit fly pests.

Section 723. This section provides for grants to develop and field test new food products designed to cost-effectively improve the nutritional delivery and functional form of food assistance products.

Section 724. This section provides for processing of Rural Development documents.

Section 725. This section makes selected communities eligible for certain Rural Development programs, pending receipt of the 2010 Census.

Section 726. This section provides funding for the Bill Emerson and Mickey Leland Hunger Fellowships.

Section 727. This section provides funding for section 6402 of the Farm Security and Rural Investment Act of 2002, to support development and expansion of the specialty cheese industry.

Section 728. This section authorizes certain watershed projects.

Section 729. The section includes language amending the Richard B. Russell National School Lunch Act.

Section 730. This section modifies matching requirements for certain research grants.

Section 731. This section provides funds for Rural Development and the Farm Service Agency information technology expenses.

Section 732. This section allows for exemptions of combat pay for WIC eligibility.

Section 733. This section clarifies lack of access to risk management products.

Section 734. This section provides funding for the purpose of evaluating program performance in the WIC program.

Section 735. This section provides for certain funding activities in the WIC program.

Section 736. This section requests information regarding humanitarian food assistance.

Section 737. This section provides funding for food bank infrastructure grants as authorized in the Food, Conservation, and Energy Act of 2008.

Section 738. This section provides funding for the Geographically Disadvantaged Farmers Program as authorized in the Food, Conservation, and Energy Act of 2008.

Section 739. This section provides funding for the Durum Wheat Quality Program as authorized in the Food, Conservation, and Energy Act of 2008.

Section 740. This section provides funding for a grant for workforce development initiatives to address out-migration in rural areas.

Section 741. This section provides funding to carry out a pilot program for hardwood trees.

Section 742. This section clarifies certain program eligibility criteria.

Section 743. This section includes language regarding reconstituted infant formula.

Section 744. This section includes language regarding poultry imports.

CONGRESSIONALLY DIRECTED SPENDING ITEMS

Account	Project	Funding	Member
APHIS	Agriculture Compliance Laboratory Equipment, Delaware Department of Agriculture	\$69,000	Carper and Kaufman
APHIS	Animal management and control, APHIS Mississippi	\$496,000	Cochran
APHIS	Beryman Institute, Jack Beryman Institute Utah and Mississippi Agriculture and Forestry Experiment Station.	\$1,500,000	Bennett, Cochran, and Wicker
APHIS	Bio-safety and antibiotic resistance, University of Vermont	\$240,000	Leahy
APHIS	Blackbird management, APHIS Louisiana	\$94,000	Landrieu
APHIS	Blackbird management, APHIS North and South Dakota	\$265,000	Conrad, Dorgan, and Johnson
APHIS	Bovine tuberculosis eradication Michigan, Michigan Department of Agriculture	\$248,000	Klobuchar, Levin, and Stabenow
APHIS	California county pest detection augmentation program, California Department of Food and Agriculture	\$619,000	Feinstein
APHIS	California county pest detection import inspection program, California Department of Food and Agriculture	\$738,000	Boxer and Feinstein
APHIS	Cogongrass control, Mississippi Department of Agriculture	\$208,000	Cochran
APHIS	Cooperative livestock protection program, APHIS Pennsylvania and Pennsylvania Department of Agriculture	\$223,000	Casey and Specter
APHIS	Comorant control, APHIS Michigan	\$139,000	Levin and Stabenow
APHIS	Comorant control, APHIS Mississippi	\$223,000	Cochran
APHIS	Comorant control, APHIS Vermont and Vermont Fish and Wildlife Department	\$103,000	Leahy
APHIS	Disease prevention, Louisiana Department of Wildlife and Fisheries	\$69,000	Landrieu
APHIS	Disease surveillance in North Dakota, North Dakota State University and Dickinson State University	\$700,000	Conrad and Dorgan
APHIS	Genetically modified products, Iowa State University	\$259,000	Grassley and Harkin
APHIS	Greater Yellowstone Interagency Brucellosis Committee, Idaho Department of Agriculture, Montana Department of Livestock, Wyoming Livestock Board.	\$650,000	Barrasso, Baucus, Crapo, Enzi, Risch, and Tester
APHIS	Gypsy moth, New Jersey, New Jersey Department of Agriculture	\$250,000	Lautenberg and Menendez
APHIS	Hawaii interline, APHIS Hawaii	\$3,000,000	Akaka and Inouye
APHIS	Hawaii wildlife services activities, APHIS Hawaii	\$2,230,000	Akaka and Inouye
APHIS	Hemlock Woolly Adelgid, Tennessee, University of Tennessee	\$500,000	Alexander
APHIS	Integrated predation management activities, APHIS West Virginia	\$280,000	Byrd
APHIS	Invasive aquatic species, Lake Champlain Fish and Wildlife Management Cooperative, Vermont	\$94,000	Leahy
APHIS	Mormon crickets, APHIS Nevada	\$1,000,000	Reid
APHIS	National Agriculture Biosecurity Center, Kansas State University	\$500,000	Brownback and Roberts
APHIS	National farm animal identification and records, Holstein Association	\$343,000	Leahy
APHIS	National Wildlife Research Station, Texas A&M	\$290,000	Hutchison
APHIS	New Mexico rapid syndrome validation program, New Mexico State University	\$404,000	Bingaman and Udall, Tom
APHIS	Nez Perce Bio-control Center, Nez Perce Tribe	\$176,000	Crapo and Risch
APHIS	Noxious weed management, Nevada Department of Agriculture	\$235,000	Reid
APHIS	Tri-State predator control, APHIS Idaho, Montana, and Wyoming	\$926,000	Barrasso, Baucus, Crapo, Enzi, Risch, and Tester
APHIS	Varroa mite suppression, APHIS Hawaii	\$469,000	Akaka and Inouye

