

GENERAL PROVISIONS

The estimates include General Provisions language as follows (new language in italics; deleted matter enclosed in brackets):

SECTION 701: Provides authority for the purchase, replacement, and hire of passenger motor vehicles.

SEC. 701. Within the unit limit of cost fixed by law, appropriations and authorizations made for the Department of Agriculture for the current fiscal year under this Act shall be available for the purchase, in addition to those specifically provided for, of not to exceed 182 passenger motor vehicles, of which 142 shall be for replacement only, and for the hire of such vehicles.

SECTION 702: Provides that certain funds are to remain available until expended.

SEC. 702. New obligational authority provided for the following appropriation items in this Act shall remain available until expended: Animal and Plant Health Inspection Service, the contingency fund to meet emergency conditions, information technology infrastructure, fruit fly program, emerging plant pests, boll weevil program, low pathogen avian influenza program, high pathogen avian influenza program, up to \$4,505,000 in the pest and disease management program to control grasshoppers and Mormon cricket, up to \$33,125,000 in animal health monitoring and surveillance for the animal identification system, up to \$1,500,000 in the scrapie program for indemnities, up to \$8,141,000 in the emergency management systems program for the vaccine bank, up to \$1,000,000 for wildlife services methods development, up to \$1,000,000 of the wildlife services operations program for aviation safety, and up to 25 percent of the screwworm program; Food Safety and Inspection Service, field automation and information management project; Cooperative State Research, Education, and Extension Service, funds for the Native American Institutions Endowment Fund; Farm Service Agency, salaries and expenses funds made available to county committees; Foreign Agricultural Service, middle-income country training program and up to \$2,000,000 of the Foreign Agricultural Service appropriation solely for the purpose of offsetting fluctuations in international currency exchange rates, subject to documentation by the Foreign Agricultural Service.

SECTION 703: Provides authority for the Secretary of Agriculture to transfer available unobligated discretionary funds appropriated by this Act or other unobligated discretionary balances to the Working Capital Fund for the purpose of acquiring plant and capital equipment necessary for the delivery of financial, administrative, and information technology services with the notification of the Agency Administrator and notification to the Appropriations Committees of both Houses of Congress.

SEC. 703. The Secretary of Agriculture may transfer unobligated balances of discretionary funds appropriated by this Act or other available unobligated discretionary balances of the Department of Agriculture to the Working Capital Fund for the acquisition of plant and capital equipment necessary for the delivery of financial, administrative, and information technology services of primary benefit to the agencies of the Department of Agriculture: Provided, That none of the funds made available by this Act or any other Act shall be transferred to the Working Capital Fund without the prior notification of the agency administrator: Provided further, That none of the funds transferred to the Working Capital Fund pursuant to this section shall be available for obligation without the prior notification of the Committees on Appropriations of both Houses of Congress.

SECTION 704: Provides that no part of any appropriation in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

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

SECTION 705: Limits the negotiated indirect cost rates on cooperative agreements between the Department and nonprofit institutions to 10 percent of the value of the agreement.

SEC. 705. No funds appropriated by this Act may be used to pay negotiated indirect cost rates on cooperative agreements or similar arrangements between the United States Department of Agriculture and nonprofit institutions in excess of 10 percent of the total direct cost of the agreement when the purpose of such cooperative arrangements is to carry out programs of mutual interest between the two parties. This does not preclude appropriate payment of indirect costs on grants and contracts with such institutions when such indirect costs are computed on a similar basis for all agencies for which appropriations are provided in this Act.

SECTION 706: Provides that subsidy authority for certain loan programs remain available until expended to cover obligations.

SEC. 706. Appropriations to the Department of Agriculture for the cost of direct and guaranteed loans made available in the current fiscal year shall remain available until expended to disburse obligations made in the current fiscal year for the following accounts: the Rural Development Loan Fund program account, the Rural Electrification and Telecommunication Loans program account, and the Rural Housing Insurance Fund program account.

SECTION 707: Prohibits the use of funds to establish a Safe Meat and Poultry Inspection Panel.

SEC. 707. None of the funds appropriated by this Act may be used to carry out section 410 of the Federal Meat Inspection Act (21 U.S.C. 679a) or section 30 of the Poultry Products Inspection Act (21 U.S.C. 471).

SECTION 708: Prohibits the use of funds to acquire new information technology systems or significant upgrades, as determined by the Office of the Chief Information Officer (OCIO), without the notification of the Chief Information Officer and the concurrence of the Executive Technology Investment Review Board and Committees on Appropriations of both Houses of Congress.

SEC. 708. None of the funds made available to the Department of Agriculture by this Act may be used to acquire new information technology systems or significant upgrades, as determined by the Office of the Chief Information Officer, without the notification of the Chief Information Officer and the concurrence of the Executive Information Technology Investment Review Board: Provided, That notwithstanding any other provision of law, none of the funds appropriated or otherwise made available by this Act may be transferred to the Office of the Chief Information Officer unless prior notification has been transmitted to the Committees on Appropriations of both Houses of Congress.

SECTION 709: Allows up to 30 percent of funds for competitive research grants to be used to carry out a competitive grants program under the same terms and conditions as those provided in section 401 of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7621).

SEC. 709. Notwithstanding any other provision of law, of the funds made available in this Act for competitive research grants (7 U.S.C. 450i(b)), the Secretary may use up to 30 percent of the amount provided to carry out a competitive grants program under the same terms and conditions as those provided in section 401 of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7621).

SECTION 710: Provides that fiscal year funds made available for certain programs shall remain available until expended to disburse obligations made in the same fiscal years but except for fiscal year 2008 funds, are not available for new obligations.

SEC. 710. Funds made available under section 12401 and section 1241(a) of the Food Security Act of 1985 in the current fiscal year shall remain available until expended to disburse obligations made in the current fiscal year, and are not available for new obligations. Funds made available under section 524(b) of the Federal Crop Insurance Act, 7 U.S.C. 1524(b), in fiscal years 2004, 2005, 2006, 2007 and 2008 shall remain available until expended to disburse obligations made in fiscal years 2004, 2005, 2006, 2007 and 2008 respectively, and except for fiscal year 2008 funds, are not available for new obligations.

SECTION 711: Places limitations on the amount of funds available to carry out certain mandatory programs that receive funding from the Commodity Credit Corporation (CCC).

SEC. 711. None of the funds appropriated or otherwise made available by this or any other Act shall be used to pay the salaries and expenses of personnel to carry out the following:

- (a) an Environmental Quality Incentives Program authorized by 16 U.S.C. 3839aa, et seq., in excess of \$1,000,000,000. Funds exceeding this amount for fiscal year 2008 are hereby permanently cancelled;*
- (b) a Conservation Security Program authorized by 16 U.S.C. 3838 et seq., in excess of \$316,212,000. Funds exceeding this amount for fiscal year 2008 are hereby permanently cancelled. In addition, notwithstanding any other provision of law, section 1241(a)(3)(B) of the Food Security Act of 1985 (16 U.S.C. 3841(a)(3)(B)) is amended by striking "\$5,650,000,000" and inserting the following: "\$5,570,000,000";*
- (c) an Agricultural Management Assistance Program as authorized by section 524 of the Federal Crop Insurance Act (7 USC 1524). \$10,000,000 of the funds available for fiscal year 2008 are hereby permanently cancelled; and*
- (d) a Marketing Assistance Loan Program to provide storage credits for upland cotton, implemented by 7 CFR part 1427. Funds otherwise available for fiscal year 2008 are hereby permanently cancelled.*

SECTION 712: Reduces the instances that the assistance provided by USDA's single family housing guarantee home loan program is redundant with other federal guarantee home loan programs by directing lenders to certify that they would not provide a loan to a particular borrower were it not for the guarantee and that the borrower could not qualify for any other federal housing loan product that it offers.

SEC. 712. Section 502(h)(2) of the Housing Act of 1949 is amended to add the following sentence to the end of the paragraph:

"In addition the lender shall certify that—

"(A) the lender would not otherwise provide a loan to the borrower absent the guarantee, and

"(B) the lender either—

"(i) does not provide loans under any other federal housing program, or

"(ii) has determined that the borrower does not qualify for any other federal housing program that the lender offers that would serve the borrower's housing needs.".

SECTION 713: Allows the Secretary to transfer funds for certain plant pest or noxious weed emergencies and defines the term "emergency" for this purpose of transferring funds.

SEC. 713. Section 442 of Public Law 106-224 is amended by adding the following new subsections at the end:

"(c) PRECONDITIONS FOR A TRANSFER AVAILABILITY.—Funds may be transferred to combat emergencies.

“(d) DEFINITIONS.—For purposes of this subsection, an ‘emergency’ is an unanticipated event that requires a necessary expenditure that is sudden, urgent and unforeseen.”

SECTION 714: Allows the Secretary to transfer funds for certain livestock pest or disease emergencies.

SEC. 714. Section 10417 of Public Law 107-171 is amended by adding the following new subsections at the end:

“(d) PRECONDITIONS FOR A TRANSFER AVAILABILITY.—Funds may be transferred to combat emergencies.

“(e) DEFINITIONS.—For purposes of this subsection, an ‘emergency’ is an unanticipated event that requires a necessary expenditure that is sudden, urgent and unforeseen.”

SECTION 715: Increases the cap on Section 502 guarantee fees from 2 percent to 3 percent.

SEC. 715. Section 739 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriation Act, 2001 (H.R. 5426 as enacted by Public Law 106-387, 115 Stat. 1549A-34) is amended by striking “2 percent” and inserting “3 percent”.

SECTION 716: Cancels funds available under Section 32.

SEC. 716. Of the funds available under section 32 of the Act of August 24, 1935, \$65,452,000 are hereby permanently cancelled.

SECTION 717: Provides mandatory funding for conducting program compliance activities including data mining and development of the Common Information Management System.

SEC. 717. Not more than \$11,166,000 of the funds made available under section 522(e) of the Federal Crop Insurance Act (7 U.S.C. 1522(e)) may be used for program compliance and integrity purposes, including the data mining project, and for the Common Information Management System.

SECTION 718: Extends the time period for enrollment in the Wetlands Reserve Program through fiscal year 2008 and authorizes use of CCC funds to carry out the program.

SEC. 718. Notwithstanding any other provision of law, the time period for the Secretary of Agriculture to enroll not to exceed 2,275,000 acres in the Wetlands Reserve Program shall be extended through fiscal year 2008. For fiscal year 2008, the Secretary shall use the funds, facilities, and authorities of the Commodity Credit Corporation to carry out this program.