APHIS	Wildlife Services South Dakota, South Dakota Department of Game, Fish, and Parks	\$519,000	Johnson
ARS/BF	Agricultural Research Center, Beltsville, MD	\$3,000,000	Cardin and Mikulski
ARS/BF	Agricultural Research Center, Logan, UT	\$4,527,000	Bennett
ARS/BF	Agricultural Research Center, Pullman, WA	\$3,740,000	Cantwell and Murray
ARS/BF	Animal Bioscience Facility, Bozeman, MT	\$2,500,000	Baucus and Tester
ARS/BF	Appalachian Fruit Laboratory, Kearneysville, WV	\$2,000,000	Byrd
ARS/BF	ARS Biotechnology Lab, Locom, MS	\$1,500,000	Cochran
ARS/BF	ARS Forage-Animal Production Research Facility, Lexington, KY	\$2,000,000	McConnell
ARS/BF	ARS Research and Development Center, Auburn, AL	\$3,500,000	Shelby
ARS/BF	ARS Waste Management Research Facility, Bowling Green, KY	\$2,000,000	McConnell
ARS/BF	Dairy Forage Agricultural Research Center, Prairie du Sac, WI	\$4,000,000	Kohl
ARS/BF	Jamie Whitten Delta States Research Center, Stoneville, MS	\$4,000,000	Cochran
ARS/BF	National Plant and Genetics Security Center, Columbia, MO	\$3,500,000	Bond
ARS/BF	Pacific Basin Agricultural Research Center, Hilo, HI	\$5,000,000	Akaka and Inouye
ARS/BF	Sugarcane Research Facility, Houma, LA	\$2,000,000	Landrieu and Vitter
ARS/BF	Systems Biology Research Facility, Lincoln, NE	\$3,760,000	Ben Nelson
ARS/S&E	Anthropod-Borne Animal Diseases Research Laboratory, ARS, Manhattan, KS	\$1,500,000	Brownback
ARS/S&E	Aquaculture Fisheries Center, ARS, Harry K. Dupree National Aquaculture Center, AR	\$519,000	Lincoln and Pryor
ARS/S&E	Aquaculture Initiatives, Harbor Branch Oceanographic Institute, ARS, Stuttgart, AR	\$1,597,000	Martinez
ARS/S&E	Biomass Crop Production, ARS, Brookings, SD	\$1,250,000	Johnson and Thune
ARS/S&E	Biomedical Materials in Plants, ARS, Beltsville, MD	\$1,700,000	Cardin and Mikulski
ARS/S&E	Bioremediation Research, ARS, Beltsville, MD	\$111,000	Cardin
ARS/S&E	Biotechnology Research and Development Corporation, ARS, Washington, DC	\$2,750,000	Durbin
ARS/S&E	Center for Agroforestry, ARS, Booneville, AR	\$660,000	Bond
ARS/S&E	Computer Vision Engineer, ARS, Kearneysville, WV	\$400,000	Byrd
ARS/S&E	Dairy Forage Research Center, ARS, Marshfield, WI	\$2,500,000	Kohl
ARS/S&E	Dale Bumpers Small Farms Research Center, ARS, Booneville, AR	\$1,805,000	Lincoln and Pryor
ARS/S&E	Diet Nutrition and Obesity Research, ARS, New Orleans, LA	\$623,000	Landrieu and Vitter
ARS/S&E	Endophyte Research, ARS, Booneville, AR	\$994,000	Lincoln and Pryor
ARS/S&E	Forage Crop Stress Tolerance and Virus Disease Management, ARS, Prosser, WA	\$200,000	Murray
ARS/S&E	Fomosan Subtropical Termites Research, ARS, New Orleans, LA	\$3,490,000	Landrieu
ARS/S&E	Foundry Sand By-Products Utilization, ARS, Beltsville, MD	\$638,000	Cardin
ARS/S&E	Genomics, ARS, University of Minnesota	\$200,000	Klobuchar
ARS/S&E	Human Nutrition Research, ARS, Boston, MA	\$350,000	Kennedy and Kerry
ARS/S&E	Human Nutrition Research, ARS, Houston, TX	\$300,000	Hutchison
ARS/S&E	Improved Crop Production Practices, ARS, Auburn, AL	\$1,293,000	Sessions
ARS/S&E	Medicinal and Bioactive Crops, ARS, Washington, DC	\$111,000	Cardin
ARS/S&E	National Bio and Agro Defense Facility, ARS, Manhattan, KS	\$1,500,000	Brownback
ARS/S&E	National Center for Agricultural Law, ARS, Beltsville, MD	\$654,000	Harkin, Lincoln, and Pryor
ARS/S&E	New England Plant, Soil, and Water Research Laboratory, ARS, Orono, ME	\$2,249,000	Collins